

10

Bio-Benefits: Technologies of Criminalization, Biometrics, and the Welfare System

Shoshana Magnet

Law enforcement officials and government agencies across North America are adopting biometric technologies for a variety of reasons. Utopian descriptions of biometric applications range from eliminating racial profiling vis-à-vis the neutral gaze of the biometric camera (Stein 2001) to the precise identification of criminals (Erbe 1997). Although biometric identification technologies were developed for use by law enforcement agencies, in the early 1990s state governments campaigned to add these technologies to existing welfare systems. Their efforts resulted in the widespread biometric fingerprinting of welfare recipients. By 2000, biometric identifiers were being used in welfare programs in more than twelve states (Office of the Inspector General 2000).

In this chapter, I question whether biometric technologies are race-, gender-, class-, and (dis)ability-neutral mechanisms. I argue that biometric technologies help us to think about the differential application of the surveillant gaze of the state. In the context of welfare administration, biometric technologies are mobilized at the nexus of government agencies and biometrics companies as a powerful technology of criminalization: how specific technologies and state apparatuses problematize the legitimacy of certain kinds of bodies. Biometrics fit into the larger state project of attempting to visualize an expanding network of criminalized bodies – a network, moreover, in which welfare recipients are firmly situated. I focus primarily on California, the first state to introduce biometric technologies in the welfare system. In California, mandatory finger imaging was imposed on welfare recipients across seven counties (Office of the Inspector General 2000). California is the only state to significantly audit the alleged success of biometrics programs, and it proves useful to examine the ways in which empirical science is used to justify the adoption of new technologies to address poverty as well as the dangers associated with biological-scientific measures as indicators of worth.

The chapter begins with a brief explanation of biometric technologies. This is followed by a detailed history of the significant cuts to welfare that formed the backdrop to the introduction of biometrics in the US welfare system. Having established the history of welfare regulation in America, I demonstrate that the use of biometrics in the welfare administration process helps to automate the long-standing attempt of the state to sort out the deserving from the undeserving poor. I illustrate how those who use biometrics claim to make the process of providing welfare benefits scientific, but I contest the notion that biometrics operate as an objective, scientific tool. Instead, I show how biometrics depend on flawed economics: rather than saving the state money, biometrics criminalize people living on the margins of the state and at great expense to the state, simultaneously generating profit for the biometrics industry.

Biometric Technologies

Biometrics is the science of using human biological measurements for purposes of identification, classification, and social sorting. I focus primarily on two related biometric technologies: finger imaging and retinal scanning. These biometric technologies are the two most commonly used methods to identify welfare recipients (Edwards 1997). Finger imaging involves taking a picture of the fingerprint. Retinal scanning involves taking a picture of blood vessels at the back of the eye. Unlike iris scanning, which simply takes a picture of the iris, retinal scanning is much more invasive: it uses infrared light to penetrate the eye and to produce an image of the vessels at the back. The invasiveness of retinal scanning has made many policy makers reluctant to use it; it has been most successful when used coercively, as a compulsory measure for access to services and valued or necessary resources.

Retinal scans and finger images are converted into digital information that can be encoded onto a passport or a smartcard for purposes of identification. Data can also be stored in an information database. While they involve different measures of the body, the distinction between finger imaging and retinal scanning is in a certain sense artificial. In a neoliberal market of increasing consolidation, biometric identification companies are merging, resulting in multimodal biometric solutions that enable scans that simultaneously check fingerprints and retinal patterns (Swann 2007).

Introducing Biometrics to Welfare Entitlement

Interest in, and availability of, biometric imaging systems for welfare recipients emerged at a time when welfare programs were particularly visible in the press and in political debate. Biometric companies were interested in expanding markets for their newly developed products, allowing “yesterday’s technological exotica” to be translated into today’s “everyday tool” (Gugliotta

1999). Biometric companies' need for expanding markets drove the implementation of the technologies in the welfare system. In one of the earliest applications of biometrics to welfare, Unisys Corporation developed biometric fingerprint imaging for San Diego County (at no cost). In return, San Diego County granted Unisys the right to use the project as a testing opportunity to develop similar systems for other state and local governments. The system Unisys designed was one of the first "fingerprint imaging system[s] ... designed to detect welfare fraud" (Silver 1995, 22). In fact, when companies such as Digital Biometrics and Identix became involved in the biometric identification of welfare recipients, they reported "their first profitable quarters ever" (Adelson 1994).

In the United States, the introduction of biometric identification technologies in welfare programs was part of a campaign of sweeping reforms. Biometric measurement technologies were introduced in 1991, one year before Bill Clinton pledged to end welfare "as we know it" during his election campaign of 1992 (Abramovitz 2000, 13). As Gilliom (2001) and Kohler-Hausmann (2007) document, the unpopularity of state-subsidized welfare in the United States dates to the 1970s. Welfare is a gendered program, differentially affecting women and their children. Contempt for welfare recipients, moreover, stems from stereotypes of the undeserving poor that are often related to race-, gender-, and class-based identities. Martin Gilens writes that the news media continually distort welfare, depicting "overly racialized images of poverty" (1999, 6), and associates these images with the suggestion that the poor are unwilling to work. He argues that "Americans who think most welfare recipients (or poor people) are Black express more negative views about people on welfare and are more likely to blame poverty on a lack of effort rather than on circumstances beyond the control of the poor" (206). The exaggerated stereotype of the African American welfare queen exploited by Ronald Reagan in 1976, and utilized by conservative politicians from Clarence Thomas to George W. Bush, epitomizes the sexist, racist, and classist nexus that has been essential to expansion of the criminalization of poverty to the criminalization of welfare; it is these oppressive categorizations that have been used to justify the rollbacks to federal and state assistance.

Significant cuts to welfare began in the early 1970s under the quality control movement. This movement provided states with incentives to strive for accuracy in the allocation of funds (i.e., reducing fraud), and the movement imposed penalties for errors in welfare administration. Thus, the 1973 quality control regulations dramatically intensified the surveillance of welfare recipients (Gilliom 2001). This trend continued with President Reagan's cuts to welfare in the 1980s. To achieve his goal of welfare reform, Reagan granted states a freer hand to tailor aid programs, beginning with the elimination of federal responsibility for state well-being (Kahn and Kamerman 1998;

Rogers-Dillon 2004). This strategy was expanded by President Clinton through the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 (Kahn and Kamerman 1998), signed by most states in 1997 (Abramovitz 2000). PRWORA granted states a free hand in the administration of welfare programs. Major reforms to welfare included work requirements for aid recipients, time limits to welfare, mandatory job training, and the use of social programs such as health care and child care as incentives to encourage welfare recipients to work (Abramovitz 2000; Gilens 1999). The Clinton-era reforms allowed states the flexibility to introduce biometric identification programs into welfare.¹

Two primary programs were targeted for biometric technologies: Home Relief (for single adults with no dependants) and Aid to Families with Dependent Children (AFDC). The latter is now called Temporary Aid to Needy Families (TANF). Keeping pace with quick-fix solutions, the use of biometric technologies was described as a straightforward way to address the problem of welfare, capable of ensuring “biometric accountability” and eliminating fraud.² The purported scientific simplicity of biometric measurements made them extremely popular as a solution to the complex and highly contested nature and administration of welfare. Biometrics are a trigger point for those interested in the single-issue policies that have come to dominate the so-called compassionate conservatism of the new right: single-issue policies aimed at gaining “popular support for economic policies favorable to the economic elite” (Reeves and Campbell 1994, 10) and fundamentally undermining the policies and spirit of the welfare state.

As a result of the unequal distribution of wealth and power between cities and suburbs, cities are particularly vulnerable to cuts to the New Deal (Kahn and Kamerman 1998). The first location to be targeted for a biometrics program aimed at getting tough on welfare fraud was Los Angeles, followed shortly by New York (McLarin 1995a). The able-bodied poor without children are traditionally among the first welfare clients to be subject to cutbacks (Rogers-Dillon 2004). Los Angeles was no exception: the first recipients of Home Relief were finger-imaged there (Hauppauge 1993). Biometric fingerprinting was quickly expanded to other counties, and in 1994 general assistance welfare clients in San Francisco, Alameda, and Contra Costa counties were biometrically fingerprinted.

The majority of those scanned were single young men (Gunnison 1994). Men (particularly able-bodied men) are commonly constructed as independent and self-sustaining individuals. Therefore, they remain suspect as recipients of care from the state. It is thus not surprising that their benefits were among the first to be policed using biometrics. In 1994, the biometric identification program in Los Angeles was expanded to families receiving AFDC, making it the first place in the country to biometrically fingerprint families on welfare (McLarin 1995a). The pattern of fingerprinting Home

Relief recipients followed by the expansion of fingerprinting to families was repeated in New York in 1995 (Fein 1995).

There is a long history of sorting the poor into those deserving and those undeserving of relief. Although the basis for classification changes, the imperative to discover who is worthy of aid persists. Michael Katz (1986) describes a study done in the early nineteenth century in Massachusetts that sought to classify the impotent and the able-bodied poor. Similar attempts at classification continue, as those seeking aid from the state are classified by age, gender, race, mental ability, (dis)ability, and parental status in order to evaluate the legitimacy of their claims (Gilliom 2001). Biometric technologies are the latest technology of power utilized in this quest; they automate the process of social sorting. Yet, like all of their predecessors, biometric classification systems are prone to error. For example, when George W. Bush was the governor of Texas, he called for the expansion of biometric identification to families. Ironically, elderly, ill Americans became the prime targets of the new biometric tests, as Bush selected Medicaid as the target program requiring biometric identification (Charpiot 2004; Ratcliffe 1994). Once biometric technologies for welfare clients were established in one county, they spread to other counties in the same state (as in California). In Wisconsin in 1996, for example, largely as a result of Republican governor and notorious welfare reformer Tommy Thompson's efforts (Rogers-Dillon 2004), biometric scanning of welfare clients was expanded to include retinal scanning (Edwards 1997).

Biometrically identifying welfare recipients fits the "new paternalism": a "supervisory approach to poverty" that advocates intense scrutiny of those receiving aid such as General Relief, Home Relief, or AFDC/TANF (Rogers-Dillon 2004, 14). Paternalists emphasize that "some intrusion" into the lives of welfare clients is both necessary and acceptable (Rogers-Dillon 2004, 121); thus, welfare reform under new paternalism has led to an intensification of surveillance mechanisms, probing the lives of those on assistance and seeking to deny them benefits (Firestone 1995). This approach to restructuring poverty facilitates the introduction of biometrics to welfare programs and ignores suggestions that there are privacy concerns that need to be addressed. Indeed, many state politicians tend to believe that biometric technologies only affect the guilty. Hauppauge (1993) quotes one politician: "'I'm not after the people who deserve welfare, God bless them,' said Joseph Rizzo, a Republican county legislator from Islip Terrace and a sponsor of the [biometrics] bill. 'I'm after the people who are ripping off the system.'"³

Paternalistic welfare reforms make the state into the surrogate (and suspicious) father of those receiving aid, and biometric technologies give the sense that paternalism is scientific. A particularly dramatic example of the new scientific paternalism is the newfound emphasis on determining paternity – demonstrating the confluence of biological paternity testing and

biometric identification. In one program, a hospital-based paternity ID program was implemented in order to ensure future child support (Gannett Company 1994). Anna Marie Smith (2007) has dubbed this newfound emphasis on discovering the paternity of the children born to welfare mothers part of a system of neo-eugenics: women receiving welfare benefits are subject to extreme forms of sexual regulation. Among neo-eugenic practices are invasive procedures that compel welfare mothers to disclose their sexual histories, open their homes, and make available their DNA to government officials. Neo-eugenics practices also introduce policies that force women fleeing from violent biological fathers to place themselves at risk.⁴

Making welfare scientific has been a continual goal of reform across the United States. Efforts to eliminate caseworker discretion and shift “the administration of welfare toward a more bureaucratic model that emphasize[s] adherence to rules and procedures” are ongoing (Rogers-Dillon 2004, 58). Mary Jo Bane and David Ellwood cite a Department of Public Welfare director of labour relations: “We’ve been trying to get the people who think like social workers out and the people who think like bank tellers in” (cited in Rogers-Dillon 2004, 58). The past ten years of reform have produced a discourse of scientific rhetoric that emphasizes compliance with new welfare standards. Allowing biometric information to be captured by the state becomes an essential component of compliance – a necessary designation to continue to receive benefits. Biometrics help to make the business of getting benefits appear scientific by producing an image purporting to be “the only true form of identification ... And you carry it with you wherever you go” (Steinberg 1993). Biometrics not only facilitate state surveillance of welfare clients and help to determine whether compliance has been achieved, but advocates also claim that they replace the discretionary eye of the caseworker with the neutral eye of the scanner/machine.

Some professionals have been uncomfortable with the introduction of imaging technologies since they transfer the site of expertise into the virtual hands of a machine (Kember 2003). In the case of welfare, however, administration officials have welcomed the transfer of authority. Most welfare professionals do not want the responsibility of striking clients off the rolls – authority that may be equated with the power of life and death. Others appreciate the change because it allows them to justify their decisions with scientific rhetoric. Faced with the impossible goal of reducing their caseloads, one can understand how some welfare workers would be grateful to defer this decision to a machine. In this sense, biometric technologies have a double advantage: not only do they fit the new emphasis on making welfare scientific, but they also claim to convert a subjective individual choice into one made by an “objective” machine. State officials argue that the addition of biometric technologies to welfare helps to prevent soft-hearted caseworkers from providing benefits beyond the terms of the welfare system. At the

same time, these additions justify a hard-line approach to denying benefits with the rhetoric of the scientific gaze. Thus, the “scientific neutrality” of biometric technologies is essential to their popularity as a tool of welfare reform. In many cases, biometrics have become the “central feature of ... [the] campaign to reduce welfare spending” (McLarin 1995a).

Although reformers claim that making welfare scientific has resulted in a more objective and therefore more just system, careful study of the impacts of applying a quasi-scientific model to welfare reveals many contradictions. Biometric technologies were introduced to welfare in the guise of pilot programs: preliminary programs used to test a particular reform. The scientific theory behind this process was that the success of the pilot projects would be reviewed – as in a lab setup in which a hypothesis is formulated, tested, then revised based on the success of the experiment. However, the impacts of pilot programs on welfare reform have been considerable. Rogers-Dillon documents that these programs have served to “restructure social policy outside of the legislative process” rather than to scientifically test welfare reforms (2004, 190). Additionally, pilot programs made a wider range of ideas politically viable (190), including fingerprinting every aid recipient, an idea that previously had been untenable. The pilot nature of the projects was used to make the case that these systems were only being tested rather than implemented, and thus the pilot programs succeeded where other attempts at instituting “reforms” had failed.

Rogers-Dillon additionally demonstrates that, although the scientific discourse of experimentation was invoked, those actually responsible for implementing welfare reform “did not have a scientist’s view of experimentation” (2004, 72). Biometric programs demonstrate the failure of the so-called scientific process. Pilot projects involving biometrics were both expensive and politically popular, and failure became an unacceptable test outcome; the projects simply had to work (Rogers-Dillon 2004). The review stage necessary to scientific experimentation was completely undermined by political officials responsible for the implementation of biometric technologies. An audit done in California made clear that the biometric Statewide Fingerprinting Imaging System used to test welfare clients for fraud was implemented without knowing how much fraud actually existed in those programs. This uncertainty made it impossible to know whether the \$31 million fingerprint program was necessary (Delsohn 2003). The report concluded that the additional \$11.4 million a year to operate the program was far too high given that most of the fraud detected resulted from errors made by county staff. It was also concluded that the level of detected duplicate aid was small (Delsohn 2003). Yet, although this review was essential to the scientific process used to justify the implementation of a biometrics program, then-governor Gray Davis ultimately rejected the report produced by the review process. The governor’s office asserted that it was in “disagreement

with many of the report's fundamental findings ... which we find either inaccurate or unsupported," though it cited no evidence to support this claim (Delsohn 2003). Thus, while science was invoked to justify the implementation of the program, it was missed during the review process.

In other cases, pilot programs that tested biometric technologies were not only institutionalized after the test period (even when audits questioned their effectiveness) but also expanded even when clearly illegal. Suffolk County, New York, voted to extend a pilot program requiring fingerprinting for welfare recipients even though the state legislature did not ratify the extension (Hauppauge 1993). "If they don't think it's legal, let them take us to court," blustered Joseph Rizzo, the Republican county legislator responsible for proposing the program (Hauppauge 1993). This institutionalization occurred even though the program was questioned by Republican governor Cuomo, who was originally responsible for enactment of the biometrics program.

Notwithstanding the questionable scientific process to which welfare recipients are subjected, science continues to be used as a primary method of justification for these programs. Scientific rhetoric continues to be admired by the American public, and positivist approaches to social problems remain popular. Sadly, attempting to quantify welfare reforms reveals a common error: basing studies in "social science or humanities on an ideal version of those in the natural sciences" (Hess 1997, 15). Scientific methods were imported into welfare reform, transformed, misused, and misapplied. The reforms were then justified and made permanent, backed by claims that they were supported by good science. Scientific methods only gilded the bars of the iron cage of bureaucratic patriarchy responsible for administering welfare benefits.

Thus, those receiving aid become implicated in a powerful regime of "technobiopower," in which "informatics, biologics, and economics" intersect in order to police the most vulnerable citizen-subjects (Haraway 1997, 2). Biometrics become the systems by which chip and gene can be joined as the borders between the natural and the artificial are imploded (Haraway 1997) and then manipulated by consolidated government powers driven by the hope of profit and electoral gain. This regime of technobiopower, despite protests to the contrary, makes more than a gesture toward criminalization.

Intensifying the Criminalization of Welfare Recipients

Welfare recipients have long borne the stigma associated with unlawful acts. Investigators "routinely order [welfare] applicants to empty their pockets, then flip through their wallets and personal possessions, demanding to know the identity of every name they come across" (Firestone 1995). In 1995, Governor Weld of Massachusetts claimed a link between "welfare, fatherlessness and crime," arguing that there are "a lot of kids who come out of

fatherless families who seem to have ice water in their veins and no milk of human kindness” (quoted in Wong and Phillips 1995). The Clinton administration’s reforms also brought new procedures that explicitly criminalized welfare. In Florida, panels were instituted to review the cases of welfare clients who had been found to be “noncompliant” (Rogers-Dillon 2004, 100). Although the review boards were established as “independent, community-based panel[s] to review cases” (107), and could have been run quite informally, in practice they were set up to reproduce a judicial hearing. Indeed, Rogers-Dillon found that aid recipients who most represented “deviant femininity” (110) were the most heavily policed. Women were more likely to be found “guilty” by these panels if they failed to meet normative standards of femininity – and this type of sexual regulation raises questions pertaining to how queer women might have been policed by pseudo-scientific reforms to welfare.

Finger imaging was introduced in a climate of expanding *technologies of criminalization*. Refined over a period of “20 years for its obvious first customer, law enforcement agencies” (Steinberg 1993), biometric fingerprinting development was driven by the FBI. It was also identical to the finger-imaging technology used to verify the identities of prison inmates (Adelson 1994). Despite links to criminalization, biometric companies and government officials continue to try to shake the association. One way they do so is to distinguish biometric finger imaging from manual fingerprinting. Another way is to claim that the process is entirely different because welfare bureaus take only two prints, while prisons take ten. Yet the relationship between the finger imaging of welfare recipients and the criminalizing of welfare is unmistakable. As Sack (1994) opines, “opponents argue that finger imaging equates welfare recipients with criminals and may intimidate legitimate welfare recipients from applying for benefits they deserve.” “‘There’s an assumption of guilt that goes with fingerprinting,’ said Democratic Assemblyman Herman D. Farrell Jr. ‘Why do we choose this class of people to fingerprint?’” (quoted in Sack 1994).

The connection between biometrics and criminalization was only deepened as “function creep” – the process by which a tool designed for one purpose is applied to a new (usually larger) set of problems – took a frightening turn. Despite earlier claims that the “fingerprints will not be provided to any law enforcement agency” (Palazzetti 1995, 5B), the fingerprints of welfare clients are being made available to other state agencies. In Massachusetts, Governor Weld proposed sharing prints taken for welfare authentication with the judicial system: “Weld’s plan would also go further than current law by allowing law-enforcement officials investigating crimes to subpoena welfare fingerprint records” (Wong and Phillips 1995). This type of proposal is a reality in New York, where “state law also allows social service officials to pass on to law enforcement officials cases of fraud revealed through

the finger-imaging program, which they had not been allowed to do under the earlier law initiating the program for *Home Relief* recipients" (Fein 1995). Thus, in the context of receiving aid from the state (a process that had already been criminalized), biometrics became a powerful technology of criminalization. In states where information can be shared, biometrics additionally transformed welfare fraud into a crime that is easy to prosecute; law enforcement agencies now have the necessary identifying information regarding the accused. Offices that biometrically fingerprint welfare recipients represent the first successful attempt of the US state to take the fingerprints of citizens and residents before they have committed crimes – making them the country's very own pre-crime unit.

Failures of Biometric Programs

The expansion of biometric programs into other areas of civic participation has continued unabated despite the numerous failures induced by this system of bio-benefits. Although the difficulties ensuing from the application of biometric programs to welfare are many, I focus on three problematic outcomes resulting from the marriage of technology and state assistance.

The first problematic outcome is economic. A cursory cost/benefit analysis reveals that biometric technology programs have failed in their objective of saving the state money. Similar to the claim of scientific method to justify the addition of biometrics to welfare, a quasi-economics has been used to defend the expenditure of millions of dollars on biometric programs. In California, cost savings in Los Angeles were extrapolated to the rest of California. A later audit revealed that the initial savings figures and the projections were flawed economics: "Auditors say the state erred in assuming that conditions in Los Angeles would hold true elsewhere."⁵ Yet the California model is frequently used to rationalize the expansion of biometric programs in other states. In two counties of New York, for example, \$500,000 was saved from the "4.3 percent of *Home Relief* [single, childless] who chose not to reapply for welfare after being informed they would have to be fingerprinted. When that figure was extrapolated across the entire state, the study projected an annual savings of \$46.2 million in welfare benefits" (Steinberg 1993). Again, this claim is made without any evidence and in the absence of traditional economic models that emphasize the quality of the initial sample. New York City spent \$40-50 million to implement increased biometric enforcement to save a projected \$250 million (Firestone 1995). This target certainly could not be met given the unexpectedly low incidence of fraud in New York State at less than 3 percent (McLarin 1995a). Even Governor Cuomo of New York doubted the results of a study commissioned by his own department regarding possible welfare savings for the rest of the state based on savings in one county (Sack 1994).

In other states, the economic rationalization supposedly driving implementation of expensive biometrics systems was barely justified. In California, Governor Wilson asserted that the best economic outcome that could be hoped for was that biometric technologies would save enough in fraud detection to pay for their implementation. As Michael Genest of the Department of Social Services proclaimed, “I’m absolutely confident we’re going to save enough to pay for the system” (quoted in Gunnison 1994). If real savings were not anticipated, why were biometrics introduced as welfare reform in the first place? Huge spending on “fraud-proof” biometric additions to welfare usually was justified without reference to exactly how much fraud would be halted (Wong and Phillips 1995). As noted above, in California, a biometrics program costing \$31 million to implement and \$11.4 million per year to maintain was approved without information regarding the extent of welfare fraud in California. Nor can the vast expenditures on biometric programs be justified given the finding that most welfare recipients tell the truth (McLarin 1995a). Fewer than 0.3 percent of welfare clients in New York State have been convicted of welfare fraud (McLarin 1995a). In California, most cases of fraud were found to result from administrative error. This lack of fraud suggests that biometric programs and their costs are wholly unnecessary (Delsohn 2003).

Partly, these expenditures on fraud-busting biometric programs were useless because fraud is not well defined. Most welfare fraud occurs when recipients work for pay under the table while still collecting benefits. This type of fraud is not detectable using biometric fingerprinting systems; fingerprinting is designed to detect somebody signing up for welfare benefits more than once (so-called double dipping). Thus, the projected figure of fraud used as a multiplier to calculate savings is inaccurate. In fact, many states found that 3 percent was an artificially high estimate for other types of fraud (McLarin 1995a). Moreover, considerable welfare fraud is committed not by clients but by service providers. The *New York Times* asserted that “most welfare fraud is not done by welfare recipients, but by providers, including doctors and landlords” (Hauppauge 1993). As a result of the high incidence of provider fraud, lawmakers in Connecticut debated an “amendment that would have required doctors and others who supply goods and services to welfare recipients to be fingerprinted.”⁶ Not surprisingly, this proposal was rejected – revealing that more powerful citizens are able to reject a criminal classification, while those living at the margins are not.

Fraud is not the only poorly conceptualized term within the broader discourse of welfare restructuring. The success of a biometrics program is similarly difficult to conceptualize. Similar to the term “fraud,” the definitional nature of “success” has implications for the administration and justification of biometric identification programs. The success of these

programs is described in only one way: caseload decline. The accomplishments of biometric programs have been defined by their ability to “get people off the rolls” (Gunnison 1994; Ratcliffe 1994). Commonly, people dropped from the rolls are ousted not because they have found work and experienced upward mobility but because the overseers of the welfare system have not marked (i.e., fingerprinted) them. This occurs for one of three reasons: a welfare client has not understood the new process to be followed in order to continue to receive benefits, there is an outright refusal by the client, or a welfare client is not able to be fingerprinted for reasons I detail below. Yet this range of reasons is described by the all-inclusive term “refusal” (to be fingerprinted). Thus, Los Angeles is considered a biometrics success because 3,324 people were removed from the welfare rolls. Importantly, only 314 applicants were dropped for fraud, while 3,010 were dropped for “refusing” to be fingerprinted (Steinberg 1993). Here refusal is inaccurately confounded with fraud. The use of biometric programs in welfare services is widely identified as a disincentive to fraud: “Officials say that the program’s greatest value is as a deterrent” (Fein 1995). As I demonstrate below, biometric programs often act as a deterrent for reasons that go beyond fear of being caught committing welfare fraud.

The second problematic outcome pertains to biometrics and the construction of disability. Biometric programs to test welfare clients for fraud create a discourse that works to manipulate the category of disability. Here I understand disability as a construct that may be manipulated by hegemonic systems of representation (Foucault 1965; Thomson 1997; Wendell 1996; see also Part 1 of this volume). One becomes disabled (and as a result impoverished) if he or she is afraid of being fingerprinted. The impact of biometric fingerprinting on those with mental health issues is highlighted by advocates, who assert that plans “to use new fingerprint technology to reduce welfare fraud may be unnecessarily frightening for people with psychiatric illnesses who depend on welfare” (Monsebraaten 1996). They further argue that “many of these people are already paranoid ... To ask these people to surrender their fingerprints to the welfare bureaucracy could put them over the edge. Many would simply refuse and drop off the system altogether” (Monsebraaten 1996). Other community workers note that psychiatric patients “have enough trouble just getting out of bed in the morning”; to require them to follow the complicated steps required by biometric fingerprinting is ridiculous (Monsebraaten 1996). Nor can fears about the ramifications of being finger-imaged be labelled wholly paranoid, given the ways in which this highly sensitive biometric information is shared between welfare and law enforcement agencies.

No provisions are made for those welfare clients who are afraid to be fingerprinted. Suggestions of working hard to “identify” people with disabilities in an attempt to guide the mentally ill into SSI disability grants

seem half-hearted and unlikely given the caseloads of most welfare workers. Nor is this disproportionate impact of welfare reform on disabled persons exceptional. Targeting people with disabilities using biometric programs repeats their targeting by other welfare reforms. In her study of a “non-compliant” community of welfare clients in Florida, Rogers-Dillon found that “noncompliant often means non-functioning.” She noted that a “sizeable portion of the ‘noncompliant’ population may have had serious functional difficulties” (2004, 209). Rogers-Dillon found that non-compliance was explicitly connected to disability by the aid recipients themselves. A disproportionate percentage of the non-compliant population “was, or considered itself to be, disabled” (210).

The third problematic outcome is related to immigration; immigrants are also targeted by biometric additions to welfare programs. Officials assume that anyone who fails to re-enrol on welfare following the implementation of a biometrics program has previously committed or intends to commit welfare fraud: A “1994 study by the Cuomo administration found that fingerprinting had saved Rockland and Onondaga nearly \$500,000 by trimming 4.3 percent of *Home Relief* recipients from welfare rolls. That 4.3 percent consisted of people who chose not to reapply for welfare after being informed that they would be fingerprinted, and the study assumed that ‘most of them had hoped to cheat the system or were already cheating it’” (McLarin 1995b). This means that no records were kept of those who refused re-enrolment because they “were afraid their fingerprints would be used for some other reason, such as to challenge their immigration status” (McLarin 1995b). Forms in English also made the process difficult for immigrants who were not fluent. For refugees used to harassment or intimidation by government officials in their countries of origin, biometric fingerprinting can serve as a frightening reminder of old perils. To label these fears wholly paranoid is problematic in a post-9/11 climate of increased harassment and intimidation of US residents, particularly racialized immigrants, as illustrated in the following case pertaining to welfare reform’s impact on the application process for benefits:

The strict rules can be hard on people who do not speak English, who are homeless or who do not have traditional living arrangements. Yakov Gavritoc, a 61-year-old Russian immigrant who speaks no English and has a heart condition, was living with his son in an apartment on 63rd Street in Bensonhurst, Brooklyn, when he applied for Home Relief benefits in April, according to his son, Gavril Gavrilov. When investigators came to the apartment to check his address, the older man did not understand the forms they slipped under the door, and he did not call the number listed. A few weeks later the son said that Mr. Gavritoc’s application was rejected for improper residence. ‘When we lived in Michigan last year, they gave him welfare,’

the son added. "He does not understand why they will not do that here."
(Firestone 1995)

The same hazards for people hoping to claim benefits are introduced by biometric reforms to welfare – which are dependent upon reading dense documentation about the new procedure and following a complicated process to go and get fingerprinted.

If biometric technologies are not saving the state the vast amounts of money that politicians promised (the primary justification for their implementation), and if they make the lives of the most vulnerable people within the welfare system increasingly perilous, why do they continue to be such a popular approach to welfare reform?

Visualizing Criminalization

Why have biometric technologies been "so quickly embraced as a measure of humankind?" (Sturken and Cartwright 2001, 301). Biometric technologies were introduced at a moment when massive efforts to visualize the body were being made. Projects such as the Human Genome Project and the Visible Human Project were (and continue to be) engaged in the work of making the body visible and hence intelligible. Biometric technologies represent a new method of seeing the body, one, moreover, purported to be highly effective at identification. Moreover, these technologies are understood as useful improvements on photographs, previously favoured as the primary method of civilian identification. Biometric identification is claimed as a more scientific way of looking at the body. A primary characteristic of scientific images is that they claim "the weight of truth" (Gladwell 2004). The context in which a scientific image is developed is ignored when attempting to understand the picture. The idea that scientific images need to be interpreted, and that there is a range of possible interpretations, often goes unacknowledged (Gates 2004). Yet the context is needed. Biometric technologies do not provide straightforward readings of the body. Rather, they have been developed in a climate in which "we are witnessing a conjuncture of popular and scientific interest in the criminal body and its functions in life and death" (Cartwright 1997, 123). Biometrics thus visualize culture in ways that make marginalized bodies vulnerable to new, technologized practices of looking.

Biometric technologies facilitate the visualization of an existing connection between criminalization and poverty. Their adaptation to the welfare system occurs in the context of a long history of state attempts to visualize criminality by understanding how it is mapped onto the body. In keeping with this tradition of the visualization of criminalization, biometric technologies select some bodies for hypervisibility, while others remain invisible. Thus, they select impoverished, vulnerable bodies for hypervisibility, making

their unique biological information available for consumption by the state. The “witnesses” to this process hide behind technological rhetoric, claiming the invisibility attributed to the clear glass screen of the biometric fingerprinting device. Although “scientific looking is as culturally dependent as any other practices of looking” (Sturken and Cartwright 2001, 279), biometric technologies are effective at simultaneously visualizing poverty and connecting it to criminalization. At the same time, they maintain that the scientific-imaging process is an “alternative to politics” and is a highly objective means of identifying fraud (Rogers-Dillon 2004, 4). Using biometrics to administer welfare benefits fits well with US engagement in a “rationality project” in which rationality, “efficiency and effectiveness ... are often raised to the level of values themselves” and in which a decided lack of attention is paid to a project’s original goals (Rogers-Dillon 2004, 3). Thus, biometrics do not need to achieve the goal of eliminating fraud and saving money. The technologies only need to appear to make the welfare system more efficient and, as we saw above, more scientific.

Attempting to visualize the invisible fits an American tradition of attempting to make evident the evil that we cannot see. Biometric attempts to visualize and eliminate criminality represent a logical step in the evolution of the war against the invisible contaminant. The potential of new biometric identification technologies to mark some bodies has been realized in the welfare system, where they are employed to police marginalized citizens and residents. Fears of the pernicious potential of biometric technologies to be used for harm have come to pass.

Conclusion

A close look at the use of biometric technologies reveals the need to call into question the accuracy of the images as well as the benefits that they confer. In this chapter, I have demonstrated the ways in which biometric measurements as technologies of vision may be employed as a technology of criminalization; they redefine the limits of good and bad citizenship, and they equate good citizenship with compliance. The need to theorize technologized practices of vision is reinforced by the fact that the ramifications of biometric vision do not begin and end with the welfare system. Given the way in which the addition of biometric technologies to the welfare system “reinforce[s] what we have already learned to see” (Treichler, Cartwright, and Penley 1998, 2-3) with respect to systems of oppression, there is a continued need for analysis that highlights the consequences of these practices of looking in order to prevent their unfettered adoption.