

**THE SENATE  
STATE OF NEW YORK**



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Mr. Dru Rai  
Chief Information Officer  
State of New York  
New York State Capitol Bldg.  
Albany, NY 12224

July 10, 2024

Dear Mr. Rai:

As an advocate for good governance and ongoing public sector innovation, I applaud your continued leadership and investment in our state government's digital systems. I appreciate your work to make sure our public technology systems serve the public good and realize our state's commitment to equity, access, and privacy. In light of these commitments, I am writing to you with questions and concerns about our state's partnership with the AI and data broker company Socure.

As you may know, Socure provides identity verification services. It collects, purchases and stores billions of data points, including sensitive personal identifiable information, on New Yorkers without their consent to confirm their identities. Identity verification is critical for ensuring equitable access to public services, as any AI system that fails to verify an individual's identity will prevent their ability to access critical government services. Given the importance of its operations to New Yorkers attempting to access government services, I have been concerned to read about heightened criticism of Socure's business practices, including:

- A recent letter from Congressman Ritchie Torres (NY-15) to Socure's CEO asking for how the company will mitigate racial, ethnic, and socioeconomic bias. The letter also asks for greater transparency related to how the company collects, stores, and analyzes the massive surveillance data in its possession, whether it complies with privacy standards, and its use of AI. Socure has yet to provide a written response to these questions.
- An ongoing lawsuit by one of Socure's former commercial customers alleging the company only prevented 31% of the customer's annual fraud loss, far less than Socure's advertised rate of 95%. The suit also alleges Socure officials provided lavish gifts to the customer's purchasing officer in exchange for their business.

In light of these allegations and our state's commitment to equitable government services, I have the following questions for your office related to the state's use of Socure:

- Has the state tested Socure's fraud prediction models for bias, and do your models demonstrate any form of bias for communities based on race, gender, location, income, or sexual identity?
- Has the state confirmed Socure is meeting its promised 95% fraud prevention rates in its engagement with the state in light of recent allegations?
- Has the state confirmed whether Socure's practices fully comply with NY state privacy law, specifically related to its mass collection of sensitive PII, partnership with data brokers, and use of social media data?
- Has the state confirmed Socure's deployment of artificial intelligence is not biased against New Yorkers without traditional data profiles such as unbanked individuals or members of underrepresented minority communities?
- Has the state required that Socure have human review of their algorithms while in use to ensure they are accurate and not discriminatory? Are there any human backstops included in their identity verification workflows?

- Has the state confirmed Socure does not rely on real-time consumer behavior or location data?
- Does Socure share or sell any data it receives as part of its partnership with the state of New York?

Thank you for your consideration. I look forward to your response.

Sincerely,

A handwritten signature in blue ink that reads "Jeremy A. Cooney". The signature is written in a cursive style with a large, stylized initial "J".

Jeremy A. Cooney  
Chairman, Senate Procurement and Contracts Committee