

# Suit alleges Amazon's Alexa violates laws by recording children's voices without consent

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A lawsuit filed in Seattle Tuesday alleges Amazon is recording children who use its Alexa devices without their consent, in violation of laws governing recordings in at least eight states, including Washington.

"Alexa routinely records and voiceprints millions of children without their [consent](#) or the consent of their parents," according to a complaint filed on behalf of a 10-year-old Massachusetts girl on Tuesday in federal court in Seattle.

The complaint, which seeks class-action status, describes Amazon's practice of saving "a permanent recording of the user's voice" and contrasts that practice with other makers of voice-controlled computing devices that delete recordings after storing them for a short time or not at all.

The complaint notes that Alexa devices record and transmit any speech captured after a "wake word" activates the device, regardless of the speaker and whether that person purchased the device or installed the associated app.

It says the Alexa system is capable of identifying individual speakers based on their voice and Amazon could choose to inform users who had not previously consented that they were being recorded and ask for consent. It could also deactivate permanent recording for users who had not consented.

"But Alexa does not do this," the lawsuit claims. "At no point does Amazon warn unregistered users that it is creating persistent voice recordings of their Alexa interactions, let alone obtain their consent to do so."

It alleges Amazon's failure to obtain consent violates laws of Florida, Illinois, Michigan, Maryland, Massachusetts, New Hampshire, Pennsylvania and Washington, which require informed consent of all parties to a recording, regardless of age.

The proposed class only includes minors in those states "who have used

Alexa in their home and have therefore been recorded by Amazon, without consent."

Aside from "the unique privacy interest" involved in recording someone's voice, the lawsuit says, "It takes no great leap of imagination to be concerned that Amazon is developing voiceprints for millions of children that could allow the company (and potentially governments) to track a child's use of Alexa-enabled devices in multiple locations and match those uses with a vast level of detail about the child's life, ranging from private questions they have asked Alexa to the products they have used in their home."

An Amazon spokesperson declined to comment.

The suit asks a judge to certify the class action and rule that Amazon violated state laws, require it to delete all recordings of class members and prevent further recording without prior consent. It seeks damages to be determined at trial.

The lawsuit claims Amazon is analyzing and using the recordings it captures through Alexa to benefit its business, and "has strong commercial incentives to collect as many Alexa recordings as possible."

"From the outset, Amazon has been a company built on the relentless acquisition of consumer behavioral data ... now (through) the Alexa Devices it uses as its ears in every home," the lawsuit says.

The complaint cites reporting earlier this year from Bloomberg that revealed Amazon employees and contractors individually review thousands of audio clips recorded by Alexa devices. Amazon said the human reviewers "annotate an extremely small sample of Alexa voice [recordings](#) in order improve the customer experience." In a list of frequently asked questions about Alexa, Amazon says Alexa requests are

used for training. Users can opt out of this use in the privacy settings for Alexa.

The plaintiff is identified as "C.O.," bringing the suit through her parent, Alison Hall-O'Neil. They live in Massachusetts and have had an Alexa Echo Dot in their home since last August. Amazon debuted Alexa and the original cylindrical Echo microphone-and-speaker device in 2014.

C.O. interacted with the Echo Dot to play music, tell jokes and answer questions. She was not aware of, nor did she or her parents consent to, the recording of her communications by Amazon, the complaint states.

The plaintiff and would-be class are represented by the law firms Quinn Emanuel Urquhart & Sullivan and Keller Lenkner.

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