



**REP. JOHN HUFFMAN  
STATE REPRESENTATIVE  
HOUSE DISTRICT 59**

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Contact: Rep. John Huffman, 503-986-1459**

**Digital Privacy Bills Discussed in Legislative Committee Hearings**

**Salem, OR**—Several proposed bills aimed at protecting citizens' privacy were discussed during a recent legislative committee hearing at the Oregon State Capitol in Salem.

The bills are an extension of the work that was done on House Bill 2710, which passed during the 2013 regular session. That bill was signed into law by Gov. John Kitzhaber, and restricts government agencies' ability to use unmanned aerial vehicles, otherwise known as drones.

A workgroup was formed to help pass HB 2710, and remains intact to continue working on other bills to bolster Oregonians' privacy rights. It includes Rep. John Huffman (R-The Dalles), Rep. Jennifer Williamson (D-Portland), Sen. Chip Shields (D-Portland), Sen. Larry George (R-Sherwood), Rep. Tim Knopp (R-Bend) and a representative from the American Civil Liberties Union (ACLU) of Oregon.

"With the rapid advancement of electronics in our daily lives, I believe it is critical that the Legislature advances good policy that helps to protect the rights of Oregonians against unwarranted and unjustified invasion of their privacy," Rep. John Huffman said.

A hearing was held in the Senate Committee on General Government, Consumer and Small Business Protection on Thursday, May 29 on a series of legislative concepts that the workgroup hopes to turn into bills for the 2015 regular session. The concepts attempt to balance the need for law enforcement to use citizens' digital data for emergencies, while assuring that there is due process through warrants based on probable cause.

**Legislative Concept (LC) 204** imposes consistent statewide guidelines for the government use of Automatic License Plate Readers. It sets benchmarks for the use of that technology and the retention of local information data collected and provides protections against the unnecessary sharing of that data between the government and private companies.

**LC 207** updates state law to clarify that government agencies should have to obtain a warrant before obtaining cell phone location data, including Global Positioning System (GPS) information.

**LC 208** updates existing privacy laws to ensure that online and other digital activity receives the same protection guaranteed to offline activity. It prohibits service providers from disclosing, and public bodies from obtaining, contents or records of electronic communication with the consent of the account holder or a warrant. Public bodies would be required to report on content access to the Legislature.

**LC 209** affirms that individuals are entitled to smartphone privacy and government agencies can only search phones with warrants based on probable cause. There is currently a case pending before the U.S. Supreme Court regarding this issue, *Riley vs. California* and *U.S. vs. Wurie*, and it is expected to be decided within the next few weeks.

**LC 210** creates a government surveillance oversight committee, which would receive information from all local law enforcement about their surveillance technology, how it is used and what measures are being used to protect citizens' privacy.

Rep. Huffman is scheduled to attend an internet conference in San Francisco later this month that will include a focus on internet privacy and security issues.

“We have a talented group of legislators, legal representatives and agency representatives that have been working on privacy concepts for the past couple of years,” Rep. Huffman said. “I hope to use some of the information I receive at the internet conference to help improve these legislative concepts so they can be passed into law and ensure that Oregonians continue to enjoy the rights afforded to them under the Fourth Amendment of the United States Constitution.”

*Since 2009, Rep. John Huffman has represented the citizens of House District 59, which includes Wheeler, Jefferson and parts of Wasco, Deschutes, Clackamas and Marion counties.*