



Internet Association

March 12, 2015

The Honorable Mark Leno
California State Senate
State Capitol, Room 5100
Sacramento, CA 95814

**RE: SB 178 (Leno) – Privacy: electronic communications: search warrant
SUPPORT**

Dear Senator Leno,

The Internet Association is pleased to **support your SB 178**, which would modernize our digital surveillance laws by providing stronger, more balanced protections for digital information when access is sought by law enforcement.

The Internet Association unites the interests of leading global Internet companies and their online community of users. The Internet Association is dedicated to advancing public policy solutions to strengthen and protect Internet freedom, foster innovation and economic growth, and empower users.

America's online privacy law was written thirty years ago, before the birth of the modern Internet, and has since been outpaced by the rapid evolution of technology. Modern Internet users choose to use web-based e-mail and other digital tools to send and store some of their most personal information, and they expect this digital information to have the same Constitutional protections as it would in the non-digital context. Yet, there is a lack of clarity about when and how the government can gain access to this type of information. SB 178 will help address these issues by ensuring a warrant is obtained prior to the government gaining access to users' digital information.

The Internet industry also understands and supports law enforcement's important mission to maintain the safety of citizens, and SB 178 has built-in, thoughtful exceptions for public safety needs. Outside of these scenarios, however, it should be clear that law enforcement must obtain a warrant before gaining access to content, regardless of whether that access is in cyberspace or physical-space.

For these and other reasons, we are pleased to **support your SB 178**. If you have any questions, please do not hesitate to reach me at (916) 498-3316 or callahan@internetassociation.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Callahan".

Robert Callahan
Executive Director, State of California