

# WHY WE NEED PRIVACY LAWS

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Cyber Law 406

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Data protections and privacy concerns typically come from constituents who are worried about what specific personal data and personal records our government is collecting, as well as what are we doing with their personal data and records, regarding what is being disclosed about them. The constituents care so much about their privacy and data because they are worried about it not only falling in the wrong hands, but also, they are worried about if someone or a specific entity knows too much about them. Constituents may not trust their government if, for example, their Social Security information was disclosed without their written consent, which in turn can cause them to lose further trust. They don't want their information to be, as mentioned, potentially compromised, and then used against them. Constituents have a better piece of mind if they know we have laws in place to protect their data and other personal information. They would feel at peace knowing that an individual or organization can't just collect their personal information without any kind of notice or consent, hence why the constituents care so much about laws being put into place.

Governor, some of the constituents have mentioned biometric data. Biometric data is specific personal data from when a technical processing occurs that involves the natural characteristics of a human being, whether it be behavioral, physical, or mental characteristics, and in turn the unique identifier process can verify the human being, whether it be through an eye scan, a specific voice command, a fingerprint reading, or some form of facial recognition. For example, let's say you want me and only me to be able to view files related to cyber law, you could in turn use a form of biometric authentication, a fingerprint scanner, to where I would be the only one to be able to verify myself by letting the tool scan my fingerprint. If someone else were to attempt to scan their finger, their access would be denied. Constituents also mentioned PII, which is an abbreviation for Personally Identifiable Information. What PII means, Governor, is that it is any form of data that can be used to possibly identify a specific individual. So, if a constituent mentions PII, they are talking about information such as their social security number, their numbers on a passport, a driver's license number, taxpayer identification number, and even their credit card number or phone number. Governor let's say a website had somehow or another gotten the ability to determine your social security number. Someone would be able to easily identify you and even potentially be able to pretend to be you, as in the criminal would commit identity theft. Now, when the constituents mentioned the need for our state to enact laws similar to the GDPR, they are referencing a legal framework that is extremely strict when it comes to protecting their personal privacy and data. The GDPR was enacted by the European Parliament in order for the personal data and privacy of European Union (EU) citizens to be protected in regard to transactions that occur within EU member states, meaning that businesses have to follow a long list of regulations. PII is included within the GDPR, so an individual's tax information, or their phone number, is protected. Businesses must be clear and concise when it comes to the individual's consent, they cannot try to exploit them.

Governor, I think one law we can set in place is for companies to ask consent from the constituents if they are able to collect, use, or even share their information. As of right now, there is no law in place that requires companies to even notify you if they experience a massive data breach, and your information ends up falling into the wrong hands and being compromised. Furthermore, companies can even share your personal data with third parties and face no repercussions. For example, they could share important personal information, such as your location with a data broker, and nothing would stop them. Compounding on the issue, a data broker for example, could then sell your information to other parties, and none of the above would face and repercussions. I think the constituents would react well to us enacting laws that require businesses to be much more straightforward when it comes to who and what all has their personal information and as to what happens with. We could put laws in place similar to what the GDPR has, and I personally think the constituents would enjoy having the extra protection on their information. It may be a bit of a challenge at first, getting all the businesses and organizations to agree to the laws and sign off on them per say, but I believe the positives would most certainly outweigh the negatives, and most of what the constituents have brought to your attention would be addressed.

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