

## Memorandum

Date: November 16, 2021

To: Rep. Tito Canduit

From: Shacara Pitre

Subject: California Consumer Privacy Act (CCPA) of 2018

I am writing to inform you of a U.S. cybersecurity law that will help your voters better understand the risks and threats of cybersecurity along with helping to strengthen cybersecurity as a whole.

The law that I consider to be important is the California Consumer Privacy Act (CCPA). It was signed on June 28, 2018 by the Governor of California, Jerry Brown. Furthermore, it was a fairly quick process that took place. The law became effective on January 1, 2020. It was only introduced to the California legislature just a few days before it was signed into law. Also, it is important to note that this law is not just going to affect the people in California, but also all U.S. citizens.

The purpose of the California Consumer Privacy Act is that it “gives consumers more control over the personal information that businesses collect about them and the CCPA regulations provide guidance on how to implement the law” (State of California Department of Justice). In other words, it allows the residents of California to understand exactly what type of information is being shared about them. This applies to not only social media sites, such as Facebook and Instagram, but also “... cable-TV companies, phone providers, publications (including this one) and any old retailer that collects the personal information of 50,000 people or brings in revenue of \$25 million per year” (The Washington Post).

This goes along with the right to privacy, which we discussed in Chapter 10 of our textbook, *Digital Media Law* by Ashley Packard. Also, it allows for people to have the option of “opting out” of a service that they have used and to delete any information they have provided. Another thing that the California Consumer Privacy act does is protect Californians from discrimination when expressing their right to privacy. Overall, it lets people know when businesses are collecting their information and gives people the right to ask them what information they have when it comes to their private information.

Under this law, personal information includes things such as, your name, social security number, browsing history, email, etc. However, it does not include protection for “...publicly available

information that is from federal, state, or local government records, such as professional licenses and public real estate/property records” (State of California Department of Justice). However, when having a privacy law in place, there is bound to be some kind of criticism that comes with it. For instance, one is “...that it is not effective because of its vague descriptions and lack of specific penalties for non-compliance” (Baadsgaard, 2021).

Rep. Condit, I think that this law will get the voters attention because it’s purpose is to protect the privacy rights of the American people. On the other hand, I still think that they would question how secure the CCPA is at protecting those rights because it is not always guaranteed that these companies will simply abide by this law. There is always something that could go wrong, such as someone hacking into the server and still obtaining a person’s private information even if they allow people the right to delete it from their account.

A more recent law was passed that is basically a “2.0 version” of the CCPA called the California Privacy Rights and Enforcement Act (CPRA). This new law was passed by California voters and seems to address the criticism of the California Consumer Privacy Act by making more stricter regulations with businesses to comply with a person’s right to privacy. To clarify, it “...introduces even more stringent requirements on companies regarding information privacy. In this law, any businesses that crosses certain thresholds will be responsible to comply” (Baadsgaard, 2021). The law will not go into effect until January 2023, so we still have another year before we see results from this version of the CCPA.

Also, there are other states that are interested in passing a similar law, such as Washington, which shows that the law is effective in protecting the privacy of the people not only in California, but all of the U.S. To summarize, “Washington state, too, is working on an ambitious privacy law” (The Washington Post). Lastly, I think that the voters will appreciate this law because it would protect their privacy as well as the privacy of their children from being compromised and taken advantage of by technology.

If you have any further questions or concerns regarding the California Consumer Privacy Act (CCPA), please refer to this link: <https://oag.ca.gov/privacy/ccpa>.

Thank you for your time,

Shacara Pitre

#### References

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