



SUPPORTING TESTIMONY RE HB 2025 – Protecting private property from unauthorized access by certain government officials and unauthorized surveillance.

Testimony of Kendall Seal

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Committee on Federal and State Affairs – February 4, 2021

Chairman Barker and Members of this Committee,

Thank you for the opportunity to present testimony today. My name is Kendall Seal, and I am the Director of Advocacy for the ACLU of Kansas. We are a nonpartisan, non-profit organization that works to preserve and strengthen the constitutional liberties of all Kansans. We support HB 2025 as a positive step to protect Kansans from unwarranted surveillance and invasions of privacy, because government surveillance and monitoring by Kansas law enforcement agencies has the potential to erode Kansans' First, Fourth, and Fourteenth Amendment Rights. When used indiscriminately, surveillance technologies can create oppressive, stigmatizing environments, especially for often-marginalized communities that are disproportionately targeted by their use.

Broadly speaking, governmental use of surveillance technologies poses a significant threat to privacy. These technologies are also ripe for misuse: We know that government surveillance has been used to intimidate and oppress certain communities and groups more than others, including those that are defined by a common race, ethnicity, religion, national origin, income level, sexual orientation, or political perspective.

Emergent technologies only make that misuse easier. For these reasons, any legislatively mandated use of these technologies must include protections to ensure that the public's privacy is not needlessly diminished, nor its members wrongfully targeted.

Our Constitution and democratic system demand that the government be transparent and accountable to the people, not the other way around. The troubling history of misuse of surveillance tools against disfavored communities makes legislative boundaries on these tools all the more important.

The ACLU of Kansas urges this Committee to pass HB 2025 to help protect Kansans' Constitutional rights and liberties. Thank you again for the opportunity to present testimony.