



SERGEANTS' BENEVOLENT ASSOCIATION

POLICE DEPARTMENT, CITY OF NEW YORK

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June 1, 2020

The Honorable Lindsey Graham
Chairman, Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

I am writing on behalf of the more than 13,000 members of the Sergeants Benevolent Association of the New York City Police Department (SBA) to offer our strong support for legislation you intend to introduce entitled the "Lawful Access to Encrypted Data Act." This legislation will help to restore the appropriate balance between protecting individual privacy and protecting public safety by preserving law enforcement's ability to investigate crimes and prosecute offenders.

In the past twenty years we have seen an explosion in the commercialization of new and rapidly evolving technologies that have fundamentally altered the way in which individuals can securely communicate with one another, share information, and protect their personal information. While most of us marvel at the release of the latest device or application intended to enhance the security of our online interactions, there are those who seek to exploit each new product and service for nefarious purposes. As a result, today law enforcement faces greater challenges than ever before as terrorists, human traffickers and other criminals increasingly rely on encrypted communications and devices to mask their identities and activities. This poses serious challenges for law enforcement seeking to properly acquire the digital evidence necessary to investigate and prosecute the most dangerous and exploitative criminal elements. To obtain it, we must rely on the compliance of service providers, technology companies, and manufacturers in response to lawful court orders. Unfortunately, this assistance is not always forthcoming, as we most recently witnessed in the investigation into last year's shooting at the Pensacola Naval Air Station.

As law enforcement officers, we fully respect an individual's right to protect their private information. The desire to protect personal information, however, must be balanced with protecting the public, which can only be done by ensuring law enforcement's ability to prevent, investigate, and prosecute crimes. The "Lawful Access to Encrypted Data Act" strikes this necessary balance and will ensure that service providers and device manufacturers provide all necessary assistance and develop the appropriate technology to both ensure adequate protection of privacy and public safety. The SBA is proud to join you in advocating for passage of this legislation, and we thank you for your continued leadership on this important issue. Please do not hesitate to contact me, or our Washington Representatives Andrew Siff and Chris Granberg at (202) 457 - 7756, if we can be of further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Ed Mullins".

Ed Mullins