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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

MEMORANDUM

To: All Members of the House of Representatives

From: Representative Angel Cruz

Date: May 13, 2011

Subject: **Prohibiting State and Local Police from Using Data Extraction Devices**

In the near future, I will be introducing legislation that would amend Title 75 (Vehicles) Section 6308 (Investigation by police officers) by prohibiting police officers from using data extraction devices (DED) when pulling a driver over for an infraction. A DED is a tool that can be used to extract data stored in a phone such as call history, text messages, contacts, images, videos, geotags, voicemails, voice recordings, multi-media messages, and subscriber identification module data.

The purpose of my legislation is to protect Pennsylvanians from unwarranted violations of their Constitutional rights which protect them against unreasonable search and seizures. Currently, Michigan State Police are facing allegations that they have used DEDs on motorists without first obtaining warrants, and the unsuspecting motorists had their information taken. My legislation ensures that DEDs are never used against Pennsylvanians in this manner when they are pulled over by police officers. If you would like to co-sponsor this important legislation, please contact Christina Consylman in my Harrisburg office at 717-787-1407 or at cconsylm@pahouse.net.