



**ELECTRONIC FRONTIER FOUNDATION**

Protecting Rights and Promoting Freedom on the Electronic Frontier

January 6, 2017

Assemblymember Marc Steinorth  
State Capitol, Suite #2111  
Sacramento, CA 94249-0040  
Phone: 916-319-2040  
Fax: 916-319-2140

Re: A.B. 54 (Steinorth) – Oppose Unless Amended

Dear Assemblymember Steinorth,

I am writing today on behalf of the Electronic Frontier Foundation (EFF), a San Francisco-based, non-profit organization that works to protect civil liberties in the digital age. EFF represents more than 33,000 active donors and members, including thousands of supporters in California.

EFF opposes A.B. 54 unless the bill is amended to remove residential security surveillance systems from the list of items that would qualify for a tax deduction.

Personal privacy is an inalienable right under Section 1 of the California Constitution. Yet, in 2017, privacy is under threat on multiple fronts, including through the increase in use of privately operated surveillance cameras. Law enforcement agencies throughout the state have been encouraging private individuals and businesses to install cameras and share access to expand government's surveillance reach through private cooperation.<sup>1234</sup> The ability for facial recognition technology to be applied routinely and automatically to CCTV footage will present even more dangers for personal privacy. EFF has significant concerns that, by using tax credits to encourage residents of California to buy and install security cameras, A.B. 54 will not only increase the probability that Californians will use cameras to spy on one another but will also build the infrastructure to allow for the growth of a "Big Brother" state.

In addition, this tax credit for surveillance cameras may create a new weakness for security. In October, a massive cyberattack that exploited personal cameras disabled

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<sup>1</sup> Rosenberg, Mike. "San Jose police can tap into volunteer residents' cameras under newly-approved program." San Jose Mercury News. Sept. 9, 2014. <http://www.mercurynews.com/2014/09/09/san-jose-police-can-tap-into-volunteer-residents-cameras-under-newly-approved-program/>

<sup>2</sup> Eidam, Eyragon. Govtech.com. "Personal Security Camera Networks Offer Safer, More Connected Cities." April 14, 2016. <http://www.govtech.com/dc/articles/Personal-Security-Camera-Networks-Offer-Safer-More-Connected-Cities.html>

<sup>3</sup> San Francisco District Attorney. "Register Your Camera." <http://sfdistrictattorney.org/Register-Your-Camera>

<sup>4</sup> Keatts, Andrew. Voice of San Diego. "San Diego's Bumbling Big Brother." Aug. 4, 2014. <http://www.voiceofsandiego.org/share/san-diegos-bumbling-big-brother/>

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Internet traffic across the country.<sup>5</sup> EFF and independent security researchers have also discovered surveillance cameras that were openly accessible over the Internet, allowing anyone with a browser to watch live footage and manipulate the cameras.<sup>6</sup> The potential for breaches will grow commensurately with the increase in the number of cameras in communities promoted by the tax incentive.

EFF takes no position on the other tax credits included in the bill. However, we will oppose this bill if the surveillance camera system deduction is not struck from the text.

Please do not hesitate to contact me to discuss A.B. 54. I may be reached at [dm@eff.org](mailto:dm@eff.org) or 415-436-9333 x151.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Maass', is centered on the page. The signature is written in a cursive, somewhat stylized font.

Dave Maass  
Investigative Researcher  
Electronic Frontier Foundation

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<sup>5</sup> Krebs, Brian. Krebs on Security. “Hacked Cameras, DVRs Powered Today’s Massive Internet Outage.” Oct. 21, 2016. <https://krebsonsecurity.com/2016/10/hacked-cameras-dvrs-powered-todays-massive-internet-outage/>

<sup>6</sup> Maass, Dave and Cooper Quintin. Electronic Frontier Foundation. “License Plate Readers Exposed! How Public Safety Agencies Responded to Major Vulnerabilities in Vehicle Surveillance Tech.” Oct. 28, 2015. <https://www.eff.org/deeplinks/2015/10/license-plate-readers-exposed-how-public-safety-agencies-responded-massive>