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# HB 20-1282

## PUBLIC SAFETY: RADIO ENCRYPTION

### RADIO COMMUNICATIONS POLICIES OF GOVERNMENTAL ENTITIES

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#### HB 20-1282 – YOUR “NO” VOTE RESPECTFULLY REQUESTED

HB 20-1282 would require any governmental entity, including municipalities, counties, special districts, school districts, and state agencies that encrypt all of their radio communications to identify and adopt an encryption policy. The governmental entity must also supply unencrypted radios to members of the media, with only “reasonable restrictions” as interpreted by members of the media. Any standard that is perceived to be “unreasonable and burdensome” by the media will not be permitted.

1. Encryption is an important tool for law enforcement and firefighting agencies, utilized for the protection of municipal citizens. In each case, local governments work to balance privacy needs and successful public safety operations.
2. Under the proposal, municipalities would be required to give members of the media access to unencrypted radios where personal identifying information is broadcast, revealing victims, possible suspects, and witnesses, dates of birth, social security numbers, driver’s license numbers, and protected medical and mental health information.
3. HB 1282 also requires municipalities to adopt “reasonable” encryption policies. The term “reasonable” is undefined and is used as a legal standard. Any limitation on access to information will likely be objectionable by members of the media and perceived to be “unreasonable and burdensome”. This will ultimately result in litigation between local government and media, which will be a cost to taxpayers.
4. Municipalities have worked to build effective and collaborative relationships with local media outlets while working to balance privacy requirements, law enforcement and first responder safety, and sharing timely information. HB 1282 will work to undermine and erode those relationships, and place municipalities and media in adversarial positions.

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