



CITY OF BEVERLY HILLS

455 NORTH REXFORD DRIVE ▪ BEVERLY HILLS, CALIFORNIA 90210

Julian A. Gold, M.D., Mayor

July 12, 2023

The Honorable Mia Bonta
California State Assembly, District 18
1021 O. St, Suite 5620
Sacramento, CA 95814

Re: AB 793 (Bonta) Privacy: reverse demands
City of Beverly Hills – OPPOSE

Dear Assemblymember Bonta:

On behalf of the City of Beverly Hills, I write to you in respectful OPPOSITION to your AB 793 which seeks to ban reverse-location searches, also known as "geofence warrants," and reverse-keyword searches, by law enforcement agencies.

While we understand the potential concerns for personal privacy, we believe the complete prohibition of these investigative tools may hamper law enforcement's ability to protect and serve our community effectively. The proposed bill's stringent limitations on obtaining information via these methods could potentially hinder criminal investigations and prevent the swift administration of justice.

The United States Constitution's Fourth Amendment and California Constitution, Article I, § 13 protects citizens against unreasonable searches and seizures. However, they permit such actions based on probable cause, supported by oath or affirmation, and with a warrant specifying the place to be searched and the persons or things to be seized. These warrants must specify the person or property to be searched or seized, which reduces the chance of infringement on individuals' privacy rights who are not associated with the criminal investigation. Our opposition is based on this understanding and that these types of searches are not necessarily "unreasonable" but rather can be crucial for law enforcement in their duty to ensure public safety.

Reverse-location and reverse-keyword searches are investigative tools that, when used responsibly and in accordance with the Constitution's provisions, can significantly aid in solving crimes, particularly those of a severe nature such as terrorism, organized crime, or serious felonies. They can provide critical evidence and clues that would otherwise be unobtainable, thus accelerating justice and enhancing public safety.

Our opposition to this bill is also in line with our stand on preserving the balance between individual privacy and public safety. We recognize our digital age necessitates nuanced interpretations of the Fourth Amendment, particularly in relation to electronic data. While we agree on the importance of ensuring citizens' digital information is not misused, we believe a complete ban on these search methods goes too far in undermining law enforcement's capability to ensure public safety, especially as reverse-location searches have helped solve numerous homicides across this state and nation that may have gone unsolved without it.

For these reasons, the City of Beverly Hills must respectfully OPPOSE AB 793 (Bonta). Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Julian A. Gold". The signature is fluid and cursive, with a long, sweeping underline that extends to the left.

Julian A. Gold, M.D.
Mayor, City of Beverly Hills

cc: The Honorable Ben Allen, Senator, 24th District
The Honorable Rick Zbur, Assemblymember, 51st District
Andrew K. Antwih, Shaw Yoder Antwih Schmelzer & Lange