



MEMORANDUM OF SUPPORT
Reverse Location & Keyword Warrant Ban
S.296 (Myrie) / A84 (Quart)

The Immigrant Defense Project (IDP) submits this statement in support of A.84/S.296, to prohibit the use of reverse location and reverse keyword searches.

This bill would curtail indiscriminate government surveillance of New Yorkers by prohibiting reverse location and reverse keyword searches and warrants. IDP strongly supports this legislation and urges the legislature to pass, and the Governor to sign, this bill.

IDP fights to end the current era of unprecedented mass criminalization, detention, and deportation and advocates for laws and policies that protect the rights of all immigrants. Over the past few years, we have seen an acceleration of the use of surveillance technology by Immigration and Customs Enforcement (ICE)—including the use of shared surveillance tools with local policing agencies. Part of our overarching goals to protect New Yorkers is to stop collusion and information-sharing between local law enforcement and ICE, and this includes challenging the role of technology in reinforcing unequal power relationships.

Police are required to secure warrants from a judge in order to obtain access to private property and communications. In order to prevent the government from obtaining information without violating constitutionally protected rights, the granting of a warrant is based on evidence of probable cause. Yet, reverse location and keyword warrants violate such protections by allowing law enforcement to conduct dragnet searches of digital data—allowing police to search hundreds of thousands of people’s private information. The basis for “suspicion” is simply due to someone’s location (a “geofence”) at a particular time or having entered certain keywords into a search engine. As phones and connected technology platforms capture detailed data—often unknown to the user—we cannot allow law enforcement to circumvent constitutional checks on police surveillance.

Without limitations on how reverse warrants can access people’s private information, immigrant New Yorkers are at particularly high risk of being unknowingly put in the crosshairs of law enforcement, and ultimately, at risk of deportation. As it stands, any arrest of a non-citizen by the New York Police Department or any policing agency in New York State, regardless of outcome, results in fingerprints and place of birth information being made accessible to ICE to use the information as they so choose.

To truly protect the rights of all New Yorkers, we must stand firm against all discriminatory and aggressive policing practices. Already, reverse warrants have fueled discriminatory policing—including false arrests and the targeting of peaceful protesters.

A.84/S.296 will modernize New York’s privacy laws by outlawing these types of dragnet searches. The Immigrant Defense Project urges the New York State Legislature to pass A.84/S.296, so that New York’s privacy laws reflect our modern digital age.