3. The MA Attorney-General's office has proposed a [substantial expansion](https://malegislature.gov/Bills/188/Senate/S654) of the state's electronic wiretapping powers. Does the candidate support or oppose this expansion?

**Law abiding citizens should not have to worry about intrusion from the government into their private electronic communications. We were all shocked to learn that the NSA was collecting information on tens of millions of Americans without probable cause. While we all value our safety, the government does not have the right to spy on someone simply because they happen to have a cell phone and live in the United States. This is why I am a cosponsor of the Electronic Privacy Act. This would apply a traditional probable cause burden of proof in order to obtain electronic communications. Our criminal justice system depends on a series of checks and balances, and definitive proof of probable cause.**

**But it is also true that law enforcement needs tools to go after those who are illegally trafficking guns or selling vulnerable people into sexual slavery. Massachusetts law enforcement is at a disadvantage in fighting these crimes because street gangs, human traffickers and gun runners do not meet the outdated and narrow definition of ‘organized crime’ within the statute. As Massachusetts Supreme Judicial Court Justice Ralph Gants stated in Commonwealth v. Tavares, “In short, the legislative inclusion of five words, ‘in connection with organized crime,’ means that electronic surveillance is unavailable to investigate and prosecute the hundreds of shootings and killings committed by street gangs in Massachusetts, which are among the most difficult crimes to solve and prosecute using more traditional means of investigation.” This is the reason that Governor Patrick included striking the ‘organized crime’ requirement in his gun safety legislation.**

**We have rigorous protocols in place to ensure that wiretaps are only approved when probable cause is proven and a search warrant is issued, are targeted at specific individuals, are a measure of last resort, and are temporary. I reject the notion that we have to choose privacy or security.  We can achieve balance. We can protect the privacy of the citizens of the Commonwealth, while at the same time giving law enforcement the tools they need to fight those who are funneling illegal guns onto our streets. By ensuring that wiretaps are a measure of last resort, with a rigorous system of checks and Constitutional protections, we can have balance.**

*NOTE FROM DIGITAL FOURTH:*

*We have strongly opposed this proposal from the Attorney-General’s office. It is not clear to us that Massachusetts, where crime is at historically low levels, has a problem with gang violence so severe that it is worth making electronic wiretaps of gang activity a regular feature of law enforcement activity here in the state. In our article at* <http://warrantless.org/2013/07/tavares_update/>*, we have also strongly challenged the notion that the Supreme Judicial Court is advocating the kind of update proposed by the Attorney-General here, or indeed any change at all. We also do not believe that there is truly a tradeoff between privacy and security: if there were, then all of the privacy we have collectively sacrificed since the September 11 attacks would actually be operating to make us safer. In fact, we are just as vulnerable to criminal atrocities like the Boston Marathon bombings as we ever were, and the only difference is that we are wasting a lot more money on hypermuscled law enforcement, military and intelligence agencies than we were before.*

*For our further reporting on the proposed expansion of electronic wiretapping, see:*

<http://warrantless.org/2013/06/ago-response/>

<http://warrantless.org/2013/03/clowncarlaw/>

<http://warrantless.org/2013/01/coakley-analysi/>