

[By Jenna Pizzi](#)

Rep. Peter Welch publicly announced his support of a bill aimed at protecting digital privacy on Wednesday.

Welch said the bipartisan legislation would create clear guidelines outlining how private companies, government, private citizens and law enforcement can access and use geolocation or Global Positioning System information.

"Just because technology makes it easier to compromise privacy, doesn't make it right," said Welch.

GPS technology is most widely used in smartphones, which use geolocation to give directions or allow users to "check in" on social networking sites. The bill, backed by the American Civil Liberties Union, claims to protect the phone GPS information, that could potentially be used to track where the user was and when.

"It is just a fundamental core freedom," said Allen Gilbert, executive director of the ACLU of Vermont.

The fourth amendment, which protects against unreasonable search and seizure, has not yet been modified for the digital age, said Gilbert. He said he hopes this legislation will help the law catch up with technology.

Gilbert said the largest problem for many private companies and law enforcement, is that there is no clear guidelines for what information is private, which the proposed legislation would clarify.

"It has become a wild west of confusion out there and privacy is the victim," said Gilbert.

The bill would require cell phone companies to ask users if they can have access to their GPS information and law enforcement would require a warrant to obtain the GPS data.

William Sorrell, Vermont's attorney general, said that law enforcement in the state of Vermont already is required to obtain judiciary approval to access GPS information in circumstances other than emergencies. This is not the case in other states or on the federal level.

"We, I guess unlike in some other jurisdictions, do not access that information without court approval," said Sorrell.

Law enforcement can currently obtain GPS information in the information gathering stages of court proceedings, said Sorrell, which does not require a warrant, but does require judicial approval.

Gilbert said law enforcement should be required to obtain a search warrant, because it is required in the fourth amendment, and just because information is digital rather than kept in a folder, locked in a file cabinet in an office somewhere, doesn't change the process that should be required to obtain it.

"That is the way we have dealt with it for centuries," said Gilbert.