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previously kept government authority in check. Things have gotten much worse in the past 15 years.

In November, we found out the alarming news that the Oregon Department of Justice was involved in some level of surveillance of people who used the Black Lives Matter hashtag on social media. Surveilling people based on their political ideas undercuts the fundamental freedoms that our country was founded on. If people can be targeted for speech and activities protected by the First Amendment, then they will be reluctant to speak or write openly about their beliefs. Expressing support for racial justice on Twitter or Facebook shouldn't get you a law enforcement file. Not in a country I want to live in.

We haven't figured out the perfect set of policies that would significantly improve our overarching digital privacy rights, but we are working on it. For example, a company called Cellebrite markets a device that pulls all of the info off your cellphone, including your call log, text messages, location data and more and creates a copy for law enforcement. In 2015, we successfully championed a bill to require law enforcement to get a warrant before they make a copy of your phone's content. We also tried to limit how long law enforcement can retain license plate reader records, but it failed to make it out of committee. We will unquestionably be bringing proposed legislation to the 2017 session. (License plate readers are attached to vehicles and stationary objects, such as traffic lights and bridges. They can scan hundreds of license plates per minute, and store that information. The plate numbers are checked against a list of registered vehicles that are stolen or wanted in association with a crime. Willamette Week reported that Portland police began attaching these readers to their patrol cars in 2008.)

A particularly difficult hurdle is that government agencies hide the ball when they outsource certain kinds of data collection to private companies. For example, law enforcement agencies may contract with a private company to gather information using automatic license plate readers or gather cellphone location data with Stingray technology. Although we might normally be able to compel the police to release information about how and if they are using that technology through Freedom of Information Act requests, those agencies are signing binding contracts with companies not to share any information, which is completely undemocratic. We will need to figure out how to bring greater transparency when third-party, private companies are involved.

E.G.: *What bills will you be watching closely in the 2016 and 2017 legislative sessions?*

D.R.: The 2016 session is a very short session, and most issues that will move forward have been wired to go since the fall of 2015.

A huge policymaking area where we are spending significant attention is around certain ballot measures proposed for the November 2016 ballot.

For example, there is an effort to move a



PHOTO BY JOE GLODE

David Rogers is six months into his position at the helm of the American Civil Liberties Union of Oregon.

measure forward that would prevent any public funding of abortions in Oregon. Terrible stuff. Oregon is the only state in the country that we are aware of that has no statutory restrictions to abortion access. We are proud that Oregon has been able to successfully defeat a wide range of attacks on women's reproductive health over the past several decades. But we can't take anything for granted. The proposed ballot measure would have a severe impact on low-income women. And for all the public employees in Oregon who appreciate having abortion covered in their health insurance, they should be concerned as well. The ACLU filed a challenge to the ballot title language, and we will continue to work with a strong group of allies to push back.

There are also three separate ballot measures that have been filed that are steeped in anti-immigrant fervor. The ACLU of Oregon is an active participant in a coalition organized to defeat all three measures.

One measure, Initiative Petition 40, aims to make Oregon an English-only state and prevent crucial services and programs from happening in other languages. IP 52 would make it harder to work by requiring Oregon businesses to use an inaccurate and cumbersome federal program, E-Verify, to check employment eligibility. (Ballot measures receive the designation "IP," or initiative petition, while still in the signature-gathering process.)

And IP 51 would turn back the clock on voting rights and would eventually purge the entire Oregon voter list and force people to re-register, showing physical proof of citizenship. Oregon could go from having one of the best sets of voting laws in the country to some of the worst.

The sad irony of these xenophobic policies is they would hurt most Oregonians.

These efforts go back to your first question. The prejudice that is driving these efforts is advanced by a shameful rhetoric flowing from several presidential candidates. The politics of fear is being used to divide

our communities.

We need to remind ourselves of the strengths of being a country where diverse cultures have come together. There's no contradiction between a nation where we speak a common language and a nation where many of us remain proud of our ethnic and cultural heritage, including our native languages. There's no contradiction between a nation with a shared culture, founded on the idea of freedom, and a nation whose culture reflects the melting pot that is America.

Our collective well-being in Oregon and this country is very much linked to our ability to recognize that we have a shared fate. We have got to move past thinking in terms of "us" and "them."

E.G.: *Will ACLU Oregon pursue another bill aimed at making grand jury proceedings more transparent, and if so, do you think it will have a better chance this time around, given the outrage over the failure of a grand jury to indict the officers who killed Tamir Rice?*

D.R.: The Oregon Criminal Defense Lawyers Association was the lead group advocating for the grand jury transparency bill, but it was definitely a priority of the ACLU of Oregon as well. Collectively, we will absolutely be working to pass a similar bill in 2017.

It should be well known that the main barrier to the legislation came from district attorneys. Frankly, their opposition was disgraceful. It is appropriate that you connect this issue to what happened to Tamir Rice. There is a very real dynamic people often refer to as the "Thin Blue Line." It refers to the ways members of law enforcement work to protect each other. So, when a police officer is accused of unjust violence, other officers resist stepping forward and sharing what they know or saw if it might bring accountability to the

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