

BAN THE SALE OF CELLPHONE LOCATION DATA

PROTECT REPRODUCTIVE HEALTH ACCESS, LGBTQ LIVES, RELIGIOUS LIBERTY, AND PERSONAL SAFETY

H.357 & S.148 | Rep. Kate Lipper-Garabedian & Sen. Cynthia Creem

Every day, unregulated data brokers **buy and sell personal location data** from apps on our cellphones, revealing where we live, work, play, and more. To protect our privacy, safety, and access to essential health care, Massachusetts needs to **ban this practice now**.

BACKGROUND

Our cellphones keep track of where we go, every minute of every day, revealing the **most sensitive and intimate things about us**. That personal location data can be used to provide useful services like maps, fitness tracking, and taxi rides. However, it can also be exploited for profit and extremist agendas, putting every cellphone user at risk.

Today, **data brokers** are allowed to buy this information, repackage it, and then sell it to **anyone with a credit card**. There are no state or federal laws prohibiting this practice.

WHY IT MATTERS

Our personal location information reveals the **most sensitive and intimate things about each of us**, and we all deserve legal protections to keep that information private.

- Unscrupulous data brokers have already bought, repackaged, and sold the location data of **people visiting abortion clinics**. Since the overturning of *Roe v. Wade*, this puts patients and providers in Massachusetts at risk of prosecution and harassment.
- **Domestic abusers** can purchase location data to track the whereabouts of their victims.
- **Foreign governments** can buy location data and use it to track intelligence personnel, elected officials, military employees, police officers, and scientific researchers.
- **Employers** can buy cellphone location data to track and discriminate against employees.

IT'S ALREADY HAPPENING

Brokers and bad actors are already abusing our personal location data:

- Since the Supreme Court's *Dobbs* decision, data brokers have come under increased scrutiny. Last year, reporters revealed that several companies were **selling detailed location data and demographic information** about people who visit abortion clinics.

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- In 2019, reporters revealed that bounty hunters and debt collectors had purchased location data for years in order to **stalk and harass people**.
- In 2021, an extremist right-wing organization bought location data to target gay Catholics, **tracked a specific priest to several locations including gay bars**, and publicly outed him.

If we care about patient privacy, protecting victims from harassment and violence, and personal freedom, we must stop the sale of personal location data.

VOTERS SUPPORT A BAN

Bay Staters **overwhelmingly** agree: Using a cellphone shouldn't require you to give up your privacy. Massachusetts should **ban the sale and trade of our personal location data**.

- Ninety-two percent (**92%**) of Massachusetts voters support passing a law to prohibit the sale of personal location data.
- By a **3-to-1** margin, voters think **the state has a responsibility** to protect the privacy of people's location data.
- Massachusetts can protect people by **banning the sale of cellphone location information** (H.357 | S.148). Massachusetts should lead the nation by passing this popular, commonsense privacy reform.

A SIMPLE BILL

An Act protecting reproductive health access, LGBTQ lives, religious liberty, and freedom of movement by banning the sale of cell phone location information (H.357 | S.148) would:

- Prohibit companies from selling, leasing, trading, or renting location data.
- Require companies to obtain consent before collecting or processing location data.
- Allow companies to collect and process location data—with user consent—for legitimate purposes, such as:
 - Providing requested services to consumers
 - Responding to emergencies
 - Complying with state and federal law