



March 14, 2011

**AMERICAN CIVIL
LIBERTIES UNION OF
ALASKA**

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The Honorable Bill Wielechowski, Chair
The Honorable Joe Paskvan, Vice-Chair
Senate State Affairs Committee
Alaska State Senate
Juneau, AK 99801

via email: Senator_Bill_Wielechowski@legis.state.ak.us
Senator_Joe_Paskvan@legis.state.ak.us

Re: Senate Bill 98
ACLU Statement of Support

Chair Wielechowski, Vice-Chair Paskvan:

Thank you for the opportunity to submit a written statement of support for SB 98.

The American Civil Liberties Union of Alaska represents thousands of members and activists throughout the State of Alaska who seek to preserve and expand individual freedoms and civil liberties guaranteed under the United States and Alaska Constitutions.

From a constitutional rights and privacy perspective, **the ACLU of Alaska endorses protections for individuals' personal biometric information, and applauds the proactive introduction of this Bill to avoid violations of privacy before they occur.**

Need for Biometrics Legislation

Recent advances in genomics, bioinformatics and data mining are encouraging a worldwide proliferation of "gene banks" – large collections of

biological samples that usually include genetic information derived from those samples, as well as linked medical, family history or lifestyle information. The use of these biological repositories for genetics research could lead to advances in public health, such as the identification of genetic factors in diseases, or the development of diagnostic tests. ***On the other hand, they also create an avenue for privacy infringements, stigmatization and discrimination, and improper commercial exchange of personal data.***

The ACLU supports legislation to prevent privacy infringement and genetic discrimination. SB 98 can advance these goals.

Protections Against Coerced Consent

Given the ability to condition the provision of necessary services on the disclosure of personal information, we are also pleased to note that SB 98 is intended to protect against coerced "consent."

Given the sensitivity of biometric information, and the plethora of medical information obtainable from it, we endorse legislation that would protect Alaskans from improperly being compelled to waive their rights to protect their personal, private information.

Thank you again for the opportunity to share our support of this bill.

Sincerely,

A handwritten signature in black ink, appearing to read "J. A. Mittman", with a long horizontal flourish extending to the right.

Jeffrey Mittman
Executive Director
ACLU of Alaska

cc: Senator Albert Kookesh
Senator Kevin Meyer
Senator Catherine Giessel