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MEMORANDUM

DATE: September 5, 2013

TO: Technological Crime Advisory Board

FROM: Belinda Suwe, Interim Executive Director
Hal Berghel, Professor, UNLV, Member Technological Crime Advisory Board

SUBJECT: Draft proposal for Nevada Privacy Board, a Subcommittee of the Technological Crimes Advisory Board

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Nevada Privacy Advisory Board

Background and Overview:

Nevada has an opportunity to take a leadership role in privacy advocacy in personal privacy. It is one of a very few states that enacted a law recommending companies that transfer customer personal information outside of a secure system to use encryption (2009 SB228; amending NRS603a). The recent wave of revelations about federal and business surveillance of personal information in the past few years, makes this an ideal time to ensure that the Attorney General and State leadership is aware of the risks to citizens and other statutory remedies that may be relevant to Nevada.

Board Defined - e.g., NRS 205A.020..... This board will be advisory to the Nevada Attorney General and Technological Crime Advisory Board on matters relating to the privacy rights and expectations of Nevada residents.

“Privacy” defined: Privacy is defined in aggregate as characteristics or information that seeks to identify individuals within a group. Privacy rights refer to the rights of individuals residing in Nevada to retain custody and control of information about themselves from intrusion by individuals, corporations, and government agencies that is not specifically allowed by law.

Mission Statement: The purpose of this Board is to focus on relevant privacy issues, privacy crime, and the protection of personally identifiable information in Nevada. This Board will (a) make recommendations to the Nevada Attorney General and Technological Crime Advisory Board, (b) monitor changes in international, Federal, and State policy and legislation regarding privacy protections, and (c) serve an advisory function to the Attorney General and Technological Crime Advisory regarding the protection of personal privacy in Nevada including, but not limited to, medical data, financial information, location information, and communications.

Membership: This advisory board will consist of six (6) members who will serve a term of five years (staggered) having expertise privacy issues, privacy litigation, and privacy advocacy. At least two (2) of the advisory board members must also be current members of the Technological Crimes Advisory Board.

Meetings: The meetings of the advisory board will be held quarterly. Preferably, the meetings will be held immediately prior to the meetings of the Technological Crime Advisory Board.