Our thoughts on Question 1: Ballot question 1 this year concerns access to mechanical data in a vehicle’s on-board diagnostics or telematics system‘, and is commonly known as the “Right to Repair Law”.

Last week, we shared with you some initial thoughts on Ballot Question 1. This week, based on further discussions and information we have gathered, we have a lot more to say! We appreciate your questions and thoughts that have informed our analysis on this issue.

This past week, many of you received a Voters Guide in the mail. In that guide, JDI is quoted and portrayed as opposing Question 1. We would like to be clear that we were not consulted about our inclusion in this guide. The question of automotive data ownership is not an issue that is deeply tied to JDIs priorities to uplift education/prevention of SDV, racial equity, economic justice, human rights.

That said, tech safety and attending to the ways that those who cause harm might manipulate and utilize technology to further harm is very much on our minds. When it comes to the collection, retention, and/or sharing of any data, what supports survivors most are practices that deeply honor transparency, informed consent, and a range of options that place control over sensitive data in the hands of survivors.

When we were first presented with the Right to Repair issue late last year, we turned to our Coalition partners in California (CALCASA) for guidance given that they had recently navigated a similar initiative in their state. Drawing from their experiences and insight, we wrote testimony in opposition to the Right to Repair legislation (now the basis of this ballot question). At the time, our analysis of that legislation raised some safety and privacy concerns for victims and survivors of SDV that we did not feel had been adequately addressed by proponents. JDI raised specific concerns regarding the potential for abuse due to the broadening of avenues to abuse access to data.

Since January, our analysis has evolved. The ballot question proposed is distinct from what was initially proposed in California and does not appear to pose the heightened risk of breach of personal information as suggested by those who oppose this initiative. While JDI is not taking public stand on this ballot question, at this time, we do not believe that a YES vote on 1 would uniquely compromise survivor safety in the manner portrayed by opponents.

We do not support the use of survivor fears or needs as pawns in a debate that is not ultimately about the needs of survivors. As companies and industries make public claims to support survivors and oppose gender based violence, we are looking for a real commitment and allyship.
As technology evolves, questioning safety and confidentiality is legitimate and necessary. The collection, retention, and transfer of data raises concerns of data breach and requires skill and care to ensure survivors – and all consumers – are clearly informed of their rights and options regarding the control of this data.

Anyone holding consumer data needs to be aware of the unintended consequences for people who experience domestic violence, stalking, harassment, and other forms of abuse. Regardless which side ultimately prevails on the ballot in November, we will do what we can to hold those who collect or hold data from consumers accountable to the needs of survivors.