

Frequently Asked Questions

Understanding the South Carolina Bill of Digital Rights

Introduction

Why was the South Carolina Bill of Digital Rights created?

The South Carolina Bill of Digital Rights was created to reaffirm that the constitutional liberties secured by the United States Constitution and the South Carolina Constitution remain fully applicable in the Digital Age.

It does not seek to create new rights. Rather, it recognizes that technological advancement should not diminish freedoms that South Carolinians already possess.

Just as previous generations applied constitutional principles to telephones, automobiles, radio, television, and the Internet, this framework seeks to apply those same enduring principles to artificial intelligence, digital communications, biometric identification, surveillance technologies, connected devices, commercial data markets, and technologies yet to be invented.

Its central premise is simple:

Technology changes. Rights do not.

Foundational Questions

What is the South Carolina Bill of Digital Rights?

A technology- neutral constitutional and legislative framework designed to preserve privacy, due process, liberty, transparency, and governmental accountability as public agencies use increasingly powerful digital technologies.

Why do we need a South Carolina Bill of Digital Rights?

Because nearly every aspect of modern life has become digital.

- Communication
- Banking
- Healthcare

- Travel
- Education
- Employment
- Commerce
- Government
- Personal relationships
- Political participation
- Religious practice

The Constitution protects liberty—not technology. The South Carolina Bill of Digital Rights explains how those constitutional protections apply in today's world and provides a technology-neutral framework for applying the protections of the United States Constitution and the South Carolina Constitution to the realities of modern digital life—and to technologies that have yet to be invented.

Doesn't the Constitution already protect these rights?

Yes.

The United States Constitution and the South Carolina Constitution already protect the fundamental liberties at the heart of the South Carolina Bill of Digital Rights.

The purpose of the South Carolina Bill of Digital Rights is not to create new rights or replace the Constitution. It is to reaffirm and clarify how existing constitutional protections apply as technology evolves.

Constitutional rights do not become weaker simply because technology creates new ways to collect, analyze, store, or use information about people.

Are these new rights?

No.

The framework begins with existing constitutional protections, including South Carolina's express protection against unreasonable invasions of privacy, and identifies statutory rules needed to make those protections meaningful in modern technological settings.

What legal rights do individuals retain in their digital information?

The South Carolina Bill of Digital Rights recognizes that individuals retain constitutionally protected interests in digital information generated by, derived from, or uniquely linked to them.

This includes information concerning a person's identity, communications, precise location, biometric characteristics, activities, and other personal information.

The collection, storage, processing, transmission, analysis, licensing, or possession of that information by another person or entity does not, by itself, extinguish those constitutional protections.

This principle does not mean every piece of digital information is owned in the same way as physical property. Rather, it recognizes that constitutional rights should continue to protect individuals even when information is stored by third parties, processed by modern technologies, or transmitted through digital systems.

The central question is not simply who possesses the information.

The question is whether constitutional liberties continue to protect the individual to whom the information relates.

The South Carolina Bill of Digital Rights answers that question **yes**.

What is protected digital information?

For purposes of this initiative, "protected digital information" refers to electronically stored information generated by, derived from, or uniquely linked to a person's identity, body, communications, precise location, biometrics, private activities, and other highly revealing personal information, subject to definitions and lawful exceptions in implementing legislation, including but not limited to:

- personal information
- communications
- location history
- metadata
- financial information
- health information
- biometric identifiers
- digital identity
- behavioral information
- creative works
- other personally identifiable information

Why do legal rights in digital information matter?

Constitutional rights become difficult to protect if individuals lose their legal interests in personal information simply because that information is stored, transmitted, processed, or analyzed by others.

Clear legal protections help determine:

- when information may be collected;
- how it may be used;
- whether it may be disclosed or shared;
- whether it may be sold or monetized;
- who may access it;
- how long it may be retained;
- how individuals may inspect or correct it; and
- what constitutional safeguards apply when government seeks to obtain it.

The South Carolina Bill of Digital Rights recognizes that constitutional protections should follow the individual—not merely the location where information happens to be stored.

Does the Digital Bill of Rights mean a person owns every photograph or recording in which that person appears?

No. A photograph, video, audio recording, or other expressive work may contain Protected Digital Information without transferring ownership of the work to the person depicted or recorded.

The protected interest concerns qualifying information about the individual - such as biometric identifiers, location, associations, behavioral information, or information derived or inferred from the image or recording - while ownership, publication, consent, and expressive rights remain governed by otherwise applicable law.

What is the central principle of the South Carolina Bill of Digital Rights?

Technology changes.

Rights do not.

Constitutional Questions

How does this relate to the Bill of Rights?

It applies existing constitutional principles to modern technologies rather than creating new constitutional rights.

Isn't the Fourth Amendment already enough?

The Fourth Amendment remains a cornerstone of American liberty.

However, new technologies raise questions that did not exist when many laws were written.

Cloud computing.

Artificial intelligence.

Commercial data brokers.

Biometric databases.

Persistent surveillance.

Connected vehicles.

The South Carolina Bill of Digital Rights provides a framework for applying longstanding constitutional protections to these modern realities.

Does the framework abolish the Open Fields Doctrine?

Not by itself.

The South Carolina Bill of Digital Rights primarily governs digital information, governmental technology, surveillance, and government acquisition by proxy.

Separate implementing legislation should address governmental investigative entry onto privately owned land beyond curtilage and targeted technological surveillance of that land, while preserving warrants, valid consent by a person with lawful authority, emergencies, and other lawful authority expressly recognized by law.

How does this relate to the First Amendment?

Digital platforms have become today's public square for many Americans.

Freedom of speech, religion, association, petition, and peaceful assembly deserve equal protection whether exercised in person or through digital technologies.

How does this relate to due process?

No one should lose liberty, property, employment, benefits, licenses, or constitutional rights solely because an algorithm, artificial intelligence system, or automated process reached a conclusion.

Meaningful human accountability remains essential.

Why discuss property rights at all?

Property rights have long been one of the principal safeguards of individual liberty under American law.

As more of life becomes digital, questions naturally arise regarding the legal interests individuals retain in information generated by, derived from, or uniquely linked to them.

The South Carolina Bill of Digital Rights does not depend upon resolving every question of technical ownership under property law. Instead, it recognizes that constitutional protections should not disappear simply because information is stored by a third party, processed by modern technologies, or transmitted through digital systems.

Whether analyzed through the principles of property, privacy, liberty, or due process, technological advancement should never diminish the constitutional rights retained by the people.

Does this require changing the Constitution?

Not necessarily.

Many of these principles can be implemented through legislation while remaining fully consistent with existing constitutional protections.

Does this apply to private companies as well as government?

The Constitution primarily limits government action.

However, governments increasingly partner with private companies to provide services, manage data, develop artificial intelligence, operate surveillance technologies, and store public information.

The South Carolina Bill of Digital Rights recognizes that constitutional protections should not be circumvented simply because government relies upon contractors, vendors, nonprofit organizations, or other third parties.

It also encourages legislatures to establish appropriate standards governing how private entities collect, use, retain, share, and monetize personal information while respecting individual rights.

Why doesn't this simply call for more privacy?

Privacy is only one constitutional principle.

The South Carolina Bill of Digital Rights also protects:

- liberty
- property
- due process
- transparency
- accountability
- freedom of speech
- freedom of religion
- freedom of association
- freedom of movement
- human dignity

Privacy exists to protect liberty—not replace it. The purpose of this bill is to preserve the broader constitutional framework that allows free people to flourish.

Government Questions

Is this anti-government?

No.

Government has legitimate responsibilities.

This framework supports constitutional government.

It simply recognizes that government power should remain subject to constitutional limitations.

Is this anti-law enforcement?

No.

Law enforcement plays an essential role in protecting public safety.

Nothing in this framework prevents lawful investigations conducted with appropriate legal authority.

Does this prevent police from solving crimes?

No.

The framework recognizes warrants, judicial oversight, due process, and existing constitutional exceptions such as emergencies.

It addresses how government obtains and uses information—not whether crimes should be investigated.

Does this interfere with lawful law enforcement?

No.

Implementing legislation should preserve constitutional warrant exceptions, emergencies, and legitimate investigative authorities through express and narrow provisions.

What about emergencies?

Existing constitutional principles recognize emergency exceptions.

Nothing in this framework is intended to interfere with emergency response or imminent threats to life.

What about terrorism or child exploitation?

These are serious crimes.

The South Carolina Bill of Digital Rights does not eliminate lawful investigative authorities.

It emphasizes that extraordinary investigations should still operate within constitutional and statutory safeguards.

Should government ever use AI?

Yes.

Artificial intelligence can improve efficiency and assist decision-making.

However, government should remain accountable for decisions affecting constitutional rights.

AI should assist people—not replace due process.

What is a high-consequence governmental digital system?

A functional category for digital, automated, algorithmic, electronic, or computational systems that materially make, record, calculate, authenticate, recommend, transmit, certify, or influence official governmental actions affecting significant legal interests.

Should government use surveillance technology?

Sometimes, yes.

The question is not whether surveillance technologies exist.

The question is what constitutional safeguards govern their use.

What does “procurement is not authorization” mean?

The authority to buy or license a product is not automatically substantive authority to use every capability the product offers. Governmental power must come from the Constitution and law.

Does vendor secrecy block oversight?

It should not. Legitimate trade secrets can be protected from unnecessary public disclosure while still being available to courts, auditors, inspectors, legislators, and other lawful oversight bodies when necessary.

What about public records and sensitive information?

The framework does not erase existing FOIA exemptions. It distinguishes public disclosure from lawful oversight access and requires segregation and disclosure of nonexempt material where current law requires it.

What is Aggregated Surveillance?

Aggregated surveillance occurs when many individual observations are combined over time to create a detailed picture of a person's life.

A single observation may reveal very little. Thousands or millions of observations collected over days, months, or years can reveal where a person lives, works, worships, receives medical care, whom they associate with, where they travel, and many other aspects of daily life.

The constitutional concern arises not from any single observation, but from the government's ability to aggregate, retain, correlate, and analyze large amounts of information into a comprehensive record of an individual's activities.

Duration, precision, continuity, retrospective capability, aggregation, and pattern-of-life reconstruction can matter even when an isolated observation reveals little.

Why isn't one camera the issue?

One camera observing one location has existed for decades.

The constitutional question is not whether individual cameras exist.

The question is whether modern technologies allow government or private entities acting on behalf of government to combine information from thousands of cameras, databases, sensors, automated license plate readers, mobile devices, commercial data brokers, and other technologies into persistent records that reveal a person's movements, associations, and private life.

The South Carolina Bill of Digital Rights does not oppose individual technologies simply because they exist. It recognizes that constitutional protections must account for the capabilities created when many technologies operate together.

Technology changes.

Rights do not.

What is government acquisition by proxy?

The principle that government should not evade constitutional process by purchasing, licensing, querying, requesting, or receiving substantially equivalent protected information through a broker, vendor, contractor, shared system, or other intermediary.

Why shouldn't government accomplish indirectly what it cannot do directly?

Constitutional limitations exist to protect liberty.

Those protections should not disappear simply because information is obtained through contractors, data brokers, vendors, nonprofit organizations, or other third parties.

Government should not be able to avoid constitutional safeguards by outsourcing activities that would otherwise require judicial authorization.

Does this prevent existing investigations?

No.

Nothing in the South Carolina Bill of Digital Rights is intended to invalidate lawful investigations or existing judicial authorities.

Its purpose is to ensure that future investigations continue to operate within constitutional safeguards while protecting the rights of innocent citizens.

Would this affect existing surveillance systems?

Not necessarily.

The South Carolina Bill of Digital Rights does not require eliminating every existing surveillance technology.

Instead, it encourages legislatures to evaluate whether existing systems operate with sufficient constitutional safeguards, transparency, accountability, judicial oversight, and public oversight.

Some systems may require little or no change, while others may warrant additional safeguards depending on how they are used.

Technology Questions

Is this only about Flock cameras?

No.

Flock is one example among many.

This document applies broadly to current and future technologies.

Does this apply to...

- Artificial Intelligence?

Yes.

- Automated License Plate Readers?

Yes.

- Drones?

Yes.

- Facial Recognition?

Yes.

- Connected Vehicles?

Yes.

- Smartphones?

Yes.

- Smart Homes?

Yes.

- Social Media?

Yes.

- Government Databases?

Yes.

- Data Brokers?

Yes.

- Future Technologies?

Yes.

The principles remain the same regardless of technology.

Why avoid naming specific technologies?

Technology changes rapidly.

Constitutional principles endure.

The document is intended to remain relevant decades into the future.

What is meant by "technology-neutral"?

Technology-neutral means constitutional rights should never depend upon the technology involved.

Whether information is collected through:

- paper records
- telephones
- computers

- smartphones
- drones
- satellites
- automated license plate readers
- connected vehicles
- wearable devices
- artificial intelligence
- or technologies yet to be invented—

the constitutional principles remain the same.

Technology changes.

Rights do not.

Is this anti-technology?

No. Government may use technology. The proposal says technology does not itself create governmental authority or eliminate constitutional accountability.

What does independent human review mean?

An identified human decision-maker must have authority and sufficient information to independently evaluate, reject, correct, or modify a material automated determination. Merely rubber-stamping an automated output is not meaningful review.

What does independent verification mean?

For designated consequential outcomes, government should be capable - where reasonably practicable and required by law - of verifying a material result without relying exclusively on the same system being examined.

Does that mean computers cannot be used?

No. It is an integrity principle, not a technology ban. Different systems may satisfy independent verification through different evidence or review mechanisms appropriate to their function.

Why require audit logs?

Because meaningful oversight requires the ability to reconstruct material system activity, including administrative access, configuration changes, versions, updates, data transfers, remote access, automated actions, errors, and security events.

Why does the document avoid naming specific companies?

Companies change.

Technology changes.

Constitutional principles endure.

The South Carolina Bill of Digital Rights is intended to remain relevant regardless of which companies develop or market future technologies.

Its purpose is to establish enduring constitutional principles rather than regulate individual businesses or products.

Does foreign manufacture make a system unsafe?

No. Foreign manufacture alone does not establish compromise. The relevant concerns are material foreign control, data access, remote administration, software/update authority, authentication, cloud dependencies, and other operational dependencies.

What about commercial off-the-shelf components?

The use of commercial off-the-shelf components does not, by itself, establish that a governmental system is secure or insecure.

The relevant questions include the component's function, access to protected information, software and firmware dependencies, update authority, remote administration capabilities,

authentication, network connectivity, supply-chain dependencies, auditability, and whether the component can materially affect or influence a consequential governmental outcome.

Security and accountability should be evaluated based on the function and capabilities of the component within the system, not merely where the component was manufactured or whether it is commercially available.

What if a certified system or component is compromised?

Certification, testing, procurement approval, or compliance with a technical standard should not be treated as conclusive proof that a consequential governmental system is secure, accurate, or constitutionally compliant.

For designated high-consequence governmental systems, meaningful accountability may require independent verification, auditability, supply-chain transparency, integrity controls, and evidence sufficient to evaluate material outcomes without relying exclusively upon the same system, component, vendor, manufacturer, testing process, or certifying authority being examined.

The purpose is not to presume that a particular manufacturer, country, component, or certifying body is untrustworthy. It is to ensure that public accountability does not depend exclusively upon institutional or technological trust.

Privacy Questions

If I have nothing to hide, why should I care?

Privacy is not about hiding wrongdoing.

Privacy protects autonomy.

It protects freedom of thought.

Freedom of association.

Religious liberty.

Medical confidentiality.

Attorney-client relationships.

Journalism.

Political participation.

Constitutional rights protect everyone—not only those accused of crimes.

Isn't there no expectation of privacy in public?

Public observation has long existed.

Modern technology, however, can aggregate millions of observations into detailed histories revealing patterns of life, associations, routines, and personal activities.

The South Carolina Bill of Digital Rights argues that technological advances should not erode constitutional protections simply because surveillance has become more comprehensive.

Does third-party possession automatically erase privacy protection?

The framework says no. Third-party collection or possession, standing alone, should not automatically extinguish the constitutional inquiry.

What is a "pattern of life"?

A pattern of life is a detailed picture of an individual's routine built from accumulated data over time.

It may reveal:

- where someone lives
- works
- worships
- shops
- receives medical care
- who they associate with
- their daily habits
- their political activities
- their travel

Modern technologies can generate these profiles without any single observation being especially revealing.

What is metadata?

Metadata is information about information.

Examples include:

- time
- date
- location
- recipient
- device
- duration

Even without message content, metadata can reveal extensive information about an individual's life.

Why are biometrics different?

Unlike passwords, biometric characteristics cannot easily be changed.

Once compromised, facial characteristics, fingerprints, iris scans, DNA, and voiceprints remain compromised indefinitely.

Should people be able to see government information about themselves?

Whenever consistent with legitimate law enforcement needs and existing legal protections, individuals should have meaningful opportunities to know what information government maintains about them and to correct demonstrably inaccurate information.

Should people have the right to delete government information about themselves?

Government has legitimate reasons to retain certain records.

However, where information no longer serves a lawful governmental purpose and retention is not otherwise required by law, legislatures should consider establishing reasonable procedures governing deletion, anonymization, or limited retention of personal information.

Such procedures should balance individual liberty with legitimate governmental needs.

What happens when government databases contain incorrect information?

Government decisions increasingly rely upon digital information.

Inaccurate records can affect employment, licensing, benefits, investigations, reputation, and constitutional rights.

Individuals should have meaningful opportunities to inspect government records concerning themselves, challenge demonstrably inaccurate information, and seek timely correction through fair administrative procedures.

Business Questions

Is this anti-business?

No.

Clear rules create trust.

Trust encourages innovation.

Responsible businesses benefit from predictable legal standards.

Can companies sell my information?

Current law varies by jurisdiction and by the type of information involved.

The South Carolina Bill of Digital Rights argues that individuals should have meaningful rights regarding how their personal information is collected, used, and shared.

Will this hurt innovation?

Innovation and liberty are complementary.

Strong constitutional protections encourage responsible innovation and public confidence.

What is informed consent?

Meaningful consent requires more than simply clicking "I Agree."

Individuals should understand:

- what information is collected;
- why it is collected;
- how it will be used;
- how long it will be retained;
- who will receive it;
- whether it will be sold or shared; and
- how consent may be withdrawn when appropriate.

Consent should be informed, voluntary, and understandable.

Will this increase costs?

Possibly.

Protecting constitutional rights sometimes requires investments in cybersecurity, auditing, transparency, oversight, and responsible data management.

Throughout American history, preserving liberty has required resources.

The South Carolina Bill of Digital Rights recognizes that protecting constitutional freedoms is a necessary investment in a free society and that clear standards may also reduce long-term costs associated with litigation, uncertainty, and loss of public trust.

Practical Questions

How would the South Carolina Bill of Digital Rights be implemented?

The South Carolina Bill of Digital Rights establishes principles for protecting constitutional liberty as technology evolves.

Those principles may be implemented through legislation governing governmental technology, digital information, surveillance, automated systems, procurement, auditability, transparency, due process, and related areas.

Implementation should remain consistent with the Constitutions of South Carolina and the United States and with applicable federal law.

How would violations be enforced?

Enforcement would depend upon the implementing legislation and the right or requirement involved.

Potential enforcement mechanisms may include judicial review, injunctive or declaratory relief, administrative or legislative oversight, preservation and correction requirements, civil remedies, attorney fees and costs where authorized, and other remedies provided by law.

Would this create more lawsuits?

It could result in litigation where the meaning or application of a new law is disputed.

However, one purpose of implementing legislation is to establish clearer standards governing governmental authority, individual rights, technological systems, and accountability.

The goal is not to encourage litigation. The goal is to establish clear, enforceable rules so that government, individuals, vendors, oversight bodies, and courts understand the rights and responsibilities that apply.

Could the South Carolina Bill of Digital Rights become part of the South Carolina Constitution?

The South Carolina Bill of Digital Rights is written as a statement of constitutional principles grounded in protections already recognized by the South Carolina and United States Constitutions.

Many of its principles can be implemented through legislation. Particular protections could also be proposed as amendments to the South Carolina Constitution through the constitutional amendment process.

Whether any provision should ultimately be placed in the South Carolina Constitution would be a separate decision made through that process.

Philosophical Questions

Can liberty survive if every movement is permanently recorded?

This is one of the defining questions of the Digital Age.

The South Carolina Bill of Digital Rights recognizes that freedom depends not only upon what government may lawfully do, but also upon limits on governmental power.

Persistent, aggregated, historical, or retrospective surveillance can reveal far more about a person's life than any single observation. Constitutional protections should therefore remain meaningful even as technology makes increasingly comprehensive surveillance possible.

Why should constitutional rights be technology-neutral?

Because liberty should not expand or diminish merely because technology evolves.

The Constitution governs government.

Technology does not redefine constitutional limits.

A constitutional protection should not depend upon whether government uses a camera, database, algorithm, artificial intelligence system, biometric system, commercial data source, or a technology that has not yet been invented.

How do we balance liberty and security?

Liberty and security are not opposing goals.

A free society requires both.

Our constitutional system permits government to protect public safety while limiting governmental power through due process, judicial oversight, particularized legal process, transparency, accountability, and the rule of law.

The South Carolina Bill of Digital Rights follows that principle by recognizing that legitimate governmental authority and constitutional liberty can coexist. Public safety does not require abandoning constitutional protections simply because new technology makes broader surveillance, collection, or analysis possible.

Is this a technology problem or a constitutional problem?

Technology and artificial intelligence are not inherently threats to liberty.

The central question is whether constitutional principles continue to govern how government uses them.

The South Carolina Bill of Digital Rights is not based upon the premise that technology is inherently good or bad. It recognizes that technological capability does not itself create governmental authority.

Every generation has a responsibility to ensure that enduring principles of liberty, privacy, due process, property rights, transparency, accountability, and limited government remain meaningful as technology changes.

Technology will continue to evolve. Constitutional protections must endure.

The Future

Why now?

Artificial intelligence, biometrics, automated decision-making, connected infrastructure, digital identity systems, commercial data markets, and increasingly powerful surveillance and analytical technologies are developing rapidly.

Government's technological capabilities are changing faster than many laws were written to anticipate.

The South Carolina Bill of Digital Rights is intended to establish durable, technology-neutral principles before particular technologies or practices become so embedded in governmental systems that constitutional questions are addressed only after problems occur.

The goal is not to predict every technology that will exist in the future.

It is to establish principles capable of governing technologies that do not yet exist.

What happens if we do nothing?

Technology will continue to evolve whether the law addresses these questions or not.

Government will gain new capabilities to collect, aggregate, analyze, share, and act upon digital information. Automated systems will increasingly be capable of influencing governmental decisions and consequential outcomes.

The question is whether constitutional protections remain meaningful as those capabilities change.

The South Carolina Bill of Digital Rights is intended to ensure that technological capability does not, by itself, redefine the limits of governmental authority.

What can citizens do?

Read the South Carolina Bill of Digital Rights and the proposed implementing legislation.

Consider how its principles would apply to government technologies and practices in your own community and across South Carolina.

Ask questions. Provide constructive feedback. Participate in public meetings and legislative processes. Discuss these issues with civic organizations, elected officials, policymakers, legal scholars, technology professionals, law enforcement, and other members of the community.

Most importantly, remain engaged in the continuing discussion about how constitutional rights should be protected as governmental technology evolves.

Why begin this effort in South Carolina?

South Carolinians have long taken pride in being First in the South—not simply as a matter of chronology, but as a reflection of the state's willingness to engage consequential questions about government, liberty, and the relationship between citizens and the state.

Throughout American history, South Carolina has often played an outsized role in shaping debates about constitutional government, federalism, individual liberty, and the proper limits of governmental power.

Today, the Digital Age presents a new constitutional challenge. As technology rapidly transforms how Americans communicate, travel, work, worship, conduct business, and interact with government, states have an opportunity to help define how timeless constitutional principles should be applied to modern realities.

South Carolina also has a unique historical connection to this discussion. The modern Open Fields Doctrine traces its origins to *Hester v. United States* (1924), a case arising from South Carolina. More recently, South Carolina has become part of the national conversation regarding automated license plate reader systems, digital surveillance, and government transparency.

If constitutional liberty is to remain meaningful in the Digital Age, someone must be willing to lead that conversation.

Just as South Carolina has often been First in the South in shaping important national debates, this initiative seeks to encourage South Carolina to once again lead—not by being first for its own sake, but by helping ensure that the enduring principles of liberty continue to guide America in a rapidly changing technological world.

What is the General Assembly being asked to do now?

Move the principles of the South Carolina Bill of Digital Rights toward enforceable law.

That means defining covered information, technologies, and governmental systems; establishing clear standards, processes, and oversight; modernizing conflicting or outdated provisions of South Carolina law; closing statutory gaps; and providing meaningful mechanisms for accountability and enforcement.

The goal is not to regulate technology by brand, vendor, or product name.

It is to regulate governmental power by function and effect—so that constitutional protections remain meaningful regardless of the technology government uses.

Final Thought

The South Carolina Bill of Digital Rights rests on one enduring principle:

Liberty is timeless. Technology is temporary.

The Constitutions of South Carolina and the United States were written to secure the rights of the people—not to preserve the technologies of a particular era.

Technology will continue to evolve. The tools available to government will change. New capabilities will emerge that previous generations could not have imagined.

But technological capability does not redefine constitutional limits, and constitutional protections should not diminish simply because the means of collecting information, exercising governmental power, or making consequential decisions have changed.

Technology changes. Rights do not.