

Lynch: 'Open dialogue' needed between law enforcement, tech

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In a Wednesday, Feb. 10, 2016, file photo, Attorney General Loretta Lynch speaks during a news conference at the Justice Department in Washington. Lynch on Tuesday, March 1, 2016, will discuss the encryption and other issues of digital privacy at the RSA Conference in San Francisco. (AP Photo/Carolyn Kaster, File)

Law enforcement and technology companies at odds over encryption and

other issues of digital privacy need to have an "open dialogue" to try to resolve their differences, Attorney General Loretta Lynch is asserting.

In remarks prepared for the RSA Conference in San Francisco Tuesday, Lynch planned to argue that the two sides need to communicate and "draw upon each other's resources" even if they "won't be locked in perpetual and perfect agreement."

"That's how we spur new ideas, forge better solutions, and find the way forward. That's how we strengthen our defenses, prevent damaging crimes, and bring wrongdoers to justice," Lynch said in a copy of her prepared remarks at the digital security conference. "And that's how we move closer to our shared goal of ensuring that as the American people reap the benefits of innovation, they continue to enjoy the full protection of the law."

The Justice Department, she says, owes "it to victims and to the public whose safety we must protect to ensure we have done everything under the law to fully investigate terrorist attacks and criminal activity on American soil."

In addressing security specialists and technology experts, Lynch, the nation's top [law enforcement](#) official, acknowledged the tense divide between [digital privacy](#) and national security that has flared in the last two weeks in Congress and the courts. Law enforcement officials are concerned about losing the ability to recover evidence or eavesdrop on suspected extremists or criminals as [technology companies](#) develop products meant to safeguard their customers' data.

"As recent events have made clear, the stakes aren't theoretical; they bear directly upon our public safety and our national security," Lynch will say.

The speech was being delivered on the same afternoon as a House Judiciary Committee hearing on encryption that was to include FBI Director James Comey and Apple's general counsel, Bruce Sewell, as witnesses.

It also comes one day after a federal magistrate in Brooklyn, ruling in an ordinary drug case, said the Justice Department cannot force Apple to provide the FBI with access to locked iPhone data.

That ruling from James Orenstein came two weeks after a judge in California directed Apple to help the FBI hack into a locked phone used by one of the gunmen responsible for the San Bernardino, California, mass shootings. Apple is challenging that decision, and a hearing is scheduled for later this month.

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