Lecture 15
Privacy
Participation Quiz

ARE MULTIPLE CHOICE EXAMS AN ACCURATE MEASURE OF ONE'S KNOWLEDGE?

A. YES
B. A AND C
C. A AND B
D. ALL OF THE ABOVE
Privacy and Trust

• Modern life more private
• Challenge: living among strangers
• Remedy: establishing reputations
  – Ordeal, such as lie detector test or drug test
  – Credential, such as driver’s license, key, ID card, college degree
• Establishing reputation is done at the cost of reducing privacy
Solove’s Taxonomy of Privacy

- Privacy can become an issue in four different ways:
  - Information collection: gathering personal information
    - “How much information do I have to give to rent a car?”
  - Information processing: storing, manipulating, and using information that has been collected
    - “Should Google use the content of my emails to target ads to me?”
  - Information dissemination: spreading personal information
    - “Is it wrong to forward an email that was sent to me?”
  - Invasion: intruding upon a person’s daily life
    - “Is it a good idea to email professors you might be interested in working with in grad school? How many: 2, 10, 100, 1000?”
Disclosing Information

- Public record: information available for public access
- Public information: information revealed to an organization that has right to share it
- Personal information: undisclosed information
- Information becomes public when it is disclosed
  - Voluntarily
  - Involuntarily
  - For statutory reasons
Ways Information Becomes Public

- Rewards or loyalty programs
- Body scanners
- Digital video recorders
- Automobile “black boxes”
- Enhanced 911 service
- RFIDs
- Implanted chips
- Cookies
- Spyware

...can you think of others?
“The Vancouver Police should use Facebook posts to prosecute alleged participants in the 2011 Stanley Cup riot.”
Public Records: Statutory Disclosures

• Census
  – Purpose: ensure that seats in Parliament are apportioned correctly
  – Worry: this data may also be used for other purposes
  – Concern over the long-form census

• Revenue Canada
  – Intentional disclosure (rogue employees)
  – Unintentional disclosure (lost laptops)

• Crime prevention
  – E.g., long gun registry

...how worried should we be about the existence of such records?
Wiretapping in the Digital Age

• Carnivore Surveillance System
  – Created by FBI in late 1990s
  – Monitored Internet traffic, including email exchanges
  – Captured packets going to/from a particular IP address
  – Used about 25 times between 1998 and 2000

• Post 9/11:
  – Bush authorized new, secret, intelligence-gathering operations inside United States
    • OK for NSA to intercept international phone calls & emails initiated by people inside U.S.; no search warrant required
  – Monitored ~500 people inside U.S.; 5000-7000 people outside
  – Two al-Qaeda plots foiled
    • Plot to take down Brooklyn bridge
    • Plot to bomb British pubs and train stations
USA PATRIOT Act (2001; 2006)

• Provisions
  – Greater authority for intelligence agencies to monitor communications within USA
  – Greater powers to regulate banks to prevent money laundering, particularly involving foreigners
  – Greater border controls
  – New crimes and penalties for terrorist activity, including indefinite detention of foreigners
  – Terrorism redefined to include domestic terrorism

• Critics say Act undermines 4th Amendment rights
  – Searches (of phone, internet, financial records) and seizures without warrants
  – Warrants issued without need for showing probable cause
Wiretapping

- Law enforcement argues that it’s necessary to have the ability to listen in to conversations, record IP traffic on the internet, in order to catch criminals.

- What do you think?