



# **Privacy in a Digital World**

**CSci 110**

**Summer 2002**

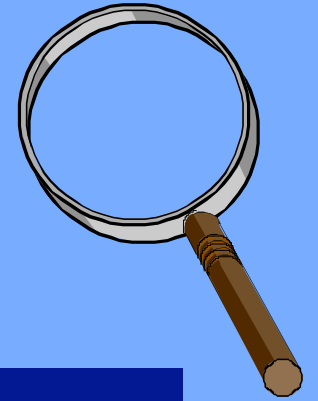
**Prof. C.D. Martin**

# Privacy Defined



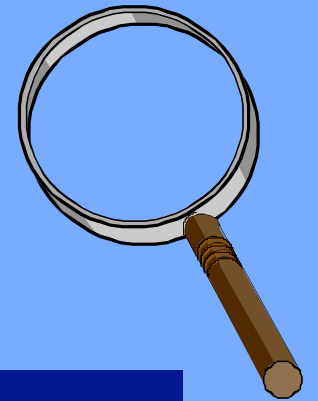
- **Justice Brandeis:** The right to be let alone - the most comprehensive of rights and the right most valued by civilized man (1920).
- **Justice Douglas:** The right of an individual to select for himself the time and circumstances when he will share his secrets with others and to what extent.

# **Your view of Privacy?**

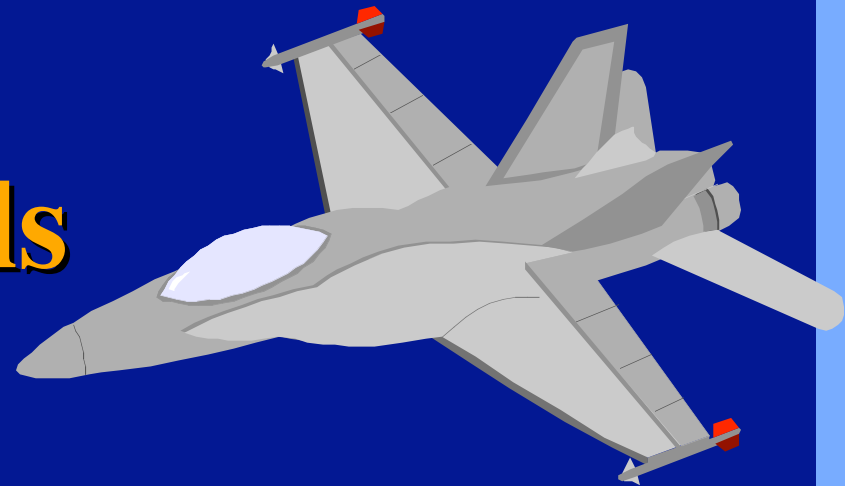


- **Cultural**
- **Personal**

# Three things a society needs

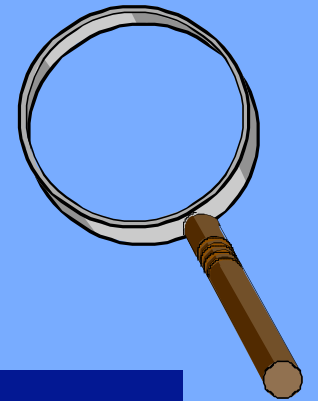


- **Energy**
- **Raw materials**
- **Information**



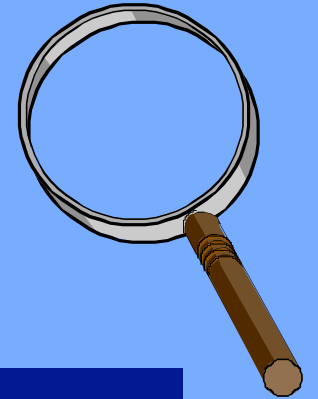
**The delicate balance - society's need to know versus the right to individual privacy.**

# History of Privacy Laws



- **US - piecemeal approach**
  - Individual laws to solve specific problems
  - Deal with specific industries
- **Europe , Canada- federal approach**
  - Data protection board
  - Data commissioner
  - License and control all databases in a country

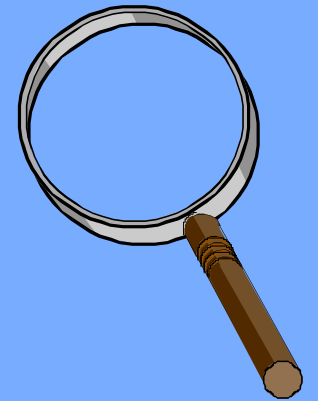
# US Landmarks in Privacy



- 1890 Warren and Brandeis paper
- 1967 Alan Westin, *Privacy and Freedom*
- 1968 Federal Wiretapping Law
- 1970 Fair Credit Reporting Act
- 1973 *Records, Computers and Rights of Citizens*
- 1974 Privacy Act
- 1977 Fair Credit Billing Act
- 1986 Electronic Communications Privacy

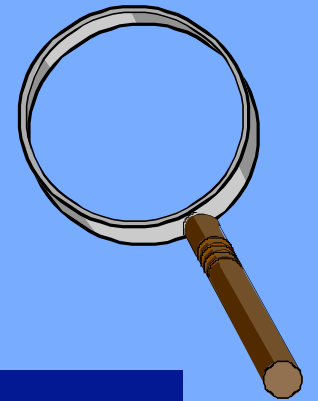
# **New Technologies – New Laws**

**See [www.cdt.org](http://www.cdt.org)**



- **Video Privacy Protection Act, 1988 (Bork Act)**
- **Telephone Consumer Protection Act, 1991**
- **Government Efforts to Expand Surveillance Capabilities - CALEA , 1994**
- **Health Insurance Portability and Accountability Act (HIPPA), 1996**
- **Children's Online Privacy Protection Act (COPPA) ,1998**
- **Financial data, Graham, Leachman, Blighley 1999**

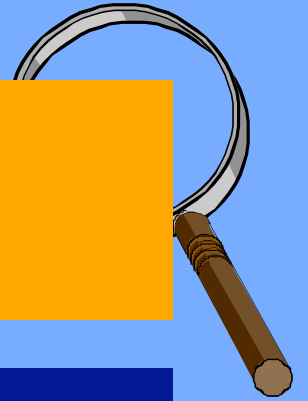
# Is Big Brother Watching You?



- **Problem first perceived to be “the government”**
  - IRS, Social Security, DMV, Veteran’s, etc.
- **Privacy Act controls government data gathering to some extent**
- **The connectivity problem - linked databases provide far more info on an individual - computer matching**



## **Case Study - 1984**



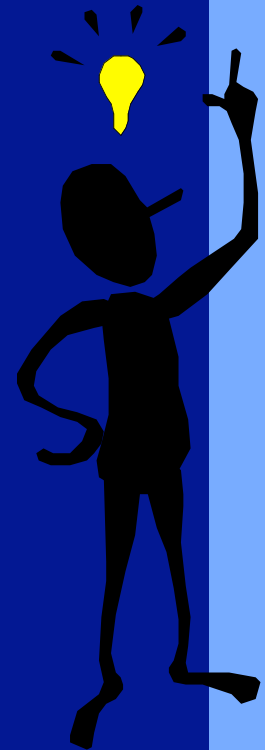
**Database of student loan scofflaws  
matched against federal government  
employees – when a match was  
found, their wages were docked to  
pay off the loan.**

**Was this legal?**

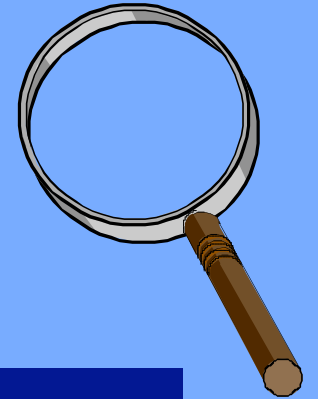
**Was it the right thing to do?**

# Private Sector - the Real Culprit

- Credit databases
- Consumer preference databases
- Demographic databases
- Data mining, profiling
- Health Information Protection Act
- Financial Data Protection Act
- Children's Online Privacy Protection Act



# Workplace Practices



- Employee work monitoring
- Email logging and tracking
- Tracking or blocking internet surfing



# Code of Fair Information Practices

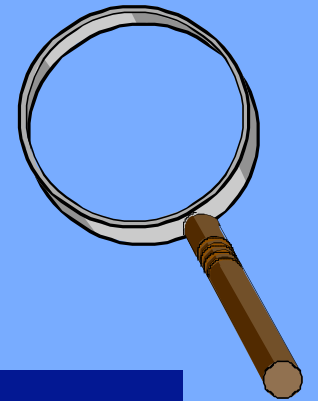


## Notion of Data “Stewardship”

- **Ownership of data**
- **Notice**
- **Choice**
- **Access**
- **Security / Integrity of Data**

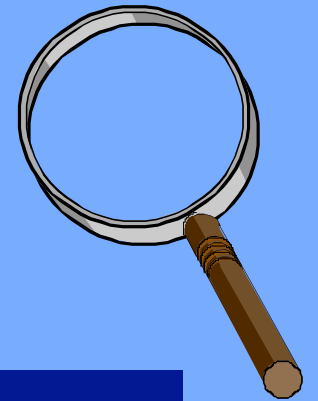
**Still voluntary, not regulated!**

# Scary Science: Human Genome Databases



- **Databases of genetic information about individuals**
  - **Medical ethics**
  - **Insurance policies**
  - **Should the individual know or have right not to know information about them ?**
  - **Employers, future spouses?**
  - **Felons DNA database**
  - **Newborns - start from birth in database**

# Brave New World Since 9/11

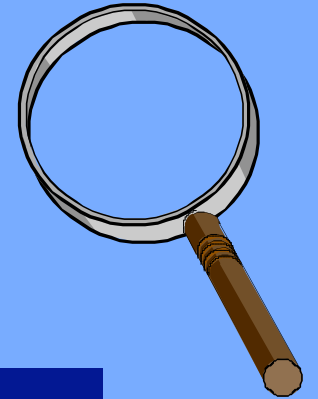


## Will Privacy be the final victim?

- Biometrics identification systems
- Video cameras
- National Identity Card
- A nation of vigilant “watchers”
- Random searches



# To be continued...



- **Privacy implications of the Internet**
  - **Electronic cookies**
  - **Identity theft**
  - **Data mining and profiling**
  - **Customized marketing**
  - **Email spamming**