



Privacy & Government

Midterm: **Wednesday**
RJ: **Sunday**



Bookkeeping

2

- ◆ Next class: in-class midterm
 - ◆ NO RJ due Tuesday (tomorrow)
 - ◆ RJ due Sunday (disruptive technologies)
 - ◆ Office hours: T&Th 10am, T 2-3, W 1-2, M 1-3
- ◆ Ethical Analysis I
 - ◆ Returned at end of class
 - ◆ Grades in Blackboard
 - ◆ Next writing assignment 10/22
 - ◆ Questions? Regrades? One week window (EOD 10/20)
- ◆ I will not be here 10/20!



Midterm Review

3

- ◆ **Readings**, esp. Baase, Tavani Ch. 2.
- ◆ Ethical theories: deontology, consequentialism, and **Moor's "just consequentialism"**
- ◆ Ethical and legal terminology introduced in class:
 - ◆ *Including* rights; responsibility; virtue; **core values**; due diligence; due process; privacy; ...
- ◆ Legal terms/definitions/usage:
 - ◆ Copyright, patent, trademark, patent trolls, spam, phishing, privacy (and related constitutional provisions), computer crime, cyberbullying, identity theft, cyberstalking; ...



Midterm Review

4

- ◆ Landmark laws:
 - ◆ DMCA, CAN-SPAM, ITPEA, Wiretap Act, ECPA, USA PATRIOT Act, CFAA, FOIA...
- ◆ Landmark cases:
 - ◆ Gottschaik v. Benson, US v. Morris, Soverain Software v. Newegg, US v. Drew, Apple v. Apple.
- ◆ Ethical analysis framework
 - ◆ Understand the intent and purpose of **each step**
- ◆ **Need to be able to apply ethical principles and any or all steps of the ethical analysis framework to analyze an ethical question or situation.**



Security vs. Privacy

5

- ◆ Framing of a dichotomy (rhetorical devices)
- ◆ Compromising one improves the other
 - ◆ So, NSA's bulk surveillance should improve security if this is a real dichotomy.
- ◆ When was the PATRIOT act passed?
- ◆ How many terrorist plots have been found?
 - ◆ Claimed: 54
 - ◆ Actual: ~4?
 - ◆ Otherwise unknown: 1
 - ◆ Property damage (of otherwise unknown): \$0.00



Approach Efficiency

6

- ◆ “False positives”:
 - ◆ What are the consequences?
 - ◆ Loss of privacy, erroneous arrests and convictions, ..?
 - ◆ “Innocent until proven guilty” failures?
- ◆ Do we have enough resources to pursue every path?
- ◆ DHS total expenditures through 2012: ~360 billion
- ◆ How many plane bombs has TSA (~80 billion) caught? 0
 - ◆ What about the shoe bomber? The liquids bomber?
 - ◆ How about fake bombs (test cases)? Bomb parts? (per internal TSA testing) 40%; 25%
- ◆ What (if anything) do we **not** have resources for?



Nothing to Hide*

7

- ◆ No hidden information on the highway
 - ◆ Can we invest arbitrary power in those authorities?
 - ◆ People who aren't speeding should never be pulled over/harassed/searched/detained
- ◆ Who has nothing to hide?
 - ◆ *We just talked about file sharing...*
- ◆ Privacy is not (only) about hiding crimes
- ◆ Who was J Edgar Hoover's #1 surveillance target? **MLK**

***I have nothing (illegal) to hide (that I think is actually bad), and (I think) nobody would ever target me for harassment.**



Discussion Questions: NSA

8

- ◆ Is there really a security/privacy **tradeoff**?
- ◆ How do we feel about NSA bulk surveillance, **given**:
- ◆ Who are the stakeholders? [**~5m**]
 - ◆ What groups/individuals are impacted by uses of/prohibitions on the technology?
- ◆ What choices can stakeholders make? [**~5m**]
 - ◆ That substantially affects other stakeholders?
- ◆ Who are the policymakers? [**~10m**]
- ◆ What policies could be relevant?
 - ◆ Should things change? Why?
 - ◆ How could things change/be changed?