Privacy & Government

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


- 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

- Landmark laws:
  - DMCA, CAN-SPAM, ITPEA, Wiretap Act, ECPA, USA PATRIOT Act, CFAA, FOIA…

- Landmark cases:

- 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

- 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

- “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*

- 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

- 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?