



Privacy

Dr. Tim Margush
University of Akron



Three Aspects of Privacy

- Personal Space (physical privacy)
- Personal Data (control of information)
- Surveillance (actions and communication)

Absolute Privacy?

Twilight Zone clip



- Where is Everybody?
- We give up aspects of privacy voluntarily
 - Build and maintain relationships
 - Get something from others
- Authorities may limit privacy
 - Require divulgence of earnings for taxation
 - Engage in surveillance for the good of society

Why do we want privacy?

- Hiding from the “law”
- Avoiding social stigma
- Preservation of modesty
- Protect against misuse of information

Why must we give up privacy?

- Complete privacy leads to mistrust and rumor
- It is a form of currency given in exchange for some benefit
- To allow the verification of facts that are in the interests of society

Basic Human Rights

- **The Universal Declaration of Human Rights**
 - United Nations General Assembly (12/10/1948)
- **Article 12.**
 - No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Technology

- Supports the existence of gigantic data bases
- Allows efficient (fast and cheap) data mining on a scale not previously possible
 - Enables cross-matching of information
- Provides an “easy” button



Surveillance

- Store discount cards
- Cookies
- Browsing logs
- Cell phone records
- Music and shopping preferences
- *Is the individual informed or aware?*

PIN Summary									
Bronze Instant Phone Card		990006696		Beginning Balance		Ending Balance		\$20.00	
								\$16.16	
Call Records	Time	Calling from	Calling to	Rate	Connect Fee	Duration	Rounding	Amount	
01/13/2004	19:23:12	2185551212	01161335551212	\$0.033	\$0.000	00:14:24	00:16:00	\$0.53	
01/12/2004	23:11:33	2185551212	01161335551212	\$0.033	\$0.000	00:04:28	00:06:00	\$0.20	
01/12/2004	06:06:13	8185551212	8185551212	\$0.033	\$0.000	00:21:28	00:22:00	\$0.73	
01/12/2004	02:24:14	8185551212	01161335551212	\$0.033	\$0.000	00:00:42	00:00:00	\$0.00	
01/12/2004	03:51:13	8185551212	8185551212	\$0.033	\$0.000	00:10:21	00:12:00	\$0.40	
01/09/2004	16:32:49	8185551212	01161335551212	\$0.033	\$0.000	00:21:35	00:22:00	\$0.73	
01/09/2004	16:03:06	8185551212	01161335551212	\$0.033	\$0.000	00:19:53	00:20:00	\$0.66	
Total Calls:								\$3.25	
Debits and Credits									
								Amount	
Total Debits and Credits:								\$0.00	
Description of Fees and Taxes									
								Amount	
Service Fee								\$0.49	
Federal Excise Tax								\$0.10	
Payphone Fee								\$0.00	
Directory Assistance								\$0.00	
Total Fees and Taxes:								\$0.59	

Secondary Use

- Sale of customer data to marketing research firms
- Seizure of data for legal action
 - Original purpose may have been benign
- Message boards / blogs / journals
- Cross-referencing (matching)
 - IP address associated with anonymous visit to Porn site with IP address used to post your email address in a guestbook
- Computer profiling
 - Comparing habits to those of known criminals

4th Amendment

- The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Technology Again

- Credit history
- Credit/Debit transactions
- Library records
- Supermarket habits
- Phone records
- Satellite surveillance
- Thermal imaging
- Video cameras and facial recognition software
- RFID
- All of these technologies have increased the number of ways individuals or agencies can access personal information, essentially cutting into the protections available through the fourth amendment

Privacy Disclosures

- Inform
 - Clear disclosure of what data is collected and how it is used
- Provide a choice
 - Opt IN
 - Customer action required to allow data collection and use – important for sensitive data
 - Opt OUT
 - Customer action required to prevent data collection and use – OK for less important data

Privacy Disclosures

- Have a plan for destroying data
- Ensure data accuracy
 - Make the data available in a secure way so customers can view and correct
- Ensure data security
 - Not just Internet security, but internal security as well

123-45-6789

- 1936 Social Security Program use only
- 1943 ID system for governmental use
- 1961 IRS Taxpayer ID
- 1965 Medicare
- 1970 Bank records
- 1976 State tax, welfare, motor vehicle
- 1982 Loan applicants
- 1988 Birth certificates
- 1994 Jury selection, cross-matching to investigate fraud
- 1996 Driver's licenses (repealed in 1999)
- 2004 Prohibit use on driver's licenses, registration, etc

Social Security Numbers

- Not a good identifier
 - Not unique
 - Easy to forge
- Not a good authentication
 - Too easy to obtain
 - Not unique

Medical Data

- | | |
|-------------------------------------|---|
| ● Impact on individual | ● Impact on society |
| – Social stigma | – Disease control |
| – Marketing of health care products | – Development of public health policies |
| – Insurance rates | – Law enforcement |
| – Illegal activity | |

Public Records

- Effective June 1, 2000, the Ohio Bureau of Motor Vehicles (BMV) will no longer release personal information from an individual's driving record to bulk mail distributors for surveys, marketing or solicitations.

Public Records

- Birth, marriage, and death records
- Voter registrations
- Court files
- Arrest records
- Property ownership and tax information
- Driver's license information
- Occupational licenses
- Securities and Exchange Commission filings
- Census data

Patrick Henry on Public Records

- *"The liberties of a people never were, nor ever will be, secure, when the transactions of their rulers may be concealed from them. ...To cover with the veil of secrecy the common routine of business, is an abomination in the eyes of every intelligent man."*

Accessibility of Public Records

- Compilation of online databases has increased accessibility and allowed cross-matching of information
 - Should public data be viewable anonymously?
 - Should ease-of-access be limited artificially?
 - Should there be a cost to access?

Free-Market view of Privacy

- Let the suppliers offer varying degrees of privacy
 - Consumer choices and economics automatically regulates the amount of privacy
 - Implies informed consent and conscientious consumers
- Privacy is viewed as a commodity

Consumer-Protection view of Privacy

- Legal protection for privacy related issues
 - Opt-in requirements
 - Limitations on type of data that can be required
- Privacy is viewed as a right to be protected
 - Consumers are naïve and vulnerable
 - Companies are powerful and evil
 - Government is the protector