

# Privacy

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## 1 Administrivia

### Announcements

### Assignment

Read: Chapter 6.

Turn in answers to these questions: 3, 12, 18.

### From Last Time

Intellectual property.

### Coming Up

Computer and network security.

## 2 Chapter Summary

1. How do you see new technologies affecting our right to privacy?

2. Recent news events: Sarah Palin's webmail account hacked; private customer data at company X stolen by fraud.
3. What is privacy? According to Merriam-Webster: "The quality or state of being apart from company or observation." Is there more?
4. Is privacy "worth it?" Weigh the benefits and costs.
5. Do we have a right to privacy? The US Constitution does not specifically mention a right to privacy.  
(<http://www.usconstitution.net/constnot.html#privacy>)

Recent test of the 4th amendment (prohibiting unlawful searches and seizures): Use of thermal imaging equipment to find individuals growing marijuana. Is a warrant necessary before use?

US Supreme Court, *Kyllo v. United States*, 6/11/2001: "Consequently, the Court ruled that the use of surveillance technology to obtain information about things, people, conditions, or activities inside a home is a 'search' if, (1) the technology enables officers to see, hear, or detect things that could otherwise be detected only by means of a physical intrusion into the house, and (2) the technology is not in general public use. In the words of the Court:

Where, as here, the Government uses a device that is not in general public use, to explore details of the home that would previously have been unknowable without physical intrusion, the surveillance is a 'search' and is presumptively unreasonable without a warrant,

Applying this test to thermal scanning of a home, the Court ruled a warrant is required because scanners furnish officers with information that could otherwise be obtained only by means of a physical intrusion."

(<http://sol.lp.findlaw.com/2000/kyllo.html>) Goggling this topic, the current avoidance technique is to heavily insulate one's home. Apparently, the imaging devices are now in general public use.

A similar technology: The use of a laser, trained upon a window, to listen in on conversations.

6. Text's conclusion: The right to privacy is a *prudential* right, one that has broad benefits to society and would be recognized by our four ethical models.
7. Public record, public information, personal information. Examples? Are there gray areas?

Points of creation of public information: grocery store loyalty programs (easily circumvented — give false information, trade cards), automotive black boxes, GPS-enabled cell phones, RFID technology (a CA school planned to track children via RFID badges. Plan dropped.)

8. Legislation protecting and stripping privacy.
9. Example of data mining: placing disposable diapers and beer in proximity in convenience stores.
10. National ID card.
11. Uses of encryption technology. Government worries.

### **3 Discussion Questions**

1. 47–end.