

LIS-3353

Privacy

We have technical privacy

(if we're careful)

(really, really careful)

Legal “privacy”

No explicit right to privacy in the Constitution
–but..

1st, 4th, 5th, amendment, and others

Two big legal cases

Kyllo v. U.S.

- (Thermal imaging case)

Katz v. U.S

- (Wiretapping)

Pre-Internet!

Traditional (misconceptions of) privacy

The one deep dark secret that you would be mortified if the world knew....?

The P.I.s best friend



Specifically...

YOUR RECEIPT
THANK YOU
CALL AGAIN

REG 10-10-2007 13:25
FERNANDO MC #01 000036

1 BEER	•5.00
1 CALAMARI	•6.00
1 CRAB SOUP	•5.00
1 TOP SIRLOIN	•11.00
1 BOILED CRAB	•23.00
TOTAL	•50.00
CASH	•50.00

Even better (for them)



Not much wrong here, right?

Can a store legally record your purchasing?

- (sure, why not?)

Why might they?

- Inventory
- Advertising, etc

Legal protection/acknowledgment:

TRADE SECRET

Suddenly, online!



amazon.com[®]

But, maybe you **don't** keep it a
trade secret..after all:

If CVS sees: Pregnancy tests

..then that's interesting, kind of.

If Amazon ALSO sees: “What to expect when you're expecting”

...perhaps valuable info for CVS? Vice-versa?

And again, all legal: Gathered legally, traded or sold legally – little, marginal steps.

Don't forget

...the security cameras

..the bank records

..the credit scores

..the phone records

AND THIS IS ONLY WHAT WAS GIVEN UP
“ON ACCIDENT...”

Info brokers:

- Choicepoint
- Acxiom ,etc.

Then, there's the VOLUNTARY side

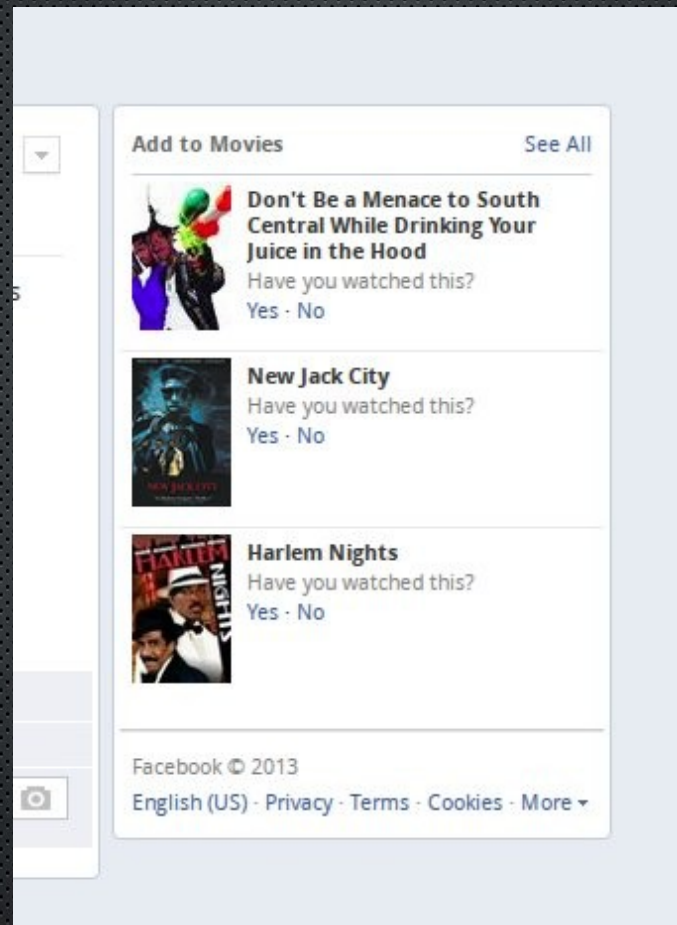
Facebook, et al

...but you guys know all about this, right?

“but hey, it's just advertising”

Inference: Figuring out things about people

True story: the first time Facebook asked me about my movies...



Inference

Credit scores

“Google Killed Me”

Target and pregnancy

And Graph Search...(wow, they're really that oblivious?)

If companies can sell, who's buying

Other companies? Yep?

Law enforcement? Yep.

(but what about the 4th amendment?)

Interesting question:

- Why should the gov't / law enforcement directly surveil AT ALL?

This allows you to get around them pesky Constitutional rules...

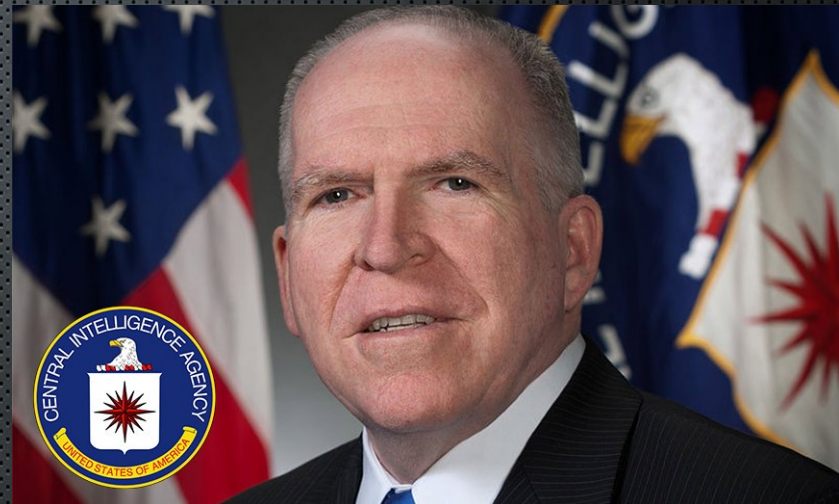
But, as we know, they did.
(he wasn't the first...)



NSA: PRISM (among others)

- Roughly: everything.
- “Collect it all now, perhaps analyze later”

Do they even understand this stuff?



Justification: Terrorism?

Perhaps, but not a great strategy.

Why an “automatic terrorism detector” will pretty much never work...

The False Positive Paradox (Gatorbola!)

New disease; Unspeakable consequences.

Incidence rate: 1/10,000 people have it

Yikes!

But, there's a 99% accurate test!

Specifically:

99% meaning **1% false positive rate**

(lets say 100% accurate for tests that come out negative...)

But...uh-oh: you get tested and...

The test is positive!

What are the odds that you have **Gatorbola**?

Do the math:

99% right = 1% wrong.

So, if you test 10,000 people:

100 out of 10,000 people will have a + test

But..

1 out of 10,000 people will actually HAVE it.

Whoa, what?

Even for a test that's 99% accurate, there's still only a 1/100 chance that you have it.

Now, consider a “terrorism” test? e.g.

How many terrorists are there? And

How accurate could a terrorism test possibly be?