



CPSC 2910 – Lesson 8

Privacy in the Digital Age

Carrie L Russell | Clemson University, Spring 2023

Agenda

- **Quiz 4 – take home, due tonight at midnight**
- **Privacy Risks and Principles**
- **Why Privacy Matters (a perspective)**
- **The Fourth Amendment**
- **Discussion Topics**

Privacy Aspects and Threats

Key aspects of privacy -

- Freedom from intrusion (being left alone)
- Control of information about oneself
- Freedom from surveillance (from being tracked, followed, watched)

Threats to privacy –

- Intentional, institutional uses of personal information
- Unauthorized use or release by “insiders”
- Theft of information
- Inadvertent leakage of information
- Our own actions

Can you think of an example of each?

Glenn Greenwald: Why Privacy Matters

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Watch the video here - <https://www.youtube.com/watch?v=pcSlowAhvUk>

Privacy and a Multi-Billion Dollar Industry

Forbes Magazine: Apple, Meta And The \$10 Billion Impact Of Privacy Changes

Apple, Meta And The \$10 Billion Impact Of Privacy Changes

Daniel Newman • Feb 10, 2022,



Read the article here – [Forbes Magazine](#)

Business Insider: Meta's cold war with Apple over privacy is coming to a critical moment

HOME > TECH

Meta's cold war with Apple over privacy is coming to moment

Paayal Zaveri Feb 16, 2023, 1:25 PM



Read the article here – [Business Insider](#)

Privacy Risks

Key risks to privacy -

- Everything we do in the cloud is (or can be) recorded
- Huge amounts of data are stored – for current or future use
- People are largely unaware of the vast collection of data – or more specifically, how that data can be used
- Software is complex and leaks happen
- A collection of small items can provide a detailed picture
- Re-identification has become much easier due to the quantity of information and power of data search and analysis tools
- If information is on a public web site, it is available to everyone
- Information on the internet (seems to) last forever
- Data collected for one purpose can (and most likely will) find other uses
- Government can request sensitive personal data held by businesses or organizations
- We cannot directly protect information about ourselves – we depend on businesses and organizations to protect it

The Fourth Amendment

The Fourth Amendment -

The right of the people to be secure in their person, 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.

- 4th Amendment, U.S. Constitution

Sets limits on the government's rights to search our homes and businesses and seize documents and other personal effects. Requires the government to provide probable cause.

Discussion - What are the problems with the Fourth Amendment in current day U.S.?

The Fourth Amendment Issues

Fourth Amendment Issues -

- Much of our personal information is no longer safe in our homes; it resides in huge databases outside our control.
- New technologies allow the government to search our homes without entering them and to search our persons from a distance without our knowledge.

Examples -

- Is facial recognition a violation of privacy?
 - Facial Recognition Act of 2022 – introduced – read the language [here](#)

Can you think of other examples?

Fourth Amendment: Supreme Court

1928 Olmstead v United States – Supreme Court allowed the use of wiretaps on telephone lines without a court order. Interpreted the Fourth Amendment to apply only to physical intrusion and only to the search or seizure of material things, not conversations.

1967 Katz v United States – Supreme Court reversed its position and ruled that the Fourth Amendment does apply to conversations. Court said that the Fourth Amendment protects people, not places. To intrude in a place where a reasonable person has a **reasonable expectation of privacy** requires a court order.

2001 Kyllo v United States – Supreme Court ruled that police could not use thermal-imaging devices to search a home from the outside without a search warrant. Court stated that where “government uses a device **that is not in general public use**, to explore details of the home that would have previously been unknowable without physical intrusion, the surveillance is a ‘search’.”

Discussion Topics

Using the book and articles mentioned in this lecture as a guideline, answer the following –

Video Surveillance – Should organizers at events where there are possible terrorist targets use such systems. Why and why not?

Marketing – Does a person's decision to interact with a business or web site constitute implicit consent to its posted data collection, marketing, and tracking policies? How clear, obvious, and specific must an information-use policy be? How often should a site that runs (or allows third parties to run) tracking software remind users?

Social and Personal Activity – Is there information that you have posted to the web that you later removed? Why did you remove it? Were there consequences to posting the information? Have you seen information that others have posted about themselves that you would not reveal about yourself?

Government Systems – What data does the government have about you? Who has access to the data? How is your data protected? Do you have concerns with the amount of data the government has for individuals?

Discussion Post

Individually – answer this week’s discussion post in Canvas

The Right to Privacy –

- You will work on your own to complete the online discussion post - due midnight tonight.
- Individual responses to other posts due midnight before next week’s class.

Reading and Discussion Rubric-Sp22		
Criteria	Ratings	Pts
Provided thoughtful answer to the specified question. Showed thought and reflection in their answer. Referenced key elements of the article to back up their answer.	This area will be used by the assessor to leave comments related to this criterion.	12.5 pts
Commented on at least 2 classmate answers. Provided a thoughtful response either supporting or challenging an answer provided by two of their classmates answers.	This area will be used by the assessor to leave comments related to this criterion.	5 pts
No major grammar or spelling issues in the submission. Shows an attention to detail by ensuring that the grammar and spelling are correct in their submission.	This area will be used by the assessor to leave comments related to this criterion.	2.5 pts
Total Points: 20		

Looking Ahead

Next week – SPRING BREAK!

Following week -

- Reading and Online Discussion –

Read <https://www.nytimes.com/2021/03/25/technology/section-230-explainer.html> (also available as .pdf in Canvas) and <https://slate.com/technology/2021/03/section-230-reform-legislative-tracker.html>

- Be prepared to discuss as a class and in small groups next week. You will work together in class to complete the online discussion post, so it is important that you **READ AHEAD**.
- Take home quiz on this week's topics

Questions?

Use our Teams channel first – this is preferred for general questions!

- Prof Russell - crusse4@clemson.edu
- Matt Bernard - mberna2@clemson.edu