

Surveillance & Privacy: Technology & the Law

Ladue Chapel Presbyterian Church

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Last updated 20120527
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www.granneman.com/ladue

All slides

Suggested readings

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Technology
never gets worse.
It only gets better.

Bruce Schneier

3

You have zero privacy anyway.
Get over it.

Scott McNealy,
Sun, 1999

4



Law
is like
cement

5

Civil
Liberties
& Crisis

6

Throughout history,
conflicts have coincided
with curbs on civil liberties

7

1861

President Lincoln
suspends Habeas Corpus



8

World War I
Espionage Act
Restrictions on
German & Russian immigrants



9

9/11



13

How is
9/11
different?

14

Technology...
changes how threats operate
changes how governments respond

15

Nature of threats different
Non-state-sponsored
Less hierarchical
Dispersed
Anonymous

16

Our response is different
Near-constant surveillance

17

US Government's
Response

18

PATRIOT Act

Expanded government access
without probable cause of a crime

- ✓ Business documents
- ✓ 3rd party documents
- ✓ Electronic communications

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Monitor groups, communications, & data
mine

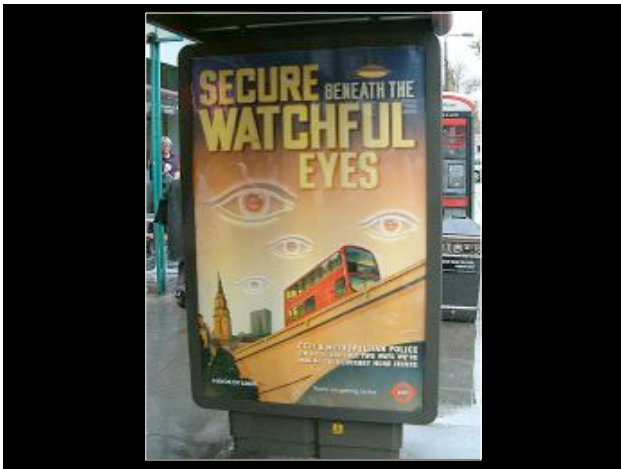
FBI given greater latitude
to go on "fishing expeditions"

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NSA wiretapping
of all international phone calls

No,
all domestic phones calls
& emails!

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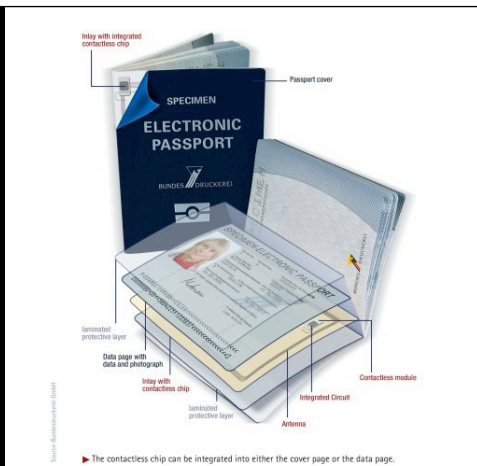
VeriChip



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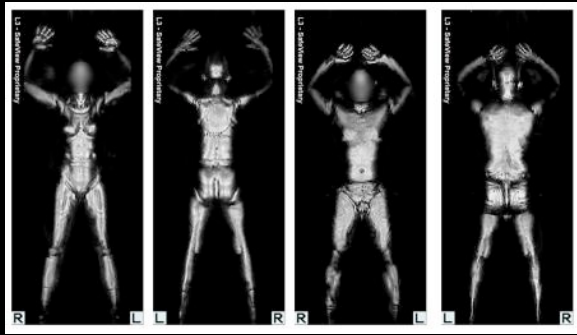
3 million RFID passports issued in UK –
cracked in a few days

Can suck the data off the passport in 4
seconds

Easy to clone passport or detect user

27

Virtual strip searches?



28

Virtual strip searches?



28

Virtual strip searches?



28

2009

TSA claims
"scanned images
cannot be stored or recorded."

Source: McCullagh, Declan. "Feds admit storing checkpoint body scan images". CNET News.com (4 August 2010). http://news.cnet.com/8301-31921_3-20012583-281.html. Accessed 07 November 2010.

29

2010

US Marshals saved 10s of 1000s
of images
TSA requires all scanners
to be able
to store & transmit images

Source: McCullagh, Declan. "Feds admit storing checkpoint body scan images". CNET News.com (4 August 2010). http://news.cnet.com/8301-31921_3-20012583-281.html. Accessed 07 November 2010.

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Heathrow Airport,
March 2010

Airport worker
photographs woman's image
as she goes through a scanner

Source: Tran, Mark. "Airport worker given police warning for 'misusing' body scanner". The Guardian (24 March 2010). <http://www.guardian.co.uk/uk/2010/mar/24/airport-worker-warned-body-scanner>. Accessed 07 November 2010.

31

The Miami Herald
7 May 2010

“Miami airport screener
accused of attack
after jeers at genitals”

Source: Ovalle, David. “Miami airport screener
accused of attack after jeers at genitals”. *The
Miami Herald* (7 May 2010). [http://
www.miamiherald.com/
2010/05/06/1617423/miami-airport-
screener-beats-co.html](http://www.miamiherald.com/2010/05/06/1617423/miami-airport-screener-beats-co.html). Accessed 07

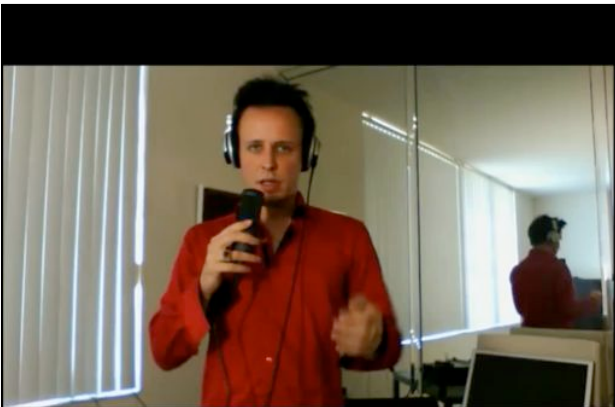
32 November 2010

The Daily Mail
October 18, 2009

“Child porn fears
scupper airport ‘nude X-ray’ scans”

Source: Lewis, Jason. “Child porn fears
scupper airport ‘nude X-ray’ scans”. *The Daily
Mail* (18 October 2009). [http://
www.dailymail.co.uk/news/article-1221111/
Nude-X-ray-scans-scuppered-child-porn-
fears.html](http://www.dailymail.co.uk/news/article-1221111/Nude-X-ray-scans-scuppered-child-porn-fears.html). Accessed 7 November 2010.

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A Day in the Life

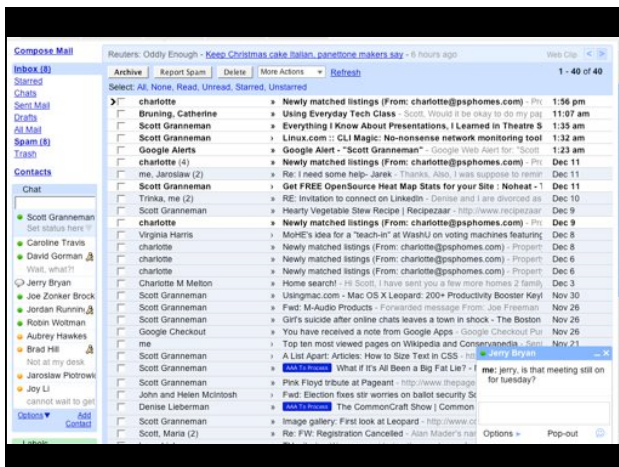
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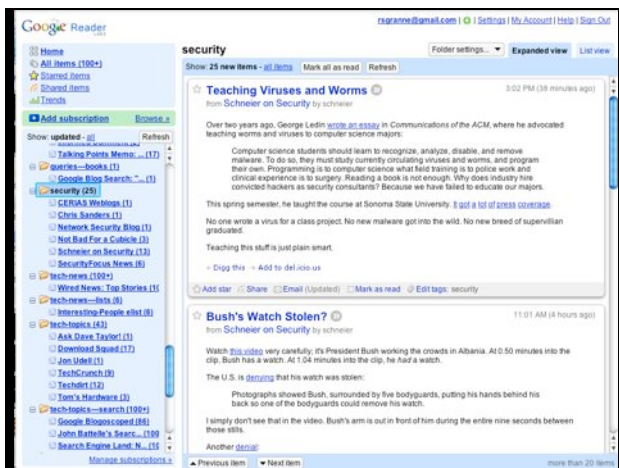
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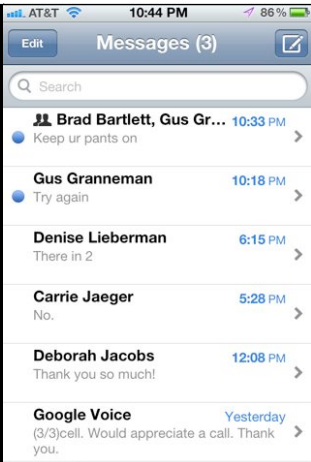


at&t

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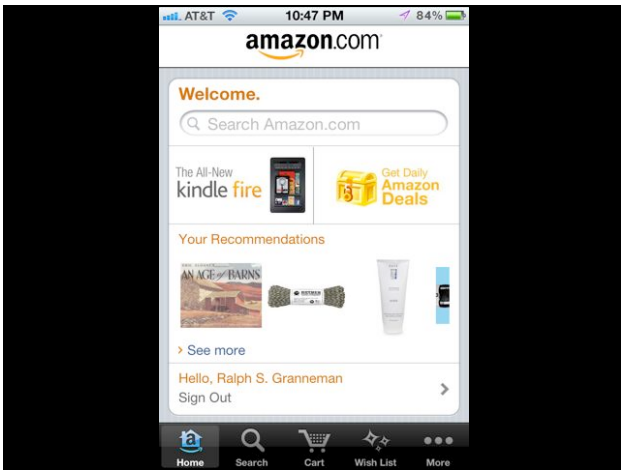
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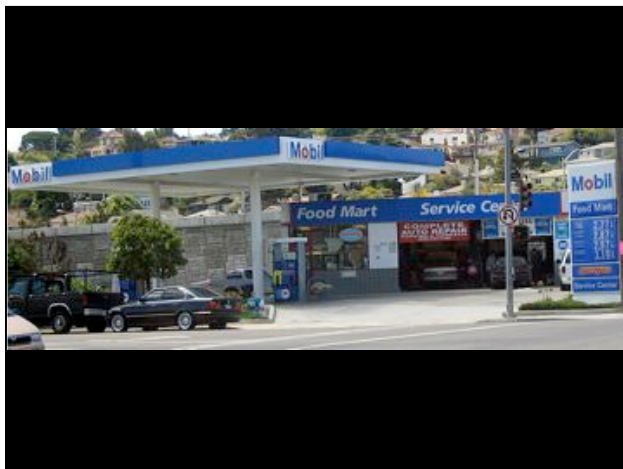
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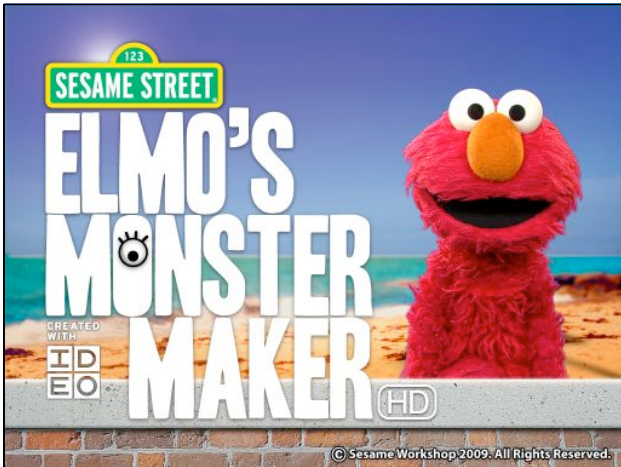
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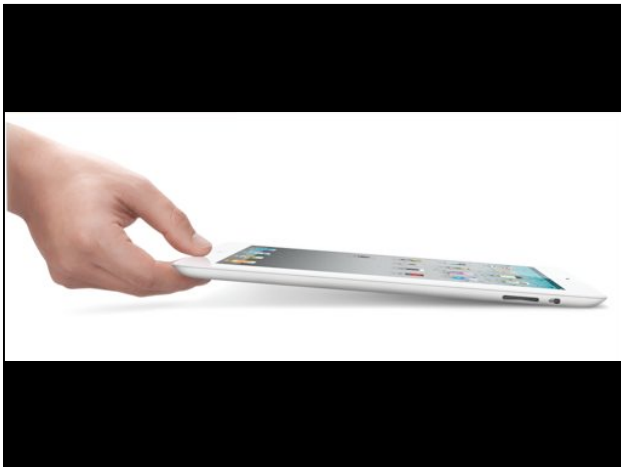
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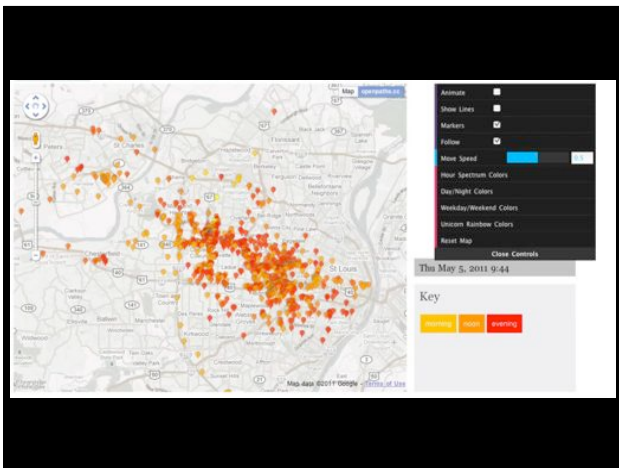
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Cell Phone Tracking

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Property of Museum of History & Industry, Seattle

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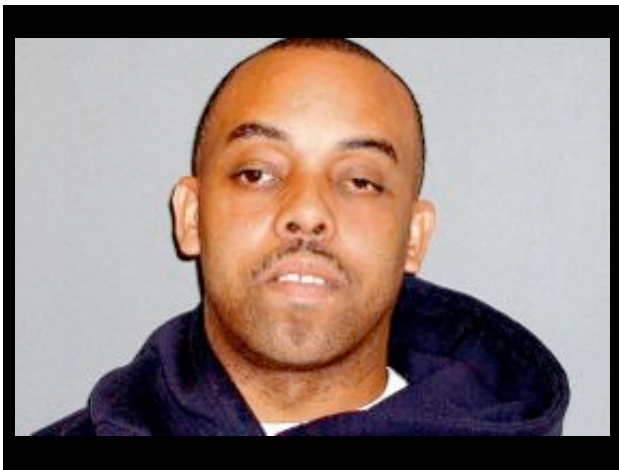
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Objections

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Will bad guys
“take down the Internet”?

Terrorists use the Net too!
Governments & military want to spy on
enemies – only take down in extraordinary
circumstances

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“If you’re not doing anything wrong,
then you won’t object
if the government watches you.”

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2 maxims about power

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2 maxims about power

Power corrupts,
& absolute power
corrupts absolutely

52

2 maxims about power

Power corrupts,
& absolute power
corrupts absolutely

Quis custodiet custodes ipsos?
(Who will watch the watchers?)

52

Cardinal Richelieu:
"If one would give me six lines
written by the hand
of the most honest man,
I would find something in them
to have him hanged."

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*Malo periculosam libertatem
quam quietum servitium*
(I prefer liberty with danger
to peace with servitude.)

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Thank you!

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