Group 9 Scribing Notes: Privacy and Surveillance

- Look at terms of service of some online services that we all scroll past to find ‘Accept’ button at the bottom
- Team 15 which looks at Terms of Service
  - Privacy and Surveillance
    - User license agreements
    - End User License Agreement: legal contract; essentially means user agrees to everything and wishes to use the software - “I agree to this because I want to use your product”
      - EULAs generally collect user info, agree to not infringe copyrights, +13 years of age and not responsible for damages caused (if there’s a virus/issue, not your fault)
      - Regardless of anything is broken, they will pay $100. Snapchat only pays $1. You agree to future changes that can be made without notice
      - Keeping account private and not using accounts for spam
    - ULA
      - South Park video:
        - Criticized users’ lack of concern over actually reading these agreements (Apple iTunes’ Terms and Conditions)
        - “How do you know if you agree to something if you don’t read it?”
        - Threat that company can put anything in the Terms and Condition because users never read it. They just agree.
    - Simply by using Google, they’ll collect your data to tailor your experience
      - Opt-out video - satire
        - Difficult to escape from companies collecting data about you
    - Facebook: Statement of Rights and Responsibilities
      - 3rd parties are given all access by service providers
      - Some information remains regardless of whether account is active/deactivated; logged for up to 90 days
      - Data collection: Timelines, likes, shares, etc.
      - Self-censorship: preventing oneself from speaking but FB can track info that users don’t give out
    - Ello
      - Launched March of this year
      - Privacy policy: Anti-Facebook platform. FB tries to share info to advertisers to tailor ads to your profile
      - Ello wants to claim that user is not a product and they will never share or sell info
      - Ad-free experience that people want
      - PBC (Public Benefit Corporation): benefit society as a whole
• Charter forbids them from using ads or selling user’s info and if another company buys Ello, they have to comply to these policies
• With other social networking sites, we are the product that is being bought and sold - Ello counters this

■ Tumblr
• Reserves right to make modifications to agreements
• Retain financial info if user purchases something from Tumblr, as well as the content s/he posts
• Captures data about content (EXIF data)
• When agreeing to terms, user is allowing Tumblr to watch him/her
• Mobile, browser data and IP address (converted into geolocation)
• Entire identity is being exposed to the internet to “better their services”

■ Snapchat
• Gives illusion of more privacy (pictures automatically deleted)
• False sense of security; posting illegal/legal, private images, etc.
• They can sell user content to 3rd parties including pictures, videos, audio, chat msg
• “...we cannot guarantee that deletion of any message always occurs within a particular timeframe”
• Deleted items can be recovered with the right forensic tools. Some companies sell services to retrieve them
• Snaps can be retrieved for law enforcement with a warrant
• Not actually private

■ Tracking
• Behavioral tracking - web activity can be tracked without user’s consent
• Advertising networks monitor for their purposes
• Tracked via cookies, super cookies and social networks
• Lightbeam - track your trackage (info from 3rd parties that are tracking you)
  ○ Add-on on Firefox

■ Takeaway: Nothing you do online is “private.”
• Privacy issue cases/examples - how are they similar/different from each other?
  ○ Buying groceries with credit card
  ○ Wearing the jersey of your favorite football team
  ○ Discussing your day with your partner
  ○ Sharing your credit report with prospective employer
  ○ Sharing college transcript with employer
  ○ Credit report with date
  ○ posting criminal record online
  ○ Uploading your credit card details to dropbox
  ○ Posting party photographs on Facebook
• Think about who's tracking you, how and why. What are the consequences?
• Privacy and security has been an issue in IT as long as we’ve had it
• Conundrum in some ways; why is it that these problems in privacy are so consistent, despite 50-60 years of experience?
  ○ If you start with the word ‘privacy,’ it doesn’t go very far.
  ○ Key Models:
    ■ First Model: Privacy is something you have, but if you have it, you can lose it, have more or less of it, you can possess it, have it stolen from you
    ■ Second Model: It’s something that you do. Privacy is a way we have of being and interacting with each other; manifested in things that we do
      ● Privacy is actually about action rather than possession
• Economic Model of Privacy Regulation
  ○ The fundamental understanding of what we have of privacy as a thing as an economic model of exchange
  ○ Logic that operates: it’s a trade-off
    ■ How much privacy is the user willing to share for services?
      ● Example: If you choose to give your location to FourSquare, they will give you nearby restaurants, etc.
  ○ It fails in a number of cases
    ■ We don’t know what the information content and value content are
    ■ We engage in informational exchange for reasons other than value (conversational). Instead, these are ways we have of being a culture/group
• Privacy is something you do - a way of being with people
  ○ Privacy is being enacted by never even asking the question
  ○ It is being marked by the avoidance of asking
  ○ It’s not a question of privacy or an access control issue; it gets marked by the fact that we don’t even ask. That’s how we show that we know how to behave - Ex. Don’t ask where people get their mushroom from.
    ■ Way we mark boundaries
    ■ Learned practice; not innate knowledge
  ○ What you know about someone that they might not want others to know
    ■ One has to learn what are secrets and what you must do with secrets
    ■ Who are you allowed to tell what?
    ■ Presence and participation are being marked and indicated
    ■ Different from economic model in that in any exchange of this information, social work is being done
  ○ Notion of what is appropriate in the context
  ○ Problem is that we don’t have an understanding of where the information is going
    ■ We don’t know what is appropriate
  ○ Threats of privacy not in terms of value to be delivered. Appropriateness of the flow of information and what kind of control we have
• Takeaway: Idea of distinctive ways we talk about privacy
  ○ We can have and give away privacy
  ○ Model that suggests that privacy is actually something we do and a way we have of marking social boundaries
  ○ Which of these two models reflect back on Terms of Service issues?
  ○ What makes those things uncomfortable is the way they interfere with our ability to engage with each other
Shopping Privacy
   ○ CurrentC is a new app that processes transactions. They save retailers 2%-3% on each transaction made vs credit card and apple pay.
   ○ The retailers save money at the cost of customer’s privacy. CurrentC tracks customer’s spending habits, recent locations, bank accounts and other information.
   ○ ApplePay on the other hand does not track customer information when transactions are processed