



## **WHO CONTROLS YOUR PRIVACY -- YOU OR MACHINES?**

### **How valuable is your privacy?**

A huge amount of information about your life is stored in the memory banks of your brain. It includes information about your body, your sexual predilections, intimate moments, and embarrassing incidents that you hope everyone has forgotten. It includes information about your hopes, your fears, your religious beliefs, your money, friends, enemies, and maybe even minor crimes. Obviously, you don't want to broadcast all this information for all the world to see. So you keep it secret, or you reveal it only to those you are sure you can trust. Your personal control over your own information may be called your privacy. All people need privacy to protect themselves against exploitation and crime. Knowledge is power. Knowledge about you is power over you. Privacy is an essential component of liberty, and without it we would live in constant fear.

### **What do computers know about you?**

But now in the 21<sup>st</sup> Century there is another record of your life that is stored in a place where you can't control who sees it. This is the record about you that is stored in the memory banks of all the computers that talk to each other on the web. Computers have records of your bank and credit card transactions, your postings to social networks, your hospital experiences, the names of all your relatives, all the places you have lived. They have records of your real estate transactions, your political party, the elections you have voted in, your encounters with the justice system, and the times and locations your car has passed by surveillance cameras and toll booths. They record the contents of your e-mails, cell phone calls and the geographical location of your cell phone at particular times. All this information is often called *your web footprint*. It should really be called your web portrait. It contains more information about you than you can remember yourself.

### **Who would you trust to browse your web footprint?**

Would you trust your mother, your spouse, or your boss to browse through your web footprint? This is a purely rhetorical question, for in fact, you have no control over who can see your web footprint. It is stored on computers belonging to people you don't even know. Neither do you know where the computers are located. You have to trust "the system" to protect you from exploitive and unjust use of your web footprint. If the system doesn't protect you, you have no protection.

### **Who can use your web footprint?**

When your information is on computers belonging to someone else, e.g. Amazon.com or Google, the system gives the other party a lot of freedom to decide how to use your information. There is neither a guarantee nor an expectation that your information will be used with your best interest in mind. It is relatively easy for the police and government agents to obtain information from your web footprint. Often they don't even need a search warrant. Sometimes the police can simply buy your information from whomever owns the computer that stores it. Indeed, giant corporations like Lexus/Nexus, Equifax and Acxiom have learned how to make handsome profits by combing the web for information about you and then selling it to businesses, the government or other consumers.

### **Why would someone want to use your web footprint?**

You may think that no one wants to look at your web footprint because you are not an important person and you have nothing to hide. But this is unlikely to be true. Everyone has something to hide, and you are not unimportant to everyone. For example, have you ever googled anyone? Was that person important? What did you want to know that the person was hiding? Businesses want to send you personalized ads. Employers, landlords and bankers want to screen you. Identity thieves want to steal your money and buy stuff with your credit cards. Business competitors want to steal your trade secrets. Your jealous spouse may want to catch you cheating. Your rejected lover may want to stalk you. The police may want to investigate you. A

tyrant may want to verify your loyalty. In short, no matter who you are, there is someone out there who is interested in what you're up to.

## Are there laws that protect your right to privacy?

There are some fairly effective laws that protect you against unwarranted searches of personal information that is held by you in your house, your car or in your own personal computer. But the system of laws that protects the privacy of your web footprint is much weaker and full of loopholes. Since 9/11, Congress has further weakened privacy protections because, they say, the government may need information from your web footprint in order to combat terrorism. In this regard, you should bear in mind that tyrants always claim (regardless of the facts) that their spying and surveillance is necessary for protection against foreign and domestic enemies.

## How can you protect and enhance your right to privacy?

Be aware of the growing threat to privacy. Don't post information on the web that you don't want all the world to see. Talk about privacy with your friends and encourage them to guard their privacy. Ask businesses

to explain their privacy policies to you. Write letters to your representatives at the local, state and national level asking them what they are doing to protect your right to privacy. Support the ACLU and other organizations that work to enhance and protect your right to privacy.

## Contact us

If you have more questions about your digital privacy rights or if you think that your rights have been violated, please contact us:

**ACLU of Oregon**

503-227-3186

888.527.2258

[www.aclu-or.org](http://www.aclu-or.org)

 [facebook.com/ACLUofOregon](https://facebook.com/ACLUofOregon)

 [@ACLU\\_OR](https://twitter.com/ACLU_OR)



## FURTHER READING

<http://www.aclu.org/blog/free-future>, Stay up-to-date on privacy issues in the digital age by following the ACLU's Free Future blog.

<http://www.aclu.org/protecting-civil-liberties-digital-age>, National ACLU's feature page on digital privacy with links to the latest news and actions that you can take to advance this work.

<http://epic.org/privacy/>, Explanatory essays, original source documents, FAQs, historical time lines, expert analysis relating to electronic privacy. Published by the **Electronic Privacy Information Center**.

<https://ssd.eff.org>, *Surveillance Self Defense*, An understandable and enlightening discussion of risks to your privacy, laws protecting your privacy and what you can do to protect yourself. Published by the **Electronic Frontier Foundation**.

<https://www.eff.org/issues/privacy>, A comprehensible review of the various kinds of electronic threats to your privacy. Published by the **Electronic Frontier Foundation**.

<http://www.aclu.org/national-security/surveillance-privacy>, A wealth of information about how the US Government spies on Americans, the expansion of domestic spying following 9/11, and the weakening of legal restrictions on domestic spying. Published by **The American Civil Liberties Union**.