Digital Surveillance

- Arguments for government surveillance:
  - Safety – capture criminal activity and help provide evidence to prosecute criminals or proactively stop criminal activity before it happens
  - National security – pro-active detection of terrorist activity
  - Counteract foreign interference – provide hard evidence that something was in fact happening or didn’t happen
  - Research – allows the government to collect valuable data to help with various types of research e.g. panic response, human response during a natural disaster, traffic. Could also use the data for political purposes e.g. spreading a message/propaganda, looking at polls, etc.
  - So that they know what is going on. Sometimes really mundane things can be useful e.g. monitoring air quality, monitoring traffic, etc.
  - People behave better under surveillance

- Arguments against government surveillance:
  - Invasion of privacy
    - What does the government do with the data?
    - Could violate human rights, mental health
  - Deters whistleblowing, particularly against the government; deters unbiased reporting
  - Can be used to suppress dissent by citizens
  - The slippery slope argument – if the government can do X today, can they increase the amount of surveillance tomorrow?
  - What is legal today, may not be legal tomorrow. Can you charge people for what they did in the past, if you have surveillance data from the past?
  - Expensive: need equipment, need people / algorithms to process the data, ongoing data processing
  - Need to protect the data – challenging
  - Does it actually deter terrorist activity? Preventative surveillance can’t protect against all future threats; need more and more preventative surveillance; could also develop prejudices by seeing patterns that don’t exist

- Where do you draw the line? What are some guidelines to help regarding when too much surveillance occurs:
  - Need for some privacy preservation
  - Govt surveillance should only be for public property (what is public property)
- Need to respect constitutional rights of people
- Have a well-defined scope to the surveillance: laws/rules about what to do if your surveillance system catches a crime or another crime you weren’t specifically looking for
- Need governance of the surveillance process, possibly by more than one group
- Need transparency. Need clear line on what the govt wants to do surveillance on. Need clear reason for why the surveillance is needed. Need a “warrant” of some sort to permit surveillance on the general public.
- Allow freedom of information act request for your own data
- Is our data protect under the 5th amendment?
- The right to be forgotten (for your data)