

The background features abstract, overlapping green geometric shapes in various shades, including light lime green, medium green, and dark forest green, creating a modern and dynamic visual effect.

ISOL 633 Legal Regulations, Investigations and Compliance

Chapter 2 - Lecture 2

Privacy Overview

Learning Objectives/Key Concepts

Examine the concept of privacy and its legal protections.

- ▶ Basic privacy principles
- ▶ Explain the difference between Information Security and Privacy
- ▶ Describes threats to privacy

Learning Objectives/Key Concepts Continued

- ▶ Explain important issues regarding workplace privacy
- ▶ General principles for privacy protection

What Is Privacy?

- A person has control of his or her personal data
 - Control = a person can specify the collection, use, and sharing of their data
- Government's power to interfere in the privacy of its citizens is limited

Examples of Private Information

Financial
information

Health
information

Biometric
data

Personal Id.
Information

Other

Not All Information is private

- We would like to control every aspect of our life in terms of who has access to it.
- Not all information is private
- Public records
 - Minutes of government meetings
 - Sex Offender Registration
 - Criminal records
 - Court Dockets
 - Pleadings

Security and Privacy

- ▶ Privacy is an individual's right to control the use and disclosure of his or her own personal information
- ▶ Information security is a process used to keep data private.
- ▶ Security is the process and privacy is the result of the security process
- ▶ Privacy rights are individual rights

Sources of Privacy Law

- ▶ Constitutional Law
- ▶ Federal Laws
- ▶ State Laws
- ▶ Common Laws
 - ▶ Intrusion into Seclusion
 - ▶ Portrayal in a False Light
 - ▶ Appropriation of Likeness or Identity
 - ▶ Public Disclosure of Private Facts
- ▶ Voluntary Agreements

Federal Privacy Laws

- ▶ Census Confidentiality (1952)
- ▶ Freedom of Information Act (1966)
- ▶ Wiretap Act (1968, amended)
- ▶ Mail Privacy Statute (1971)
- ▶ Privacy Act (1974)
- ▶ Cable Communications Policy Act (1984)
- ▶ Electronic Communications Privacy Act (1986)
- ▶ U.S.A. PATRIOT Act (2001)
- ▶ Driver's Privacy Protection Act (1994)
- ▶ E-Government Act (2002)

State Privacy Laws

- ▶ Ten state constitutions recognize a right to privacy: Alaska, Arizona, California, Florida, Hawaii, Illinois, Louisiana, Montana, South Carolina, and Washington
- ▶ State of New York was first state to write a right of privacy into its statutes
- ▶ Other states have recognized a right of privacy through case law
- ▶ Statutory or codified law and common (case) law

Threats to Personal Data Privacy: Technology-Based

- Spyware, Keystroke Loggers, and Adware
- Cookies, Web Beacons, and Clickstreams
- RFID and GPS Technologies
- Security Breaches

Threats to Personal Data Privacy: People-Based



Workplace Privacy and Monitoring

Telephone
and Voice
Mail

Video
Surveillance

Computer
and Internet
Use

E-mail

General Principles for Privacy Protection in Information Systems



Summary

- ▶ People no longer take privacy for granted
- ▶ People want control
- ▶ Complications caused by electronic communications
- ▶ Threats to privacy in the information age
- ▶ Organizations must respect a person's individual right to privacy

**Thank You for your interest and
participation.**

**For questions email
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