

## Basic Privacy Themes Reviewed in Dialogue on Diversity Colloquium

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Washington, DC — Dialogue on DIVERSITY's annual colloquium on IT and Privacy was one of a cluster of seminars presented in late January in observance of the growingly recognized Data Privacy Day. January 28<sup>th</sup>. The Dialogue's program, Privacy in an IT world: New Focus on a Classic Value, held January 29<sup>th</sup> at the elegant Microsoft Innovation and Policy Center. "We were proud," noted Ma. Cristina Caballero, President of Dialogue on Diversity, "to bring together a uniquely skilled lineup of expert speakers on four basic topics focusing our fundamental concerns with privacy in an IT pervaded world. It is often good to step back and consider the basics of the privacy problem, in which consumers, by being careful in reading privacy policies, have much control in their own hands, while new technologies shore up privacy protections all around."

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Key speaker was Frank Torres, preeminent among the country's experts on privacy and the law, now Director for Consumer Affairs with the Microsoft Corporation (host for the Colloquium), discussed the need for internet users to look with a sharp eye at the announced practices of the companies they deal with online, while at the same time manufacturers, Microsoft, for example, are building into internet browsers features like non-tracking options and other safeguards easily activated by the internet user. Lillie Coney, all-around IT and privacy authority, Associate Director for the Electronic Privacy Information Center (EPIC) compared the U.S. and European approaches to privacy law. The U.S. system is growing as a patchwork of narrowly channeled regulations and judicial decisions, while the European take on a new legal régime for the IT universe starts, she points out, from human rights principles, while reminding her audience that, interestingly, the Universal Declaration of Human Rights was inspired in its inception by the American U.N. Representative Eleanor Roosevelt.

The near universal reliance upon internet data collection on consumers by commercial entities in the U.S. and Europe was the subject of a conversation between Aaron Brauer-Rieke of the FTC and S. Jenell Trigg, of the Lerman Senter law firm. Ms. Trigg surfaced the notion that the consumer's consent to this data collection may indeed be the price for the panoply of free services proffered by the internet. Michael E. Beck of Medox, a New York software development firm, discussed the complexities of systems for successfully dealing with medical records, and the coming urgency of the need for efficient access controls in the soon to be universal digitizing of medical records, diagnosis, hospital administration, and telemedicine. Mary Campanola of the USDA's Rural Utilities Service (descendant of the celebrated REA of the 1930s) described the advent of broadband in isolated rural districts and her office's moving in swiftly with installation of wide ranging telemedicine facilities (inclusive of teledentistry!) – often the sole source of expert medical diagnosis and treatment in the countryside.

The sometimes menacing information collection practices, not to say surveillance, carried on by governmental bodies, headlined by the novel Facial Recognition technology – the algorithm that turns a photo of a face into a unique set of numbers purportedly sufficient to identify the subject anywhere anytime. Jim Harper, Director for Communications Policy Studies at the Cato Institute and David Jacobs of EPIC zeroed in on the novel, and gripping, topic of Facial Recognition, discussing at length the absence of specific legal authority on its use, and the quest to hit upon a controlling analogy in the law on other forms of surveillance technology, from the GPS gadget taped under the car to the pot sniffing dog. Courts and regulatory agencies will be occupied with fleshing out the operating principles governing FR deployment for the next decade. Finally the seductive Wild West of the social media, with the evident boons delivered by these globally proliferating networks – along with an array of perils only slightly beneath the surface – was the subject of the exposition of Leslie Waghorn, of FHI 360, a nonprofit worldwide medical assistance project, and Marsali Hancock, leader of numerous groups dedicated to heading off online privacy abuses in the world of social media. Ms. Waghorn reviewed the dangers of hostile or stalking behaviors carried out through exploitation of

social sites, often those of professionals or small businesses, with false slams, hard to combat and hard to recover from. Varying state laws, both speakers noted, may often offer some help, but, experience has indicated, only with prodding of the authorities by the aggrieved Web-site owner.

Southwest Airlines and Microsoft were sponsors for the 2013 Colloquium, which Dialogue on Diversity presented in collaboration with the national StaySafeOnline/Data Privacy Day organization.

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