

# DIGITAL DISCRIMINATION:

Big Data, Surveillance, & Racial Justice

CONVENING REPORT FROM THE  
EIGHTH MEDIA JUSTICE

## KNOWLEDGE EXCHANGE

April 28-May 1, 2014, in Washington DC

Facilitated By

**ConsumersUnion**



THE CENTER FOR MEDIA JUSTICE

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# THE MEDIA JUSTICE KNOWLEDGE EXCHANGE:

## Movement-Building Strategies for Media Representation, Rights, and Access

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*Since 2007, the Knowledge Exchange has convened over 100 leaders from inside the Beltway, national media justice and reform organizations, civil and human rights groups, and grassroots organizations across sectors.*

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During the convenings, the cross-sector participants leave their mobile phones behind and come together with one ultimate goal: to strengthen the strategic effectiveness, collaboration, and impact of the movement for media justice and reform. This has been the primary goal of every Knowledge Exchange since the gatherings began in 2007.

Since its beginning, the Knowledge Exchange's convenings have repeatedly resulted in impact, including the authoring of the Wireless Bill of Rights and launching Voices for Internet Freedom, an internet organizing project.

The conversations and meetings that have occurred during the Knowledge Exchange have also played a crucial role in building momentum for the fights to lower the cost of prison phone calls and make Lifeline more accessible for low-income communities, and shape public conversations around media policy in general. In addition to its direct impact on collective policy and action, the Knowledge Exchange also serves to develop and strengthen the skills of its attendees,

which in turn has made their individual work more effective. This dual focus has been critical to the overall success and impact of the Knowledge Exchange.

During the course of the Knowledge Exchange, through roundtables, working groups, popular education sessions, trainings, and meetings with government officials, participants have walked away with:

- New joint projects, points of collaboration, and campaign strategies for crucial twenty-first-century media-justice fights.
- Strategic framing and aligned messaging to put marginalized communities front and center in communications policy debates.
- New and stronger partnerships between national, regional, Beltway, and local leaders.
- Stronger relationships with the Federal Communications Commission, the Federal Trade Commission, and key members of Congress.
- New and expanded tools and skills to use in their existing work on media justice and reform.

# ABOUT KNOWLEDGE EXCHANGE 2014:

Convening leaders and building alliances around critical media justice issues

This year, the Knowledge Exchange convened a cohort of social-justice leaders to define a shared vision, align cross-sector strategy, and identify collaborative efforts to protect data privacy and counter on- and off-line surveillance of communities of color.

Select highlights from participant surveys include:

*I am delighted to walk away [from] meeting so many incredible activists, organizers, and experts thinking about privacy and surveillance from street level surveillance to the national and global policy level. These issues are large and complex, and I'm excited to watch this movement grow.*

*The experience broadened my understanding of the issues, helped me see more of the places where our work intersects, and realize that many of us have been doing this work through the same lens for years.*

*Knowledge Exchange offered a rare opportunity to look up from my work and connect with smart, creative organizers, advocates, and researchers from around the country. I will be taking back what I learned and applying it to the movement for racial justice in my own community.*

The goals for this year's Knowledge Exchange were to:

1. Connect currently isolated fights for extending constitutional protections, human rights in migration and criminal justice, and financial equity practices to the larger umbrella issues of digital privacy and community surveillance.
2. Identify related politically realistic policy priorities, and begin developing strategies for moving viable solutions for racial equity.

3. Develop a shared narrative around the issues of digital privacy and surveillance with broad movement alignment across the spectrum of different strengths and roles.
4. Expand the tools and skills of the diverse section of organizations fighting on the front lines and nationally on key issues of digital privacy and surveillance.

## Critical Conditions, Issues, and Campaigns

” We hear all the time—increased surveillance is a solution in search of a problem. It's a catch-22 where in order to create a law, we have to show the harm, but we can't show the harm because there are no transparency mechanisms/laws in place to protect us.

—Nicole Ozer, Technology & Civil Liberties Policy Director, ACLU of Northern California

## A History of Surveillance: Critical Conditions

The United States has a long history of tracking, surveilling, and targeting dissident political groups and communities of color as a means of social control and financial gain. This history has played a direct role in mass levels of financial inequity for, and criminalization of, marginalized communities, and has severely handicapped movements for racial, social, and economic justice.

# A TIMELINE

## A Brief (and Incomplete) History of Surveillance in the United States.

2010s

### NSA TRACKING

A 2013 report by the Washington Post uncovers that “tens of millions” of Americans’ cell phones around the world are being tracked.

2000s

### FUSION CENTERS

Starting in 2003, information sharing centers begin cropping across the country, created under Homeland Security and the U.S. Department of Justice. Reports have documented links to violations of civil liberties and their relative ineffectiveness at counterterrorism activities.

### PATRIOT ACT

A 2001 federal law goes into effect, which significantly increases surveillance and unchecked investigative powers of law enforcement.

1970s

### CHURCH COMMITTEE

A 1975 report by a U.S. Senate committee uncovers covert operations and efforts to assassinate several global south leaders.

1960s

### TERRY V. OHIO

This landmark 1968 U.S. Supreme Court decision, penned by Chief Justice Earl Warren paves the way for Stop and Frisk.

1950s

### COINTELPRO

The government engages in a series of covert, often illegal, projects designed to subvert and destroy political groups and the civil rights movement.

1930s

### REDLINING

The practice of denying, or charging more for, services based on demographic (race in particular) is one that traces back to the National Housing Act of 1934.

### MEDICAL PROFILING

The Tuskegee Experiment is one of the most well known, but not only, example of low-tech data mining and racial profiling in medicine.

1880s

### RED SQUADS/BOMB SQUADS

1886 Haymarket Riot gives rise to police units specializing in surveilling, attacking and disbanding labor unions.

” After the Haymarket Riot of 1886, the Chicago Police Department said revolutionary movements must be crushed when they show signs of strength. This begins a long history of police agencies engaging in covert and illegal activities designed to crush movements.

—Hamid Khan, Organizer, Stop LAPD Spying

# FRAMING THE ISSUE:

## Shifting the conversation around privacy and surveillance

People of color have been surveilled our entire existence and no one cares until white males are the ones being surveilled. As a country, we've already said that it's cool to target communities of color because we've been essentially silenced as a mass constituency.

—Carlton Turner, Executive Director, Alternate ROOTS

Elevated during a fishbowl activity and also during the panel on Insecurity and Surveillance that took place later that night, was the idea that surveillance for divergent voices and marginalized communities is not a new issue. Rather, it has been the introduction of electronic data collection, digital tracking, and the wider sharing of information via the web that has made surveillance and targeting significantly easier.

What then emerged from group conversations and debriefing among convening participants was that many of the issues of big data and digital privacy are actually issues of criminalization and constitutional/human rights, and should be reframed to be:

- Grounded in history;
- Placed in context;
- Located in geography; and
- Focused on institutional impacts and cumulative harm.

### The Issues

- Two primary issues emerged from the conversation around digital privacy and surveillance. The first issue was that the veil of secrecy that surrounds how and when information is collected and used makes it hard to gauge the full depth of surveillance and the enormity of the impact. What is known is that surveillance is being used in myriad ways in varying spaces. Some examples include:
  - Redlining and credit reports—which are

used to define the availability and types of services provided to low-income consumers, as well as the pricing of products and rates for fee-based provisions (e.g., car or homeowners insurance).

- Arrest and criminal records—which are being used to deny people employment and housing opportunities and to track and profile individuals years after they have served out the terms of their sentencing. This includes the issue of inaccurate or misused/misunderstood records and the damage they cause to individuals.
- Fusion centers and criminal data banks—which are used to file reports and track people who may not have been arrested, but are guilty of what is deemed “suspicious behavior” or a proclivity to commit a crime at some point in the future. This can be based on factors including where individuals live, where their friends live, or the hours they keep.

The second key issue that emerged was that low-income communities and individuals experiencing everyday acts of surveillance are operating within a culture of fear and shame that often prevents them from telling their stories. People targeted by subprime mortgage lenders feel shame around sharing a story of taking loans that are unaffordable, based on poor credit; people denied jobs because they have a criminal record may feel that telling their story will decrease opportunities for future employment and will mean they are cast publically in a criminal light.

# WHAT WE ARE FIGHTING FOR:

## A shared vision for change

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While technology is rapidly evolving, monopoly power and the disproportionate impacts on traditionally disenfranchised communities remain ever present. Right now we have an opportunity to develop a broad agenda that unites the drive for basic human rights and integrates them fully into individual fights for transparency in government and corporate surveillance practices, and digital privacy protections.

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By reframing digital privacy in the context of history, geography, and institutional and collective impacts, the group identified the following specific takeaways and recommendations on the issue:

1. Safeguards are needed for local police investments in new technology, and federal grants may be a lever for this. This was also flagged in the recent White House report on big data:

*Law enforcement agencies should continue to examine **how federal grants involving big data surveillance technologies can foster their responsible use [emphasis added]**, as well as the potential utility of establishing a national registry of big data pilots in state and local law enforcement in order to track, identify, and promote best practices. Federal government agencies with technology leaders and experts should also report progress in developing privacy-protective technologies over the next year to help advance the development of technical skills for the advancement of the federal privacy community.*

2. For the debate over updating the Electronic Communications Privacy Act (ECPA), a framework must be built that highlights how the government is “piggybacking” on corporate surveillance.
3. It is unclear what a call for greater transparency in these systems of surveillance and data collection would mean. A framework is needed that delineates what’s needed.
4. A better way to collect stories is needed, one that protects the privacy of individuals and does not open up the door to further harms and targeting.

# THREE CIRCLES EXERCISE

Defining the vision, possibilities and barriers in the fight to protect communities from tracking and surveillance.

During the Knowledge Exchange, participants used the “Three Circles” exercise to develop a collective policy agenda that included the diverse perspectives of the groups engaged and their collective history and wisdom.

Based on this exercise, participants elevated particular priorities that were deemed winnable in the short term and the long term (depending on short-term wins), and identified which false solutions presented by both adversaries and allies should be targeted and exposed to make room for critical positive solutions.

## VISION

### Major goals for the future:

- An FBI data sharing agreement
- Fully resourced and informed communities with the tools and knowledge to safeguard their information and protect themselves

## POLITICALLY POSSIBLE

### What’s possible to win now:

- Caps and limits on how FBI/Arrest records are being accessed and used by the general public
- Win legislative and regulatory battles to force corporations and government to reveal the extent of the information being collected and what it’s used for

## FALSE SOLUTIONS

### Roadblocks to accomplishing goals

- Predictive scoring and radical mapping in both policing and consumer targeting
- Shut down Suspicious Activities and Fusion Centers, which are being used to turn individuals into vigilantes and target marginalized communities



# SETTING THE FIRE:

## Key Conversations with Policy Makers

This year, the Knowledge Exchange participants visited the Federal Trade Commission and met with Chairwoman Edith Ramirez and members of her staff. They also met with Alvaro Bedoya, chief counsel to the Senate Judiciary Subcommittee on Privacy, Technology and the Law and to the chairman, Senator Al Franken (D.-Minn).

The primary takeaway from the meetings was that there is a clear disconnect between how surveillance is being framed in regulatory and political spaces, and the stories of what is happening on the ground in communities.

### Quotes from participants during Hill visits:

I've been organizing for 48 years, I lived through COINTELPRO and this is another level. I had a friend in the FBI and he asked me once how many people I'd emailed over the course of a month, I told him about 400. He said multiply that by 200 or more and that's how many lives you've touched, how many lives you've poisoned.

—Alfredo Lopez, Co-Chair, May First/People Link

The FBI has admitted to using drones domestically and yet there's been no assessment of the privacy implications or how the information is being collected and used. They said that they'd "look it to it." We're still waiting.

—Jeramie Scott, National Security Counsel and Privacy Coalition Coordinator, Electronic Privacy Information Center

Unlike with high-tech data mining, you don't even have to be on the computer to be entered into the system [with Suspicious Activity Reports], you could be minding your own business on the street. It creates a culture where community members are being actively called upon to become vigilantes—and we all saw what that kind of world looks like with the murder of Trayvon.

—Hamid Khan, Organizer, Stop LAPD Spying

Surveillance is everywhere. At check and cash places, someone can file a Suspicious Activity Report on you just based on how much money your check is for. If you're a day laborer working in Beverly Hills and you show up for work "too early," apparently that's suspicious too.

—Mariella Saba, Director, Instituto de Educacion Popular del Sur de California

Walmart says it wants to know all about every product in the world and about every single person in the world in order to connect them together. I don't know about you, but that really scares me. That said, make no mistake about it, Walmart IS targeting people of color.

—Grace Sheedy, Researcher, United Food and Commercial Workers

The story of Black and Latino populations being targeted and racially profiled isn't exactly new—we saw it with medical profiling and redlining in the 1930s, stop and frisks in the 80s and 90s, and we saw it with subprime lending. In all those cases, people of color were targeted very aggressively and are still feeling the impact of that with greater severity than other groups.

—Seeta Peña Gangadharan, Senior Research Fellow, Open Technology Initiative, New America Foundation

# THE MEDIA MOMENT:

## An Assessment of Challenges, Strengths & Needs

Over the decades there have been moments where issues of discrimination and equity have become obvious, but that framing is not part of the consciousness during discussions about privacy and surveillance in the United States. In that context what's needed is a mass movement able to develop and move shared framing on the local and national level.

### Are we a movement?

Answer: Not yet.

Additionally, while many movements are starting to come together (e.g., housing rights, workers' rights, criminal justice, immigration, civil rights and freedoms, and media justice) they are still negotiating the big goals and priorities in the places where their work is aligned.

#### Key Movement Challenges

The media policy work happening across the country and in the Beltway has larger implications for democracy, human rights, environment, ecology, and the economy. However, there are major challenges for both the movement and the individual organizations striving for sustainability. Five particular movement challenges have been summarized by the Movement Strategy Center :

1. Isolation—Narrow focus, issue fragmentation, and issue isolation.
2. Defensive stance—Operating in reactive mode to combat skewed framing and policies.
3. Marginalization—Policies and strategies that exclude impacted communities.
4. Competition—Needs for overlapping funding opportunities prevent true alignment.
5. Control—The need to establish or maintain credibility and “win” as organizations.

To move forward, this movement must unpack how these challenges play out in this space, and subsequently develop clear intervention strategies to counter them.

# KEY MOVEMENT PIVOTS & CRITICAL STRATEGIES FOR CHANGE

Addressing critical movement challenges.

In small working groups, Knowledge Exchange participants developed recommendations on how to address three of those movement challenges: isolation, marginalization, and control.

## MARGINALIZATION

STRATEGY: Build a counter narrative that is grounded communities and anchored by base-building organizations

CONCRETE STEPS:

- Translate tools and resources into different languages
- Physically bring people into spaces to co-create an agenda for change
- Base-building organizations should anchor conversations about privacy and surveillance
- Maintain relationships built at Knowledge Exchange post convening

## CONTROL

STRATEGY: Activate artists and use humor and creative elements to elevate privacy and surveillance issues

CONCRETE STEPS:

- Create and run counter ads and billboards satirizing ads for surveillance tools and services
- Use public spaces to create a visual about what everyday surveillance looks like
- Use dance and other physical activities to demonstrate the invisible binds of big data and surveillance

## ISOLATION

STRATEGY: Use California as a place to incubate collaborative movement building

CONCRETE STEPS:

Develop a tool to document process and share out

- Use community media systems to forward messaging and framing
- Craft models for policies and industry standards

# WHAT WE NEED TO WIN:

## Movement infrastructure and strategies

Participants also determined that in order to win the fight for digital protections, alignment is needed across sectors and organizations to build a strategy that is sustainable and deliberate.

To win concrete changes that affect people's daily lives on these critical issues, political and grassroots power must be developed.

In order to be strong and agile, the following must be built:

- Strong local, regional, and national collaborative movements.
- A clear vision, goals, and strategy for long-term structural and cultural change.
- Infrastructure to align and mobilize people across issues and geography.
- An expansive base with strong leaders.

A unified media policy movement can only be built by bringing marginalized issues and communities to the center of the agenda and the forefront of leadership. Additionally, art and culture must be at the core of movement-building strategies, not added as an afterthought. Artists, media makers, and cultural organizers can and should play a pivotal role in shifting the mainstream narrative and lifting up the stories of communities.

### Recommendations from the Field: Constituency Building, Communications, Culture, and Collaboration

”Surveillance kills people: we need to start saying what this is. This isn't about the techies and Snowdens of the world, this is about our communities, our people, our lives.

—Lara Kiswani, Executive Director, Arab Resource and Organizing Center

**Recommendations from Knowledge Exchange** participants of movement-resource and infrastructure needs to build alignment and win key fights include:

### Movement needs:

- Shared definitions and understanding around

what digital surveillance, big data and privacy means and looks like.

- A shared vision with short- and long-term goals in the policy, public, and private spheres.
- A racial-equity agenda, co-created with communities, that elevates issues and concerns around digital privacy and surveillance.
- Messaging and framing that shifts the debate away from the Libertarian framework currently shaping the public narrative.
- An international movement and framework that encourages widespread collaboration and draws from fights and victories occurring worldwide.
- True cross-sector alignment between groups working on labor, immigration, housing, education, consumer, and media access and protections.

Concrete partnerships between, and working groups composed of, Beltway advocates, grassroots groups, artists, and media makers.

### Infrastructure needs:

- Tools to document stories of harm in a safe space that protects whistleblowers, impacted individuals, and communities.
- Research to identify, track, and document how corporate actors developing surveillance and data-mining tools are working at the policy, regulatory, and industry levels to influence standards and practices in policing, employment, housing immigration, and other arenas.
- Regional collaboratives to test, pilot, and document model messaging, strategies, tactics, legislation, and regulation.
- Communications infrastructure, including framing and messaging, using criminalization of communities as a pilot issue.
- A Knowledge Exchange alumni network and space to build the field and share critical information, updates and successful strategies and tactics.

# MAKING IT HAPPEN:

## Commitments & Collaborations

We've been talking about digital privacy in a public way for over a year now. The fight is about sovereignty—it's about self-determination

—Malkia Cyril, Executive Director, Center for Media Justice during OTI Panel

Following the 2014 Knowledge Exchange, a set of working groups was launched to move the following efforts and initiatives:

- Participatory Action Research Working Group—Engage with communities on the ground around what a surveillance-free future would look like.
- California Convening Working Group—Using California as a model, develop a shared narrative, skillset, strategy, and action across sectors.
- The Internet Is Dying Working Group—Harness the collective power of the groups working on Net Neutrality to galvanize the base for the privacy and surveillance fights.

As the co-convenor of the Knowledge Exchange, the Center for Media Justice will work to amplify the public voice and leadership of racial justice organizations in media and policy debates on digital surveillance and privacy. CMJ's commitments include:

- Ensure the ongoing exchange of ideas among Knowledge Exchange participants.
- Use CMJ's existing training venues to develop grassroots communications resources and leadership.
- Use CMJ's network infrastructure to connect organizers and artists.
- Use CMJ's action platforms to amplify and support fights focused on fusion centers and financial equity.
- Leverage funding relationships to advocate for more resources that sustain local organizing.

Through these five commitments, CMJ hopes to provide constituency-based groups working on

issues of surveillance through the lens of racial and economic equity with the tools, platforms, partners, and resources they need to mobilize game-changing campaigns that transform the fight for digital privacy into a winning fight against criminalization.

### Closing Thoughts

We are at a critical moment in the fight to insure digital privacy, especially for traditionally marginalized communities. The community needs to continue to grow, gain strength, and work with other key parts of the progressive movement to fight around issues of digital privacy, surveillance, and media justice.

As we move forward, we will continue to align strategy with the key set of groups and individuals who have participated in the Knowledge Exchange over the last eight years. In expanding the work on privacy, our focus will be on the groups who attended the 2014 Knowledge Exchange. In all of these instances, we will strive to ensure that the fights for these issues are grounded in history, placed in context, located in geography, and focused on institutional impacts and cumulative harm.

The Center for Media Justice has been deeply exploring what the movement needs to tackle these critical issues. We are in the process of developing a set of new initiatives and projects that we will be rolling out in the near future. We look forward to working closely with you to develop these projects in a way that is strategic and impactful for the movement overall and helps create concrete changes in people's daily lives.

# PREDICTIVE MODELS AND SECRET SCORING AND THE IMPACT ON CONSUMERS

- Companies are increasingly collecting highly detailed information from consumers that can affect the way they are treated and what prices they pay.
- Detailed sensitive information – such as a consumer’s location history, their past purchases, health history, and other sensitive information – is being collected and compiled into detailed profiles about consumers.
- Sometimes, the entities that collect this information go so far as to label consumers under categories such as “addictive behaviors,” “genetic diseases and sufferers,” or “police officers and troopers at home.”
- Unfortunately, consumers are generally unable to view their scores, find out how companies compile or use this data, and they cannot correct inaccuracies.
- And yet, this information can affect their eligibility from a new job to affordable insurance to determining what price consumers should pay for products.
- For example, some credit card companies show different card offerings to users based on their zip code, while others have been reported to charge higher prices for goods when they access a website from a particular lower-income area.
- Companies should not be able to offer different prices based on the particular computer you use, your habits, or the location from which you access a website.
- All consumers should be able to access the same financial opportunities and greater protections are necessary to protect consumers from these harmful practices.



# Civil Rights Principles for the Era of Big Data

February 2014

Technological progress should bring greater safety, economic opportunity, and convenience to everyone. And the collection of new types of data is essential for documenting persistent inequality and discrimination. At the same time, as new technologies allow companies and government to gain greater insight into our lives, it is vitally important that these technologies be designed and used in ways that respect the values of equal opportunity and equal justice. We aim to:

- 1. Stop High-Tech Profiling.** New surveillance tools and data gathering techniques that can assemble detailed information about any person or group create a heightened risk of profiling and discrimination. Clear limitations and robust audit mechanisms are necessary to make sure that if these tools are used it is in a responsible and equitable way.
- 2. Ensure Fairness in Automated Decisions.** Computerized decisionmaking in areas such as employment, health, education, and lending must be judged by its impact on real people, must operate fairly for all communities, and in particular must protect the interests of those that are disadvantaged or that have historically been the subject of discrimination. Systems that are blind to the preexisting disparities faced by such communities can easily reach decisions that reinforce existing inequities. Independent review and other remedies may be necessary to assure that a system works fairly.
- 3. Preserve Constitutional Principles.** Search warrants and other independent oversight of law enforcement are particularly important for communities of color and for religious and ethnic minorities, who often face disproportionate scrutiny. Government databases must not be allowed to undermine core legal protections, including those of privacy and freedom of association.
- 4. Enhance Individual Control of Personal Information.** Personal information that is known to a corporation — such as the moment-to-moment record of a person's movements or communications — can easily be used by companies and the government against vulnerable populations, including women, the formerly incarcerated, immigrants, religious minorities, the LGBT community, and young people. Individuals should have meaningful, flexible control over how a corporation gathers data from them, and how it uses and shares that data. Non-public information should not be disclosed to the government without judicial process.
- 5. Protect People from Inaccurate Data.** Government and corporate databases must allow everyone — including the urban and rural poor, people with disabilities, seniors, and people who lack access to the Internet — to appropriately ensure the accuracy of personal information that is used to make important decisions about them. This requires disclosure of the underlying data, and the right to correct it when inaccurate.

## Signatories:

**American Civil Liberties Union**

**Asian Americans Advancing Justice — AAJC**

**Center for Media Justice**

**ColorOfChange**

**Common Cause**

**Free Press**

**The Leadership Conference on Civil and Human Rights**

**NAACP**

**National Council of La Raza**

**National Hispanic Media Coalition**

**National Urban League**

**NOW Foundation**

**New America Foundation's Open Technology Institute**

**Public Knowledge**



# Civil Rights and Big Data: Background Material

## High-Tech Profiling

- The FBI has recently engaged in a racial and ethnic mapping program that uses crass racial and ethnic stereotypes to map American communities by race and ethnicity for intelligence purposes.
- Police in New York used license plate readers to record all the cars visiting certain mosques, allowing their movements to be tracked later. New technology made this surveillance cheap enough that it could happen without a clear policy mandate.
- Law enforcement can use new social media monitoring tools to investigate nearly anyone at low cost. These systems need audit records and usage rules to ensure they are used fairly.

## Automated Decisions

- Financial institutions can now gather detailed information on trivial consumer missteps, such as a one-time overdraft, and use it to bar customers from opening bank accounts.
- A major auto insurer has begun to deny its best rates to those who often drive late at night, such as those working the night shift. The insurer knows each driver's habits from a monitoring device, which drivers must install in order to seek the insurer's lowest rate.

## Constitutional Principles

- Information from warrantless NSA surveillance has been used by other federal agencies, including the DEA and the IRS — even though it was gathered outside the rules that normally bind those agencies.
- Databases like the so called “no fly” list are used to bar US citizens and legal residents from flying, without a fair process for reviewing these determinations.
- People who have access to government databases have often used them for improper purposes, including to leak confidential information about public figures and to review without reason the most intimate communications of strangers.

## Individual Control of Personal Information

- New financial startups are using social network data and other “digital traces” to microtarget financial products. They claim to act outside the scope of existing consumer protections against unfair lending practices.
- Unscrupulous companies can find vulnerable customers through a new industry of highly targeted marketing lists, such as one list of 4.7 million “Suffering Seniors” who have cancer or Alzheimer's disease.
- Some advertisers boast that they use web monitoring technologies to send targeted advertisements to people with bipolar disorder, overactive bladder, and anxiety.
- Location-aware social media tools have allowed abusive spouses and partners to learn the whereabouts of their victims in real time.

## Risks of Inaccurate Data

- Government employment verification systems such as E-Verify demonstrate a persistently higher error rate for legal immigrants, married women, naturalized citizens, and individuals with multiple surnames (including many Hispanics) than for other legal workers, creating unjustified barriers to employment.
- Background check companies frequently provide inaccurate information on job candidates that stops them from being hired. While under law individuals are supposed to be able to correct these errors, they frequently recur and employers are not required to re-hire victims of misidentification.
- People often lose job opportunities due to criminal history information that is inaccurate, or that has nominally been expunged.



# The Knowledge Exchange 2014: Privacy, Data and the Implications for Racial Justice

## Bios

### **PARTICIPANTS**

#### **Seeta Peña Gangadharan- Senior Research Fellow** Open Technology Initiative, New America Foundation

Seeta Peña Gangadharan is a Senior Research Fellow with the Field Team at the New America Foundation's Open Technology Institute (OTI). Her research lies at the intersection of technology, civil society, and communication policy. She researches the nature of digital inequalities, data and discrimination, social dynamics of technology adoption, communication rights, and media justice. She also writes about the politics of communication policymaking, who's heard, and who has power in debate and decision making.

#### **April Glaser- Staff Activist** Electronic Frontier Foundation

April Glaser is a staff activist at EFF, where she focuses on community outreach and blogs about a wide range of digital rights issues. She works directly with community organizations interested in promoting free speech, privacy, and innovation in digital spaces, and she lectures frequently on these topics for groups large and small. Prior to coming to EFF, April spent years on the frontlines of media justice advocacy and research. She is a founding member of a low power community radio station in Nashville, Tennessee. April worked at the Prometheus Radio Project, where she organized public participation at the FCC hearings on media consolidation in 2006-2007. Her efforts helped propel the passage of the Local Community Radio Act.

#### **Emi Kane- Board Member** Allied Media Projects

Emi Kane has a background as a community organizer, educator, and journalist. She is a former National Steering Committee member for INCITE, a women of color anti-violence network, where she is a current member of the Media Working Group and works on the digital archives and oral history project. In Oakland, CA, she has been leading community forums on violence prevention and alternatives to street-level surveillance and policing. She also works with educators and students to develop popular education tools that address the intersections between surveillance and social movements, focusing on the ways in which those issues impact communities of color, poor people, and LGBTQ communities. Emi is based in New York and California, is an active member of the ICU Oakland surveillance working group, and sits on the board of Allied Media Projects in Detroit, MI.

#### **Vina Kay- Interim Executive Director** Organizing Apprenticeship Project

Vina is the Interim Executive Director and Director of Research and Policy. She was raised in Omaha and is a graduate of Carleton College and the University of Minnesota Law School. She worked for several years with John Powell at the Institute on Race and Poverty, first as Legal Fellow and then as Senior Researcher and Director of the Racial Justice and Regional Equity Project. Vina is also a writer of poetry, creative nonfiction, as well as a documentary filmmaker. Her current project, Building the Pink Tower, reimagines schools and learning through the lens of Montessori education. Vina strives to create accessible and relevant racial equity research.

#### **Hamid Khan- Stop LAPD Spying Coalition Coordinator** Los Angeles Community Action Network

Hamid Khan is an organizer with the Stop LAPD Spying Coalition, a broad coalition whose primary goal is to raise public awareness, participation, mobilization, and action on police spying and surveillance and to sustain long-term movement building that is intersectional to the core on issues, experiences, demographics and resources. As founder and former Executive Director of South Asian Network (1990 – 2010), Khan helped create the first grassroots community-based organization in Los Angeles committed to informing and empowering thousands of South Asians in Southern California to act as agents of change in eliminating biases, discrimination and injustices.

#### **Lara Kiswani- Executive Director** Arab Resource and Organizing Center

Lara Kiswani is a Palestinian, and Bay Area native who has been active in antiwar, Palestinian, Arab, feminist, and student organizations. She earned an MA in Education with an emphasis on equity and social justice at SFSU, where her work focused on Palestinian American youth identity, language and decolonization. She completed her undergraduate studies at UC Davis, cofounded the Students for Justice in Palestine chapter, organized with Third World Forum, and helped establish the Middle East South Asia studies program. She has since worked as a youth and adult educator, and is currently the executive director of the Arab Resource and Organizing Center.

#### **Alfredo Lopez- Co-Chair Leadership Committee** May First/People Link

In his nearly half century of activism in the United States, Alfredo Lopez has been involved in virtually every major social justice and left-wing movement. For nearly 20 years, he has been an Internet activist. He is a founder (and is currently part of the leadership) of May First/People Link, the Internet membership organization based in the U.S. and Mexico. He is a member of the leadership of the United States Social Forum, has spoken extensively on Internet issues all over the country and is the coordinator of MF/PL's People of Color Tech Training Project. He is the author of six published books and is the technology writer for the on-line publication *This Can't Be Happening*.

# The Knowledge Exchange 2014: Privacy, Data and the Implications for Racial Justice

## Bios

### PARTICIPANTS CONT'D

#### **Carla Murphy-** Reporter- Blogger Colorlines

Carla Murphy is a reporter, editor and television producer who covers criminal justice, women's issues, income inequality, upward mobility, diasporas and international development. She has produced for BrianLehrer.Tv, reported from Haiti and written for *Columbia Journalism Review*, *the Christian Science Monitor*, *the American Prospect*, *Glamour*, *O, The Oprah Magazine*, and *the Daily Beast* among others. A graduate of the London School of Economics and the CUNY Graduate School of Journalism, she was born and raised in Barbados, W.I. and New York City.

#### **Thato Ramoabi-** Regional Manager Community Justice Network for Youth

Thato Ramoabi is the Regional Manager for Community Justice Network for Youth (CJNY), at the W. Haywood Burns Institute (BI). Thato is passionate about working with communities, families and youth, so that they have capacity to engage with traditional juvenile justice system stakeholders. She mainly focuses on providing the CJNY members technical assistance ranging from campaign strategy to program development. Thato is interested in exploring how mass surveillance hinders community members from engaging in juvenile justice reform tables.

#### **Mariella Saba-** Program Director of Aprendamos Instituto de Educacion Popular del Sur de California (IDEPSCA)

Mariella Saba, 26, primarily identifies as a healing arts practitioner, community organizer, writer, teatrista and educator/learner. Daughter of [im]migrant parents, born and raised in East Los Angeles of mixed Arabic and Mexican decent. Director of IDEPSCA's Aprendamos (Let's Learn) Program since 2009, leading popular education based curriculum with elementary children and families throughout Los Angeles. She is an organizer and member of Dream Team Los Angeles, the Stop LAPD Spying coalition, other intersecting movements, and co-founder of Teatro Moonaguas. Attended UC Santa Cruz where she co-founded Students Informing Now, and graduated in 2009 with a BA in Literature, Concentration in Creative Writing, and a Minor in Theater Arts.

#### **Grace Sheedy-** Research Associate United Food and Commercial Workers

Grace is a Senior Research Associate at the United Food & Commercial Workers International Union in Washington, DC. Her research on the Making Change at Walmart campaign includes online privacy and digital surveillance, campaign finance and lobbying, and corporate governance. Originally from Buffalo, NY, she has also spent time in Seattle, WA, where she worked for Puget Sound Sage, a Partnership for Working Families affiliate.

#### **Jeramie Scott-** National Security Counsel Electronic Privacy Information Center

Jeramie Scott is the National Security Counsel and Privacy Coalition Coordinator for EPIC. His work focuses on the privacy issues implicated by domestic surveillance programs that use drones, biometrics, big data, and license plate readers. He also runs the monthly Privacy Coalition meeting that brings together representatives of consumer and privacy organizations with key Washington decision makers in the privacy field.

#### **Carlton Turner-** Executive Director Alternate Roots

Carlton Turner is the Executive Director of Alternate ROOTS, a regional non-profit arts organization based in the South. Carlton has been a member of Alternate ROOTS since 2001 and has served on the organization's board as a Regional Representative, and as an officer. Carlton is also co-founder and co-artistic director, along with his brother Maurice Turner, of the group M.U.G.A.B.E.E. (Men Under Guidance Acting Before Early Extinction). M.U.G.A.B.E.E. is a performing arts group that blends of jazz, hip-hop, spoken word poetry and soul music together with non-traditional storytelling.

#### **Azadeh Zohrabi-** National Campaigner Ella Baker Center

Azadeh brings over 10 years of experience working with and advocating for families caught up in the justice system to her role as National Campaigner. Prior to joining the Ella Baker Center team, Azadeh was a Soros Justice fellow at Legal Services for Prisoners with Children in addition to internships with the San Francisco Human Rights Commission and Justice Now. She also served on the legal team representing Pelican Bay prisoners in their class action lawsuit challenging long-term solitary confinement and continues to serve on the prisoners' Mediation Team for the California prison hunger strikes. Azadeh is a graduate of University of California's Hastings College of Law, where she was the Editor-in-Chief of the Hastings Race & Poverty Law Journal.

# The Knowledge Exchange 2014: Privacy, Data and the Implications for Racial Justice

## Bios

### STAFF BIOS

**amalia deloney-** Policy Director  
Center for Media Justice

amalia coordinates the media policy initiatives of the Center for Media Justice and the Media Action Grassroots Network (MAG-Net). She has over 15 years of experience in community and cultural organizing, with a specific interest in human rights, cultural rights and traditional knowledge. At CMJ, amalia uses her extensive experience for field-building, community-building, and policy advocacy. Born in Guatemala, she worked for many years at the Main Street Project—a MAG-Net anchor—in her hometown of Minneapolis. While there, she co-directed a nationally recognized four-state rural Latino capacity-building initiative called The Raices Project.

**Steven Renderos-** National Organizer  
Center for Media Justice

Steven is the National Organizer at the Center for Media Justice and a DJ based in New York City. With over 10 years of organizing experience Steven has been involved in campaigns to lower the cost of prison phone calls, preserving the Open Internet, and expanding community owned radio stations. Steven grew up in from Los Angeles, CA before attending college at Hamline University in St. Paul, MN and now resides in Brooklyn, NY.

**Malkia Cyril-** Executive Director  
Center for Media Justice

Malkia Amala Cyril is the founder and Executive Director of the Center for Media Justice (CMJ), launched in 2008 to strengthen the media activism and communications capacity of grassroots social justice movements. For the past 15 years, Malkia's award-winning work has empowered local social justice leaders and organizations with the skills and strategies they need to navigate the complex media environment of the 21st century.

**Brandi Collins-** Communications Manager  
Center for Media Justice

Brandi is responsible for driving organizational identity, branding, communications, and marketing for CMJ. She has over eight years experience in nonprofit strategic communications, branding, public policy advocacy, and project management. Formerly Public Policy Associate for Safer Foundation in Illinois, Brandi has crafted state and national recommendations and statements on workforce development, community capacity building, and prisoner reentry.

**Delara Derakhshani-** Policy Counsel  
Consumers Union

Delara Derakhshani serves as policy counsel in Consumers Union's Washington Office, where she is the lead advocate for the organization's telecommunications, media, and privacy efforts. Ms. Derakhshani graduated from the Catholic University of America's Columbus School of Law with a certificate from its Institute for Communications Law. She served as editor-in-chief of the school's telecommunications law journal, *CommLaw Conspectus: Journal of Communications Law and Policy*.

**Bruce Davis-** Office Administrator  
Consumers Union

Bruce Davis is the current Office Administrator in the Washington DC Office. He joined Consumers Union as a temp in late 2013 and was made permanent in January 2014. He provides support to the Senior Director of Federal Policy and staff, and acts as an intermediary and liaison with various departments at Consumer Reports headquarters in Yonkers, NY.

### FACILITATOR BIO

**Liz Butler-** Senior Fellow  
Movement Strategy Center

Liz has nearly 20 years of experience organizing and campaigning on critical issues, with a focus on both corporate and legislative campaigns. She was the Campaign Director (Executive Director/CEO equivalent) of 1Sky the large-scale collaborative climate campaign with over 600 allies, 4500 local leaders, and 200,000 citizen advocates. Liz managed a successful merger of 1Sky with 350 in 2011 after helping build and execute a successful campaign on climate and clean energy. Prior to 1Sky, Liz was a co-founder of ForestEthics, where she spent 10 years as the Organizing Director. She has extensive experience in campaigning, fundraising, organizing, facilitation, movement building, training, leadership development, organizational development, staff management, and campaign strategy planning.

# CLOSING ACKNOWLEDGEMENTS

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Lara Kiswani, Arab Resource and Organizing Center

Carlton Turner, Alternate ROOTS

Michael Khoo, Spitfire Strategies

Gina Konstantinakos, "The Internet Must Go"

## STAFF

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Center for Media Justice: Malkia Cyril, amalia deloney, Brandi Collins, and Steven Renderos

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