

# Pandemic Surveillance: Privacy, Security, and Data Ethics

November 12-13, 9:00am-12:00pm

**Technically Right**  
advancing ethical tech policy and innovation

**VIRTUAL CONFERENCE**

**Pandemic Surveillance: Privacy, Security, and Data Ethics**

Thursday, November 12

9:00 am | Framing and Defining Digital Privacy and Security  
10:30 am | Regulating Privacy and Security: Contemporary Legal Frameworks

Friday, November 13

9:00 am | Pandemic Surveillance and Emerging Tracking Technologies  
10:30 am | Legal and Ethical Challenges of Pandemic Surveillance

 **INTERNETLAB**  
law and technology research center

 **PennState**

The Kenan Institute for Ethics, InternetLab, Pennsylvania State University's Institute for Computational and Data Sciences (ICDS), and Penn State Law's Policy Innovation Lab of Tomorrow (PILOT) are pleased to host a virtual data privacy conference, "Pandemic Surveillance: Privacy, Security, and Data Ethics". On November 12-13, 9:00 am to Noon EST, join a group of international experts in a discussion on data privacy and security, and technological responses to curbing the spread of Covid-19. The event will feature experts from the US, Brazil, the Netherlands, UK, and Argentina. Topics will include how to frame privacy and security in a digital age; historical and contemporary frameworks for privacy and security; Covid-19 tracking technologies; and future potential reform proposals in law, cybersecurity, and data ethics.

## ZOOM REGISTRATION

## Thursday, November 12

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### 9:00 am: Framing and Defining Digital Privacy + Security

**Jolynn Dellinger** (Moderator), Stephen and Janet Bear Visiting Lecturer and Kenan Senior Fellow at the Kenan Institute for Ethics, Duke University; Senior Lecturing Fellow, Privacy Law and Policy, Duke Law School; and Adjunct Professor, UNC School of Law (North Carolina, US)

**Yasodora Córdova**, MC/MPA Ford Foundation Mason Fellow at Ash Center for Democratic Governance and Innovation, at Harvard University (Boston, US and Brazil)

**Andrea Matwyshyn**, Penn State Law Associate Dean for Innovation and Technology; Founding Director, Penn State PILOT Lab (Policy Innovation Lab of Tomorrow); Professor of Law and Engineering Policy, Penn State University – University Park (Pennsylvania, US)

**Davi Ottenheimer**, VP Trust and Digital Ethics, Inrupt (Boston, US)

**Daniel Susser**, Assistant Professor of Information Sciences & Technology and Philosophy, Penn State College of Information Sciences & Technology; and Research Associate at the Rock Ethics Institute at Penn State University – University Park (Pennsylvania, US)

### 10:30 am: Regulating Privacy and Security: Contemporary Legal Frameworks

**Nathalie Fragoso** (Moderator), Head of Research, Privacy and Surveillance, InternetLab (Brazil)

**Ian Brown**, Visiting CyberBRICS professor at Fundação Getulio Vargas (FGV) Law School in Rio de Janeiro (UK and Brazil)

**Els De Busser**, Assistant Professor of Cyber Security Governance, Institute of Security and Global Affairs, Leiden University (Netherlands, EU)

**Joshua Fairfield**, William Donald Bain Family Professor of Law, Washington and Lee University School of Law (Virginia, US)

**Peter Margulies**, Professor of Law, Roger Williams School of Law (Rhode Island, US)

## Friday, November 13

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### 9:00 am: Pandemic Surveillance and Emerging Tracking Technologies

**Margaret Hu** (Moderator), Professor of Law and International Affairs, Penn State Law and School of International Affairs, Institute for Computational and Data Sciences, Pennsylvania State University - University Park (Pennsylvania, US)

**Bethânia de Araújo Almeida**, Sociologist, Researcher at FIOCRUZ (Brazil).

**Jolynn Dellinger**, Stephen and Janet Bear Visiting Lecturer and Kenan Senior Fellow at the Kenan Institute for Ethics, Duke University; Senior Lecturing Fellow, Privacy Law and Policy, Duke Law School, and Adjunct Professor; UNC School of Law (North Carolina, US)

**David Gray**, Jacob A. France Professor of Law, University of Maryland Francis King Carey School of Law (Maryland, US)

**Maria Soledad Segura**, Adjunct Professor in the Faculties of Social Sciences (FCS) and Communication Sciences (FCC) at the National University of Córdoba (UNC) (Argentina)

### 10:30 am: Legal and Ethical Challenges of Pandemic Surveillance

**Andrea Matwyshyn** (Moderator), Penn State Law Associate Dean for Innovation and Technology; Founding Director, Penn State PILOT Lab (Policy Innovation Lab of Tomorrow); Professor of Law and Engineering Policy, Penn State University – University Park (Pennsylvania, US)

**Stuart Brotman**, Howard Distinguished Endowed Professor of Media Management and Law; Beaman Professor of Journalism and Electronic Media, School of Journalism and Electronic Media, College of Communication and Information, University of Tennessee – Knoxville (Tennessee, US)

**Margaret Hu**, Professor of Law and International Affairs, Penn State Law and School of International Affairs, Institute for Computational and Data Sciences, Pennsylvania State University - University Park (Pennsylvania, US)

**Nathalie Fragoso**, Head of Research, Privacy and Surveillance, InternetLab (Brazil)

**Alan Rozenshtein**, Associate Professor of Law at the University of Minnesota Law School (Minnesota, US)

## Speaker Bios



### Bethânia de Araújo Almeida

Bethânia de Araújo Almeida is a sociologist with a PhD in public health. She is a public worker of FIOCRUZ, she works at the Center for Data Integration and Knowledge for Health (CIDACS) and other institutional initiatives such as the Open Science Working Group. Among her areas of interest are data governance for research and the sociology of science intensive in the use of data.

Webpage: <https://www.rd-alliance.org/users/bethania-de-araujo-almeida>



### Stuart Brotman

Stuart N. Brotman is an American government policymaker; tenured university professor; management consultant; lawyer; author and editorial adviser; and non-profit organization executive. He is the inaugural Howard Distinguished Endowed Professor of Media Management and Law and Beaman Professor of Journalism and Electronic Media at the University of Tennessee, Knoxville. He has served in four Presidential Administrations on a bipartisan basis and has taught students from 42 countries in six separate disciplines--Communications, Journalism, Business, Law, International Relations, and Public Policy. He also has advised private and public sector clients in more than 30 countries on five continents. Brotman is the first-ever visiting professor of entertainment and media law at Harvard Law. He also was the first Harvard Law School faculty member to teach telecommunications law. He served as a faculty member in Harvard Law School's Institute for Global Law and Policy, and in the Harvard Business School Executive Education Program. He held the first concurrent appointment in digital media at Harvard and MIT, respectively at the Berkman Center for Internet & Society and the Program on Comparative Media

Studies, and created the first study group on communications policymaking at the Harvard Kennedy School Institute of Politics.

Webpage: <https://jem.utk.edu/profile/Stuart-N-Brotman>

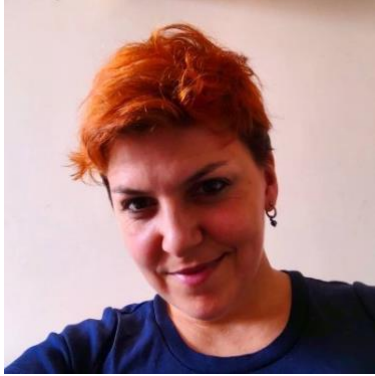


## Ian Brown

Ian Brown is the visiting CyberBRICS professor at Fundação Getulio Vargas (FGV) Law School in Rio de Janeiro, Brazil. He is a leading specialist on Internet regulation, particularly relating to information security and privacy, digital elements of the election lifecycle, and pro-competition mechanisms such as interoperability. His clients since 1999 include the Open Society Foundations, Global Network Initiative, Vodafone, BSKyB, UK and US governments, German Bundestag, European Commission and Parliament, Council of Europe, OECD, Commonwealth, and the United Nations.

He is an ACM Distinguished Scientist and was previously Principal Scientific Officer at the UK government's Department for Digital, Culture, Media and Sport; Professor of Information Security and Privacy at the University of Oxford's Internet Institute; and a Knowledge Exchange Fellow with the Commonwealth Secretariat and UK National Crime Agency. His books include [Cybersecurity for Elections](#) (2020, Commonwealth Secretariat, with Marsden/Lee/Veale), [Regulating Code](#) (2013, MIT Press, with Marsden), and [Research Handbook on Governance of the Internet](#) (ed., 2013, Edward Elgar). Brown co-founded and served on the boards of [European Digital Rights](#), [Open Rights Group](#), the [Foundation for Information Policy Research](#) and [Privacy International](#); and has written for [The Financial Times](#) and [The Guardian](#). He is a fellow of the British Computing Society, Open Forum Europe, and the International University of Japan.

Webpage: <https://www.ianbrown.tech/about/>



## Yasodora Córdova

Yasodora Córdova is an MC/MPA Ford Foundation Mason Fellow at Ash Center for Democratic Governance and Innovation, at Harvard University. She worked at the World Bank's governance sector as a citizen engagement and agile fellow. With a developer background, she assisted middle and low-income countries to integrate technology into their governance infrastructure. Her work ranges from helping governments with participatory budgeting to stemming corruption among civil servants to set up budget management systems or human resource management tools. She is a former Senior Fellow of the Digital Kennedy School, and a former fellow of the Berkman Klein Center for Internet and Society, both at Harvard University. Yaso sits on the Director's board of the Ciudadania Inteligente and is a former CEO of the "Serenata de Amor Operation", an anti-corruption A.I. platform that uses machine learning and open data to facilitate social control of the public money spent by the representatives in Brazil. Before being selected as a Fellow of the Berkman Klein Center, in 2016, Yasodara worked as a Web Specialist at the World Wide Web Consortium, as the chair of the Data on the Web Working Group, among other positions.

Earlier, she worked with data visualization and was awarded twice the biggest Brazilian prize in Journalism and Human Rights, the Vladimir Herzog Award. She is one of the first female Hackerspace founders in Brazil and was part of the advisory board of the Open Knowledge Foundation from its outset in Brazil, until 2018.

Webpage: <https://www.yaso.is/>



### Els De Busser

Els De Busser is Assistant Professor Cybersecurity Governance at the Institute of Security and Global Affairs since 2017 at Leiden University. She is educational director of the Executive Master Cyber Security and teaches also in the Master Crisis and Security Management. Els is a researcher in the The Hague Program for Cyber Norms and a member of the Standing Committee of Experts on International Immigration, Refugee and Criminal Law (Meijers Committee).

Els conducts research on cybersecurity, data protection and European and international cooperation and information exchange in criminal matters especially in the transatlantic relationship. She teaches courses on a broad range of topics including digital justice, law and security, the rule of law, data protection and privacy, legal aspects of cybersecurity and European criminal law.

In 2014, she received the Siracusa Prize for Young Penalists by AIDP and the International Siracusa Institute for Criminal Justice and Human Rights. Her book *Data Protection in EU and US Criminal Cooperation* (Maklu, 2009) was awarded with the 2014 Siracusa Prize for Young Penalists by the Association Internationale de Droit Pénal (AIDP) and the Siracusa International Institute for Criminal Justice and Human Rights.

Webpage: <https://www.thehaquecybernorns.nl/team/els-de-busser>



### Jolynn Dellinger

Jolynn Dellinger is the Stephen and Janet Bear Visiting Lecturer and Kenan Senior Fellow at the Kenan Institute for Ethics. She also teaches Privacy Law and Policy as a Senior Lecturing Fellow at Duke Law School and as an Adjunct Professor at UNC School of Law. She is a member of the Board of Directors for the Triangle Privacy Research Hub and the Future of Privacy Forum Advisory Committee, and she recently served as Special Counsel for Privacy Policy and Litigation for the North Carolina Department of Justice.

From 2007-2013, she worked as the founding program manager for Data Privacy Day, a globally recognized event designed to raise awareness about privacy and create mechanisms for dialogue, collaboration and privacy solutions among nonprofits, academics, businesses and government entities. Dellinger has worked as a privacy lawyer at Intel Corporation, at The Privacy Projects, and at the National Cyber Security Alliance.

Prior to working for Intel, Dellinger worked as a staff attorney for Judge W. Earl Britt in the U.S. District Court for the Eastern District of North Carolina (1998-2007), as a Bristow Fellow in the Solicitor General's Office in the U.S. Department of Justice (1994-95), and as a clerk for Judge Francis D. Murnaghan, Jr. in the U.S. Court of Appeals for the Fourth Circuit (1993-94). She has also practiced at law firms in Washington, D.C. and North Carolina, and taught Family Law at Duke Law School and Legal Writing at UNC School of Law. Dellinger received her BA in English from Columbia University ('89) where she also focused on Religion and Women's Studies. She received her JD from Duke Law School ('93), where she graduated Order of the Coif and was an editor on the Duke Law Journal. and her MA in Humanities/Women's Studies from Duke University ('93).

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### Joshua Fairfield

Joshua Fairfield is an internationally recognized law and technology scholar, specializing in digital property, electronic contract, big data privacy, and virtual communities. He has written on the law and regulation of e-commerce and online contracts and on the application of standard economic models to virtual environments. Professor Fairfield's current research focuses on big data privacy models and the next generation of legal applications for cryptocurrencies. His articles on protecting consumer interests in an age of mass-market consumer contracting regularly appear in top law and law-and-technology journals, and policy pieces on consumer protection and technology have appeared in the New York Times, Forbes, and the Financial Times, among other outlets. Before entering the law, Professor Fairfield was a technology entrepreneur, serving as the director of research and development for language-learning software company Rosetta Stone.

Professor Fairfield consults with U.S. government agencies, including the White House Office of Technology and the Homeland Security Privacy Office, on national security, privacy, and law enforcement within online communities and as well as on strategies for protecting children online. From 2009 to 2012, he provided privacy and civil liberties oversight for Intelligence Advance Research Project



Activity (IARPA) research programs in virtual worlds. In 2012-13 he was awarded a Fulbright Grant to study trans-Atlantic privacy law at the Max Planck Institute for Research on Collective Goods in Bonn, Germany. He was elected a member of the American Law Institute in 2013.

Webpage: <https://law.wlu.edu/faculty/full-time-faculty/joshua-fairfield>



### Nathalie Fragoso

Nathalie Fragoso is head of research of the Privacy and Surveillance area at InternetLab. Ph.D. in Sociology of Law from the University of São Paulo Law School, where she also earned her Bachelors degree. LLM (Master of Laws) at the Ludwig-Maximilians-Universität München. Nathalie was the coordinator of the Luiz Gama Human Rights Clinic between 2013-2014. She is a member of the Collective of Lawyers for Human Rights– CADHu since 2015. Experienced in strategic litigation and human rights advocacy, Nathalie develops interdisciplinary research agendas in the areas of sociology of law, criminal law and human rights.

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### David Gray

David Gray is the Jacob A. France Professor of Law at the University of Maryland Francis King Carey School of Law where he teaches criminal law, criminal procedure, evidence, international criminal law, and jurisprudence. Professor Gray's scholarship focuses on criminal law, criminal procedure, constitutional theory, and transitional justice. His books include *The Fourth Amendment an Age of Surveillance* (Cambridge University Press 2017), the *Cambridge Handbook of Surveillance Law* (Cambridge University Press 2017), and in 2019, he joined the leading textbook *American Criminal*

*Procedure: Cases and Commentary.* He has also published dozens of articles and book chapters in leading journals and collections. His work has been cited and followed by state and federal appellate courts. In 2019, he was named University Researcher of the Year in recognition of his scholarly contributions. Consistent with the Law School's mission as a public educational institution, Professor Gray frequently provides expert commentary for local and national media outlets on topics relating to criminal law, police procedure, and surveillance. He has also written and contributed to amicus briefs filed in state appellate courts, federal courts, and the United States Supreme Court.

Webpage: <https://www.law.umaryland.edu/Directory/profile.asp?id=598>



## Margaret Hu

Margaret Hu is the Associate Dean for Non-JD Programs and a Professor of Law and International Affairs at Penn State Law and School of International Affairs at The Pennsylvania State University – University Park. She is also an Institute for Computational and Data Sciences Faculty Fellow and Faculty Member of the Institute for Network and Security Research in the College of Engineering at The Pennsylvania State University. Her research interests include the intersection of immigration policy, national security, cybersurveillance, and civil rights. She has published several works on dataveillance and cybersurveillance, including, *Biometric ID Cybersurveillance*; *Big Data Blacklisting*; *Taxonomy of the Snowden Disclosures*; *Biometric Cyberintelligence and the Posse Comitatus Act*; and *Algorithmic Jim Crow*.

She is currently a member of the Advisory Board of the Future of Privacy Forum, a non-profit think tank in Washington, D.C., that promotes responsible data privacy policies. Previously, she served as special policy counsel in the Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC), Civil Rights Division, U.S. Department of Justice. Dean Hu holds a B.A. from the University of Kansas and a J.D. from Duke Law School. She clerked for Judge Rosemary Barkett on U.S. Court of Appeals for the Eleventh Circuit, and subsequently joined the U.S. Department of Justice through the Attorney General's Honors Program.

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## Peter Margulies

Professor Peter Margulies teaches National Security Law at Roger Williams University School of Law in Rhode Island. He has analyzed foreign surveillance for the influential Lawfare blog and spoken at Harvard, Yale, and Columbia Law School on topics including the intersection of surveillance, cybersecurity, and privacy in U.S. and EU law. In addition, Professor Margulies has served as co-counsel for *amici curiae* in prominent cases, including *Humanitarian Law Project v. Holder*, 561 U.S. 1 (2010) (holding that statute prohibiting material support to foreign terrorist organizations did not violate the First Amendment).

With Geoff Corn, Jimmy Gurule, and Eric Jensen, Professor Margulies is co-author of NATIONAL SECURITY LAW: PRINCIPLES AND POLICY (Wolters Kluwer 2d ed. 2019). Professor Margulies' recent articles include, *Surveillance by Algorithm: The NSA, Computerized Intelligence Collection, and Human Rights*, 68 Fla. L. Rev. 1045 (2016); *Searching for Accountability Under FISA: Internal Separation of Powers & Surveillance Law* (forthcoming 2021 in the Marquette L. Rev.), <https://ssrn.com/abstract=3695054>, and a paper for the Privacy & Civil Liberties Oversight Board (PBLOB) 2020 scholarship symposium: *FISA & the FBI*, <https://www.pcllob.gov/Projects>.

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## Andrea Matwyshyn

Andrea Matwyshyn is founding director of the Penn State PILOT Lab (Policy Innovation Lab of Tomorrow), an interdisciplinary technology policy lab, the Associate Dean of Innovation and a professor with Penn State Law and a professor in the College of Engineering at Penn State University – University Park. She is an academic and author whose work focuses on technology and information policy and law,

particularly information security/“cybersecurity,” artificial intelligence, consumer privacy, intellectual property, health technology, and technology workforce pipeline policy. In 2014, she served as the senior policy advisor/academic in residence at the U.S. Federal Trade Commission. As public service, she has testified in Congress on issues of information security regulation, and she maintains ongoing policy engagement. Professor Matwyshyn has previously held primary appointments in University of Pennsylvania’s Wharton School, Northwestern University School of Law, the University of Florida Levin College of Law, and Northeastern University. Professor Matwyshyn was a U.S.-U.K. Fulbright Commission Cyber Security Scholar award recipient in 2016-17. In 2020, she is a Kluge Center Fellow in Digital Studies at the Library of Congress.

Webpage: <https://andreamm.com>



## Davi Ottenheimer

Davi Ottenheimer is Vice President of Trust and Digital Ethics at Inrupt. In the last two years, he has led development of client-side field-level encryption in a non-relational database. He brings 25+ years’ experience as a head of security and trust managing global security engineering, operations and assessments, and over a decade of leading incident response and digital forensics. Davi has helped serve customer data protection needs across many industries including data storage and management, software, investment, banking, international retail, as well as higher education, healthcare and aerospace.

Webpage: <https://inrupt.com/meet-the-inrupters>



### Alan Rozenshtein

Alan Rozenshtein is an Associate Professor of Law at the University of Minnesota Law School. He is also contributing editor at [Lawfare](#), a member of the [Scholars Strategy Network](#), and a visiting faculty fellow at the University of Nebraska College of Law. He previously served as an Attorney Advisor with the Office of Law and Policy in the National Security Division of the U.S. Department of Justice and a Special Assistant United States Attorney in the U.S. Attorney's Office for the District of Maryland. His forthcoming article, [Digital Disease Surveillance](#), will be published by the American University Law Review in 2021.

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### Maria Soledad Segura

María Soledad Segura is a graduate in Social Communication and Magister in Contemporary Communication and Culture from the National University of Córdoba (UNC), PhD in Social Sciences from the University of Buenos Aires. Regular Adjunct Professor at the Faculties of Social Sciences (FCS) and Communication Sciences (FCC) of the UNC since 2004. Adjunct Researcher of the National Council for Scientific and Technical Research (CONICET) since 2014. At the FCS-UNC she was coordinator of Graduates in Sociology and Political Science between 2017 and 2018, teaching advisor between 2012 and 2016. She is a member of the International Association for Media and Communication Research (IAMCR) -where she is co-chair of the Media Development Sector Working Group-, the Latin American Association of Researchers in Communication (ALAIC), the Aid and Journalism Network (AJN) and the Latin American Network for Communication, Citizenship, Education and Integration (Rede Amlat).

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## Daniel Susser

Daniel Susser's research lies at the intersection of technology, ethics, and policy. He aims to highlight normative issues in the design, development, and use of digital technologies, and to clarify conceptual issues that stand in the way of addressing them through law and policy. He marshals resources from ethics and political philosophy, philosophy of technology, and science and technology studies (STS) to examine the social, political, and ethical dimensions of information technology. In particular, he focuses on questions around privacy and data ethics, and has written about privacy and social identity, privacy and transparency, and the development of online habits. He is currently at work on several projects, including investigating the ethics of behavioral ad targeting and online manipulation (as seen, for example, in the Facebook and Cambridge Analytica case).

Before joining Penn State, Daniel was an Assistant Professor of Philosophy at San Jose State University, and prior to that, a Research Fellow at the Information Law Institute at New York University's School of Law. He earned a BA in computer science and philosophy from The George Washington University in 2007 and a PhD in philosophy from Stony Brook University (SUNY) in 2015.

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## ZOOM REGISTRATION