My Rights in Your Hands

USENIX Cyberlaw 2012 Hanni Fakhoury, EFF

Legal Rights on the Internet

- Stored Communications Act (SCA)
- ◆ 4th Amendment
- dependent on who has access to data and when

Two Cases

- ◆ Juror #1 v. County of Sacramento
- ◆ People of NY v. Harris

The Problem

- ◆All the control is in the hands of the providers
- ◆The users lose either way
 - ◆ Don't control the information
 - Or if they do, have to consent to providers turning it over

The Solution

- **◆** Legal changes
 - Revisit 3rd party doctrine
 - Update statutes
- **◆**Technological changes
 - **◆**Transparency and limitation
 - Commit to users

questions?

Hanni Fakhoury
Staff Attorney, EFF
hanni@eff.org