

Privacy: Current Legal Trends

By Alyssa Thurston

The 2014 SCALL Institute in Ventura got off to an engaging start when Hanni M. Fakhoury delivered the Institute's keynote address titled "Raising Old Fourth Amendment Challenges to New Technologies." Fakhoury focused on the tension between traditional legal applications of the Fourth Amendment to the U.S. Constitution – which was written in 1787 and imposes a number of safeguards to ensure privacy – and the development in the last several decades of a slew of new technologies that would have been inconceivable in the 18th century, but have a profound impact on privacy concerns in the modern era. These technologies include everything from e-mail to laptop computers to smartphones to Google Glass, with even more new technologies on the horizon or yet to be invented.

The Fourth Amendment protects against "unreasonable searches and seizures" by generally requiring that police officers obtain a

valid search warrant supported by probable cause. As explained by Fakhoury, a staff attorney at the Electronic Frontier Foundation, traditional Fourth Amendment legal tests from U.S. Supreme Court case law dating as far back as the 1960s are today being applied to technology that did not even exist back then. Privacy law, in other words, has simply not kept up with rapid technological advancements. This is despite the present U.S. Supreme Court having acknowledged that new technologies have affected traditional understandings of privacy guaranteed to citizens under the Fourth Amendment.

Courts have been slow to address the challenges modern technologies pose to established understandings of the Fourth Amendment. For example, one important concept in Fourth Amendment jurisprudence is the "third-party doctrine," which dates back to a 1979 Supreme Court case and asserts that citizens

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President's Column

By Paul Moorman

I'd like to begin my President's column by congratulating Vice President Kelsey Chrisley, and her team for putting on a fantastic



Institute in Ventura. The topic of privacy was particularly timely and the speakers were phenomenal. All the attendees I spoke to thought it was a huge hit. In addition

to the great programs, I enjoyed spending time with old friends and making some new ones, including AALL's Past President Jean Wenger, who attended the Institute as our AALL representative and VIP guest. I had the privilege of escorting Jean around town as we

visited the LA Law Library and the USC and Pepperdine law libraries. Thanks to everyone who took time away from their busy schedules to show us some southern California hospitality!

I'd also like to congratulate our candidates for office in the upcoming election: Victoria Williamson for Vice President, Amber Madole for Secretary, and Michelle Tolley for Board Member. The Nominations Committee, chaired by Jim Senter, did an excellent job this year. I'm confident that SCALL will be well-served by their guidance and leadership and wish them success in the upcoming election.

Speaking of elections, the upcoming election will take place electronically using AALL's Online Election System. This change in election procedure was one of the primary goals of my presidency, and I'd especially like to



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thank Cheryl Kelly Fisher for spearheading this transition to the new system. To ensure you receive a ballot, be sure to check the membership directory at <http://scall.memberclicks.net/login> and verify that the email address we have listed for you is correct. I'm excited about this change and I hope it helps to increase participation in our elections.

By the time you read this, you should have received notice of the date for the June Business Meeting that will take place at the beautiful Ninth Circuit Courthouse in Pasadena. At this meeting, the new board members will be installed and awards will be given. I strongly encourage you all to attend if possible, so please watch the listserv for more information about this important meeting.

Remember to also mark your calendars for the Pacific Chapters Reception at the AALL

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Annual Meeting in San Antonio. This year's festivities take place on Saturday, July 12, from 7-9 p.m. at Pat O'Brien's, located in the Grand Promenade in the historic Alamo Quarters Building near the Riverwalk. You won't want to miss this exciting opportunity to network with your west coast colleagues. This year's event was coordinated by Brent Bernau of SANDALL. SCALL has the opportunity to show what we can do when we're in charge of coordinating it next year when we meet in Philadelphia.

Finally, I especially want to thank Judy Davis, Jessica Wimer, Joy Shoemaker, and Christina Tsou for agreeing to be editors of the SCALL Newsletter. I'm so looking forward to reading their first issue. The newsletter is such an important communication tool for the membership and I'm thrilled to know that it's in good hands. We appreciate your willingness to do this important job very, very much. Thank you!

I hope to see you at the June Business Meeting and in San Antonio!

Editors' Column

By Judy Davis

On behalf of the SCALL Newsletter committee, I'd like to point out some important changes. The biggest one is the Newsletter has a new team of editors: Judy Davis, Jessica Wimer, Joy Shoemaker, and Christina Tsou. We have a great committee and we look forward to our work with them on future issues. We have big shoes to fill, thanks to the great work and years of service from Tanya Cao and Patricia Pelz Hart, who recently stepped down. I am sure I speak on behalf of the entire association expressing appreciation for the years of SCALL Newsletters we have in our archives.

As a result of this change, the rest of the year's issues will be published on an altered schedule. We will be sure to send out an email announcement letting you know when the next issues are available.

As in the past, this issue is devoted to our recent SCALL Institute. This year's topic, Privacy: Current Legal Trends, featured great speakers and drew a great crowd, thanks to Kelsey Chrisley and the relentless work of her committee. In addition to news on the Institute, you will also find biographical information for the candidates for our upcoming election. Don't forget to vote!

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Job Opportunities

By Don Buffaloe

Technical Services Supervisor; LAC Group; Los Angeles, May 8

Research Law Librarian for Instructional Services; UC Irvine School of Law; Irvine, May 7

Assistant Librarian; LAC Group; West Los Angeles. April 30

Assistant Law Librarian I or II; California Court of Appeal, Second District; Los Angeles, April 16

Research Analyst; LAC Group; Los Angeles, March 10

Librarians & Library Technical Assistants, California Department of Corrections and Rehabilitation, Statewide, Ongoing

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have no expectation of privacy in information that they may have voluntarily exposed to third parties. In several recent cases, personal information associated with internet subscriber or social media accounts has been considered to lack Fourth Amendment protection because of the user's "exposure" of their information to third-party Internet or social media companies. The problem here is that persons who (for instance) create social media accounts must submit their personal information to outside companies in order to complete the registration process. These circumstances substantially differ from those which originally gave rise to the third-party doctrine in the 1970s, yet the law continues to be applied in the same way to these 21st century scenarios.

Similarly, the focus of some Fourth Amendment case law on the "intrusiveness" of government monitoring of citizens requires reevaluation, especially regarding how modern technology may now be employed in that monitoring. Today, police have the capability to surveil citizens round-the-clock with video cameras or computers; even if the person being monitored is in public, such prolonged surveillance can still result in far greater aggregation and exposure of that person's information than would have been available had the relevant technology not existed.

Such revelations may have been disheartening to privacy law enthusiasts, but not all hope is lost. Fakhoury went on to detail several recent cases in which state and federal courts have recognized Fourth Amendment privacy protection where new technology is concerned.

For example, even though e-mail is technically held on a server owned by a third party company, the Sixth Circuit recently recognized the contents of e-mail to be subject to Fourth Amendment protection. Through such decisions there appears to be a growing judicial recognition that everyday devices such as cell phones and smartphones can and do hold enormous amounts of personal data, and that this reality requires a recalibration of traditional applications of the Fourth Amendment.

Finally, Fakhoury contemplated what courts still need to address about privacy and technology in the near future. In addition to the ongoing debate over government surveillance of private citizens, the U.S. Supreme Court is poised to soon hear arguments in two cases related to cell phone searches. Moreover, new technologies, including those with potential applications for further search and surveillance of citizens, continue to arrive on the scene and to further challenge our notions of what can and should be subject to Fourth Amendment privacy protections in the modern world.

Fakhoury closed with a nod to his audience by observing that librarians help citizens become educated about the law, and expressed his hope that he helped attendees think differently about how today's technology intersects with Fourth Amendment law. Given his thorough treatment of the topic and the spirited audience questions that followed, Fakhoury certainly appeared to have succeeded with this goal.

Alyssa Thurston is a Research & Electronic Services Librarian at Harnish Law Library, Pepperdine University School of Law

Executive Board Meeting

By Cheryl Kelly Fischer

A regular meeting of the SCALL Executive Board was held on Tuesday, December 10, 2013 at Blue Cow Kitchen in Los Angeles:

Paul Moorman, President
Kelsey Chrisley, Vice-President/President Elect
Cheryl Kelly Fischer, Secretary
David Burch, Past President
Karol Howard, Board Member
Judy Davis, Board Member

A quorum being present, the meeting was called to order at 4:46 PM.

I. Minutes

The minutes of the October 24, 2013 regular board meeting were read.

Karol Howard moved to approve the minutes, Kelsey Chrisley seconded. There was no discussion and the motion carried.

II. Treasurer's Report

Jessica Wimer submitted a written report. SCALL has total assets of \$49,613.06. Judy Davis moved to approve the report, Karol Howard seconded. There was no discussion and the motion carried. The written

report is filed with these minutes.

III. Secretary's Report

Cheryl Kelly Fischer reported on online voting options for the next SCALL Board election. Covered were the topics of cost, relative ease of administration, security and other concerns of four online voting options as compared to the continued mailing of paper ballots.

David Burch moved to approve the report, Karol Howard seconded. The written report is filed with these minutes.

IV. President's Report

Paul Moorman reported that SANDALL is organizing the 2014 Pacific Chapters Reception for San Antonio. The SCALL budget for the event is \$2500 which is our percentage of the total cost based on the number of members in our chapter. SCALL is responsible for organizing the event in Philadelphia 2015.

Paul informally surveyed the other AALL chapter presidents regarding online elections. He found that other large chapters use the AALL online election system.

Cheryl Kelly Fischer moved to approve the report, Judy Davis seconded. There was no discussion and the motion carried.

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V. Vice-President's Report

Kelsey Chrisley reported that the Institute committee's Speakers Chair, Leonette Williams, has secured a keynote speaker: Hanni M. Fakhoury, Staff Attorney, Electronic Frontier Foundation. The keynote will address Fourth Amendment privacy issues.

Sponsors are being pursued and one major sponsor has committed thus far.

Karol Howard moved to approve the report, David Burch seconded. There was no discussion and the motion carried.

VI. Committee Reports

The Board received and read all committee reports by email, and those reports are filed with the minutes of this meeting. Per Sturgis' Standard Code of Parliamentary Procedure, all reports are considered filed without voting.

The professional development committee is still in need of a written set of policies. It is looking into planning a brown bag event for January.

VII. Old Business

The Board discussed the online voting options in the Secretary's report. David Burch moved to use the AALL Online Election System, Judy Davis seconded. The motion was carried.

A message will be sent to members through Memberclicks and through the listserv to inform the membership that the upcoming election will be conducted via an online election system. The membership committee will check to see if any members do not have an email address on file and will notify them separately.

The issue of missing membership renewal checks has been resolved.

Redesign of the SCALL website is still a possibility for this year. The Board will ask the information technology committee to get a quote for the redesign before discussing further.

The Board discussed SCALL's use of Memberclicks and whether our use justifies the cost and decided to maintain the use of Memberclicks until another viable alternative is found.

VIII. New Business

AALL requested that our chapter participate in a member list exchange with AALL. The Board decided to inform AALL that we will wait on sharing our membership list until the next membership renewal period. In the meantime, the membership committee will add an opt-out radio button to Memberclicks that will allow members to indicate that they do not wish their names to be shared with AALL.

The meeting was adjourned at 5:44 PM.

Respectfully Submitted,

Cheryl Kelly Fischer

SCALL Secretary, 2012-2014

Treasurer's Report

By Jessica Wimer

SCALL Balance

Balance as of May 1, 2014: \$42,398.25

Budget Detail

Committee	Expenses	Income	Remaining Budget
Archives	0	0	\$100
Awards	\$235.86	0	\$164.14
Board/Pres/Vice Pres	\$3,862.86	\$24	\$137.14
CRIV	0	0	0
Government Relations	0	0	\$500
Grants	\$400	0	\$6,600
Information Technology	0	0	\$100
Institute	\$16,328.30	*\$13,303.15	-\$2,328.30
Inner City Youth	0	0	\$6,000
Library School Liaison	\$3,125	0	\$875
Membership	\$1,525	\$8,221.33	\$975
Newsletter	\$36	\$1,677.50	\$164
Nominations	0	0	\$100
Placement	0	0	0
Programs	\$3,157.47	\$1,842.53	\$3,735
Public Access Legal Info	0	0	\$150
Public Relations	\$99.49	0	\$400.51
Relations w/ Vendors	0	0	0
Secretary	\$574	0	\$526
Treasurer & Taxes	\$385	\$10	\$315
Professional Development	0	0	\$1,000

*Institute expenses and income, such as registration, sponsorship, etc. are still being processed.

Membership News

Welcome new members!

Sherry Leysen, Reference Librarian at **Loyola Law School**
Rose Pritchett, Assistant Librarian at **Musick, Peeler & Garrett**
Kristine Quicho, Administrative Coordinator at **Loyola Law School**
Mahum Shere, Library Assistant at the **Riverside County Law Library**

Any corrections, changes, or additions to your membership information, as well as any announcements for Membership News, should be sent to:

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Monitoring Employee Internet and E-mail Usage

By Jim Senter

Following the Keynote speaker on Friday afternoon, Dorsey & Whitney partner Jessica Linehan discussed monitoring employee internet and e-mail usage, and balancing privacy rights in the workplace with employer interests.

The employer has a strong interest in protecting internal, proprietary information, ensuring employee productivity, watching out for inappropriate use (pornography, conducting an online business while on the job, etc.), and limiting potential liability for workplace harassment and discrimination. The employee generally does not have a reasonable expectation of privacy using technology and equipment that is owned by the company. Privacy issues may arise when an employer monitors employee emails or internet use, but employers can generally overcome the expectation of privacy. It is however key that the employee is on notice and that the employer has a countervailing interest tied to a legitimate business need.

California courts have ruled that an employee's expectation of privacy is virtually eliminated when the employee has been put on notice of the monitoring and told they are to use the computer only for business purposes, and that the employer reserves the right to access all information (even if personal) contained on the network. Such notifications often include a little wiggle-room clause, like, "...personal use should be brief and incidental." Some companies require a click-through agreement to such notification in order for their employees to access the network at log-in.

A good company policy should require employee agreement that:

- the technology is owned by the company
- the computer and email will be regularly monitored
- employees should have no expectation of privacy with respect to any personal or business use of the computer or email
- electronic communications are to be used solely for company business (but consider including a statement that this prohibition is not intended to interfere with employee rights under labor laws!)
- no employee, except specified high-level employees, has the authority to alter the policy
- violation of the policy may result in discipline, up to and including termination
- the policy applies to all forms of electronic communications, including information stored "in the cloud"
- use of passwords does not ensure confidentiality or privacy

Computer usage policies do not normally address privacy issues arising from employees using their personal mobile devices in connection

with their job. Absent a policy to the contrary, an employee using a personal device would reasonably expect privacy in information stored on that device, even if it is work-related. To overcome an expectation of privacy, then, companies should establish a specific "Bring Your Own Device" policy. A BYOD policy should obtain the employee's consent to employer access and monitoring of the device.

Even where an employee establishes a protected privacy interest, their privacy interest has to be balanced against any countervailing interests of the employer. If the privacy invasion is justified by an important enough competing interest, the invasion is not a violation of the state constitutional right to privacy. A countervailing interest should be tied to a legitimate business need, and monitoring (or searches) should be done in a reasonable manner.

The NLRB has recently expanded the application of the NLRA to regulate employer policies and actions, even in non-union workplaces, essentially because even employees in that situation might reasonably use company email to discuss work conditions with co-workers.

Jim Senter is the California Region Library Services Manager at Jones Day

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How Technology Broke Privacy

By Ramon Barajas

Are you shedding data? If you rely primarily on your cell phone and are a regular internet user (and who isn't these days?), chances are you are leaving an extensive trail of metadata known as "shed data." Brian Hayden Pascal shed light on how technology users voluntarily and involuntarily disseminate information on a regular basis.

Pascal graduated with a B.S. in physics before receiving his law degree from the University of Michigan Law School. His scientific background allows him to analyze the intersection of technology and law with a unique perspective. His presentation consisted of three parts: 1. A brief primer on data analysis; 2. Three stories about technology and privacy; and 3. What's broken about it? I'll review some of his major points while adding insights of my own.

A Brief Primer on Data Analysis: Disclosed Data vs. Shed Data

Simply put, disclosed data is information that a user wittingly provides, such as keywords used in a web search, liking something on Facebook, retweeting a post, and entering a domain address in the URL bar of your web browser. By clicking the Newsletter link on the SCALL website, for example, you have affirmatively disclosed your intention to read this issue of the SCALL newsletter. These are examples of what Pascal describes as "tech happens."

Shed data, on the other hand, is the body of information that users inadvertently provide. Pascal compares shed data to "a shadow that follows you around." Everything you do online sheds data. That data is analyzed and processed into "structured data" and metadata. The largest source of shed data is cell phone data, including call logs and geographic locations. Internet-based shed data can come from search trails, shopping habits, and IP locations.

Big Data

Big data consists of the collection and analysis of massive amounts of information over time. It is used in many fields, but especially in marketing. An example of the use of big data is the Google Flu Trends Project. Pascal noted that in 2008, Google built a model that attempts to map future U.S. influenza outbreaks based on user search queries and the geographic locations from which the searches originated. The project came under fire for inaccuracies, but it illustrates a bold attempt at using big data for a positive effect.

Three stories about technology and privacy

Big data is also used for marketing. Pascal shared a story about the giant retailer Target, and no it was not about the massive credit card breach they recently experienced. It involved their direct marketing practices. Target maintains an elaborate database with detailed history of customer purchases. Data mined from the database is then used to

produce personalized coupon mailers, tailored specifically for each customer.

In this story, a father storms into his neighborhood Target demanding to speak with the manager concerning store advertisements for maternity clothing, nursery furniture and pictures of smiling infants. The mailings were addressed to the man's 16-year old daughter! Based on the teen's purchase history, Target knew the teen was pregnant before her own father.

Target was within its legal rights in this instance; it did not break any laws and was following industry practices regarding market research. Full disclosure—my wife works in market research in the telecommunications industry, and I get to see first-hand the enormous amounts of data she has access to. It's shocking to say the least.

The marketing industry is the key driver behind the "Information Economy," and Target is not alone in exploiting big data. Web 2.0 technologies such as Facebook, Twitter, LinkedIn, etc. all harvest our disclosed and shed data to create robust databases that follow our online habits. Pascal says that none of this is new—retailers have been doing it for years.

The other side of the big data equation involves the use of data analytics for law enforcement. This presents civil rights concerns, and proponents of Fourth Amendment rights argue that the law lags behind technology. For example, the NSA is the largest employer of math Ph.D's in the country, and possibly the world. The enormous amounts of big data the NSA collects requires an army of mathematicians and computer engineers. In essence, the NSA is the Geek Squad... with guns. Unfortunately, the nerds crunching the data are far more interested with solving math problems than in protecting civil liberties and the public's privacy.

Pascal highlighted the events that have led to the government's current state of domestic spying, and also discussed the case law surrounding the issues. In the concurring opinion of *U.S. v. Jones*, 132 S.Ct. 945, for example, Justice Sotomayor addresses the larger question of modern technology and the need for the law to expand protections to include basic online communications. She writes, "[I]t may be necessary to reconsider the premise that an individual has no reasonable expectation of privacy in information voluntarily disclosed to third parties... This approach is ill suited to the digital age, in which people reveal a great deal of information about themselves to third parties in the course of carrying out mundane tasks." Justice Sotomayor's position is refreshing and shows the judiciary's ability to confront the issue of data collection and user privacy.

What's broken about it?

According to Pascal, humans are bad at privacy. Tools exist to protect privacy, but they are not widespread, and their effectiveness is not guaranteed. Only a few people in the audience indicated that they encrypt their emails, for example; the encryption process is just not convenient.

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Organized Identity Theft Groups and Structure

By Karen Skinner

Elizabeth Henderson, Orange County Assistant District Attorney, presented on organized groups and identity theft. Henderson opened with a story about how she had her own identity stolen. She learned during a background check that she had a warrant out for her arrest. Turns out her sister had a driver's license made in her name and was caught drinking underage.

Sometimes people's identities are stolen by those close to them, as in Henderson's case. But organized identity theft is an increasing problem. In fact, a large percentage of the Institute audience raised their hands when Henderson asked how many had had their identities stolen.

Why are we seeing so much identity theft? First, that's where the money is. Second, the risk of apprehension is low. Third, identity thieves receive lower average sentences upon conviction. Finally, there's a lack of substantial intervention by banks and law enforcement. Banks just look at identity theft as a cost of doing business.

Henderson noted that identity thieves love America because it is so easy here. In Europe, for example, restaurants bring the credit card reader out to the table so you can watch the transaction. The more secure "chip and pin" cards are also widely used in Europe, rather than the magnetic strip cards still used here in the United States.

Who are the identity thieves? Criminal street gangs, for one, are becoming involved in identity theft. According to Henderson, these gangs are realizing that identity theft is "more profitable than knocking over a liquor store." U.S. prison gangs are also involved in identity theft. And, drug users use identity theft to pay for their drug habit, primarily through stealing mail. Henderson notes a strong link between methamphetamine use and mail theft. Insiders—people stealing information under their employers' noses—are a major component of the identity theft problem, as well.

Catching organized identity theft rings is hard; the good thieves get caught only when

they mess up. Law enforcement does take steps to deter and disrupt the rings, however. Officials freeze the thieves' assets and seize their property. Some of the equipment they use in their crimes can be quite expensive; for example, false plates on ATM machines cost about \$100,000.

The process of stealing identities has evolved into a corporate structure. People have functions such as "collectors," "converters," and "passers." These groups harvest identities from an amazing number of businesses: banks and other financial companies, insurers, doctors, lawyers, veterinarians, accountants, merchants, service businesses such as dry cleaners, and even governmental agencies such as the Department of Veterans Affairs.

"The bad news is that most identity theft crimes still go unsolved. Victims are often reimbursed by their bank or credit card company, which has already passed on the cost as part of their business."

Henderson noted several types of identity theft that have become common place. Thieves use devices called "skimmers" at gas stations to read your credit card and PIN information. She personally never uses an ATM at a gas pump. Phishing, where you get an email that appears to be from your bank or a company you transact business with and asks you to enter personal information to verify your identity, is still common. Never follow the link provided in the email. Call the bank or company instead.

Medical identity theft is also increasing. Henderson shared a story about a woman who had her identity stolen by her neighbor. The neighbor used the victim's ID at a hospital when she gave birth to a drug-addicted child. Children's Services later showed up at the victim's house and took her children away. Henderson advises people to mind their medical identity like they would their financial

identity. Be careful who you give your health insurance number to, and check all your Explanations of Benefits. Make sure you aren't being billed for services you never received and follow up with your insurance company.

Law enforcement agencies are making it harder for identity theft rings to operate by cooperating among themselves. Henderson noted that the Franchise Tax Board has been particularly helpful with prosecutions for tax evasion. She has never seen a criminal declare income from illegal activities. Remember Al Capone?

The bad news is that most identity theft crimes still go unsolved. Victims are often reimbursed by their bank or credit card company, which has already passed on the cost as part of their business. There is a lack of merchant cooperation and oversight. Henderson said that companies will care about identity theft only if it costs them something. Prosecution of identity thieves is expensive and because many criminals wait to use the stolen identity, evidence often disappears before prosecution. Furthermore, prosecution of lower-level ring members doesn't cease operations.

What can be done? Biometrics should be used to curb fraudulent use. We also need more stakeholder cooperation by merchants. Credit cards should use the "chip and pin" technology. It does cost \$2 per card, rather than the current \$.50, but it's safer than our present system. Limit giving out your identification information. Use online banking, as Henderson says it's better than paper banking. Do a regular review of your credit reports from the 3 credit bureaus. Limit the number of cards and documents you carry on your person. And finally, the best way to prevent identity theft is to shred, shred, shred!

Most importantly, we learned that some identity theft stories can have a happy ending—Henderson eventually made up with her sister.

Karen Skinner is a Research Services Librarian at the USC Law Library

30 Sites in 30 Minutes

By Malinda Muller

Being somewhat fidgety about the world of privacy, or lack thereof, I came away somewhat unraveled at the informative and timely SCALL institute. No doubt about it, privacy is precarious in this day and age. When asked how many had had their identities stolen at one time or another, the majority of the attendees raised their hands. Thankfully, as the institute wound down to its final hour, Michael Saint-Onge, Senior Library Relations Manager at LexisNexis, stepped in and showed us great web resources related to privacy.

As always, Michael showed a variety of resources to meet all interest levels, from the serious to the sensational. In his 30 sites in 30 minutes challenge, Michael introduced a selection of sites aimed at protecting one's privacy, websites that had a more political or academic side, and the absurd and silly, much appreciated by this attendee who needed a good laugh.

Beginning with self-preservation in mind, Michael introduced the practical sites. See www.privacy.net for survival tips on how to maintain as low a profile as possible in cyberspace. Seemingly conflicted, the Department of Homeland Security (www.dhs.gov/topic) contains both cyber security and privacy sections with information aimed at helping the consumer maintain privacy in cyberspace. The California Attorney General's office website (www.oag.ca.gov/privacy) was my favorite, with fact sheets covering many timely privacy topics with action steps for protecting your privacy, all written in plain English. Privacy Choice (www.privacychoice.org) allows you to see who is tracking your website, if you have one, and where your apps are sending information about you. Get really serious and check out w3.org (www.w3.org/privacy) to learn how to encrypt your website and emails just like the bank does when it sends you an email that you can't figure out how to open....

On the policy side, several advocacy sites covering current issues were highlighted. Epic (www.epic.org) is a robust source for policy and issue tracking, current news, legislation, and recent decisions. This public interest, nonprofit organization has been lobbying for first amendment and privacy protection since 1994. Future of Privacy Forum (www.futureofprivacy.org) is a Washington think tank focused on big data and its impact on the consumer. Check out its new "TRUSTe" seal, proposed as a corporate conscious de-identification designation, a systematic method for separating the individual from data while retaining commercial or scientific value. (Think health care data collection.) Then see Privacy International (www.privacyinternational.org), which is a window to current issues and policies worldwide.

Lastly, throw in some sites for the over the top and the incredulous by visiting Spybase (www.spybase.com) for all important and useful gadgets such as facial disguises (good luck with their selections), parental and employee cell phone monitoring devices, and counter

surveillance equipment (for your next spy career). And if those nifty ideas aren't enough, check out the \$99 'specials' section. The clever coat hanger hook hidden camera sounds ever so useful.... Not enough? Just head over to Invisibility100

(www.invisibility100.tripod.com) and learn how to become invisible.

And if *that* doesn't work, learn how to simply get off the grid altogether by visiting Off-Grid (www.off-grid.net).

Ultimately, once informed by the wealth of information provided in Michael's web resource list, should you be more intrigued by the idea of having more options for safekeeping your identify, consider the option of taking steps to at least confuse the criminals as much as possible. Change your name, altogether on your magazine and newspaper subscriptions, Facebook and other social media where you have a presence, as well as your other non-essential accounts like Starbucks, Nordstrom and Macy's. It's a rather uncomplicated option for staying on the DL (down low) and it's worked for this writer so far.

Malinda Muller is the Director of Programs and Partnerships at LA Law Library

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Heard Around Town

By Larry Meyer

Stephanie Anayah from UCLA reports on behalf of the SCALL Library School Liaison Committee that the following Library School students have received SCALL's 2014 Library School scholarships:

Victoria Collie (Camarillo, CA) – San Jose State University

Heather Snodgrass (Culver City, CA) – University of North Texas, Los Angeles cohort

Marianne Sterna (Carlsbad, CA) – San Jose State University

Congratulations to each of the scholarship winners! We look forward to your contributions to SCALL and the profession for many years to come.

Congratulations also go out to **John Adkins**, Director of the San Diego Law Library. John has been appointed by California State Bar President Luis Rodriguez to be a member of the State Bar Civil Justice Strategies Task Force. The group is charged with analyzing reasons for and possible solutions to the "justice gap" in California. John also recently planned a successful meeting of the Council of California County Law Librarians that included a popular tour of Sacramento's historic city cemetery. As if that weren't enough, he hosted the second meeting of the Legal Futures Summit, a group that brings together leaders of the San Diego County legal community to narrow the justice gap through partnerships and collaborations.

Staying with San Diego news for a moment, **Carole Levitt** and **Mark Rosch**, authors of *The Cybersleuth's Guide to the Internet*, recently presented their popular and informative program on search engine strategies to a combined meeting of SANDALL and the San Diego County Bar Association. Additionally, Carole has been busy promoting a soon to-be released book she co-wrote with **Judy Davis** titled, *Internet Legal Research on a Budget*. The book will be released by the ABA in May.

Michele Lucero has added some additional duties to her roster. She was recently appointed Co-Editor of Pinhawk's *Librarian News Digest* and is also an adjunct professor with Woodbury University. She continues as an adjunct with the College of Information at the University of North Texas, teaching Law Library Management and the Economics of Information amongst other classes.

Speaking of Texas, SCALL Past President **Cornell Winston** recently presented a program on giving effective presentations at the Texas Library Association Annual Conference in San Antonio. Hopefully, Cornell was able to scout out some of the changes in San Antonio since the last time the city hosted the AALL Annual Meeting and will give us a full report before this year's Annual Meeting. (For those who may have missed Antoinette Morales-Tanner's email, please add the **Pacific Chapters' Reception** to your schedule. It is Saturday, July 12th from 7-9 pm in the Briar's Suite of the Grand Promenade.)

continued on page 10

Executive Board Candidates

2014-2015

SCALL is pleased to announce the slate of candidates for the 2014-15 SCALL Board. Thank you to the members of the Nominations Committee for your excellent work. And congratulations to all of our candidates!

This year will be SCALL's first online election. If your email address has changed since you last renewed your SCALL membership, please take a moment to log into the SCALL Membership Directory (<https://scall.memberclicks.net/>) and update your email address. When the election begins an email with your election login information will be sent to you from the AALL Online Election System. The election will begin in mid-May and will end seven days before our June Business Meeting.

Vice President/President-Elect: **Victoria Williamson**

Victoria Williamson is currently the Director of the Riverside County Law Library. She started her career working as a library assistant and later as the Director of Library Services at Best, Best, & Krieger, LLP. During this time, she worked part-time for the Riverside County Law Library. Later, while pursuing her MLIS degree at San Jose State University, she worked as a reference librarian for the University of La Verne. She made the transition from working in the academic field to the public field when she began working as the Assistant Director of Public Services and later the Director of Strategic Directions & Development for the San Diego County Public Law Library. After five years of working in San Diego, she returned to the Riverside County Law Library, where her career as a law librarian first began. A long-time member of AALL and SCALL, Victoria served on the

ALL-SIS mentoring, membership, & newsletter committees, on SCALL's Library School Liaison and newsletter committees, and as President of AALL's Asian American Law Librarians Caucus. A 2008 recipient of the SCALL's Rohan Chapter Service Award, Victoria is humbled to be given the opportunity to serve SCALL and work with the Board.

Secretary: **Amber Kennedy Madole**

Amber Kennedy Madole is a Reference Librarian at Loyola Law School, Los Angeles. She received her J.D. from UCLA School of Law in 2007 and graduated from UCLA's Graduate School of Education and Information Studies (GSE&IS) in 2011. Amber served as Chair of the Registration Committee at the 2012 Joint Institute in San Diego and at the 2013 SCALL Institute in Riverside. She is a member of the California State Bar.

Executive Board Member: **Michelle Tolley**

Michelle Tolley is the Electronic Technical Services Librarian at Paul Hastings LLP. Prior to joining Paul Hastings she worked at Quinn Emanuel Urquhart & Sullivan LLP. Michelle received her M.L.I.S. from San Jose State University and her B.A. from California State University of Dominguez Hills in Sociology with a minor in Criminal Justice. As an active member of SCALL, Michelle co-chaired the Programs Committee from 2010-2014.

Please watch the SCALL listserv in the coming days for a reminder of the election dates and further election instructions.

continued from page 9 (Heard)

Lastly, who says retirement cannot be a fun and learning experience at the same time? Not SCALL retiree **Jim Sherman**! In honor of Dr. Seuss' birthday, Jim recently joined members of Athletes as Readers and Leaders, a student group from Fresno's Central High School East, in visiting a local elementary school. The group read Dr. Seuss books to kindergarten thru third graders. The visitors, with Jim front and center, dressed the part during their presentation.

It was great to see so many SCALL members at the Institute and to hear about the comings and goings in your lives. Please continue to submit those milestones for inclusion in future columns.

Lawrence R. Meyer is the Director of the Law Library for San Bernardino County



Jim Sherman and Fresno Central High School East's Athletes as Readers and Leaders

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2013-2014

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continued from page 6 (Technology)

Some online tools attempt to limit your shed data. For example, search engines such as Duck Duck Go, Motherpipe, and Start Page promise to not track your searches, send your search term to the site you clicked on, or share your IP address. Pascal shared a story about a Harvard student who sent a bomb hoax email to the school in an attempt to escape taking a test. He sent the email using anonymous email provider, GuerrillaMail, and used the Tor browser, which was built to ensure detection-free browsing. Despite tak-

ing such "precautions," the student used the university Wi-Fi to send the email. Campus police were able review the school Wi-Fi logs and eventually identified the student.

Pascal contributed to a cohesive and well-received Institute. His presentation was informative and drove some major points home. To conclude, in Brian Pascal's words, "Tech happens, we try to catch up, and stuff breaks."

Ramon Barajas is a Research Librarian at Munger, Tolles & Olson LLP

Grant Recipients

Congratulations to the SCALL grant recipients for the SCALL Institute 2014:

Malinda Muller, Director of Programs and Partnerships, LA Law Library
Joy Shoemaker, Librarian, U.S. Courts Library—Pasadena

The SCALL grants deadline for AALL in San Antonio is Monday, May 19. Apply today.

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Submission Deadlines

The SCALL Newsletter team welcomes submission of any articles of interest to the law library community. Contact Christina Tsou, SCALL Newsletter Editor: ctsou@law.uci.edu.

All submissions should be received by the following dates:

June 23, 2014	Jul./Aug. 2014 issue
September 8, 2014	Sept./Oct. 2014 issue
November 10, 2014	Nov./Dec. 2014 issue
January 12, 2015	Jan./Feb. 2015 issue