

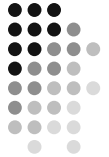
# Privacy and Information Access

Chapter 5  
Cases 5.1 through 5.7  
Richard A. Spinello  
Second Edition



# Case 5.1 – The Lotus Marketplace: Households Product Controversy

Overview and Study Questions



## Case 5.1 – The Lotus Marketplace: Households Product Controversy

- Overview
  - This was a well-publicized incident involving Lotus' attempt to introduce a product providing personal data based on credit records to companies for target marketing purposes. After a firestorm of protest the company abruptly withdrew the product from the marketplace. There are many lessons to be learned in this case about managing sensitive consumer privacy issues.



## Case 5.1 – Study Questions

- Briefly explain the functionality of this product. What do you think are its chances of being successful?
- Discuss the pros and cons of this product. Do the benefits outweigh the costs or vice versa? Is this product really a threat to consumer privacy?



## Case 5.1 – Study Questions



- Did Lotus provide adequate safeguards to protect privacy? Is there any way to develop and market this product in a more socially responsible fashion?

## Case 5.1 – Study Questions



- Assume that the proposed MarketPlace: Households product did not generate so much negative publicity. If you were an executive at Lotus would you market this product? Provide an ethical justification for your decision using one of the frameworks in Chapter 1.

## Case 5.2 – Toysmart.com and the Fate of Its Customer List

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Overview and Study Questions



## Case 5.2 – Toysmart.com and the Fate of Its Customer List



- Overview

## Case 5.2 – Study Questions



- What are the potential harmful effects from a loss of privacy in this context?
- This is a case about a conflict of rights -- the right to privacy of Toysmart customers and the rights of creditors to recover their investments. How do you assess which right takes priority? [Base your answer on one or more of the ethical frameworks in Chapter 1.]

## Case 5.3 Privacy Pressures: The Use of Web Bugs at HomeConnection

### Overview and Study Questions



## Case 5.4 – E-Mail Privacy at Johnson and Dressor

### Overview and Study Questions



## Case 5.4 – E-Mail Privacy at Johnson and Dressor



- Overview
  - The privacy of e-mail is controversial topic that has received much attention in recent months. This case study focuses on the need for corporations to have clear policies in this area. It also provokes students to consider the fundamental moral question about the propriety of collecting, archiving, and inspecting employees' E-mail on some periodic basis. Does this represent a legitimate use of corporate E-mail facilities or is it a violation of the employee's privacy rights?

## Case 5.4 – Study Questions



- If you were Jason Perry what would your concerns be in this situation? What's at stake in this decision and the policy which you recommend?
- Should employees have privacy rights in the workplace? Is this really important or just an ethical nicety?

## Case 5.4 – Study Questions



- Should E-mail be private or should employers have the prerogative of checking E-mail?
- Develop a policy statement that Perry can present before the Executive Committee. Include several key arguments that defend your policy recommendations.

## Case 5.5 – The Topper Travel Agency

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Overview and Study Questions



## Case 5.5 – The Topper Travel Agency



- Overview
  - This case concerns the dilemma confronting HR director Katherine Davis. She is unfortunately caught in the middle between employees angry over a monitoring system and upper management which feels that such monitoring and oversight is appropriate and necessary as a vehicle to ensure higher productivity. A key issue in this case concerns the *rights* of employees and whether or not this system violates those rights in any way.

## Case 5.5 – Study Questions



- Do you agree with the practice of using electronic monitoring in the workplace? If so, is it appropriate for this situation?
- Does the use of electronic monitoring violate employee rights?

## Case 5.5 – Study Questions



- Evaluate Mr. Topper's argument that the company has the right and obligation to use this technology if it maximizes productivity and profits for shareholders.
- Develop an action plan for Ms. Davis. What should she say in her report to the company president?

## Case 5.6 – The FBI's Carnivore Technology

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Overview and Study Questions



## Case 5.7 – Crypto Wars

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Overview and Study Questions



## Case 5.7 – Crypto Wars



- Overview
  - Cryptography is an intriguing and sometimes contentious issue especially for public policy makers. This case study provides some background on the nature and technical aspects of cryptography. It focuses primarily on the U.S. government's proposal to protect the privacy of telephone and computer communications while allowing law enforcement officials access to those protected communications if necessary. This would be possible through the "Clipper Chip," a tamper proof encryption device that would scramble a user's communications.

## Case 5.7 – Crypto Wars



- Communications could be unscrambled only through the simultaneous use of two keys held in escrow by two separate government agencies. It then considers some of the government's subsequent plans such as key escrow. The objective of this case is to encourage students to reflect upon the tradeoffs between privacy and national security.

## Case 5.7 – Study Questions



- Most privacy advocates and some politicians are strongly opposed to the Clipper Chip or any national encryption policy. Consider the remarks of Congressman Bob Goodlatte from Virginia: "It's just a back- door approach for more big-government intrusions into every American's privacy."<sup>[1]</sup> Do you agree with these sentiments?
- <sup>[1]</sup>Quoted in the article "Industry to Clinton: Drop Encryption Policy," *Computerworld*, June 3, 1996.

## Case 5.7 – Study Questions



- What are the costs and benefits of a national encryption policy such as the ones described here based on the Clipper Chip technology or a key escrow approach?
- In light of the events of September 11, 2001 do you favor a policy that would give government officials the key to all encrypted communications?