



May 19, 2019

Berkeley Center for Law and Technology
University of California at Berkeley School of Law
Room 421 Boalt Hall, North Addition
Berkeley CA 94720

cc: Chris Hoofnagle, Co-Chair, PLSC Program Committee
Daniel Solove, Co-Chair, PLSC Program Committee

Re: Privacy Law Scholars Conference Sponsorship Policy

Dear BCLT and Professors Hoofnagle and Solove,

Oakland Privacy is a citizen's coalition that works regionally to defend the right to privacy and enhance public transparency and oversight regarding the use of surveillance techniques and equipment.

We write to you today in full appreciation for the fine work of the PLSC and the Berkeley Center for Law and Technology as a whole. BCLT has been an important advocate for the surveillance transparency policies that we have promoted throughout the Northern California region.

However, we have read your statement regarding corporate sponsorship of the PLSC conference, ¹ and we need to raise our concerns about the inclusion of Palantir Technology as a sponsor of the 2019 event.

We appreciate the transparency first approach to publishing the names of the corporate sponsors, and it may well be that this is not the first time that Palantir Technology has been a sponsor of the PCLT conference. We also note that Microsoft, a company whose AI work for ICE has been flagged, is also a sponsor of this year's PCLT. But even with the multiple assurances that corporate sponsorship does not dictate the agenda or focus of the conference we believe the inclusion of Palantir in 2019 is a bridge too far.

Your sponsorship policy states the following:

We see corporate participation, along with participation by government and NGO attorneys, as a strength of PLSC that enriches both the dialogue and the ultimate output. ²

1 <https://www.law.berkeley.edu/research/bclt/bcltevents/2019annual-privacy-law-scholars-conference/plsc-sponsorship-statement/>

2 <https://www.law.berkeley.edu/research/bclt/bcltevents/2019annual-privacy-law-scholars-conference/plsc-sponsorship-statement/>

We assume that in the context of a privacy scholars conference that we do not need to reiterate the track record of Palantir Technology in great depth and will simply refer briefly to the building of the FALCON database to abet federal asset forfeiture, ICE's investigative case management system (ICM), and the LASR predictive policing program in Los Angeles. These technologies represent the cutting edge of high-tech surveillance wielded against the public and are used to track, profile, detain and incarcerate targeted groups, often in violation of due process and the Bill of Rights, and always in violation of basic principles of racial justice and human rights.

Palantir's admission into the PCLT sanctions their dangerous technologies as merely a point of view that "enriches" a dialogue, and not as the existential threat to the safety of much of the public that they represent.

Their presence converts the conference into an unsafe space for many, including some researchers whose work may focus on the company's civil rights violations and who may be targeted by some of the company's technologies in the hands of federal authorities, including many "junior and unfunded" scholars. While prominent attorneys and professors may feel exempt from such concerns, they are reality for many members of the university community. Part of the burden of occupying a privileged position in US society means maintaining an awareness that others can be endangered by corporate and state power. The choice of sponsors should not limit participation in, and access to, an academic conference, and by the inclusion of Palantir Technologies, that is the case.

Moreover, the hard work of activists to utilize academic research about the ubiquitous threats to personal privacy and safety and insert threat protections into public and corporate policies that protect vulnerable communities is deeply undermined by institutional acceptance of such a profound offender of human rights into the academic community. It legitimizes the literal caging of children as a matter of open discussion, rather than one of a crime beyond the pale.

We appreciate the need for financial subsidies due to inadequate public support and we are sure there are realities that you must grapple with in order to put on this event.

But sponsorship by Palantir Technologies should not be an option for an academic conference on the state of privacy law and the advancement of a surveillance state abetted by corporate complicity.

We respectfully ask you to reverse this decision and end Palantir's endowment of the Privacy Scholar's Conference in solidarity with the large citizens' movement in the State of California that seeks to end corporate complicity in blatant violations of human rights.

Thank you for your attention to this matter.

Sincerely,

Tracy Rosenberg

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