

# Civil Liberties Issues Raised by Soft Target Protection



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# Summary

**Problem:** “Soft target protection” risks providing a justification for extending the kind of security apparatus we have in airports outward into American life, invading privacy, creating chilling effects and changing the nature of American life.

**Solution:** Well-rounded cost/benefit analysis, transparency, and democratic decisionmaking.

# A tension between two legitimate positions:

*If you don't want any risk, don't get out of bed*  
*Vs.*

*Increased intolerance for risks = progress*



# “Movie plot” and anecdotal scenarios make for bad decisionmaking

- Does the technology work?
- How effective is the technology?
- How big is the targeted danger?
- What are the negative side-effects of the tech?
- What are the opportunity costs of the technology?
- Does the community want it?

# Risks to Civil Liberties

- Personal privacy invasions
- Petty authority
- Risk assessments, watch lists, and ID-based security
- Discriminatory treatment
- Checkpoint society
- AI nannies
- Repression of legitimate drone use

# Government vs. private sector

- Transparency
- Democracy
- The Fourth Amendment
- Power over public spaces
- Powers to detain, arrest, imprison

# Recommendations

- A rich cost-benefit analysis
- Democratic decisionmaking
- Transparency

# Thank you!



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