

- CLE will be offered to New York barred attorneys.
- This event is appropriate for both newly admitted and experienced attorneys.
- Each panel will offer 1.5 CLE credits in the Areas of Professional Practice category and credits are both transitional and non-transitional.

PANEL I: Advancing Human Rights By Democratizing Data

In this opening session, lawyers who practice in the area of human rights, privacy, and indigenous law will further their knowledge on how data-driven processes employed by governments have been used to discriminate against marginalized communities in various countries around the world in violation of international and national law. The session will also highlight legal and non-legal strategies employed by grassroots organizations to redress harms in the fields of criminal justice, indigenous rights, health rights, and privacy rights.

Da Lin, *Missing Data and Anti-Discrimination Laws*, Harvard Law Review Blog, (April 2, 2018), [HTTPS://BLOG.HARVARDLAWREVIEW.ORG/MISSING-DATA-AND-ANTI-DISCRIMINATION-LAWS/](https://blog.harvardlawreview.org/missing-data-and-anti-discrimination-laws/).

Molly Land, *Democratizing Human Rights Fact-Finding*, in *THE TRANSFORMATION OF HUMAN RIGHTS FACT-FINDING* 399–424 (Philip Alston & Sarah Knuckey eds., 2016), <https://ebookcentral.proquest.com/lib/nyulibrary-ebooks/detail.action?docID=4083029>.

Manjari Mahajan, *The IMHE in the Shifting Landscape of Global Health Metrics*, 10 GLOB. POL'Y 110 (2019), <https://onlinelibrary.wiley.com/doi/full/10.1111/1758-5899.12605>.

Galit A. Sarfaty, *Can Big Data Revolutionize International Human Rights Law?*, 39 UNIV. OF PA. J. OF INT'L L. 73 (2017), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3098416.

S. Wiessner, *Indigenous Sovereignty: A Reassessment in Light of the UN Declaration on the Rights of Indigenous Peoples*, *Vanderbilt Journal of Transnational Law*, 41. 1141-1176, https://www.vanderbilt.edu/wp-content/uploads/sites/78/Wiessner_final_7.pdf.

PANEL II: Expressions of Data Resistance and Activism

Speakers will highlight strategies led by lawyers in partnership with affected communities to challenge government laws, policies, and actions that violate the privacy rights of individuals and communities in places such as the United States, Argentina, and Kenya. This session will increase the legal competency of lawyers by outlining effective legal strategies to address state use of biometric technology and surveillance systems through strategic litigation, legal education programs, community-led human rights monitoring programs, and advocacy campaigns.

M. Levine, *Biometric Identification in India Versus the Right to Privacy: Core Constitutional Features, Defining Citizens' Interests, and the Implications of Biometric Identification in the United States*, 73 U. Miami L. Rev. 618 () Available at: <https://repository.law.miami.edu/umlr/vol73/iss2/10>

Privacy International, *Submission of Comments on the Kenyan Data Protection Bill*, (2018), https://privacyinternational.org/sites/default/files/2018-07/Submission%20of%20Comments%20on%20the%20Data%20Protection%20Bill%2C%202018%20-%20July%202018_Final.pdf

Rachel Levinson-Waldman, *Hiding in Plain Sight: A Fourth Amendment Framework for Analyzing Government Surveillance in Public*, 66 *Emory L.J.* 526, 530 (2016), <http://law.emory.edu/elj/content/volume-66/issue-3/articles/hiding-plain-fourth-amendment-government-surveillance-public.html>.

PANEL III: Democratizing Data Collection: Power of Community-Generated Data

In this session, lawyers who practice in the area of human rights law will further their knowledge on how lawyers are partnering with communities around the world to monitor and document data on human rights violations as a way to demand accountability in the courts and with policy makers. The session will discuss the challenges and opportunities inherent in community-lawyering, and will increase the legal competency of lawyers in the areas of labor rights, corporate accountability, police misconduct, and sexual health rights.

Matthew Burnett & Tom Walker, *How Small Data Can Improve Access to Justice for the Poor*, OPEN SOCIETY FOUNDATIONS: VOICES (May 2, 2018), <https://www.opensocietyfoundations.org/voices/how-small-data-can-improve-access-justice-poor>.

Meena Jagannath, Nicole Phillips, and Jeena Shah, *A Right-Based Approach to Lawyering: Legal Empowerment as an Alternative to Legal Aid in Post-Disaster Haiti*, 10 *Nw. J. Int'l Hum. Rts.* 7 (2011). <http://scholarlycommons.law.northwestern.edu/njihr/vol10/iss1/2>

S. Marshall, *Mission Impossible? : Ethical Community Lawyering*, 7 *Clinical L. Rev.* 147 (2000) https://repository.uchastings.edu/faculty_scholarship/471/.

United Nations Human Rights Office of the High Commissioner, *A Human Rights-Based Approach to Data*, (2018), <https://www.ohchr.org/Documents/Issues/HRIndicators/GuidanceNoteonApproachtoData.pdf>.

PANEL IV: Can We Democratize Data?

Panelists will reflect on the urgent need for data democratization. Discussions will focus on the legal frameworks within various jurisdictions that address concepts ranging from self-determination and data identities, data discrimination, data deserts, data illiteracy, and corporate control of data.

Sara L. M. Davis, *The uncounted: politics of data and visibility in global health*, 21 *INT'L J. OF HUM. RTS.* 1144 (2017), <https://www.tandfonline.com.proxy.library.nyu.edu/doi/abs/10.1080/13642987.2017.1348707?journalCode=fjhr20>.

Da Lin, *Missing Data and Anti-Discrimination Laws*, Harvard Law Review Blog, (April 2, 2018), [HTTPS://BLOG.HARVARDLAWREVIEW.ORG/MISSING-DATA-AND-ANTI-DISCRIMINATION-LAWS/](https://blog.harvardlawreview.org/missing-data-and-anti-discrimination-laws/).

DATA AND DISCRIMINATION: COLLECTED ESSAYS (Seeta Peña Gangadharan, ed., 2014), <https://rws511.pbworks.com/w/file/etch/88176947/OTI-Data-an-Discrimination-FINAL-small.pdf>.

Ari Ezra Waldman, *Privacy, Sharing, and Trust: The Facebook Study*, 67 Case W. Res. L. Rev. 193 (2016), <https://scholarlycommons.law.case.edu/caselrev/vol67/iss1/10>.

PANEL V: Artificial Intelligence and Affected Communities

Lawyers will be provided training on how government use of artificial intelligence and related technologies to make determinations and predictions in the fields of criminal justice, immigration, and law enforcement violate civil rights and civil liberties. This session will increase the legal competency of lawyers to better understand what redressal mechanisms may be able to address these rights violations, with a focus on strategies created in partnership with affected communities (communities of color, immigrants etc.)

Kate Crawford & Jason Schultz, *Big Data and Due Process: Toward a Framework to Redress Predictive Privacy Harms*, 55 B.C. L. REV. 93 (2014), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2325784.

Lilian Edwards & Michael Veale, *Slave to the Algorithm? Why a “Right to an Explanation” is Probably Not the Remedy You Are Looking For*, 16 DUKE L. & TECH. REV. 18 (2017), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2972855.

MIMI ONUOHA & DIANA NUCERA, A PEOPLE’S GUIDE TO ARTIFICIAL INTELLIGENCE (2018), <https://www.alliedmedia.org/files/peoples-guide-ai.pdf>.

DILLON REISMAN, ET AL., AI NOW INSTITUTE, ALGORITHMIC IMPACT ASSESSMENTS: A PRACTICAL FRAMEWORK FOR PUBLIC AGENCY ACCOUNTABILITY (2018), <https://ainowinstitute.org/aiareport2018.pdf>.

PANEL VI: Pushing Boundaries: Data as Art and Evidence

This session is aimed at lawyers interested in learning about different types of evidence uncovered by creative methods that have been submitted to parole and probation boards, legislative bodies within New York City, and member states connected to the UN Sustainable Development Goals as a way to secure changes in law or access to legal entitlements. Case studies will focus on the United States, India, and Guatemala.

Cynthia Godsoe, *Participatory Defense: Humanizing the Accused and Ceding Power to the Client*, 69 MERCER L. REV. 715 (2018),

https://heinonline.org/HOL/Page?public=true&handle=hein.journals/mercer69&div=41&start_page=715&collection=journals&set_as_cursor=0&men_tab=srchresults.

Janet Moore et al., *Make Them Hear You: Participatory Defense and the Struggle for Criminal Justice Reform*, 78 ALB. L. REV. 1281 (2015),
https://heinonline.org/HOL/Page?public=true&handle=hein.journals/albany78&div=57&start_page=1281&collection=journals&set_as_cursor=1&men_tab=srchresults.

PANEL VII: Democratizing Data analysis

This session will focus on how lawyers are partnering with data scientists and affected communities to increase access to information, particularly in the fields of criminal justice, housing, and environmental justice. Through case studies presenters will teach lawyers how the data obtained through the initiatives have been used to file litigation and demand redress for issues involving police misconduct, unlawful eviction, and illegal mining.

Cyntia Cont-Cook, *Open Data Policing*, 106 Geo. L.J. Online (2017),
<https://georgetownlawjournal.org/articles/243/open-data-policing>.

CHRISTOPH KOETTL, CENTRE OF GOVERNANCE & HUMAN RIGHTS, CITIZEN MEDIA RESEARCH AND VERIFICATION: AN ANALYTICAL FRAMEWORK FOR HUMAN RIGHTS PRACTITIONERS (2016),
https://www.repository.cam.ac.uk/bitstream/handle/1810/253508/Koettl_Citizen%20Media%20Research%20and%20Verification_FINAL%20%281%29.pdf?sequence=1&isAllowed=y.

THE ENGINE ROOM, DATNAV: HOW TO NAVIGATE DIGITAL DATA FOR HUMAN RIGHTS RESEARCH (2016), [HTTPS://WWW.THEENGINEROOM.ORG/WP-CONTENT/UPLOADS/2016/09/DATNAV.PDF](https://www.theengineroom.org/wp-content/uploads/2016/09/DATNAV.PDF).

Linnet Taylor et al., *Big Data and Positive Change in the Developing World*, 6 POL'Y & INTERNET 418 (2018), <https://onlinelibrary.wiley.com/doi/abs/10.1002/1944-2866.POI378>.