

OLD DOMINION UNIVERSITY  
CYSE 406 Cyber Law

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## **Writing Assignment**

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#01096496

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**To:** Governor Tar-Míriel

**From:** Madelene McFarlane

**Subject:** Information regarding the provided questions concerning information/data privacy protection.

**Date:** 10/5/2022

Below outlines the questions that have been brought to my attention regarding information/data protection. Along with a reference page attached to the end of this memorandum that will contain further sources regarding data protection. At the end of this memorandum, I have also included my personal opinion as to whether a push for a local protection law or a focus towards federal government law is more favorable.

Privacy is a quality of being a part for company or other forms of observation. Therefore, privacy over personal information and data adds into that quality. When that privacy is at risk or venerable this leaves those whose information is at risk to feel unsafe or exposed. Information/data that is exposed could be but is not limited to, banking information, social security numbers, names, medical records, and much more. The leaking of someone's social security number is comparable to that of a front door of a house. If it is left open to the public there is this sense that someone will take advantage of it and can cause potential harm. Though the harm has already begun once the fear has set in that the door is open/personal information is being leaked.

Two important definitions to cover are that of biometric data and PII, Personal Identifiable Information. Biometrics is data that come from human biological and behavioral characteristics. Examples of biometrics at play is fingerprint scanners, face recognition, DNA, and even iris recognition. Where PII is any information that is tied to an individual person. Examples of PII include social security number, driver's license number, and credit card number. Biometric data and PII data are commonly used throughout day-to-day life and are key features within personal data/information that must be kept protected.

With the growing state of technology there are regulations passed in order to keep personal data safe. One being the GDPR, The General Data Protection Regulation, which applies to all 27 countries of the European Union. However, GDPR also applies to organizations outside of the EU but provide to customers or businesses in the EU. How the GDPR operates is that itself is a legal framework that is responsible for setting up the guidelines for how personal data is collected and stored to prevent vulnerabilities. Focusing the core principles of lawfulness, purpose limitation, data minimization, accuracy, storage limitation, integrity, and finally accountability. The GDPR being an example law to you on what should be enacted in order to keep your citizen's personal information/data safe.

A state by the name of Virginia located in the United States passed a law on March 2<sup>nd</sup>, 2021, that is set to go into effect on January 1<sup>st</sup>, 2023. This law is called Virginia Consumer Data Protection Act (VCDPA) and is the second state after California to implement comprehensive consumer privacy legislation. What this law will allow is that consumers will gain the right to access their data and request that their information is removed from businesses. This allows the citizens to feel in control of their information and the businesses that have it. This being similar to GDPR in a sense that it is another example law to base future laws that you should propose legislation.

I feel that it is within your best interest to enact a personal information/data protection law for your citizens. Due to the complaints that are being received and coupled with the fact that no privacy laws are in place the quicker solution is needed. After protection is established to your land then federal government can be questioned to enact similar laws. If we are to wait for federal to enact laws our people will remain at risk along with not setting an example for the federal government of how the protection laws better citizens lives. Your immediate citizens will be at rest and then all the lands following can feel the same.

This concludes my memorandum regarding the citizen's personal information/data need for protection. The need for privacy laws regarding personal information/data is greater then ever. I hope that I have been of help to you in explaining the basics of person information/data privacy. Along with how other countries and states are handling their citizens data protection. Thank you for trusting me with this assignment Governor Tar-Míriel.

## References

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