

## CATHERINE CRUMP

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### CURRENT EMPLOYMENT

University of California, Berkeley, School of Law

Clinical Professor of Law (July 2020–present)

Assistant Clinical Professor of Law (July 2014–June 2020)

Samuelson Law, Technology & Public Policy Clinic

Director (Feb. 2017–present)

Acting Director (Sept. 2014–Feb. 2017)

Associate Director (July 2014–Sept. 2014)

Co-Director, Berkeley Center for Law & Technology (June 2015–present)

### PREVIOUS EMPLOYMENT

2005–2014      American Civil Liberties Union Foundation  
Staff Attorney (2007–2014)  
Fellow (2005–2007)

Developed and managed an active litigation docket focused on free expression and privacy issues. Litigated First and Fourth Amendment challenges to national security-related policies as well as police surveillance. Argued in federal circuit and district courts, testified before Congress, drafted public education reports, spoke to major media outlets.

### CLERKSHIP

2004–2005      Judge M. Margaret McKeown  
United States Court of Appeals for the Ninth Circuit

### EDUCATION

J.D., 2004, Stanford Law School, with distinction

Fulbright Fellow, 2000–2001, University of Turku (Finland)

B.A., 2000, Stanford University

### SCHOLARLY WORKS

*Why 72 Intellectual Property Scholars Support Google’s Copyrightability Analysis in the Oracle Case*, 36 BERKELEY TECH. L.J. 413 (2021) (with Pamela Samuelson)

*Tracking the Trackers: An Examination of Electronic Monitoring of Youth in Practice*, 53 UC DAVIS L. REV. 795 (2019)

*Surveillance Policy Making By Procurement*, 91 WASH. L. REV. 1595 (2016)

### ADVOCACY REPORTS

*Preserving Incarcerated Persons’ Attorney-Client Privilege in the 21st Century: Why the Federal Bureau of Prisons Must Stop Monitoring Confidential Legal Emails*, Dec. 2020 (Samuelson Clinic report co-authored with National Association of Criminal Defense Lawyers)

*Electronic Monitoring of Youth in the California Juvenile Justice System: Additional Data*, Nov. 2020 (Samuelson Clinic report)

*Electronic Monitoring of Youth in the California Juvenile Justice System*, July 2017 (Samuelson Clinic report co-authored with East Bay Community Law Center)

*No Tape, No Testimony: How Courts Can Ensure the Responsible Use of Body Cameras*, Nov. 2016 (Samuelson Clinic report co-authored with ACLU of Massachusetts)

*You Are Being Tracked: How License Plate Readers Are Being Used to Record Americans’ Movements*, July 2013 (ACLU report)

*Protecting Privacy from Aerial Surveillance: Recommendations for Government Use of Drone Aircraft*, Dec. 2011 (ACLU report, co-authored with Jay Stanley)

### POPULAR PRESS

*The Unjust Prison Email Policy*, June 2020, Los Angeles Times (co-authored with Ken White)

*A Win for Digital Privacy — But That’s Just the Tip of the Government Surveillance Iceberg*, July 2018, San Francisco Chronicle (co-authored with Megan Graham)

*Clerkships are invaluable for young lawyers. They can also be a setup for abuse*, Dec. 2017, Washington Post

*Electronic Monitoring Isn't Kid Friendly*, July 2017, Sacramento Bee (co-authored with Kate Weisburd and Christina Koningisor)

*Citizens need more say over police surveillance technology*, Nov. 2016, San Francisco Chronicle

*It's important for SF to get body-camera rules for police right*, June 2016, San Francisco Chronicle

*Police Should Be Required To Dashcam Everything*, Mar. 2016, Slate.com (co-authored with Matthew Segal)

*A Cop May Be Following You Everywhere*, Oct. 2014, cnn.com

*Invasion of the Data Snatchers: Big Data and the Internet of Things Means Surveillance of Everything*, Mar. 2014, TomDispatch.com (co-authored with Matthew Harwood)

*The Best Week for Civil Liberties In a Long Time*, Dec. 2013, cnn.com

*Cell Phone Companies Reveal How Often They Hand Over Your Data to Law Enforcement*, Dec. 2013, slate.com

*The Vast, Troubling Call Database Drug Agents Use to Identify Burner Phones*, Sept. 2013, slate.com

*Why Americans are Saying No to Domestic Drones*, Feb. 2013, Slate.com (co-authored with Jay Stanley)

*Location Tracking After United States v. Jones: Continued Uncertainty Harms Americans' Privacy*, Bloomberg BNA, 11 Privacy & Security Law Report 1258, Aug. 2012

*The GPS Act Supports Legitimate Investigations and Protects Privacy*, June 2012, U.S. News & World Report

*How GPS Tracking Threatens Our Privacy*, Nov. 2011, cnn.com

*Court Rulings Unreasonably Silence Student Speech*, Dec. 2010, Knoxville News-Sentinel (co-authored with Hedy Weinberg)

## LEGISLATIVE TESTIMONY

California State Assembly, Joint Hearing of Committee on Privacy and Consumer Protection and Select Committee on Emerging Technologies and Innovation, *Testimony Regarding “Shaping the future of facial recognition technology in California: Identifying its promises and challenges”* (March 17, 2020)

Oakland, CA Privacy Advisory Commission, *Testimony Regarding Impact of Supreme Court Decision in Carpenter v. United States on Government Surveillance* (Oct. 4, 2018)

California Assembly Committee on Privacy and Consumer Protection, *Testimony Regarding SB 1186, surveillance transparency ordinance* (June 26, 2018)

Oakland, CA Privacy Advisory Commission, *Testimony Regarding Draft Surveillance Equipment and Public Safety Ordinance* (Jan. 5, 2017)

Vermont Senate Committee of Judiciary, *Bill S.18, An Act Relating to Privacy* (Oct. 21, 2015)

Minnesota House of Representatives Committee on Civil Law, *Government Use of Surveillance Technology and the Balance of Law Enforcement Purposes with Individual Rights* (Jan. 28, 2014)

European Parliament, Committee on Civil Liberties, Justice and Home Affairs, *Inquiry on Electronic mass surveillance of EU citizens* (Sept. 30, 2013)

U.S. Congress, House Judiciary Subcommittee on Crime, Terrorism, and Homeland Security, *The Electronic Communications Privacy Act (ECPA), Part 2: Geolocation Privacy and Surveillance* (Apr. 25, 2013)

U.S. Congress, House Judiciary Subcommittee on Crime, Terrorism, and Homeland Security, *The Geolocation Privacy and Surveillance Act* (May 12, 2012)

## SELECTED PRESENTATIONS

*The Post-Carpenter Landscape*, Conference, Unlocking the Black Box: Challenging Surveillance and Technology in Criminal Cases, Chicago, IL, May 2022 (solo presentation)

*The Legal and Ethical Implications of Facial Recognition Software*, United States District Court for the Northern District of California Judicial Conference, Napa, CA, April 2022 (panelist)

*The Expansion of Police Surveillance Technology*, Symposium, Reimagining Police Surveillance, Michigan Journal of Law Reform, Ann Arbor, Michigan, Jan. 2022 (panelist)

*Workshop: Calibrating Data Surveillance*, UCLA Institute for Technology, Law & Policy, Los Angeles, CA, Oct. 2021 (panelist)

*Algorithmic Policing*, Algorithmic Criminal Justice? UCLA School of Law, Los Angeles, CA, Jan. 2020 (panelist)

*GPS in Juvenile Court: What We Don't Know But Should*, The Future of GPS in Juvenile Court: A Convening, Oakland, CA, Oct. 2019 (panelist)

*Law Enforcement Accountability*, Yale Access & Accountability Conference, New Haven, CT, Oct. 2019 (panelist)

*Search Warrant and Surveillance Order Sealing Practices*, Yale Law School Workshop on Court Records Access, New Haven, CT, Mar. 2019 (panelist)

*Digital Device Searches - Searching Computers, Phones, and Even Your Home Appliances*, National Association of Criminal Defense Lawyers & Berkeley Center for Law & Technology: Combatting the Surveillance State in Criminal Proceedings, Berkeley, CA, Nov. 2018 (panelist)

*Habeas Data: A Panel Discussion on Data and Surveillance*, University of California, Berkeley, School of Information, Berkeley, CA, Aug. 2018 (panelist)

*Privacy and Security in the Modern World*, Sun Valley Writer's Conference, Sun Valley, ID, July 2018 (panelist together with Justice Stephen Breyer and Facebook General Counsel Colin Stretch)

*The New Shiny Toy: Legal and Policy Implications for the Procurement of New Technologies by Police*, International Association of Chiefs of Police Technology Conference, Providence, RI, May 2018 (panelist)

*Fourth Amendment and New Technologies*, United States District Court for the Northern District of California Judicial Conference, Napa, CA, April 2018 (panelist)

*Can Electronic Monitoring Serve the Purpose of Juvenile Justice?* UCLA School of Law Faculty Colloquium, Los Angeles, CA, April 2018 (solo presentation)

*A Conversation on Big Data, Surveillance & Policing*, University of California, Center for Long Term Cybersecurity, Berkeley, CA, March 2018 (panelist)

*Where's the Public Interest? Situating and Teaching Traditional Public Interest in Non-Traditional Clinics*, Northern California Clinical Conference, Stanford, CA, Feb. 2018 (panelist)

*Federal Funding and Local Police Surveillance Technology*, Privacy Localism: A New Research Agenda, New York, NY, Nov. 2017 (solo presentation)

*Stanford/Harvard Roundtable on Policing and Technology*, Stanford, CA, Oct. 2017 (participant)

*Resolved: Tech Companies Should Be Required To Help Law Enforcement Agencies Access Customer Data*, Intelligence Squared / National Constitution Center, San Francisco, CA, June 2017 (Oxford-style debate)

*Bridging Divides: Interfacing with Law Enforcement and Intelligence Agencies*, Media Law Resource Center / Berkeley Center for Law & Technology, Legal Frontiers in Digital Media, Mountain View, CA, May 2017 (panelist)

*Transparency Litigation and Advocacy in Clinics: Supporting Activism, Journalism, and Organizing in Tumultuous Times*, AALS Conference on Clinical Legal Education, Denver, CO, May 2017 (panelist)

*Electronic Monitoring in Practice*, Information Privacy Seminar, University of Arizona James E. Rogers College of Law, Tucson, AZ, Apr. 2017 (class presentation on scholarly work)

*Government Access*, Berkeley Center for Law & Technology, Privacy Law Forum, East Palo Alto, CA, Mar. 2017 (moderator)

*Law Enforcement Issues*, State, Local and Regional Issues in Cybersecurity, University of Nebraska, Lincoln, NE, Mar. 2017 (panelist)

*What are Stingrays?* Berkeley Information Privacy Law Association, Berkeley, CA, Mar. 2017 (panelist)

*Electronic Monitoring in Practice*, Internet Law Works in Progress, Santa Clara, CA, Mar. 2017 (solo presentation)

*Domestic Surveillance*, Henderson Center Counter-Inauguration, Berkeley, CA, Jan. 2017 (panelist)

*Separating Fact from Fantasy: Is Fake News Undermining the Truth?*, Berkeley, CA, Jan. 2017 (panelist)

*Surveillance Policy Making By Procurement*, Berkeley Law Faculty Workshop, Berkeley CA, July 2016

*Sustainability and Outreach*, Tech Clinics California Summer Camp, Stanford, CA, June 2016 (solo presentation)

*Information Regulation and Freedom of Expression*, Fordham Center for Law and Information Policy, Tenth Law and Information Society Symposium, New York, NY, May 2016 (panelist)

*Mainstreet Policing Meets Military-Grade Surveillance*, Chaos Communication Camp, Mildenberg, Germany, Aug. 2015 (solo presentation)

*Client and Project Development*, Tech Clinics Base Camp, Boulder, CO, June 2015 (panelist)

*Surveillance, Technology, and the Law*, National Association of Criminal Defense Lawyers, Washington, DC, Apr. 2015 (panelist)

*Surveillance Policy Making By Procurement*, Internet Law Works in Progress, Santa Clara, CA, Mar. 2015 (solo presentation)

*Recent Developments in Fourth Amendment Law*, Stanford University-Peking University-Oxford University Internet Law and Public Policy Conference, Beijing, China, Nov. 2014 (solo presentation)

*The Impact of Emerging Technologies on Civil Liberties*, privacy identity innovation (conference), Palo Alto, CA, Nov. 2014 (panelist)

*The Court in Flux: 2012*, The Conversation at 40: The Court, Mr. Coppola, and the Reasonable Expectation of Privacy, University of California, Hastings, San Francisco, CA, Nov. 2014 (solo presentation)

*After Snowden: Hot Topics in the Debate over Mass Surveillance*, Stanford Law School, Stanford, CA, Oct. 2014 (solo presentation)

*The Small and Surprisingly Dangerous Detail the Police Track About You*, TED Global, Rio de Janeiro, Brazil, Oct. 2014 (TED talk with nearly two million views)

*Drones, Surveillance, and Privacy*, New America Foundation, Washington, DC, May 2013 (panelist)

*Can You Track Me Now? Government and Corporate Surveillance of Geolocation Data*, DEFCON, Las Vegas, NV, July 2012 (panelist)

*Life in the Panopticon: Thoughts on Freedom in an Era of Pervasive Surveillance*, PEN World Voices Festival, New York, NY, May 2012 (panelist)

*The Impact of Domestic Drones on Privacy, Safety, and National Security*, Brookings Institution, Washington, DC, Apr. 2012 (panelist)

*United States v. Jones*, New York Law School, New York, NY, Mar. 2012 (panelist)

*Drones Discussion*, Stanford Law Review Symposium, The Privacy Paradox: Privacy and its Conflicting Values, Stanford, CA, Feb. 2012 (panelist)

*The ACLU Presents: NSA Surveillance and More*, DEFCON, Las Vegas, NV, July 2011 (panelist)

## PROFESSIONAL ACTIVITIES AND SERVICE

### Law School Service

Equity and Inclusion Committee, 2019–2021

Public Interest Placement Committee, 2018–2019, 2014–2015

Thelen Marrin Prize Committee, 2017–2018 (chair)

Clerkship Committee, 2016–2017

Brian M. Sax Prize Committee, 2015–2016 (chair)

Taskforce on Experiential Education, 2015–2017

### Professional Service

National Association of Criminal Defense Lawyers, member, Fourth Amendment Center Advisory Board (Jan. 2019–present)

National Association of Criminal Defense Lawyers, member, Technology Advisory Group (Mar. 2016–2017)

Center for Democracy & Technology, academic affiliate (Jan. 2016–present)

The Constitution Project, Committee on Policing Reforms (May 2015–Aug. 2016)

Stanford Center for Internet and Society, affiliate scholar (2014–present), non-residential fellow (2010–2014)

## HONORS AND AWARDS

Miles L. Rubin Public Interest Award, Stanford Law School (2014) (granted annually to one alum to recognize outstanding contributions to public service)



TED Fellow (2014–present)

BAR MEMBERSHIP

California, New York

Admitted to practice before the Supreme Court of the United States; the First, Second, Third, Ninth, Tenth, and D.C. circuits, and a number of federal district courts