



BerkeleyLaw

UNIVERSITY OF CALIFORNIA

Samuelson Law, Technology
& Public Policy Clinic

SLTPPC Newsletter

(Winter 2017)

SLTPPC Fall 2017 Class

Director's Note

By Jennifer Urban

I am delighted to share our news from the past year, which marked some exciting, and some bittersweet, developments for the Samuelson Law, Technology & Public Policy Clinic.



Inside this newsletter, you'll find updates about our excellent alumni, faculty news, and some of the Clinic's exciting projects, including: a new report on police-worn body cameras, a fair use guide for authors, and an advocacy project about electronic monitoring of youth in California.

The program is growing and flourishing! This year, we welcomed a new staff attorney, Rob Walker, and fellow, Megan Graham, whose passion and knowledge are already enriching the program. And we are in the process of searching for a new clinical professor:

I'm also thrilled to share that Professor Catherine Crump has been promoted from associate director to director of

the Samuelson Clinic. I could not be more delighted that we have so talented, creative, and dedicated a colleague in this position. Since she arrived, Catherine has done exciting and important work on the surveillance capabilities of new technologies, how procurement practices allow surveillance technologies to creep into our communities, questions of when the government should be able to access information on our phones, and much more.

So this is an exciting time! However, it also brings me to the bittersweet news. This marks my last Director's Note. As many of you know, I developed a serious illness in recent years. With treatment, I am glad to say that I have improved a great deal, and have been able to take up a part-time schedule. I plan to return to teaching soon. However, the nature of my illness—a systemic autoimmune disease that can affect me in unpredictable ways—means that I must take an extended leave from the Samuelson Clinic. Lectures and seminars can be planned ahead and rescheduled, but live-client clinic work, with its attendant ethical duties, unpredictability, and intensity, is not yet something my health will allow.

Of course, I will miss teaching the Clinic terribly. Talking through this year's splendid projects with the team has left me very homesick for it. But I am comforted by the fact that the Clinic could not be in better hands. And I am certainly not leaving the Samuelson Clinic "family." I look forward to hearing your news, and connecting with you in the coming years.

Onward!

Please consider supporting our work by making a gift to the Samuelson Clinic as a part of your year-end giving. Your contributions help us advance the public interest in technology law and policy and train the next generation of legal advocates.

Please click [here](#) to make your donation online, or send a check payable to "UC Regents/Samuelson Law, Technology & Public Policy Clinic" to:

Boalt Hall Alumni Center
UC Berkeley School of Law
224 Boalt Hall
Berkeley, CA 94720-7200

We appreciate your support!

Incoming Director's Note

By Catherine Crump



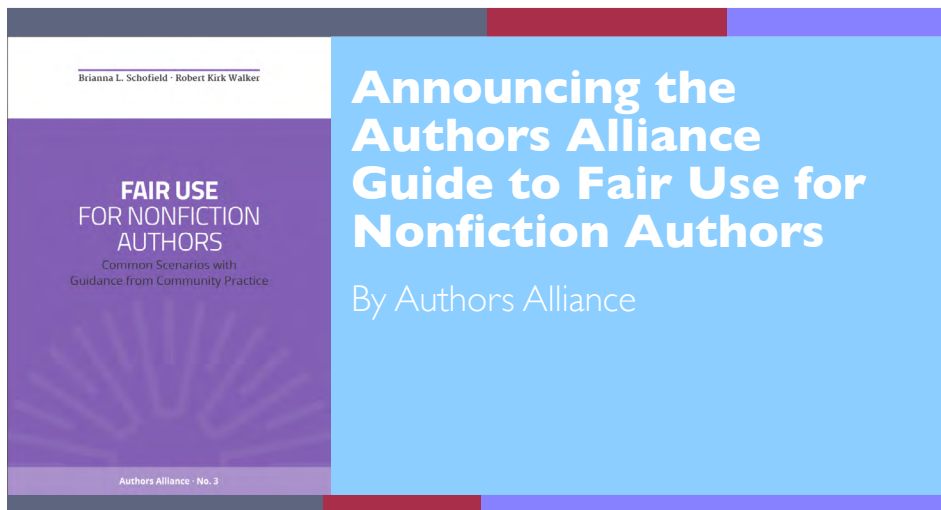
Thanks to Jennifer Urban for her generous words in her director's note. More than that, thanks to Jennifer for her unflinching support for the Samuelson Clinic.

Many of you may not know the full extent of Jennifer's history with the Clinic. Jennifer was one of the students who supported the Clinic's creation. She then came back to serve as the Clinic's first teaching fellow, later co-directed the clinic with Jason

Schultz, and ultimately led it as director. Even while on medical leave, Jennifer has generously made herself available to Clinic staff so that we can avail ourselves of her institutional memory and

sound guidance. Jennifer is part of the Clinic's DNA and so even though she has stepped back from day-to-day operations, the Clinic is still very much reflective of what she put into it.

Due to Jennifer's efforts, the Samuelson Clinic has long had a well-developed curriculum for its students, a stellar reputation among its clients, a network of enthusiastic alums, and a solid financial base. Clinic students and staff will continue to benefit from the foundation that Jennifer established for years to come. Rob, Megan, and I will strive to do justice for what Jennifer played such a major role in creating.



We are pleased to announce the release of our brand-new guide to [Fair Use for Nonfiction Authors](#)! The guide is designed to empower authors to exercise their right to use source materials to further their research and writing goals by helping them to make confident fair use decisions. This new guide is the latest addition to our growing library of resource books for authors, which includes educational guides for [rights reversion](#) and [open access](#).

Inspired by the work of Peter Jaszi and Patricia Aufderheide at the [Center for Media and Social Impact](#) at American University, this guide focuses on best practices for nonfiction authors—from biographers to science writers, historians to literary critics, memoirists to academics, and beyond—who depend on the use of copyrighted materials in their work.

The guide will help nonfiction authors who want to do things like:

- Include song lyrics in an academic paper discussing musical trends;
- Quote from a novel to analyze the author's use of metaphors in a work of literary criticism;
- Incorporate a photograph in an article about the photographer's use of light and shadow;
- Use a chart in a scientific paper critiquing a researcher's methodology and findings; or
- Quote from unpublished letters in a memoir.

The guide addresses three common situations faced by nonfiction authors in which fair use may apply:

1. criticizing, discussing, or commenting on copyrighted material;
2. using copyrighted material to support a point made in the author's work; and
3. using copyrighted material for non-consumptive research.

It also addresses the most frequently asked questions about fair use and clears up some common misconceptions about when it might apply.

We thank Rob Walker and the [Samuelson Law, Technology & Public Policy Clinic](#) at UC Berkeley School of Law for their help in researching and drafting the guide, which features extensive input from nonfiction authors, copyright experts, and partner organizations. The guide has also been endorsed by the American Council of Learned Societies and the Association for Information Science and Technology.

[Download](#) the guide and learn more about fair use at our new [Fair Use resource page](#). And, if you have any fair use questions or experiences to share with us, please get in touch at info@authorsalliance.org.



No Tape, No Testimony: How Courts Can Ensure Responsible Use of Body Cameras

By Susan Gluss and Christopher Ott

Photo by Ryan Johnson, [CC BY-SA 2.0](#) (cropped from original)

When a police officer fails to videotape a civilian encounter, courts should instruct juries to take that into account, according to a new report by Berkeley Law's Samuelson Law, Technology & Public Policy Clinic and the American Civil Liberties Union of Massachusetts.

The report, [No Tape, No Testimony](#), comes in the wake of a national outcry over police violence against unarmed Black men. It argues that jurors should be told to devalue an officer's testimony, or even disregard it altogether in extreme cases when police fail to turn on their body-worn cameras.

"Videos of police and civilian encounters can mean the difference between just and unjust results," said report co-author Matthew Segal, the legal director of the ACLU of Mass. "Courts can encourage recordings of these incidents through jury instructions. Our model instruction would permit jurors to disregard testimony from officers who have unreasonably failed to record a police-civilian encounter."

The report includes an appendix of police incidents that led to civilian injuries and deaths; officers wore body cameras in these cases, but did not turn them on.

"It's not enough to rely on police officers to hit the record button. It's not enough to rely on police departments to discipline officers who don't do that. We need courts to become involved in this," said co-author Catherine Crump, acting director of the Samuelson clinic. "Body-worn cameras will not live up to their promise of improving police accountability unless there are strong incentives for officers to record encounters with civilians."

Incidents from across the country illustrate the importance and power of video. For example, the police who killed Walter Scott and Laquan McDonald now face criminal charges—largely due to video cameras that captured the shootings. Both Scott and McDonald were shot in the back.

These tragic incidents illustrate why police body-worn cameras are winning support from broad swaths of the public, as well as from law enforcement. In fact, video recorders, just by their presence, appear to reduce the number of violent police-civilian encounters, according to the report.

Justice Served

Many state courts already include jury instructions that encourage officers to record police station interrogations and drunk-driving (DUI) stops. But this is the first time anyone has suggested a similar strategy in street encounters between cops and civilians.

Juliana DeVries '17, one of the Samuelson clinic students who worked on the report, examined the rules governing "custodial interrogations and the science behind the fallibility of witness testimony." She said the work involved "strategic considerations you don't get to practice in the classroom."



Juliana DeVries '17

Other students who collaborated on the project included Brian Hall '17, Thomas Nolan '16, Karina Puttieva '17, and David Schlusel '17. Their research helped underscore the need for recorded evidence.

"There is a growing awareness that eyewitness accounts can be unreliable, whether they are mistaken, fabricated, or nonexistent. And even when there are eyewitness accounts, courts and juries might unduly credit the police over civilians," said Carl Williams, ACLU of Mass. staff attorney.

Crump cited a particularly troubling case that nearly led to a wrongful conviction—until a video surfaced.

"One of the most egregious examples of police noncompliance happened in California, when 11 deputies apprehended a man named Stanislav Petrov after a high-speed chase," said Crump. "Not a single one of those deputies turned on his or her body camera. Petrov alleged that he was dragged out of his car and then severely beaten. The officers denied it."

A private security camera recorded the incident last fall and substantiated Petrov's claims. But Crump said the deputies' noncompliance "shook my faith in the technology that held so much promise."

Jury Instructions

In the eight states with jury instructions that encourage officers to activate video cameras for custodial interrogations—Alaska, Arkansas, Indiana, Massachusetts, Minnesota, New Jersey, Utah, and Wisconsin—the consequences for noncompliance vary. In New Jersey and Utah, unrecorded interrogations may be inadmissible.

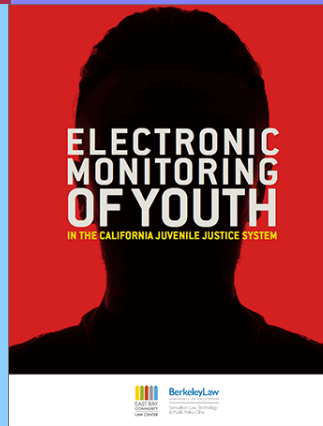
In Utah, juries may be told that "evidence of a statement made by the defendant during a custodial interrogation ... shall not be admitted against the defendant in a felony criminal prosecution unless an electronic recording of the statement was made and is available at trial."

Similarly, the report's model jury instruction cautions jurors to "draw inferences in favor of civilians and against police officers" when the failure to record during an encounter was unreasonable. It calls for more severe consequences when failure to record was an attempt to hide the truth.

If adopted, revised instructions would improve police compliance and help prevent wrongful convictions, Segal said. Recordings would also serve police officers facing excessive use of force by civilians. "Creating video evidence serves the truth, not one particular side," he said.

New Report Faults California's Electronic Monitoring of Youth

By Leslie Gordon



In the last 20 years, electronic monitoring of youth in the juvenile justice system has proliferated. Although generally perceived as a less punitive alternative to incarceration, electronic monitoring is still burdensome: it may entail home confinement, invasive surveillance, compliance with dozens of rules, and high fees. Despite the widespread use of this technology, little research exists about how juvenile electronic monitoring programs work in practice—until now.

A collaboration between the Samuelson Law, Technology & Public Policy Clinic at Berkeley Law and the East Bay Community Law Center (EBCLC) has resulted in a new report: [Electronic Monitoring of Youth in the California Juvenile Justice System](#). It's the first report to analyze juvenile electronic monitoring programs statewide.

"Electronic monitoring has become commonplace in the juvenile justice system, so it's surprising how little we know about its impact," said [Catherine Crump](#), director of the Samuelson Clinic. "There aren't any standard practices for when youth should be tracked, or guidelines for how to use these programs effectively, or really much information about how this technology is being deployed."

[Kate Weisburd](#), director of EBCLC's Youth Defender Clinic, which represents young people in delinquency cases, noticed that clients struggled on electronic monitors and were repeatedly re-incarcerated for violations. The monitoring appeared to "undermine the rehabilitative purpose of juvenile court," she said.

Eager to learn more, Weisburd sought out Crump and the clinic—known for its expertise in surveillance. In particular, the Samuelson Clinic has spearheaded research into online privacy, police use of body cameras, data security and related issues.

Report findings

Two years in the making, the report is based on information gathered from all 58 California counties about the rules youth must follow while being monitored electronically. "We learned that the monitors may be setting kids up for failure," Crump said. "The terms are too onerous, kids are monitored for too long, and the rules are arbitrarily enforced."

According to the report, many young people wearing electronic monitors are only allowed to leave the house to attend school, and must obtain special permission days in advance for medical appointments, sports or other outdoor events. Overall, the programs raised privacy concerns, were often too vague or overly rigid, and disproportionately burdened youth of color and low-income families.

"We learned that the monitors may be setting kids up for failure," Crump said. "The terms are too onerous, kids are monitored for too long, and the rules are arbitrarily enforced."

"In general, teenagers are impulsive; they have a lot of energy and crave social connections, and this makes the isolation of house arrest such a challenge. Perfect compliance with the myriad of rules is also hard, and so our clients often cycle in and out of custody for technical violations," Weisburd said.

Many of the electronic monitoring requirements fail to account for adolescent development and are rarely tailored to the specific needs of individual youth. One EBCLC client, on probation for shoplifting, suffered from cognitive impairments and a learning disability. He was electronically monitored for seven months and jailed ten separate times for either a monitoring or probation violation—never a new offense. In total, he was detained in juvenile hall for three and half months, including Christmas and his birthday. "It was incredibly damaging psychologically and undermined his ability to get back on his feet," Weisburd said.

Leading the charge

Law and graduate students conducted in-depth research for the report, interviewing current and former probation officers, public defenders and other legal experts. Students also gathered voluminous data and filed public records requests to learn how electronic monitoring works across the state.



Chieh Tung '17

Chieh Tung '17 worked on the report for two semesters. "It gave me the opportunity to do more field work than you typically get in the classroom. We got to do a lot of fact-gathering activities that are more investigative," Tung said. "It gave me

some insight as to how difficult it can be to get information from government entities, and how much work goes into carefully drafting records requests and seeking compliance."

Rena Coen, who earned a master's degree from the UC Berkeley School of Information in 2016, was Tung's partner. "Participating in this project as a Samuelson Clinic student was easily one of the highlights of graduate school," she said. "To be given the opportunity for experiential learning rather than working with hypotheticals or analyzing from afar added an urgency and passion to the work."

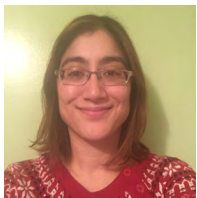
The report is part of an on-going collaboration between EBCLC and the Samuelson Clinic to uncover and ultimately reform the way that electronic monitoring is used in juvenile court. The joint effort also highlights the value of connecting direct service work to policy work.

"The two can't happen in a vacuum," said Weisburd. "Pairing the direct youth advocacy work that we do at EBCLC with the policy and technology expertise of the Samuelson Clinic means we are able to do so much more."

SLTPPC Alumni Updates

Class of 2006

Sara Adibisedeh



Sara enjoys serving as an employment attorney for the United States Postal Service in San Francisco after practicing at private firms for ten years. She enjoys counseling, training, and

representing the agency and management in a wide range of matters, including discipline, and discrimination and retaliation claims in front of administrative agencies such as the EEOC and OSHA.

Olga V. Mack

Olga V. Mack is a startup advisor, nationally-recognized author, public speaker, operations professional, an award-winning general counsel, women's



advocate, and entrepreneur. She currently serves as General Counsel at ClearSlide where she received the Watermark Make Your Mark, Corporate Counsel of the Year, and Women Leaders in Technology Law awards. Olga is also very involved in her community. She is an adjunct professor at Berkeley Law, TEDx organizer, and serves on numerous boards and advisory boards. Olga founded the Women Serve on Boards movement (womenserveonboards.com) that advocates for women to serve on corporate boards of Fortune 500 companies. In the past, she has held various roles at Visa, Zoosk, Pacific Art League, Wilson Sonsini, and Yahoo and earned both a B.A. and J.D. from UC Berkeley.

Class of 2007

Susheel Dawani



Susheel joined Mozilla in early 2017 and he is really enjoying leading a

team that builds mobile apps that advance many of the issues that the Samuelson Clinic works on, including net neutrality, digital privacy and open source. He is living in Orinda with his lovely wife and his 4 year old and 2 year old sons.

Class of 2007 (continued)

Peter Maybarduk



Peter Maybarduk directs an access to medicines and knowledge economy policy group at Public Citizen, a consumer advocacy organization based in Washington, DC. The group provides technical assistance in developing countries

and is running a campaign to lower U.S. prescription drug prices. Peter still writes and performs music.

Sarah (Simmons) Spires

Sarah is living in Dallas, TX where she is a partner at the IP litigation boutique of Skiermont Derby. She focuses her practice on both plaintiff and defense-side patent litigation, inter partes reviews, adversarial licensing disputes, and IP transactions. She loves the flexibility that moving to a smaller firm has provided, both in the way she can approach cases, and also in allowing her to spend more time with her an 18-month old daughter.



Class of 2011

Krista Correa



In 2016, Krista left private practice to enter academia. She is currently an Assistant Professor with the Center for Academic and Bar Readiness at the University of La Verne, College of Law. She teaches a 3L bar-related course but is branching out to teach an evidence course in the Spring. In her "spare time," she also manages the school's moot court, mock trial, and ADR competition teams.

Class of 2012

Aaron Mackey

Aaron is a staff attorney with the Electronic Frontier Foundation, where he works on digital civil liberties and transparency issues, including online anonymity and digital device searches. He lives in the Bay Area with his wife, Ashley, and their two young children, Jonah and Anna.



Class of 2013

Ana Enriquez

Next summer, Ana will move from her current position as a Copyright Specialist at the University of Michigan Library to a similar position (Scholarly Communication Outreach Librarian) at the Penn State Libraries. She and her husband are expecting their first child in February.

Paula Vargas de Brea

Paula is currently the Facebook Public Policy Manager for South Cone based in Argentina.

Class of 2014

Aida Ashouri

Aida has since begun a position as a Deputy City Attorney in the Criminal Division at the City of San Diego. Since beginning her career as a prosecutor October of 2016 in Los Angeles, she has tried nine misdemeanor cases to verdict before a jury.

SLTPPC Alumni Updates (Continued)

Class of 2016

Bhairav Acharya

After leaving Berkeley, Bhairav worked with New America's Open Technology Institute in Washington, DC, on contemporary transatlantic approaches to encryption regulation and government hacking. He is now Facebook's policy manager for South Asia in Delhi and Singapore and works on privacy, data use regulation, cyber security, and future technologies.



Class of 2017

Raphaella (Raffi) Friedman

Raffi is clerking at the Alaska Supreme Court, and lives in Fairbanks, Alaska. (The land of -40F temperatures.) In her spare time, she is chasing the northern lights, curling, moose-watching in her backyard, and attempting to simultaneously learn to ski and skijor, i.e., ski while pulled by a husky. (Yes, there have been mishaps.) Next year, she plans to thaw off in San Diego during a second clerkship at the federal district court.

SLTPPC Faculty & Staff Updates

Current Faculty & Staff

Rob Walker

Rob joined the Clinic in July 2017 as a clinical supervising attorney overseeing the intellectual property side of our docket. To help you get to know Rob a little better, he filled out this Q&A for us.



Q: What kind of law do you practice?

A: I mostly handle "soft" IP issues (copyright, trademarks, rights of publicity) and business transactions. I like to think of my practice as being at the intersection of art, technology, and commerce.

Q: How'd you get interested in this practice area?

A: Before I became a lawyer, I had a career in broadcast journalism. Seeing first-hand how copyright law incentivizes certain behaviors (or not) got me interested in intellectual property policy.

Q: Where are you from?

A: I grew up in Tennessee, went to school in Virginia, and lived in New York City before moving out to the Bay Area seven years ago.

Q: What's your favorite typeface?

A: Aktiv Grotesk, a variation on Helvetica (which I know is like saying "pepperoni" is your favorite pizza topping!).

Q: Who are your favorite writers?

A: David Foster Wallace, Michael Lewis, and Dr. Seuss.

Q: Which talent would you most like to have?

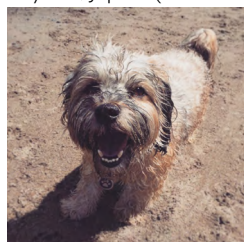
A: I wish I could draw well. Over the years I've tried to learn, but my abilities top out at Intermediate Doodling.

Q: What's your favorite place you've visited, and what was the best thing you ate while you were there?

A: Either Paris, France (beef bourguignon) or Kyoto, Japan (ome-kase). I would like to have been a flaneur or a Zen Buddhist monk.

Q: Speaking of other lives, if you were reincarnated as some other plant or animal, what would it be?

A: Either a small fluffy dog, a penguin, or a rutabaga, which is the coolest-named vegetable.



Megan Graham

Megan joined the Clinic in August 2017 as a clinical teaching fellow, and works on the civil liberties and privacy side of SLTPPC's docket. To help you get to know Megan a little better, she filled out this Q&A for us.



Q: What kind of law do you practice?

A: I work on technology and civil liberties issues. I'm particularly interested in the constitutional law implications of emerging technologies, and how these issues play out in the First Amendment and criminal law contexts.

Q: Where are you from?

A: Well, I grew up in Phoenix, Arizona, went to college in DC and London, and I went to law school in New York City. Along the way, I've also lived in Belfast, Boston, and Minneapolis before landing in Berkeley this August. So I'm a little bit from lots of places.

Q: Favorite Muppets?

A: The penguins and Rizzo the Rat.

Q: What is something you have a stupidly strong opinion about?

A: Seltzer water. I'm a Polar Seltzer kind of person, and really wish I could get it out here.

Q: What is your worst travel story?

A: I once went to Italy with my parents and brothers for three weeks and every suitcase was lost on route. Our luggage never made it, but it helpfully returned to the United States on the same flight as my family.

Q: Is there a cartoon character you identify with?

A: Definitely Hobbes from *Calvin & Hobbes*.

Q: What are your 5 most-used emoji?

A: In no particular order:



SLTPPC Staff & Faculty Updates (Continued)

Current Faculty & Staff (continued)

Catherine Crump

Over the past year one of my primary joys has been watching the Samuelson Clinic's street-level policing docket expand. I worked with students and fellows on two reports, one examining deployment of police body-worn cameras and the other on the use of electronic monitoring (e.g., GPS bracelets) on kids going through the juvenile justice system. Making sure that technology is deployed responsibly in these contexts is a particular passion of mine.

Free speech and privacy have been much in the news, and as a result I've been involved in a number of debates and speaking engagements. Over the summer I teamed up with ex-DHS secretary Michael Chertoff to debate Prof. John Yoo and Stewart Baker on whether tech companies should be compelled to create backdoors. We opposed that idea—and won!

Clinical Program Staff

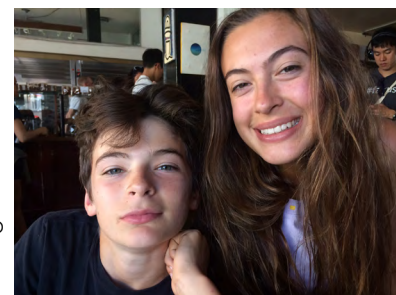
Amy Utstein, Farrah Fanara, Olivia Layug Balbarin

The Samuelson Clinic is extremely thankful for the help and support of the Clinical Program staff: Director of Administration Amy Utstein, Office Manager Farrah Fanara, and Legal Case Manager Olivia Layug Balbarin. They keep us on track and make sure the faculty and students have the tools they need to do their best work. Thanks for everything you do, Amy, Farrah, and Olivia!



- *Privacy is an Essentially Contested Concept: A Multi-Dimensional Analytic for Mapping Privacy*, Phil. Trans. R. Soc. A 374:20160118 (2016) (with Colin Koopman & Nick Doty)
- *These Aren't the Autonomous Drones You're Looking for: Investigating Privacy Concerns Through Concept Videos*, 5 J. Hum.-Robot Inter., no. 3, at 26 (2016) (with Richmond Y. Wong)
- "Eliciting Values Reflections by Engaging Privacy Futures Using Design Workbooks," Proceedings of the ACM on Human Computer Interaction 1.2 (2017) (with Richmond Y. Wong et al.)
- "Using science fiction texts to surface user reflections on privacy," Proceedings of the ACM International Joint Conference on Pervasive and Ubiquitous Computing (2017) & Proceedings of the 2017 ACM International Symposium on Wearable Computers (2017) (with Richmond Y. Wong & John Chuang)
- "When a Product is Still Fictional: Anticipating and Speculating Futures Through Concept Videos," Proceedings of the ACM Conference on Designing Interactive Systems (2016) (with Richmond Y. Wong)

On the home front, the original clinic baby, my daughter Marlene (Marly), just turned 17 a few weeks ago. She's a junior at Oakland Tech. My second child, Malcolm, just turned 14. He's in 8th grade at Claremont Middle School. As some of the clinic alum no doubt remember them in my arms, in the stroller, bouncy-swingy-thing in the doorway, and otherwise around Boalt Hall, I've attached and updated photo. My husband Ben is well too. It's great fun to have so many alum as colleagues. The Clinic keeps producing amazing lawyers and advocates! Stop by South Hall and say hi if you are on campus.



Former Directors

Deirdre Mulligan

In her own words: I stepped down as Chair of the Center for Democracy's board this past June, after serving in that role for 6 years. It's been an honor to help the organization grow its impact and reach, particularly given that I started my legal career there in 1995. I've been busy with research and institution building in the area of machine learning and artificial intelligence. I have an NSF Inspire grant with Helen Nissenbaum exploring the values implications of moving functions from humans to machines, and am a board member of the new multistakeholder organization The Partnership for AI.

I'm also teaching undergrads for the first time this semester. The course, Behind the Data: Humans and Values is the first upper division class to address legal, societal and ethical issues developed for the new UCB undergraduate major in data science. I continue to research and write on privacy issues, and am pleased to be part of a growing interdisciplinary community on privacy by design. I have a group of super PhD students and Post Docs, and am part of the BioSensing lab and co-lead the Algorithmic, Opacity and Fairness working group (AFOG) with my colleague Jenna Burrell. Recent and forthcoming publications include:

- *The Coming Design Wars: Rules of Engagement for Governance by Design*, 106 Cal. L.R. (forthcoming 2018) (with Kenneth A. Bamberger)
- *Public Values, Private Infrastructure and the Internet of Things: the Case of Automobiles*, 9 J. Law & Econ. Reg. (2016) (with Kenneth A. Bamberger)

Jason Schultz

After filing an amicus brief on behalf of 24 copyright scholars in the Second Circuit appeal of *Capitol Records v. Redigi*, Jason and the NYU Technology Law and Policy Clinic's motion to participate in oral argument was granted. Jason was able to argue the importance of the first sale/exhaustion doctrine directly to the panel this past August. In Jason's words: "That was fun. :) You can listen to his part of the argument [here](#), starting at 43:25. Still waiting for a decision, of course..."

Former Fellows

Laura Quilter

Teaching Fellow, 2003-2004

Laura is still enjoying her Copyright & Information Policy work at the UMass Amherst Libraries.

Jack Lerner

Teaching Fellow, 2005-2007

Jack continues to teach at UCI Law and direct the UCI Intellectual Property, Arts, and Technology Clinic. Last year, he was promoted to Clinical Professor of Law and was humbled to be awarded California Lawyer Attorney of the Year for his work with students in the Clinic, who secured two exemptions to the Digital Millennium Copyright Act. The exemptions help documentary filmmakers and authors nationwide make fair use in their works. This fall, they are at it again, seeking a renewal and modifications to these exemptions. In addition, Kirby Ferguson and Jack wrote a short film on fair use, which can be viewed [here](#). Enjoy—and if you are in Irvine, please drop in!

SLTPPC Staff & Faculty Updates (Continued)

Former Fellows (continued)

Jennifer Lynch

Teaching Fellow, 2007-2010

Jen celebrated 7 years at the Electronic Frontier Foundation this summer with a much-appreciated three-month sabbatical. She traveled all over, hung out with her son, caught up with friends, went to matinees on weekdays, and watched a lot of TV. She also celebrated a huge win at the California Supreme Court in her California public records act case against the Los Angeles Sheriff's Department and LAPD. She is back at work now feeling very refreshed and ready to fight for your privacy and civil liberties.



Chris Hoofnagle

Senior Fellow, 2011-2015

In 2016, Chris Hoofnagle published *Federal Trade Commission Privacy Law and Policy* (Cambridge Univ. Press), a historical overview of the FTC and analysis of its activities in privacy. The book has been reviewed four times, and will be translated into Japanese in 2018. Hoofnagle now teaches a series of courses with joint Law and School of Information enrollment on the regulation of technology and privacy/security forensics. In 2018, he will visit at the University of Amsterdam.

Brianna Schofield

Research & Policy Fellow, 2013-

2015

Teaching Fellow, 2015-2017

Brianna is the Executive Director of Authors Alliance, a nonprofit organization that represents the interests of authors who want to share their creations broadly, promote the ongoing progress of knowledge, and advance the public good. Brianna misses clinical teaching, but she is pleased to have the opportunity to continue to work with clinic students in her new role.



Former Staff

Larisa Kingston Mann

Research Assistant

Larisa Kingston Mann is in her second year as an Assistant Professor of Emergent Media at Temple University. She teaches classes on The Information Society and Law & Ethics of Digital Media. Current research addresses surveillance, focusing on ways to incorporate questions of structural inequality into dominant models of privacy and of surveillance. She is finishing a manuscript entitled: Decolonizing sovereignty: Jamaican popular music, copyright and colonial power.

Getting Involved

We are extremely grateful for your support of the Samuelson Clinic over the years. You have helped us as students, alums, faculty members, and friends. The Samuelson Clinic has a large and welcoming community because of all of you. Thank you!

If you're looking for new ways to continue your involvement (or to get back involved), we've got a few ideas:

Take Students Out for Coffee

Our students really appreciate meeting and talking to our alumni about their careers. If you're up for taking a student or two out for coffee, [email Megan](#). If you live away from the Bay Area, she can connect you with students who are working in your neck of the woods over the summer.

Consider Becoming a Client or Send Us Project Ideas

As you know, we value our clients a great deal and strive to do excellent work for them. What you may not know is that we're always on the lookout for awesome new clients and project ideas. If you come across an issue or organization you think is ripe for a Clinic project, please let us know!

Consider Being a Pro Bono Partner on a Project

From time to time, the Clinic needs outside support on a project. Whether that's getting something filed in court, preparing for argument, conducting research, or connecting with others who may be able to lend a hand (or knowledge) to a project, let us know if you'd like to help out in this way.

Financial Support

We'd be remiss if we didn't pitch you one more time for financial support. If you'd like to make a donation, you can click [here](#) to make your donation online, or send a check payable to "UC Regents/Samuelson Law, Technology & Public Policy Clinic" to:

Boalt Hall Alumni Center
UC Berkeley School of Law
224 Boalt Hall
Berkeley, CA 94720-7200

We genuinely appreciate all of the contributions you have made to the success of the Samuelson Clinic over the years and we look forward to many more exciting opportunities in the future. If you're ever on campus, be sure to stop by to say hello!