Be Careful what you Wish for …

By Mari Frank, attorney and member of the Executive Committee of Law Practice Management and Technology Section of the Bar and a member of the Visual Privacy Advisory Council

With the holidays just around the corner, many of us are busy compiling our wish lists. Unfortunately, this year's hottest items may violate your privacy!

Case in point: In just the first six pages of Target's Black Friday ad, there were 16 different devices with a built-in camera. New drones, phablets and wearable devices are equipped to capture photos in astonishing resolution. Meanwhile, smartphones and laptops are expanding in size, taking on many of the capabilities of traditional desktops. With this technology surrounding us, we all need to take extra precautions for ourselves and our clients to not become victims of visual hacking.

Here's a sneak peek at the hot technologies that could soon be invading your data privacy:

- **The Parrot drone** is controlled remotely by a smartphone or tablet. It hovers nearly 200 meters high and 250 meters around the pilot. The drone can share 14 megapixel photos with a 180-degree "fisheye" lens and high definition video on social sites with the touch of a button.
- The term "**phablet**" (phone + tablet) was born in the techie industry and can do anything these days. The difference between a smartphone and a tablet is just a few inches. The iPhone 6S camera features faster autofocus, image stabilizing technology, full HD video, a front-facing camera that can snap 10 photos per second and 12 megapixels of resolution. Meanwhile, the new LG V10 smartphone has two front-facing cameras for wider selfie shots. These fantastic cameras can take images of you and your documents in a nanosecond without you even knowing it.
- New **wearable devices** are making their debut as well, thrusting mobility and top-camera quality even further into the spotlight. The new Apple Watch can remotely trigger a smartphone camera with an instant photo and timer option. GoPro action cameras can mount to just about anything, capturing 12MP images and 45MB videos. This technology enables anyone to partake in their own surveillance and covert missions to capture sensitive information and intellectual property.

There is going to be a sizeable number of early good intentioned technology enthusiasts who will embrace this exciting technology, but there is also going to be ill intentioned people who will wish to invade your client privacy, steal your valuable information or rob you of your good name. Criminals will find ways to use these new cameras to capture data and use it for their own financial gain.

These devices with increasingly powerful – and incredibly discreet – camera technology provide new opportunities for visual hacking, which is the viewing or capturing of private, classified or sensitive information for unauthorized use.

This isn't the total destruction of privacy. But it does require that we take new steps to protect our personal and work-related data. You, your staff and clients need to be aware and take precautions to protect your computers, smart phones and tablets with privacy screens. Your mobile devices can access networks and email systems. Given the growing amount of sensitive information we view on our mobile devices – from financial statements to intellectual property to medical records and more, you should consider securing all your devices with filters, which are available from major online retailers.

Improving visual privacy in the era of invasive technology also requires that we change our behaviors. This should be reflected in clean desk policies, complex passwords, time outs and more. In our personal lives, we need to be mindful of how and when we view sensitive information, whether it's checking email on a plane or at the courthouse or accessing online bank accounts from a coffee shop.

These steps are only a start but important to helping keep your data off criminals' wish lists this holiday season.

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