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PRIVACY AND CYBER CO-CHAIR INTERVIEWED ABOUT A MOVE THAT WILL STRENGTHEN CALIFORNIA'S PRIVACY LAW

News
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Usama Kahf was interviewed by *Morning Brew* following a move that could strengthen California's privacy laws, assumptions or "inferences" a company makes about someone based on their digital footprint are considered "personal information." This, according to an opinion issued by California Attorney General Rob Bonta earlier this month, meaning that internally generated inferences about a consumer must be disclosed to Californians if requested.

According to Usama, the opinion has clarified and strengthened the "right to know" aspect of the California Consumer Privacy Act (CCPA), signed into law in 2018 and put into effect on January 1, 2020. It is the first comprehensive privacy law at the state level in the country.

"Still, this is a non-binding opinion," he explained. "Anyone, either advertisers or data brokers, could challenge it, ultimately leaving it to the courts to decide."

In addition to the monetary fines associated with the enforcement of privacy laws, he also discussed "algorithmic destruction" as a means of enforcing them, where companies may be ordered to delete algorithms using certain data. This has been done before at the federal level, and he said that states could take a similar approach.

"That would be an overreach in terms of potential remedies, but it's quite possible," he said, emphasizing that the main agency responsible for enforcement is still being built. "It's a lot of shooting from the hip at this point."

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