

## ANDREW D. SELBST

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### EDUCATION

#### University of Michigan Law School

J.D., *cum laude*, 2011

- Executive Editor, *University of Michigan Journal of Law Reform*

#### Massachusetts Institute of Technology

M.Eng., Electrical Engineering and Computer Science, 2005

S.B., Electrical Science and Engineering, 2004

S.B., Physics, 2004

- Phi Beta Kappa, Tau Beta Pi (Engineering Honor Society)

### ACADEMIC APPOINTMENTS

Data & Society Research Institute, Postdoctoral Scholar, 2017–Present

Fordham Law School, Adjunct Professor, 2018–2019

- Course: Governing the Algorithmic Society (Spring 2019)

Yale Information Society Project, Visiting Fellow, 2016–Present

Georgetown University Law Center, Visiting Researcher, 2016–2017

Electronic Privacy Information Center, Scholar in Residence, Spring/Summer 2016

NYU School of Law, Information Law Institute, Privacy Research Fellow, 2011–2012

### PUBLICATIONS AND WORKS IN PROGRESS

*Tort Law's AI Problem* (in progress)

*Fairness as an End-to-End Guarantee in Sociotechnical Systems* (in progress) (with danah boyd, Sorelle Friedler & Suresh Venkatasubramanian)

*The Intuitive Appeal of Explainable Machines*, 87 Fordham L. Rev. \_\_ (forthcoming 2018) (with Solon Barocas)

*Disparate Impact in Big Data Policing*, 52 Ga. L. Rev. 109 (2017)

*Meaningful Information and the Right to Explanation*, 7 Int'l Data Privacy L. 233 (2017) (peer reviewed) (with Julia Powles)

*A Mild Defense of Our New Machine Overlords*, 70 Vand. L. Rev. En Banc 87 (2017) (invited response)

*Big Data's Disparate Impact*, 104 Calif. L. Rev. 671 (2016) (with Solon Barocas)

- Awarded IAPP Best Paper Award at 2014 Privacy Law Scholars' Conference
- Reviewed in James Grimmelman, *Discrimination by Database*, JOTWELL (Nov. 4, 2014)
- Featured in Future of Privacy Forum's *Privacy Papers for Policy Makers 2014*

*Contextual Expectations of Privacy*, 35 *Cardozo L. Rev.* 643 (2013)

*The Journalism Ratings Board: An Incentive-Based Approach to Cable News Accountability*, 44 *U. Mich. J.L. Reform* 467 (2011) (student note)

### **PROFESSIONAL EXPERIENCE**

Hogan Lovells US LLP, Senior Associate, Communications, 2015–2016

United States Court of Appeals for the Third Circuit, Law Clerk to Hon. Jane R. Roth, 2014–2015

Public Citizen Litigation Group, Alan Morrison Supreme Court Assistance Fellow, 2013–2014

United States District Court for the Central District of California, Law Clerk to Hon. Dolly M. Gee, 2012–2013

New York Civil Liberties Union, Legal Intern, 2010

Lawyers' Committee for Civil Rights Under Law, Legal Intern, Voting Rights Project, 2009

### **WORKSHOPS AND INVITED PRESENTATIONS**

#### **Tort Law's AI Problem**

- Law and Society Annual Meeting (Toronto), June 2018
- Privacy Law Scholars Conference, George Washington University School of Law, May 2018
- Internet Law Works in Progress Conference, New York Law School, March 2018
- Ideas Lunch, Yale Information Society Project, November 2017

**The Fourth Amendment and Technology** (Guest Lecture), Cornell Tech, March 2018

#### **Big Data's Disparate Impact**

- Stanford Artificial Intelligence & Law Society, Stanford Law School, April 2018
- Human Rights Watch (New York), November 2017
- Privacy & Technology Law Association, University of Michigan Law School, November 2017
- Analytics Frontiers Conference, University of North Carolina Charlotte, March 2017
- The Law and Business of People Analytics Conference, Saint Louis University School of Law, February 2016
- Center on Privacy & Technology, Georgetown University Law Center, October 2014
- Privacy Law Scholars Conference, George Washington University School of Law, June 2014

#### **The Intuitive Appeal of Explainable Machines**

- Sciences Po (Paris), "SMART Law" Course (Guest Lecture), March 2018
- HEC Paris Research Seminar, March 2018
- Explainable and Accountable Algorithms Workshop, Alan Turing Institute (London), January 2018
- Policy Issues Surrounding Artificial Intelligence, Algorithms, and Privacy, Seoul National University School of Law, August 2017
- Privacy Law Scholars Conference, UC Berkeley School of Law, June 2017
- Algorithms and Explanations Conference, NYU School of Law, April 2017

- Big Data Law & Ethics Colloquium, Wharton School, April 2017
- We Robot 2017, Yale Law School, March 2017
- Optimizing Government Workshop, University of Pennsylvania Law School, March 2017
- Innovation Policy Colloquium, NYU School of Law, March 2017

#### **Meaningful Information and the Right to Explanation**

- FAT\* Conference, NYU School of Law, February 2018
- Data & Society Research Institute (New York), December 2017

#### **Disparate Impact in Big Data Policing**

- Shaping Justice Conference, University of Virginia School of Law, February 2018
- Law and Society Annual Meeting (Mexico City), June 2017
- Privacy Law Scholars Conference, UC Berkeley School of Law, June 2017

**How Do We Implement Discrimination Impact Assessments?**, Ohio State Big Data & Criminal Law Roundtable, September 2017

#### **Contextual Expectations of Privacy**

- Privacy Law Scholars Conference, George Washington University School of Law, June 2012
- Privacy Research Group, NYU School of Law, February 2012

### **PANELS, ROUNDTABLES, AND INVITED COMMENTARIES**

**Panelist, Workshop on Fair Representations and Fair Interactive Learning**, Computing Community Consortium, March 2018

**Panelist, Trade Secrets Institute Symposium: Keeping Secrets from the Public**, Brooklyn Law School, February 2018

**Participant, Intersectionality and Algorithmic Discrimination Workshop**, Lorentz Center (Leiden, Netherlands), December 2017

**Participant, Public Data Access Workshop**, Rutgers Law School, September 2017

**Discussant, Robert Brauneis & Ellen Goodman, *Algorithmic Accountability in the "Smart City,"*** Big Data Law & Ethics Colloquium, Wharton School, April 2017

**Discussant, Frederik Zuiderveen Borgesius, *Legal and Economic Aspects of Online Price Discrimination,*** Privacy Law Scholars Conference, George Washington University School of Law, June 2016

**Discussant, Rebecca Wexler, *Police Body Cameras and Other Warrantless Data Collection Upon Lawful Entry to the Home,*** At the Intersection of Privacy and Property, NYU School of Law, May 2016

**Discussant, Hannah Bloch-Wehba, *Covert Courts: A First Amendment Right of Access to Electronic Surveillance Applications and Orders,*** Freedom of Expression Scholars Conference, Yale Law School, May 2016

**Discussant, Kiel Brennan Marquez, *Private Dragnets,*** Internet Law Works in Progress, New York Law School, March 2016

**Discussant, Jonathan Manes, *Secret Law***, Freedom of Expression Scholars Conference, Yale Law School, May 2015

**Discussant, Felix Wu, *The Ontology of Speech***, Privacy Law Scholars Conference, UC Berkeley School of Law, June 2013

### TESTIMONY AND ADVOCACY

**Panel Briefing on Algorithmic Discrimination**, Congressional Progressive Caucus, April 2018

**Presentation, *Meaningful Information and the Right to Explanation***, European Commission, DG Justice, January 2018

**Amicus Brief, *Carpenter v. United States***, Sup. Ct. No. 16-402 (OT 2017) (counsel of record; brief filed on behalf of Data & Society and fifteen scholars of technology and society, August 2017)

**Invited Participant, Data Discrimination Workshop**, New York City Commission on Human Rights, June 2017; February 2016

**Presentation, *Big Data's Disparate Impact***, DOJ Civil Rights Division, Housing Section, Washington, DC, December 2016

**Presentation, *Big Data's Disparate Impact***, CFPB Alternative Data Working Group, Washington, DC, September 2016

**Amicus Brief, *Birchfield v. North Dakota***, 136 S.Ct. 2160 (2016) (brief filed on behalf of the American Civil Liberties Union February 2016)

**Written Testimony, Equal Employment Opportunity Commission, EEOC at 50: Progress and Continuing Challenges in Eradicating Employment Discrimination**, July 2015 (with Solon Barocas)

**Amicus Brief, *North Carolina Board of Dental Examiners v. Federal Trade Commission***, 135 S.Ct. 1101 (2015) (brief filed on behalf of Public Citizen, Inc., August 2014)

**Roundtable Participant, Improving Government Performance in the Era of Big Data Opportunities and Challenges for Federal Agencies**, White House Office of Science and Technology Policy and Massive Data Institute, Georgetown University McCourt School of Public Policy, June 2014

### CONFERENCES ORGANIZED

Program Committee Member, FAT\*, NYU School of Law, February 2018

Program Committee Member, Machine Learning and the Law, NIPS Symposium (Barcelona), December 2016

Co-Organizer, NYU/Princeton Conference on Mobile and Location Privacy: A Technology and Policy Dialog, NYU School of Law, April 2012

### OTHER WRITING

***Supreme Court Must Understand: Cell Phones Aren't Optional***, Wired (November 29, 2017) (with Julia Ticona)

*FTC Report: Big Data Can Create Opportunities or Shut People Out*, HL Chronicle of Data Protection (January 15, 2016)

*Losing Out on Employment Because of Big Data Mining*, New York Times, Room for Debate (August 6, 2014) (with Solon Barocas),

*FCC Tries to Revive Net Neutrality Without Rocking The Boat; Politically Weak Decision Could Prove Disastrous*, Consumer Law and Policy Blog (February 20, 2014),

*The D.C. Circuit's Net Neutrality Decision Is Bad For Consumers*, Consumer Law and Policy Blog (January 15, 2014),

#### **BAR ADMISSIONS**

New York; New Jersey; District of Columbia, U.S. Supreme Court; U.S. Court of Appeals for the Third Circuit

#### **OTHER EXPERIENCE**

Analog Devices, Inc., Design Engineer, 2006–2008

Cirrus Logic, Inc., Analog IC Design Engineer, 2005–2006

Analog VLSI and Biological Systems Lab at MIT, Graduate Research Assistant, 2004–2005