

## 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)

### PUBLICATIONS AND WORKS IN PROGRESS

*Negligence and AI's Human Users* (in progress)

*Fairness and Abstraction in Sociotechnical Systems*, 2019 ACM Conference on Fairness, Accountability and Transparency (FAT\*) (first author; with danah boyd, Sorelle Friedler, Suresh Venkatasubramanian, Janet Vertesi)

*The Intuitive Appeal of Explainable Machines*, 87 *Fordham Law Review* 1085 (2018) (with Solon Barocas)

- Honorable Mention, Privacy Papers for Policy Makers Award, 2018

*Disparate Impact in Big Data Policing*, 52 *Georgia Law Review* 109 (2017)

*Meaningful Information and the Right to Explanation*, 7 *International Data Privacy Law* 233 (2017) (peer reviewed) (with Julia Powles)

*A Mild Defense of Our New Machine Overlords*, 70 *Vanderbilt Law Review En Banc* 87 (2017) (invited response)

*Big Data's Disparate Impact*, 104 *California Law Review* 671 (2016) (with Solon Barocas)

- Awarded IAPP Best Paper Award at 2014 Privacy Law Scholars' Conference
- Privacy Papers for Policy Makers Award, 2014

*Contextual Expectations of Privacy*, 35 *Cardozo Law Review* 643 (2013)

*The Journalism Ratings Board: An Incentive-Based Approach to Cable News Accountability*, 44 *University of Michigan Journal of Law Reform* 467 (2011) (student note)

### CLERKSHIPS

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

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

## **PROFESSIONAL EXPERIENCE**

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

**Fordham Law School**, Adjunct Professor, 2018–Present

- 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

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

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

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

**New York Civil Liberties Union**, Legal Intern, 2010

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

**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

## **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