Facebook Settles Privacy Suit with Federal Trade Commission

December 1, 2011 - Facebook's privacy policies and tools have been a bit of a running joke and a regular topic of conversation among the privacy advocates that I know. The company has repeatedly changed its policies without notification to users and without seeking user permission. And those changes got the company in hot water with the FTC, which claimed that they violated the FTC Act by making false promises to consumers to keep their information private. This week, the FTC and Facebook settled their case. As a part of the settlement, Facebook is going to find the FTC looking over the company's shoulder for the next 20 years.

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(function() {
var s = document.createElement('SCRIPT'), s1 = document.getElementsByTagName('SCRIPT')[0];
s.type = 'text/javascript';
s.src = 'http://widgets.digg.com/buttons.js';
s1.parentNode.insertBefore(s, s1);
})();
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   po.src = 'https://apis.google.com/js/plusone.js';
   var s = document.getElementsByTagName('script')[0]; s.parentNode.insertBefore(po, s);
 })();
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Facebook is in the business of sharing information. Anyone who uses the company's service is really being a little naÃ¯ve if they think that the information they post on Facebook can be kept private. But as with other social networks, Facebook does offer tools that allow user to control how accessible their information is to others.

For instance, you can setup your profile so that it is visible to the world, or just to your immediate friends. The choice is yours. Of course, even if you only share your information with your friends you have absolutely no way to prevent those friends from copying your information and posting it all over the internet. But that's a different issue.

In this case, the FTC was objecting to several anti-privacy actions taken by the company. Back in 2009, a change to Facebook made information that users had market as private, available for the world to see. Users who wanted to maintain their privacy actually had to go into their settings pages and make their information private again. And according to the FTC, the company told consumers that it wouldnâ€™t' share their personal information with advertisers, but it did so anyway.

The settlement doesn't impose any penalties on Facebook for past actions. But it does subject the company to independent privacy audits for the next 20 years. And if Facebook decides that it doesn't want to live up to its end of the bargain and violates the terms of the agreement, the company can be fined $16,000 per day, per incident. That's a pretty big stick.

It is worth noting that Facebook is not the only company that has done this type of thing. Users of all social networks would be well advised to periodically review the privacy policies of the companies they work with. If those policies change, your only choices may be to cancel your account or to reset your privacy settings. And since many social networking sites try to make finding either of these options difficult, you may have to take a short course in private investigation before proceeding.

Most people that find themselves facing jail time over debts have done a little more than just miss a payment. To send you to jail, a warrant needs to be issued by a judge. Debt collectors can't simply demand that the local police arrest you. In most cases, what happens is that the judge gets upset because the debtor either missed a scheduled court appointment, or missed a court ordered payment. But that isn't always the case.
Debt collectors are bound by the rules of the Fair Debt Collection Practices Act. Additionally, many states have their own version of this law. The act specifically forbids debt collectors from threating to sue unless they actually intend to move forward with a law suit. They can't use profane language, or threaten you personally. That's the good news.
The bad news is that if a debt collector does threaten to have you thrown in jail, then he might actually be serious. That may be the time to speak with an attorney.
According to the Wall Street Journal, an audit of 9 counties allowed them to conclude that since the beginning of 2010, judges have signed off on more than 5,000 such warrants. The practice seems to be especially prevalent in Illinois.
The irony here is that the people who owe the money are usually not paying because they have lost their jobs. Throwing them in jail will make it impossible for them to find a job for, at a minimum, the amount of time they are locked up.
Of course, declaring bankruptcy will end any talk of jail. Once a debtor does this, the court has the power to stop debt collectors in their tracks.

byJim Malmberg
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