Research Summary: Results of a Privacy Survey Evaluating Opinions and Knowledge
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When it comes to online privacy, what do people know, what do people do, and what do people want? To find out, we conducted a two-part online survey, eventually collecting information from about 500 respondents on each part. The first part of the survey focused on opinions relating to privacy and the Internet, and the second part of the survey focused on the privacy knowledge of the respondents. Topics ranged from targeted advertising, to online security, to constitutional privacy protections. In this research summary, we present some of our findings, and we hope that the results of our survey can assist in the evolution of new/better notice and consumer choice models to improve digital privacy.

Demographics

For both parts of the survey, a majority of respondents were between 18 and 25 years old. The survey link was distributed primarily at the University of Illinois at Urbana-Champaign, so respondents were likely to be affiliated with the university in some way. The UIUC campus is very large, with over 32,000 students at the undergraduate level and over 12,000 students at the graduate level, and includes seventeen separate colleges. Overall, the sample was highly educated. For example, 60% of respondents to the first part of the survey had completed an undergraduate-level degree, and almost half of this figure (29% overall) had also completed a graduate-level degree. Approximately half of respondents who identified their major field of study listed their major as engineering, mathematics, or a field of hard science.

Informed Consent

A more effective “notice and choice” approach to privacy protection would aim to engage consumers and help them become more involved with decisions about their digital privacy. This sort of consumer engagement resembles the idea of informed consent in other areas involving human subjects, like behavioral research or medicine. Doctors must obtain a patient’s informed consent before performing many medical procedures. The Institutional Review Board of our university required us to obtain the informed consent of our survey participants at the beginning of the survey.

Our vision of “notice and choice” goes somewhat further than informed consent. Informed consent tells the subject “Here is the information, here are the benefits, here are the risks. Do you accept these risks?” But a more meaningful notice and choice approach tells the subject “Regarding Choice A, here is the information, here are the benefits, here are the risks. Regarding Choice B, here is the information, here are the benefits, here are the risks. Which set of risks, if any, will you accept?” An effective notice and choice approach to digital privacy therefore should involve more than informed consent, but informed consent should be a cornerstone of notice and choice.

Finding out what people know, do, and want online will help us to suggest ways to ensure that consumer decisions online are guided by informed consent. For us, informed consent must include awareness of the ways that service providers use consumer data, which is often covered in terms of service agreements and privacy policies. We believe that informed consent will strengthen the market for cloud services and increase how much consumers trust these services. However, comprehension is one of the essential elements of informed consent, so obtaining informed consent online may be difficult because comprehension of agreements with providers is likely to be low. Our survey results indicate that very few people read terms of service or privacy policies, and it is
difficult to have comprehension of documents that you do not read. To remedy the informational asymmetry that currently exists, consumers should be made aware of the importance of these documents. Some regulatory oversight may ultimately be necessary.

Opinion Survey

Responses to the opinion survey provide valuable insights into respondents’ interactions with Internet issues, and application of these lessons could lead to new and lucrative market development opportunities. Our results also indicate that consumers would welcome more choices with respect to online privacy protections. For example, one question gave respondents a choice between three options: (1) receiving a free service with fewer features where customers have more control over their data, (2) paying for a service that gives customers more features and more control over their data, or (3) receiving a free service with more features and less control over their data. These three choices represent three possible business models that companies might follow, with the latter option representing the current dominant model.

As the above figure shows, a majority of the survey respondents indicated that they would prefer to receive a free service with fewer features but have more control over their data. This result suggests that, when it comes to services online and how the services use consumer information, the modern consumer may want more options than the market currently provides. Most importantly, it indicates that one of the most common online business models, where users get a lot of features in exchange for allowing their information to be used for targeted advertisements, may actually be contrary to the actual desires of consumers. This demonstrates that there is a demand for a more meaningful choices regarding digital privacy.

Many of the opinion questions were about more general Internet privacy issues, but we also used the survey to evaluate opinions about laws that apply to privacy online. Our purpose in asking for opinions about legal issues was different than our purpose in asking for opinions about more general issues. When asking general questions, the responses could easily be used to shape the future practices of private companies. Asking non-lawyers what they think the law should be, on the other hand, provides an insight into some of the very practical aspects of governance that practitioners and policy makers sometimes lose sight of. As the below figure shows, a majority of respondents indicated that they believe that U.S. law currently does not provide strong enough protections for privacy online.
Because of the digital surveillance controversy that came to light in 2013, one category of opinion questions examined respondents’ reactions to privacy issues that arise between private citizens and the government. While the average citizen may not be familiar with the intricacies of Fourth Amendment jurisprudence, a majority of the respondents to our survey believe that digital “papers and effects” should be protected just like their physical counterparts. Responses also indicated that people often favor requiring a search warrant, especially for the contents of communications. This may indicate a desire for more accountability and transparency in government. As the below figure shows, a majority of respondents believe that the government currently has too much power to collect private information based on public safety justifications.

We found the responses to law-oriented questions to be very enlightening, because while very few of the respondents were legal professionals, everyone is affected by how the law is applied. Whether they are legal professionals or lay persons, reasonable people may differ about what sort of application of the law sounds “right,” and developing an idea of what sounds “right” to the most people could potentially help in shaping future policy decisions on a massive scale.

**Knowledge**

We had five categories of questions in the knowledge portion of the survey: cloud computing; online security; the economics of the Internet; the Family Educational Rights and Privacy Act (a federal law governing the privacy of educational records in the United States); and privacy law issues not relating to education. Compared to the mean performance in other sections, respondents did not perform as well on the sections concerning educational records and other legal knowledge. The results of the knowledge survey help us to see what areas need to be improved to increase comprehension and have meaningful informed consent.
One of the reasons that we explored FERPA specifically was because we knew that many of the survey participants were likely to be college students. The poor performance of respondents on the section about other privacy laws was expected, because most people do not deal with the Fourth Amendment or the Stored Communications Act in their daily lives. However, college students are regularly asked to sign forms giving the school permission to release education records, but on average, respondents did not perform any better on questions about FERPA than they did on questions about other privacy law issues. This indicates that the problem of informed consent relating to privacy policies and website terms of service may also exist in the context of educational records. There is very little difference between clicking “I accept” at the bottom of a privacy policy on a website, and clicking “I accept” so that a school can release student records. Is acceptance of these terms just a formality? And if so, should we be troubled by this?

Conclusion

Based on the ages and the fact that the survey was heavily distributed at the University of Illinois, many respondents to this survey were likely to be current university students. Our results suggest that students are poorly informed about the legal aspects of privacy, including laws that are specifically designed to protect their interests. Nonetheless, responses in other parts of the knowledge survey indicate that respondents were often aware of potential risks to their privacy. The opinion survey builds on this awareness and makes it clear that respondents also likely want better or more expanded choices in order to exercise more effective control over their data. Taken together, the results of our survey suggest that there are specific areas that policy makers and industry members can emphasize to increase trust of the government on privacy matters, increase consumer engagement, and support further development of the market for cloud services with a wider variety of privacy offerings.