Public Health and Private Data:
The Ethics of Using Digital Contact Tracing for COVID-19

In early March of 2020, South Korea implemented a comprehensive digital contact tracing system that used private citizens' smartphone data to pinpoint new cases of COVID-19 and stymied the spread of the virus. Two months later, it appears that this radical containment strategy has worked. South Korea now reports drastically lower mortality rates than the rest of the world, and life in the country marches on at a sustainable—albeit a slightly slower—pace than normal (Kim 2020).

By comparison, the United States—the epicenter of the pandemic—continues to face a surge of cases without the necessary manpower to efficiently contact trace its population. If the U.S. were to implement a centralized platform for data collection, government and public health officials could use that information to notify the public of suspected hotspots for the virus and sterilize them within hours of a positive test. As we know from South Korea's example, this digital surveillance strategy does work to control the spread of this highly transmissible virus. However, this technological solution also could pose a threat to the public's personal privacy. For many government and health officials, it remains an open issue whether or not digitally-enabled contact tracing should be used to fight COVID-19 despite its potential costs.

Many public health experts argue that we must use digital contact tracing because we know that it works and that it save lives. Dr. William Schaffner, a preventative medicine specialist at Vanderbilt University, argues that this digital tool proves that “it takes the most restrictive measures to make a real difference” (McNeil 2020). The insights gleaned from digital contact tracing can be used to fight not only COVID-19, but it can be used against other public health crises in the future. Moreover, Dr. Marcello Ienca, the Chair of Bioethics at ETH Zurich, argues that “if we have technology for minimizing harm, we have a moral obligation to use it” (Halpern, 2020). By this reasoning, we must use digital contact tracing in the fight against COVID-19 despite personal privacy concerns.

On the other hand, health and government officials contend that potential privacy violations and threats to wellbeing outweigh the possible benefits of digital contact tracing for COVID-
19. Dr. Anthony Fauci, the director of the National Institutes of Allergy and Infectious Diseases, maintains that using data from personal devices can generate significant “civil liberties-type pushback” (Timberg, et. al., 2020). In addition, some government officials like Senator Maria Cantwell also worry that “rights and data surrendered temporarily during an emergency can become very difficult to get back” (Halpern, 2020). In that case, the public's right to privacy could be infringed upon for many years after the COVID-19 crisis has ended. More than that, their personal data could also be used in objectionable ways like bolstering political movements (Knight, 2020). This possible threat to our personal privacy is no less a threat than that of COVID-19 to public health.

Without an effective clinical treatment or a vaccine for COVID-19, public health officials and policy makers have not settled on whether or not to use this effective new tool against the virus. After nearly three months of lockdown and no implementation of digital contact tracing to date, the U.S. seems to be opting out of using it. However, as the U.S. death toll grows to more than 100,000 deaths, we cannot ignore the measurable cost of human deaths to the virus that should be weighed against the immeasurable cost of personal privacy to digital surveillance. With the U.S. economy reopening and the public returning to some semblance of normal life, the need for increased contact tracing is higher than ever. As we adjust to living with the virus and see its effects on our way of life, the balance may shift more or less in favor of this radical, technological approach to tracing the virus—only time will tell.

Discussion Questions:

1. What are the ethical issues with digital contact tracing?

2. Is this primarily a legal or ethical controversy? Explain your reasoning.

3. Do governments have a greater ethical responsibility to prevent harm or to protect the public’s personal privacy?

4. What ethical guidelines would you propose to developers of digital contact tracing? How might these guidelines avoid harmful consequences to the public—foreseen or not foreseen?

Further Information:


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