General Convention of The Episcopal Church 2022
Archives' Research Report

Resolution No.: 2022-D020

Title: Addressing Implications of the Digital Age

Proposer: Ms. Sarah Lawton

Topic: Social Action, Technology

Directly Related: (Attached)

2006-A048 Adopt Industry Best Practices for Technology and Communications

Indirectly Related: (Available in the Acts of Convention database, searchable by resolution number)

2012-A026 Develop Strategic Information Technology Plan
2012-D058 Equip Church Center with Technology
2009-A050 Conduct an Independent Technology Audit of ECC

In preparing this report, the Archives researched the resolutions in the Acts of Convention database for the period 1973 through 2018, selecting "direct" resolutions that have a substantive bearing on the proposed legislation. The "direct" resolutions are attached and "indirect" resolutions are available in the Acts of Convention database. Committee members who require other research assistance should contact the Archives through the Research Request Form or call 800-525-9329.

D020 - Addressing Implications of the Digital Age

Final Status: Not Yet Finalized

Proposed by: Ms. Sarah Lawton
Endorsed by: Mr. Alan Murray,The Rev. Dr. Cameron Partridge
Requests New Interim Body: No
Amends C&C or Rules of Order: No
Has Budget Implications: No
Cost:
HiA: HD
Legislative Committee Currently Assigned: 08 - Social Justice & United States Policy
Completion Status: Incomplete
Latest House Action: N/A
Supporting Documents: No

Resolution Text

Resolved, the House of _____ concurring,

That this 80th General Convention acknowledge that we are living in a time when technology is both opening new doors for connection and possibility, and also mechanisms for surveillance and intrusion, and that as a society and as a church we have not fully grappled with the practical and ethical implications of the transition to the Digital Age; and be it further

Resolved, that this Convention encourage the Theology Committee of the House of Bishops to consider studying and reporting on the uses and abuses, possibilities and detriments of technology in our daily and institutional lives, including for prayer and worship, work, and family life, and on the ethical and theological implications of the new Digital Age for our interior lives, our prayer practices, our connections to each other and to all creation—and ultimately, our connection to God; and be it further

Resolved, that the Episcopal Church, with the help of the Office of Government Relations and the Episcopal Public Policy Network, support policies at the local, state, national, and international levels of governance and agreement to:

- Regulate technology companies to protect consumers, especially children and youth, from unreasonable surveillance, personal data collection, addictive features, and harmful content;

- Regulate the use of digital technology and artificial intelligence in the workplace to surveil, monitor, and manage workers, in order to uphold workers' rights to organize, to privacy, to safe working conditions, and to equal opportunity;
- Regulate the use of data collection and storage by public authorities, including local, national and international law enforcement agencies, to safeguard society while shielding people from unreasonable intrusions of privacy;
- Support public investment to close the digital wealth and racial divide in access to technology and technology education; and be it further

Resolved, that the Episcopal Church call upon large data and technology companies to carry out independent and ongoing ethical reviews of their products and their impacts on people, especially vulnerable populations such as children and youth, and society as a whole including our democratic systems and workplaces, and to have processes in place to mitigate harm; and that the Committee on Corporate Social Responsibility of the Executive Council of the Episcopal Church be tasked with engaging relevant companies in the Church's investment portfolio on these ethical questions.

Explanation

If the church was not in the digital age before the global pandemic, it certainly became so during and after. Many of us had the experience of introducing live-streaming or zoom church to congregations with varying degrees of digital literacy. On the other end of the spectrum, the generation that is coming of age now, the "Zoomers," are digital natives who have no memory of a time before computers; the oldest of them may remember the advent of iPhones in their middle school years. Digital technology has helped us all in many ways, especially during the pandemic, for working and learning from home and staying connected with family and friends.

That said, digital technology has advanced so quickly that our ethical thinking and our practices as a society have had a hard time keeping up – not to mention our analog brains. "Disruptive" practices, designed to break traditional rules and ask permission later, have been the hallmark of technology companies. We are belatedly realizing that the tools of technology often come with as a gift with fangs. In an unregulated market, digital offerings and apps are designed to be addictive, keeping us buried in our phones for hours at a time; the games encourage in-app purchases; the algorithms of social media sites lead us into siloed and often harmful content; and the apps and sites themselves are often massive data collection machines, with us and our personal lives as their content.

Technology is also being deployed in the workplace with profound consequences for wages, working conditions, race and gender equity, and worker power: employers are collecting data; using electronic monitoring; using algorithms in hiring, firing, and task management, including classic labor speed-ups, that affect worker health and safety; and surveillance, especially to discourage workplace organizing. All of these are especially being use in low-wage industries such as warehouses (e.g., Amazon); hotels; janitorial services; app-based delivery and ride services; and restaurants.[i]

Surveillance technologies such as facial recognition and electronic tracking are increasingly being deployed by law enforcement agencies at local, state, and federal levels to track and

monitor people, often with a focus on immigrants and communities of color, such as during the George Floyd protests in 2020.[ii] Law enforcement agencies at all levels are spending hundreds of millions of dollars[iii] on surveillance technologies whose capacities and reach exceed prior court rulings on privacy protections. Some local jurisdictions are beginning to pass laws to regulate police surveillance, but the field is largely unregulated in most places and federally.[iv] Meanwhile, we are beginning to hear of the use of new technologies, for example the Pegasus spyware from the Israeli company NSO, that apparently has been sold to authoritarian nationalist governments around the world[v], and is being used to completely surveil and monitor dissidents' cellphones.[vi]

The European Union has put in place several regulations governing member countries on data surveillance and collection, notably the General Data Protection Regulation (GDPR), passed in 2016 and implemented in 2018, and the Data Protection Law Enforcement Directive, implemented in 2016 and transposed into member countries' laws in 2018.[vii] Some states have also implemented regulations on the use of technology, including California, where the legislature passed the California Consumer Privacy Act of 2018 (SB-1121)[viii] and the voters passed, by ballot measure, the California Privacy Rights Act (Proposition 24) in 2020;[ix] Virginia passed the Consumer Data Protection Act in March of 2021,[x] and Colorado passed the Colorado Privacy Act in July of 2021, which will go into effect in 2023.[xi] The Children's Online Privacy Protection Act (COPPA) is a federal law, passed in 1998 and implemented starting in 2000, that regulates the collection of information from children under the age of 13.[xii]

Other bills have been introduced in Congress to extend protections to teenagers, such as the "Kids Internet Design and Safety Act," or "KIDS Act," by Senators Markey and Blumenthal;[xiii] but the United States as a whole does not have a comprehensive privacy law similar to the European Union's or those of other countries.[xiv] Laws to regulate technology in the workplace are virtually non-existent. It's unlikely that the church can solve all these issues! But we can help advocate, from a moral perspective, and with concern for the dignity of every person, for laws and corporate policies to protect us as children, as workers, as people.

Meanwhile, the benefits and wonders of technology are unevenly distributed, with fault lines along wealth and race/ethnicity. The experience of remote schooling during the pandemic made some of these divides very evident.[xv] While the 2020 federal infrastructure law contains funding to extend broadband access to poor urban and rural areas,[xvi] there is a huge need, particularly in schools, to close the gaps in terms of access to up-to-date hardware, software, and technology skills. More funding at all levels, including free community college programs in technology, would help close these gaps.

We are still catching up to the implications of the new Digital Age. In addition to supporting protections for people, including children and workers, and indeed all consumers, it would be helpful to have more conversation about the ethnical and theological implications of technology in every part of our lives. We speak of sabbath, but do we take that seriously in terms of shutting off the firehose of information? We might look to the example of our friends in the Jewish community who turn off their electronic devices on Shabbat/Shabbos. What are the implications of our addiction to technology for our interior lives, our prayer practices, our connections to each other and to all creation? —are we looking up at the sky

and out to ocean and trees? Are we looking toward each other? Ultimately, what does our addiction to technology mean for our connection to God? These are theological and missional questions. It would be helpful if Theology Committee of the House of Bishops were to start a conversation to help us all grapple with this topic.

[i] “Data and Algorithms at Work: the Case for Worker Technology Rights,” by Annette Bernhardt, Lisa Kresge, and Reem Suleiman. UC Berkeley Center for Research and Education, November 2021. https://laborcenter.berkeley.edu/wp-content/uploads/2021/11/Data-and-Algorithms-at-Work.pdf. (Retrieved February 1, 2022.)

[ii] “San Francisco Police Illegally Used Surveillance Cameras at the George Floyd Protests. The Courts Must Stop Them,” by Nathan Sheard, Electronic Frontier Foundation, January 13, 2022. https://www.eff.org/deeplinks/2022/01/san-francisco-police-illegally-used-surveillance-cameras-george-floyd-protests.

[iii] “How Police Fund Surveillance Technology is Part of the Problem,” by Matthew Guariglia and David Maass, Electronic Frontier Foundation, September 23, 2020. https://www.eff.org/deeplinks/2020/09/how-police-fund-surveillance-technology-part-problem.

[iv] “A Look Into the Future of Surveillance Technology,” by Madison Conkel and Eileen H. Rumfelt, American Bar Association, June 26, 2019. https://www.americanbar.org/groups/litigation/committees/criminal/practice/2019/look-into-the-future-of-surveillance-technology/.

[v] “The New Spy Wars: A tale About Israel, Pegasus, and the World,” by David Leonhardt, The New York Times, January 28, 2022. https://www.nytimes.com/2022/01/28/briefing/pegasus-spyware-espionage-cyberwarfare.html

[vi] “What is Pegasus spyware and how does it hack phones?,” by David Pegg and Sam Cutler, The Guardian, July 18, 2021. https://www.theguardian.com/news/2021/jul/18/what-is-pegasus-spyware-and-how-does-it-hack-phones

[vii] European Union website: “Data protection in the EU: The General Data Protection Regulation (GDPR), the Data Protection Law Enforcement Directive and other rules concerning the protection of personal data.” https://ec.europa.eu/info/law/law-topic/data-protection/data-protection-eu_en.

[viii] https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB1121.

[ix] https://vig.cdn.sos.ca.gov/2020/general/pdf/topl-prop24.pdf.

[x] https://lis.virginia.gov/cgi-bin/legp604.exe?212+sum+SB1392.

[xi] https://leg.colorado.gov/bills/sb21-190.

[xii] https://www.ftc.gov/enforcement/rules/rulemaking-regulatory-reform-proceedings/childrens-online-privacy-protection-rule

[xiii] https://www.markey.senate.gov/imo/media/doc/KIDS%20Act%202020.pdf

[xiv] See this industry platform for a useful roundup of laws in the United States and globally: https://wirewheel.io/data-privacy-laws-guide/.

[xv] “The Digital Divide in Education,” by Nio Gao and Joseph Hayes, Public Policy Institute of California, February 2021. https://www.ppic.org/publication/the-digital-divide-in-education/.

[xvi] “Broadband in the infrastructure bill: taking aim at the digital divide,” by Nicholas Fandos, The New York Times, August 8, 2021. https://www.nytimes.com/2021/08/02/us/broadband-infrastructure.html

Resolution Number: 2006-A048

Title: Adopt Industry Best Practices for Technology and Communications

Legislative Action Taken: Concurred as Amended

Final Text:

Resolved, **That the 75th General Convention of The Episcopal Church direct the Church Center and other church bodies to adopt industry appropriate "best-practices" when adopting new technology and in making communication decisions;** and be it further
Resolved, **That task force groups of not fewer than five persons be named to serve as volunteer consultants as needed to help the entities of the church implement this guideline. These persons shall be appointed by the Presiding Bishop and the President of the House of Deputies, in consultation with the Chief Operating Officer of DFMS.**

Citation: General Convention, *Journal of the General Convention of...The Episcopal Church, Columbus, 2006* (New York: General Convention, 2007), p. 285.