

# Kendra Albert

they/them

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## Experience

- Summer 2019 – Present **Clinical Instructor**, *Harvard Law School Cyberlaw Clinic*, Cambridge, MA.  
Supervises clinical students on client matters related to computer security, intellectual property law, the First Amendment, and product counseling. Represents clients in a number of pre-litigation matters, providing risk analysis and mitigation strategies. Notable public successes:
- Filed amicus brief on behalf of media organization and data journalists extensively cited by the Ninth Circuit in *Center for Investigative Reporting v. DOJ*.
  - Successfully settled copyright litigation for a small queer media organization for less than a third of first settlement offer.
  - Developed conflict of interest policy for CAT Lab, a field-defining research organization at Cornell University.
- Fall 2019 – Present **Director**, *Initiative for a Representative First Amendment*, Cambridge, MA.  
Runs a fellowship program for students from backgrounds traditionally underrepresented in First Amendment law. Created entire program model and raised over \$450,000 in order to fund the program. Recruited advisory board, hired staff, oversaw communications, and placed students at summer positions.
- Fall 2017 – Summer 2019 **Clinical Instructional Fellow**, *Harvard Law School Cyberlaw Clinic*, Cambridge, MA.  
Supervised clinical students on client matters. Filed brief on behalf of two members of Congress in *ASTM v. Public.Resource.org*. Successfully petitioned Library of Congress on behalf of Software Preservation Network, gaining a broad exemption to DMCA §1201 for libraries, archives, and museums to preserve software. Worked with security researchers from DEF CON's Voting Village to publish voting machine vulnerability findings under threat of litigation.
- Fall 2016 – Fall 2017 **Associate**, *Zeitgeist Law*, San Francisco, CA.  
Associate at boutique law firm specializing in technology issues. Counseled clients on matters including Computer Fraud and Abuse Act risk, EU-US data protection law, product development, and litigation. Drafted open government requests and managed FOIA docket.
- 2012 – 2013 **Fellow/Head Teaching Fellow, CopyrightX**, *Berkman Center for Internet and Society*, Cambridge, MA.
- 2011 – 2013 **Research Associate/Assistant**, *Professor Jonathan Zittrain*, *Harvard Law School*, Cambridge, MA.

## Bar and Court Admissions

- State Bars** California (2017), Massachusetts (2019)
- Courts** Ninth Circuit Court of Appeals (2019), United States District Court, Northern District of California (2017), United States District Court, Central District of California (2020), United States District Court, District of Massachusetts (2021)

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## Education

- 2013 – 2016 **J.D.**, *Harvard Law School*, Cambridge, MA, USA.  
Graduated *cum laude*.  
Internships: Electronic Frontier Foundation, Cloudflare, Public Citizen, Law Offices of Marcia Hofmann  
Research Assistant, Consumer Financial Distress Project  
Article Editor, *Harvard Journal of Law and Gender*
- 2007 – 2011 **B.H.A. in History and Lighting Design**, *Carnegie Mellon University*, Pittsburgh, PA, USA.  
Advisor: Richard Scheines. Thesis: *"All Bets Were Off": Changes in Scientific Causation in Tort Law Through the Lens of Agent Orange*.  
Graduated with College of Fine Arts Honors, University Honors, and Humanities & Social Sciences Honors.

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## Publications: Computer Science

- 2021 Kendra Albert, et al., *Adversarial for Good? How the Adversarial ML Community's Values Impede Socially Beneficial Uses of Attacks*, ICML 2021 Workshop on the Promises and Perils of Adversarial Machine Learning.
- 2021 Kendra Albert & Maggie Delano, *"This Whole Thing Smacks of Gender": Algorithmic Exclusion in Bioimpedance-based Body Composition Analysis*, ACM Conference on Fairness, Accountability, and Transparency 2021 (presentation).
- 2020 Kendra Albert, et al., *Ethical Testing in the Real World: Evaluating Physical Testing of Adversarial Machine Learning*, NeurIPS 2020 Workshop on Dataset Curation and Security (selected for oral presentation).
- 2020 Ram Shankar Siva Kumar, Jonathon Penney, Bruce Schneier, & Kendra Albert, *Legal Risks of Adversarial Machine Learning Research*, ICML 2020 Workshop on Law & Machine Learning (selected for oral presentation).
- 2020 Kendra Albert, Jonathon Penney, Bruce Schneier, & Ram Shankar Siva Kumar, *Politics of Adversarial Machine Learning*, ICLR 2020 Workshop on Towards Trustworthy ML: Rethinking Security and Privacy for ML (selected for oral presentation).
- 2018 Ram Shankar Siva Kumar, David R. O'Brien, Kendra Albert, & Salomé Viljoen, *Law and Adversarial Machine Learning*, NeurIPS 2018 Workshop on Security in Machine Learning (selected for oral presentation).

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## Publications: Law

- 2021 Kendra Albert, et al., *FOSTA in Legal Context*, 52 Columbia Human Rights Law Review \_\_\_\_ (2021).
- 2019 Kendra Albert, *Their Law*, Harvard Law Review Blog.
- 2017 Kendra Albert, *Computer Security Tools and Concepts for Lawyers*, The Green Bag (vol. 20, no. 2).
- 2014 Jonathan Zittrain, Kendra Albert, & Lawrence Lessig, *Perma: Scoping and Addressing the Problem of Link and Reference Rot in Legal Citations*, 127 Harv. L. Rev. Forum 176.

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## Public Writing and Guides

- 2020 Kendra Albert & Sunoo Park, *A Researcher's Guide to Some Legal Risks of Security Research*.
- 2019 Kendra Albert, Daina Bouquin, Alena Farber, & Russell Hoover, *Copyright Guide for Scientific Software*, Software Preservation Network (2019).
- 2019 Ram Shankar Siva Kumar, David R. O'Brien, Kendra Albert, Salome Vilojen, & Jeffery Snover, *Failure Modes in Machine Learning Systems*, Microsoft Security Documentation.
- 2019 Kee Young Lee & Kendra Albert, *A Preservationist's Guide to the DMCA Exemption for Software Preservation*, Software Preservation Network (2019).
- 2017 Kendra Albert & Maggie Delano, *The World is a Prison: The Problem with Electronic Monitoring*, Logic Magazine (vol. 3, 2017).

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## Honors, Awards, and Funding

- 2021 Grant for Initiative for a Representative First Amendment (\$185,000), Legal Clinics Fund
- 2020 Certificate of Teaching Excellence, Transgender Rights and the Law
- 2020 Harvard Law School Dean's Award for Excellence
- 2019 Grant for Initiative for a Representative First Amendment (\$300,000), Legal Clinics Fund
- 2017 Transatlantic Digital Debates Fellow
- 2017 Best Legal Hack for Computer Security Tools and Concepts for Lawyers, DC Legal Hackers
- 2015 Harvard Law School Academic Fellowship
- 2015 Harvard Law School Foundations of Private Law Fellowship

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## Teaching

- Fall 2020 Lecturer on Studies of Women, Gender, and Sexuality, Transgender Rights and the Law: Assumptions and Critiques, Harvard College
- Spring 2020 Lecturer on Law, Advanced Constitutional Law: New Issues in Speech and the Press, Harvard Law School
- Fall 2019 Lecturer on Law, Critical Perspectives on Transgender Law, Harvard Law School
- Spring 2019 Lecturer on Law, Advanced Constitutional Law: New Issues in Speech, Press, and Religion, Harvard Law School
- Spring 2017-Present Instructor, Cyberlaw Clinic Seminar, Harvard Law School

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## Selected Talks and Panels

- 2021 *Smashing the ML Stack for Fun and Lawsuits* (with Ram Shankar Siva Kumar), Blackhat 2021.

- 2021 Panel: *Creating Safer Spaces for Trans and Non-binary Folks*, Queer in AI Workshop at ICML 2021
- 2021 Panel: *Public Interest Technology for the ML Age*, Obfuscation Workshop, Cornell University
- 2021 Invited Talk: *Panda v. Gibbon: Legal Liability for Adversarial Machine Learning Attacks*, Robust and Reliable Machine Learning Workshop, ICLR 2021
- 2021 Panel: *Real world challenges for robustness in machine learning*, Robust and Reliable Machine Learning Workshop, ICLR 2021
- 2021 Panel: *Online Gendered Hostility and Violence*, 2021 Symposium: The Evolution of Technology & Gender-Related Offenses, Georgetown Law.
- 2021 *Let's Talk About Gender*, Indiana University Maurer School of Law.
- 2021 *Hacking//Hustling and sex worker advocacy online*, Carr Center for Human Rights Policy Life 3.0 Lecture Series, Harvard Kennedy School of Government.
- 2021 Panel: *Columbia HRLR Symposium on Sex Workers' Rights, Advocacy, & Organizing*, Columbia Law School.
- 2020 Panel: *Communications Decency Act Section 230 and the Future of Online Speech*, Case Western Reserve University School of Law.
- 2020 Panel: *Imagining a World Without 230*, Everything You Need to Know about Section 230 in 5 Hours, Yale Law School.
- 2020 Panel: *Technology and the Criminalization of Sex Work*, Shaping Justice, University of Virginia Law School, Charlottesville, VA.
- 2019 Panel: *Decoding the Patriarchy*, 2019 Conference on Gender and International Affairs, Fletcher School of Law & Diplomacy at Tufts University, Medford, MA.
- 2019 *FOSTA-SESTA Legal Explainer*, Hacking//Hustling, Harvard Law School, Cambridge, MA.
- 2019 Panel: *Lawyering as Maintenance*, Maintainers III: Practice, Policy and Care, Washington, DC.
- 2019 Panel: *Why I Changed My Mind*, Harvard Law School Library, Cambridge, MA.
- 2019 Panel: *Legal Perspectives on Gender Equity*, Harvard Hears You: Summit for Gender Equity, Cambridge, MA.
- 2018 Panel: *Decentralized Social Networking*, Decentralized Web Summit 2018, San Francisco, CA.
- 2018 Keynote: *The Silences of (Big) Data*, LITA President's Program, ALA Annual 2018, New Orleans, LA.
- 2018 *Gig Work and the Digital Security Divide*, ENIGMA 2018, Santa Clara, CA.
- 2017 *Direct Donation Models (Or How To Give Away Other People's Money)*, Affect Conf, Portland, OR.
- 2016 *Beyond Legal Talismans*, Berkman Klein Center for Internet and Society Luncheon Series, Cambridge, MA.
- 2016 *Legal Talismans*, Theorizing the Web 2016, New York City, NY.

- 2016 *The Angry Birds in the Coal Mine*
  - MIT GameLab, Cambridge, MA.
  - RIT MAGIC Speaker Series, Rochester, NY.
- 2015 *Video Games, Modding, and the Law*, Harvard Journal on Law and Technology, Cambridge, MA.
- 2014 Testimony: Copyright Office Hearing on DMCA 1201, Los Angeles, CA.

## Community and Service Work

- Summer 2020 **Board Member**, *The Tor Project*, Boston, MA.
  - Present Serves as chair of the policy and procedures committee.
- Summer 2020 **Board Member**, *ACLU of Massachusetts Union*, Boston, MA.
  - Present Serves as co-chair of the engagement committee.
- Summer 2016 **Equity and Inclusion Consultant**.
  - Present Consults for organizations interested in teaching ally skills and building more inclusive spaces. Trained staff at major universities, non-profits, and for-profit companies.
- Spring 2019 – **Legal Advisor**, *Hacking Hustling*.
  - Present Provides legal and policy expertise for collective of sex workers and allies working at the intersection of technology and social justice.
- Summer 2018 **Code of Conduct Committee Member**, *Double Union*, San Francisco, CA.
  - Fall 2018 Served as an inaugural member of the Code of Conduct committee for feminist hackerspace. Helped build out CoCC procedures and processes.
- Fall 2017 – **Crisis Line Operator**, *Trans Lifeline*.
  - Fall 2018 Took calls as a peer operator for transgender crisis line.
- Spring 2017 – **Board Member**, *Double Union*, San Francisco, CA.
  - Fall 2017 Served on the board of directors for premier feminist hackerspace.
- Fall 2016 – **Project Leader**, *Trans Documentation Project*, San Francisco, CA.
- Spring 2017 Envisioned and ran a project that provided over \$95,000 to transgender people in need.
- Fall 2015 – **Co-Host**, *Angry Tech Salon*, Cambridge, MA.
- Fall 2016 Co-organized an interdisciplinary discussion group on technology criticism and skepticism.