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North Carolina Police Obtained Warrants Demanding All Google Users Near Four Crime Scenes

Posted by EditorDavid on Saturday March 17, 2018 @10:34AM from the research-triangles dept. An anonymous reader quotes the public records reporter from North Carolina TV station WRAL: In at least four investigations last year -- cases of murder, sexual battery and even possible arson at the massive downtown fire in March 2017 -- Raleigh police used search warrants to demand Google accounts not of specific suspects, but from any mobile devices that veered too close to the scene of a crime, according to a WRAL News review of court records...

On March 16, 2017, a five-alarm fire ripped through the unfinished Metropolitan apartment building on West Jones Street... About two months later, Raleigh police obtained a search warrant for Google account IDs that showed up near the block of the Metropolitan between 7:30 and 10 p.m. the night of the fire... In addition to anonymized numerical identifiers, the warrant calls on Google to release time stamped location coordinates for every device that passed through the area. Detectives wrote that they'd narrow down that list and send it back to the company, demanding "contextual data points with points of travel outside of the geographical area" during an expanded timeframe. Another review would further cull the list, which police would use to request user names, birth dates and other identifying information of the phones' owners. "Do people understand that in sharing that information with Google, they're also potentially sharing it with law enforcement?" asks a former Durham prosecutor who directs the North Carolina Open Government Coalition at Elon University. And Stephanie Lacambra, criminal defense staff attorney at the Electronic Frontier Foundation, also criticized the procedure. "To just say, 'Criminals commit crimes, and we know that most people have cell phones,' that should not be enough to get the geo-location on anyone that happened to be in the vicinity of a particular incident during a particular time." She believes that without probable cause the police department is "trying to use technology as a hack for their job... It does not have to be that we have to give up our privacy rights in order to participate in the digital revolution."

Nathan Freed Wessler, staff attorney with the ACLU's Speech, Privacy and Technology Project, put it succinctly. "At the end of the day, this tactic unavoidably risks getting information about totally innocent people."

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The Fine Print: The following comments are owned by whoever posted them. We are not responsible for them in any way. Re: (Score:2) by Humbubba (2443838) Anonymous Coward says Using the same methodology as truffle-sniffing pigs. Warrants to Google for user data in an effort to target criminals? I had no idea. I must say, I was surprised with Anonymous Coward. An odd fellow, yes, but a real eclectic pedagogue, with a very strong and clear vision. If I didn't know any better, I would say a good bit of A.C.'s invaluable Public Terminal interface. But what could possibly be the point?

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Close Some kind of (Score:2) by AHuxley (892839) Faraday cages that allow a cell phone to stay powered on but never connected. Easy to use when needed quickly but stay not connected when moving around a city, state? Make sure a big brand can only see your phone at home and at work.

2 hidden comments Re: (Score:2) by freeze128 (544774) Wouldn't "Airplane Mode" do the same thing, you know, without carrying around a grounded metal cage? 1 hidden comment

Re: (Score:2) by AHuxley (892839) Trust the PRISM brands with their hardware to say off is off? Trust but verify now works for the faraday cage. The big telco brands cant be trusted.

Re:Some kind of (Score:5, Interesting) by swillden (191260) <shawn-ds@willden.org> on Saturday March 17, 2018 @11:14AM (#56275055) Homepage Journal Trust the PRISM brands with their hardware to say off is off? No need to trust. A cheap RF signal meter can tell you for sure. And what are the odds that no one would have noticed and blown the whistle if airplane mode didn't actually work? Sigh. This site used to be populated by people with a clue. This is like all of those people who believe that smart speakers must be sending 24/7 audio to the cloud, but don't bother to simply measure the data the devices send/receive at their routers and do the math. Paranoia is well and good, but being paranoid about a possibility that you can easily check yourself is stupid. Computers aren't magic.

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Re: Some kind of (Score:4, Interesting) by fortfive (1582005) on Saturday March 17, 2018 @11:20AM (#56275083) Could not the device continue to collect location data without emitting ref signals?

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Re: (Score:2) by AmiMoJo (196126) This is indeed the problem. You might be able to detect things like power draw and RF oscillators if the device is receiving RF signals even when in airplane mode, but it is harder to do than measuring transmissions. There is also a question about what "airplane mode" actually does. Okay, it prevents transmissions, but what about GPS? It appears to turn it off, but why? GPS is receive only, there is no transmission and no danger to aircraft even if it is turned on. Chances are it turns GPS off just to satisf

Re: (Score:2) by Actually, I do RTEFA (1058596) GPS is probably off for a couple of reasons. Consumer-grade GPS in a cellphone is (or at least was last time I looked) unable to handle either the elevation or speed of a plane. It's super powerhungry, which is a problem on a plane where USB charging is not guaranteed. Someone also probably decided there was a security reason.

Re: (Score:2) by mikael (484) You mean the M7 motion-detection chip? https://www.technologyreview.c... [technologyreview.com]

Re: (Score:2) by BronsCon (927697) GPS still works in airplane mode, as it receives a signal, rather than broadcasting one. You think Location Services doesn't log that shit and upload it when you turn airplane mode off? 1 hidden comment

Re: Some kind of (Score:4) by cyber-vandal (148830) on Saturday March 17, 2018 @12:11PM (#56275345) Homepage I could constantly monitor and analyse my network traffic or I could just save myself time and money and not buy something I don't trust.

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Re: (Score:1) by Anonymous Coward Of, you can just pull the battery out, assuming you've gone one of the last 3 models of phone that allows you to do it. Within a very short period of time, any capacitors in the phone will be discharged as well, making it impossible for the phone to tattle. The real problem here though is that we have two rightwing parties in the US that think it's OK to ignore the 4th amendment when it's expedient. This kind of fishing expedition isn't good for the health of a democracy and in most cases isn't even necessar

Re: (Score:2)

by [I'm New Around Here \(1154723\)](#)

Of, you can just pull the battery out, assuming you've gone one of the last 3 models of phone that allows you to do it. Within a very short period of time, any capacitors in the phone will be discharged as well, making it impossible for the phone to tattle.

The real problem here though is that we have two globalist leftist parties in the US that think it's OK to ignore the entire US Constitution.

Re: (Score:2)

by [chadenright \(1344231\)](#)

Very funny, newbie, but the US is conservative relative to other countries (<https://www.quora.com/Why-is-the-USA-as-a-nation-so-conservative-compared-to-Europe>).

Re: (Score:2)

by [b0s0z0ku \(752509\)](#)

Doctors save lives, cops mostly destroy lives, in a country that has a 1% incarceration rate. If most doctors were like most cops, they'd be sued into bankruptcy for gross negligence. No need to help cops destroy more lives.

Re: (Score:2)

by [sjames \(1099\)](#)

You still wooshed. The technology is not what is being objected to. The objection is turning the location information over to police with no probable cause or even reasonable suspicion.

If the doctor is doing a CAT scan on me, he already has probable cause. Nobody goes to the doctor reporting they feel fine and have no history of serious illness and then gets a CAT scan. Also, even if the doctor wants you to get a CAT scan, you are free to decline. You probably shouldn't, but you can refuse.

Re: (Score:2)

by [b0s0z0ku \(752509\)](#)

Exactly - the US sentencing system is terminally fucked up, in a way that pushes people to plead guilty to crimes they're INNOCENT of. This serves nobody -- the real criminal is still out on the street, innocent lives are ruined, and the states pay to incarcerate innocent victims of the US injustice system.

Better solution would be to erase a whole bunch of victimless crimes from the books (i.e. non-violent drug possession by adults, prostitution between consenting adults, gambling offenses) and require tha

Re: (Score:2)

by [Immerman \(2627577\)](#)

So if location data of every person using google on their phone in a 7 city block area over a period of 2.5 hours is "limited", where exactly would you draw the line?

Re: (Score:1)

by [Jason1729 \(561790\)](#)

I'd draw the line at not sharing the data with google and their cronies. Once you're okay with google having it, I really don't understand why you care if law-enforcement has it too. So I'd draw the line way before you seem to want to draw it.

Re: (Score:2)

by [b0s0z0ku \(752509\)](#)

Why are you happy to share you data with greedy corporations who will do anything they can with it to turn a profit, yet you're not okay *also* giving access to law enforcement who wants to solve major crimes?

Re: (Score:2)

by [Immerman \(2627577\)](#)

I'm not - which is why I leave location services off on my phone, as would any non-stupid criminal. My objection is that a warrant for information about "every person who was in a 7 city block area in a 2.5 hour window" is ridiculously over-broad, and will almost certainly put dozens if not hundreds of innocent people under suspicion, while not giving any clue whatsoever about the actual criminal unless they were bone-headedly stupid. It's only a stone's throw from outright government mass surveillance (which

Re: (Score:2)

by [Jason1729 \(561790\)](#)

This is what I don't understand about people's position. I agree with everything you said about government and mass surveillance. But I see people raise those issues so often in a sky is falling we have to stop them kind of way. Yet what google is doing is at least as bad (far worse imo, but leave that aside). And everyone seems to give google a pass.

Re: (Score:2)

by [Jason1729 \(561790\)](#)

So I'm not saying I'm pro surveillance, I just find it incomprehensible that people can in the same breath be pro-google surveillance and anti-governme

Re: (Score:2)

by [sjames \(1099\)](#)

What Google is doing is not really as bad. They can't detain me and ask questions about what I was doing. They can ask and I can dismiss the question unanswered. They cannot put me on trial and they cannot jail me. They cannot cause me to need to spend thousands of dollars on a lawyer while they try to convince a jury that I should be locked in a cage for many years.

Re: (Score:2)

by [I'm New Around Here \(1154723\)](#)

So that's the blocks to each side of the crime site, around the time of the crime. Since they aren't asking for info not near the crime site, and not around the time of the crime, I think that is where you will find a line.

Re: (Score:2)

by [sjames \(1099\)](#)

That's not much of a line, especially considering that location information isn't pinpoint accurate. They are getting information about people who did not even know the victim of the crime existed or that a crime happened. People who have probably never even been inside the building where the crime took place.

Re: (Score:2, Interesting)

by [I'm New Around Here \(1154723\)](#)

This isn't any different from pulling over all the people driving red cars because a red car was used to rob a convenience store. Unless there's more than just a car color, there's no legal cause for pulling them over.

A coupe years back, a guy robbed a bank. He took off just before the cops got there, but stopped at a red light. The police realized he was in one of the cars waiting for the red light, but with 25 cars, they had no idea which one. Should they just let all of them go because there's no legal cause to stop the innocent people in the other two dozen cars?

No, the cops did not let them go. They blocked the traffic, got dozens of officers on site, and then proceeded to search each car one at a time. Each driver

Re: (Score:2, Interesting)

by [Anonymous Coward](#)

Yes, the absolutely should let them go until they have more evidence. At a certain point, it's just not worth it to society to have the police pulling over random people without cause.

And what happens if in the course of one of these illegal fishing expeditions they find evidence of an unrelated crime or get frustrated that they haven't made a collar and decide to plant some evidence? Is it still OK?

The courts regularly make important rulings like that. The whole point of the 4th amendment is that we have

Re: (Score:3)

by [Linux Nutcase \(1092239\)](#)

The 4th Amendment is pretty clear that warrants should only be issued on having probable cause. What they asked for sounds very much like the general warrants that are explicitly banned by the same amendment.

Re: This is not a problem (Score:2)

by [UnknowningFool \(672806\)](#)

I would say you and I have very different definitions of "limited". I would call the non-specificity of the warrant's conditions a "dragnet".

Probable cause? (Score:4, Interesting)

by [msauve \(701917\)](#) on Saturday March 17, 2018 @10:59AM (#56274985)

"...no warrants shall issue, but upon probable cause, ..."

What judge signed the warrant? They're a clear and present danger to the Constitution.

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Re: (Score:2)

by [PolygamousRanchKid \(1290638\)](#)

"...no warrants shall issue, but upon probable cause, ..."

It's right there for you in the TFS:

from any mobile devices that veered too close to the scene of a crime

"Hey, there was a murder in New York City last weekend. Google's records show that you were also in NYC, along with millions of other potential suspects. That is enough probable cause for the police to beat you to a pulp."

This is going to end like the former East Germany secret police, the Stasi. They were collecting so much information . . . that they couldn't even seriously analyze it all.

Now if the police could broadcast the locations of crime scenes, we could al

[1 hidden comment](#)

Re: (Score:2)

by [Chrondeath \(757612\)](#)

"Hey, there was a murder in New York City last weekend. Google's records show that you were also in NYC, along with millions of other potential suspects. That is enough probable cause for the police to beat you to a pulp."

I feel like, personally at least, how objectionable this is depends on how wide of an area they're targeting. "All of NYC" would obviously be, literally, too broad, but "within 20 yards at the time the murder occurred" seems reasonable. I don't know how small of a resolution the data can get here.

I feel like objections to this need to focus on how it differs from things like a camera or witness seeing your car in the area and reporting the license plate.

It does seem like it needs some specific rules around

Re: (Score:2)

by [Dorianny \(1847922\)](#)

This search warrant is likely far too broad to pass Constitutional muster, unfortunately only a defendant can challenge a search warrant. In other words neither Google nor the ACLU have the standing to challenge the search warrant before it is executed. The only silver lining is that this tactic is not likely to end once someone is charged and they end up walking free because of it

[1 hidden comment](#)

Re: (Score:2)

by [b0s0z0ku \(752509\)](#)

Are any other cities than NYC rolling out free calling stations, like LinkNYC?

Captured on camera. (Score:2, Insightful)

by [Anonymous Coward](#)

Nathan Freed Wessler, staff attorney with the ACLU's Speech, Privacy and Technology Project, put it succinctly. "At the end of the day, this tactic unavoidably risks getting information about totally innocent people." Same could be said about public CCTVs.

1 hidden comment

Re: (Score:2)

by b0s0z0ku (752509)

They're a problem, but at least they get images of what a suspect is actually doing.

You are so backwards. (Score:2)

by Jason1729 (561790)

It scares me that google, a greedy for-profit company, has all that personal data. I don't want them and their business partners to have it.

Sure, I'd rather not give that data to law-enforcement either, but it's a lot less bad than google and friends having it.

How are you okay sharing it with google and hundreds of "partner" companies, but somehow not okay with "guvrment" getting access?

1 hidden comment

Re: (Score:2)

by Gravis Zero (934156)

How are you okay sharing it with google and hundreds of "partner" companies, but somehow not okay with "guvrment" getting access?

One group may throw an advertisement at you for 30 seconds even if you don't want the product. The other group may throw you in jail for 30 years even if you didn't do the crime.

Magnitudes of impact matter.

Re: (Score:2)

by Actually, I do RTFA (1058596)

One group may throw an advertisement at you for 30 seconds even if you don't want the product. The other group may throw you in jail for 30 years even if you didn't do the crime.

The advert group requires your cooperation. The government can arrest you regardless.

Re: (Score:2)

by Dorianny (1847922)

Fortunately Googles location data gathering can be turned off; For now at least.

From a web browser it can be done from the "activity controls" settings, This is the easiest way since each android release seems to be burying the settings deeper and deeper

Re: You are so backwards. (Score:2)

by Reverend Green (4973045)

Hahahahahaha!

Wait a minute (Score:2)

by bobstreo (1320787)

What if the person was using a Windows phone? /s

Seriously, Just Google apps?

Is it easier to serve a warrant to google than the local cellular companies?

Because even if you have your location information turned off/disabled, your location can easily be tracked by the cell towers...

People who commit murder ... (Score:2)

by PPH (736903)

... also bought ...

The future has arrived (Score:2)

by Reverend Green (4973045)

The future has arrived - and it's totalitarian. Congratulations!

Sure! (Score:2)

by nospam007 (722110) *

"Do people understand that in sharing that information with Google, they're also potentially sharing it with law enforcement?"

Sure! We always remove the battery of our devices when we go on a crime spree.

It's just like ... (Score:2)

by CaptainDork (3678879)

... confiscating all the surveillance footage, both residential and commercial, in the area, so I don't have a problem with it.

Smart devices behave in predictable ways. Owners are aware of those ways and can take actions to mitigate.

It's a choice.

Re: (Score:2)

by b0s0z0ku (752509)

All the more reason to run your footage on a 24-hour wipe cycle if you're a store owner. If YOUR store gets robbed, you save it. If cops show up on a fishing expedition two months later, it's gone.

Re: (Score:2)

by Actually, I do RTFA (1058596)

It's a choice.

Not if they're not aware of what they're choosing. It's called informed consent.

Dim (Score:2)

by markdavis (642305)

The really sad part is that anyone who isn't pretty dim KNOWS they are being tracked and will turn off location history, shield it, turn off the phone, or leave it behind when committing a planned crime. So such unconstitutional warrants in those cases are not only ineffective, they target the people most likely to NOT be involved.

Of course, there are a lot of dim criminals out there, and unplanned crimes of passion for which it might work. But where do you draw the line? If it is OK to do in a murder or

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Beware of all enterprises that require new clothes, and not rather a new wearer of clothes. -- Henry David Thoreau

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