



Written by [Bob Adelman](#) on May 4, 2015

DOJ Lifting Veil on Secret Cellphone Tracking

Thanks to increasing pressure from the public and from publications such as *ARS Technica* and the *Wall Street Journal* to disclose just how the Justice Department is obtaining and using their cell phone information, the DOJ announced that it will start, slowly, [revealing more](#) about its surveillance of Americans.

Said a DOJ spokesman, the department is “examining its policies to ensure they reflect the Department’s continuing commitment to conducting its vital missions while according appropriate respect for privacy and civil liberties.” The department hasn’t been concerned for that “respect for privacy” in the past, as nearly all of its surveillance of vast numbers of citizens in the hopes of finding a few miscreants has been done without a search warrant in violation of the Fourth Amendment.



But now, according the spokesman, the department will start following the rules.

It’s about time. Technology dating back to the late 1990s has been refined to the point where agencies from the FBI to the IRS to ICE can track and follow anyone using a cellphone. That technology fools the cellphone into thinking that a “false tower” with the strongest signal is a legitimate one and it immediately transmits ID information to the agency’s tower. This has obvious advantages over the old-fashioned way: obtaining a search warrant and then asking the phone company to determine which cell tower is serving the person of interest.

The technology is so advanced that police departments must sign an agreement with the FBI not to disclose any of it in a particular court case. And if such a disclosure is likely, the FBI will move to have the case dismissed. As the *Journal* explained,

[Justice department] officials said they don’t want to reveal so much that it gives criminals clues about how to defeat the devices ... [they also] don’t want to reveal information that would give new ammunition to defense lawyers in prosecutions where warrants weren’t used.

The devices reflect not only the glory of the technological revolution taking place around the globe, but also the dangers involved in letting law enforcement and government agencies use technology without regard to legal and constitutional limits. Perhaps the most notorious is the clever little box called “Stingray” which is used to track the location of mobile phones. Costing less than \$150,000, it can be operated from the back seat of a police cruiser, collecting location data from thousands of cellphones fooled into thinking it is a cell tower. When enabled with FishHawk software, Stingrays can eavesdrop on conversations on those phones. When using “Porpoise” software, it can reveal text messages sent



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from the phone as well.

Stingray has been around since August 2001 and has been adopted not only by the FBI and the IRS but the DEA, the Secret Service, and the Army and the Navy.

Then there's the DRT box — affectionately called “dirtbox” by its users — deriving its name from the Boeing Company affiliate that builds it: Digital Receiver Technology, Inc. Its technology has been around since 2007 and can capture enough information from a cellphone to identify the user along with his/her location. The dirtbox can also jam calls temporarily (or permanently, in case one winds up inside a prison). Dirtboxes are used primarily by the NSA and by the U.S. Marshals through its service program. That program places dirtboxes into Cessna aircraft that fly out of at least five major metropolitan airports with a range that, according to unnamed sources providing information to the *Journal*, covers “most of the U.S. population.”

There's also “Gossamer,” a much smaller portable device that gathers data just like the Stingray but it can also intercept and terminate calls to or from various targeted users. It costs less than \$20,000 and consequently has been such an attractive alternative to a Stingray that the FBI and ICE have spent more than \$1.3 million on them.

There's the “Triggerfish” which is plainly and simply an eavesdropping device that intercepts phone conversations. It can pinpoint the exact location in which the offending conversation is taking place (within a few feet), and can gather large amounts of data on those making the calls. It can track up to 60,000 different phones at any given moment.

There's the “Kingfish,” which is also smaller than the Stingray and can be controlled wirelessly from a notebook PC using Bluetooth. It fits conveniently in a discreet-looking briefcase.

“Amberjack” is an antenna that enhances the surveillance range of the Stingray, Gossamer, and Kingfish devices along with a direction-finder that homes in on the suspect's precise location. It looks like a gray cookie with magnets that fasten it securely to the roof of a police cruiser.

The “Harpoon” amplifies the signals emanating from a Stingray or a Kingfish. And little is known about “Hailstorm” except that it is sold as an upgrade (for another \$170,000) and, with Pen-Link software, allows the tracker to communicate directly with cellphone users over an Internet connection, allowing still more accurate targeting of the location of suspects.

The risks to precious rights guaranteed under the Fourth Amendment are obvious. If constitutional limits on such surveillance are ignored, the Constitution is just a piece of paper. As *Huffington Post's* Mark Weinstein exclaimed:

The problem is that they are tracking nearly all of us in this effort to track a few. I am a technologist and this is utterly preposterous. It smacks of the days when Google drove around the world while building Google Maps and conveniently stole most of our passwords to our wireless networks while gathering other personal information that had nothing to do with Maps.... Let's stand up as Americans ... and resurrect the Fourth Amendment!

Lifting the corner of the blanket of secrecy by the Justice Department is a good place to start.

A graduate of an Ivy League school and a former investment advisor, Bob is a regular contributor to The New American magazine and blogs frequently at www.LightFromTheRight.com, primarily on economics and politics.



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