



Florida Cops Are Tracking Cellphones And Doing Their Best To Hide It

By Casey Harper

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Police can track your cell phone so closely they can find you in a crowded room, and that technology is becoming more popular — and more secretive.

Police departments across Florida are regularly using devices called “StingRays” to track the movement of people’s cell phones, often without a court order and certainly without their knowledge, according to documents obtained by the ACLU.

The Florida Department of Law Enforcement has spent millions on the technology. The FDLE has allowed at least 11 local and regional police forces to use the StingRays.

The Tallahassee police department alone used StingRays more than 250 times from September 2007 to February 2014. But Florida is just one of many states using StingRays.

StingRay is a blanket term that covers a range of devices with differing capabilities. The new technology essentially works like this: the StingRay device tricks cellphones, in an area designated by the operator, into connecting to the StingRay as if it’s a cellphone tower.

Once the phone connects to the StingRay, the operator can track your movements and get a location no more than a few feet away, all without your knowledge. The machines range in size but come in handheld form.

Cops can use this in multiple ways, Brent Skorup, technology policy research fellow at the Mercatus Center at George Mason University, told TheDCNF. Police could use it to track your movements to see if you were where you claimed to be. Skorup said they can use this method to find evidence that may not be admissible in court, but that evidence will lead them to more evidence they can use in court.

The scary part is, they’re doing everything they can to keep it hidden from the public, so no one really knows what the police’s StingRays are capable of, and how much they’re being used.

Adam Bates, a policy analyst for the Cato Institute, told TheDCNF that when the U.S. Marshalls and FBI give police departments the StingRays, they make them sign non-disclosure agreements

and coach them on keeping quiet. He said this is in the name of homeland security, but that there's little evidence to support the premise that opening up about the StingRays would pose a real threat.

"This entire program is shrouded in secrecy," Bates told TheDCNF.

The key way that authorities keep the technology hidden is by making sure it never makes it into public record through the court system.

When pressured by a judge to show how they obtained evidence gained through a StingRay, police will simply drop the evidence altogether, rather than reveal their methods.

"Frequently defendants will get a lesser charge because they can't use that evidence anymore," Skorup told TheDCNF.

The Washington Post reported on one such incident Sunday, where three Tallahassee men committed armed robbery. The case was rock solid with a minimum of four years in prison. But when a judge demanded police demonstrate how the StingRay affected the case, they gave the three robbers a plea deal with no prison time.

The tracking and collecting of data, especially when someone is in their own home, raises questions of constitutionality.

"There are absolutely fourth amendment implications here especially from what we've seen with so few warrants being issued, and often when warrants are issued it's not being fully explained to a judge," Bates told TheDCNF.

With little regulation or oversight and the help it gives to investigators, the use of StingRays is likely to grow.