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# Federal Investigators Get Caught "Catfishing" with Woman's Seized Pics

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Social media networks such as Facebook or Twitter, or online dating sites are sometimes littered with fake profiles of attractive young women, tempting lonely users. Representing themselves with photographs of someone else, such confidence artists sometimes trick unwary Internet users into divulging their personal information, or even their financial information.

This kind of scam — nicknamed "catfishing" after the user-handle employed by a notorious scammer employing this method in 2010 — has even become the focus of a popular reality-television show on *MTV*.

However, according to claims contained within a New York woman's civil lawsuit against the United States Department of Justice, federal law enforcement agents used her images and life story to effectively steal her identity, crossing the line from "cops" to "catfishers."

**Catfished?**

New York resident Sondra Arquiette was arrested and convicted on charges of possessing illegal drugs in 2010. Initially sentenced to serve life in prison, Arquiett's punishment was reduced to 5 years of probation, once prosecutors determined that she was not directly involved in a drug ring operated by her boyfriend, Jermaine Bradford.

Agents of the U.S. Drug Enforcement Administration (DEA) confiscated her cellphone as evidence and allegedly set up a Facebook account impersonating her, using private photographs stored on the phone to populate the account. Allegedly, law enforcement agents used the ersatz Arquiette persona to pursue their investigation of other members of Bradford's alleged drug ring, contacting suspects and pumping them for information.

After she discovered her "twin's" Facebook account — allegedly maintained by DEA Special Agent Timothy Sinnigen — the real Arquiette filed a legal complaint against the real person behind the persona, claiming that the DEA's impersonation violated her right to privacy and placed her in danger.

Arquiette's complaint claims that Sinnigen's masquerade was with "dangerous individuals he was investigating," who would have been under the impression that they were really dealing with her.

However, the federal government's response claims that law enforcement agents reserve the right to impersonate citizens, without their consent or knowledge. The DEA argues that Arquiett "implicitly consented" to the theft of her online identity "by granting access to the information stored in her cell phone and by consenting to the use of that information to aid in an ongoing criminal investigations."

**"Utterly Corrosive of Social Trust"**

However, legal scholars and privacy advocates take issue with the government's alibi, insisting that a serious breach of civil liberties occurred, if Arquiette's allegations are true.

"This is the logic of civil asset forfeiture applied to identity — not the lawless seizure of a car or cash, or even just intimate photographs, but a citizen's entire public persona," Julian Sanchez, a senior fellow with the Cato Institute, explained to the Heartland Institute.

"In an isolated case, that may just be a harm to the individual who loses control of her privacy and reputation. More worrying to me, though, is that if this were to become common practice, it could be utterly corrosive of social trust, which is a harm much more difficult to measure or remedy."

According to Sanchez, such ham-fisted tactics may negatively affect the efforts of other law enforcement agencies in the future.

"Exploiting intimate bonds like that creates a general atmosphere of suspicion and distrust that is toxic and chilling, even to those who aren't actually being informed on," he added.

Arquiette's lawsuit is currently under the supervision of the court's mandatory mediation program, overseen by a neutral observer upon whom both parties have agreed; in the event that the DEA is unwilling to settle with the woman whose identity they allegedly stole, a tentative court date has been scheduled for October 1, 2015.