




Digital Storm: Offenders Use of Technology to Stalk Victims & Overcoming Investigative Roadblocks

Detective Kelly Downey, Bossier Sheriff's Office

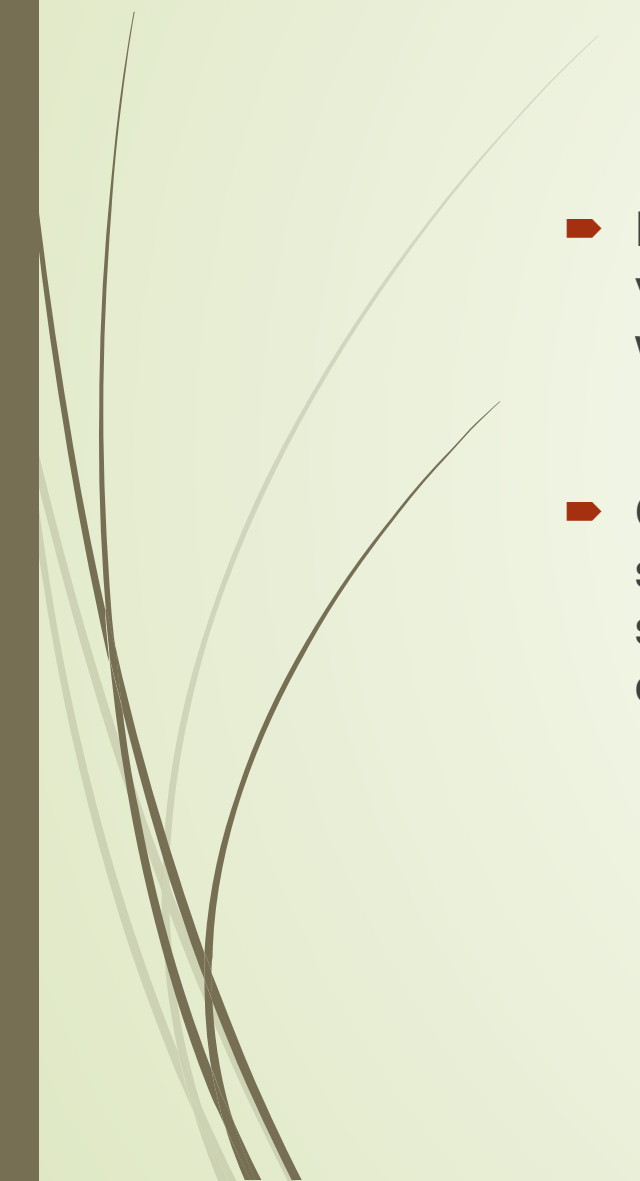


Detective Kelly Downey, Bossier Sheriff's Office

- ▶ I began my law enforcement career in 2008, initially as a non-post certified.
- ▶ The case that defined me? We all need to determine that case.
- ▶ Eight years ago, I began my journey in investigations in Domestic Violence Unit. This has been under a VOCA (Victims of Crime Act) focusing attention on victims of domestic violence and violation of protective orders.
- ▶ Advanced training in the investigation of domestic violence and certified expert training. Additionally an adjunct instructor for domestic violence, trauma-informed framework
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Overview of this training.

- ▶ Manufacturers and tech companies unwilling to make provisions that safeguard victims also standstill the progress of investigations by refusing to fully cooperate with law enforcement agencies to prove criminal activity.
 - ▶ Geared toward strengthening and propelling law enforcement investigative strategies, this webinar provides a case-specific walk-through of cyberstalking, stalking, violation of protective orders, and roadblocks from car manufacturers and other corporations.
- 



THE case...

- ▶ In September 2022, the victim fled the once-shared marital home in another jurisdiction after a battery. The victim and offender were married for 10 years
- ▶ Crime was not reported prior to leaving the area; fled to Bossier Parish for safety
- ▶ The victim had a friend who is in law enforcement; contact was made with me to answer questions and for aid.
- ▶ Opened an agency assist (or “other jurisdiction”) case to document injuries, get a statement, and aid with a temporary restraining order.
 - ▶ Crime scene ALS photographed her



THE case.....

- ▶ TRO was granted
- ▶ Other Jurisdiction received evidence, including a recording of a portion of the domestic, and was arrested.
- ▶ TRO served, personally.



The violations began

- ▶ Phone calls - - This is shown on a search warrant to the carrier
- ▶ Social Media
- ▶ Facebook, Instagram, TikTok
- ▶ iMessages This is NOT shown on Search Warrant to carrier
 - ▶ , iMessages reactions



Let the search warrants begin

- ▶ If it's an app. Go to the store.
 - ▶ When you go to the app store, clicking on the app you are interested in, scroll down, Will show you “data used to track you” and “Data linked to you”
 - ▶ You can't get it if you don't ask for it.



Let the Search Warrants begin.

- ▶ Social Media

- ▶ Instagram - The offender sent a message

- ▶ TikTok - TikTok sends a notification when someone views your profile. Offender viewing victims' profiles. A lot. Is this a violation? Yes. THE DEFENDANT IS ORDERED NOT TO contact the protected person(s) personally, through a third party, or via public posting by any means, including written, telephone, or electronic (text, email, messaging, or social media) communication without the express written permission of this court. A notification is sent, therefore a violation.



Social Media

- ▶ Send a search warrant for both accounts.
 - ▶ WHY? The offender will probably delete it. Victim won't
 - ▶ This begins you building the offender's IP registry.
 - ▶ Verizon retains IP addresses; AT&T does not on wireless.

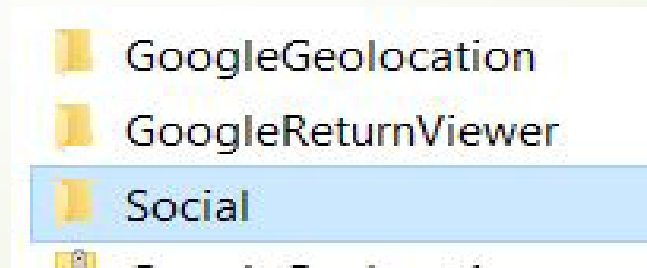


Social Media

- ▶ Return of the information.
- ▶ You are looking for the message yes, which may be gone on the offender's return.
 - ▶ What are you looking for now? At the beginning of a Meta return, you get logins, email addresses, and phone types used. IP addresses of logins, IP addresses of uploads.
 - ▶ You *MAY* get the offender talking to other people about their actions!
 - ▶ What else are you looking for?
 - ▶ Similar or exact matches on the identifiers. Same IP, same phone types.

Meta

- ▶ Facebook/Instagram, their returns are easily read
- ▶ Not all social media are the same.
 - ▶ <https://ndcac.fbi.gov/services/resources-and-tools>
 - ▶ NDCAC is a free tool to help you with the search warrant returns. Easy tabs that take the information and lay it out.



TikTok

- ▶ I have not yet seen a return that shows searched users. Here, you are adding the offender's IP library.
 - ▶ Messages are given in the return.



user7431763863392
started following you.
just viewed the video you shared.
4d



TikTok

now

user7431763863392
(chexabner1) started following
you.

iCloud



- ▶ Victim had received text messages and removal of prior reactions. iMessage will not show on carrier search warrants. iMessage goes through the cloud, not the carrier.
- ▶ Apple, Inc. will comply with search warrants; they will email you back several times wanting additional information
 - ▶ Will want an attestation that the invention does or does not pertain to abortion
 - ▶ Will want permission to notify the account holder of the search warrant even with a nondisclosure order; they will not allow a blanket indefinite time frame. 90 days is their normal. If you need it longer before the expiration, resubmit the non-disclosure.



iCloud return

- ▶ Return will come encrypted, which is a multi-step process. The initial download is time-consuming if the file is large. The next step (they send instructions) is the decryption.
- ▶ From here - Magnet. Magnet further extracts the information from the decryption. If you don't have a digital forensics lab, check your larger agencies to see if they allow agency assistance. Larger police departments in your area include the Sheriff's Office, Marshall's Office, or State Police.
- ▶ Magnet has a free tool, <https://www.forensicfocus.com/news/new-free-tool-from-magnet-forensics-magnet-apple-warrant-return-assistant/>
- ▶ If you can get use of the full, it is worth the time.



iCloud

- After full extraction, now dig.



What we didn't know...

- ▶ Victim worked across the state; sometimes, this led her to close to her former town.
 - ▶ Victim looked over and saw the offender. Staring at her. This happened more than once.
 - ▶ Victim then began getting messages on her car's screen.

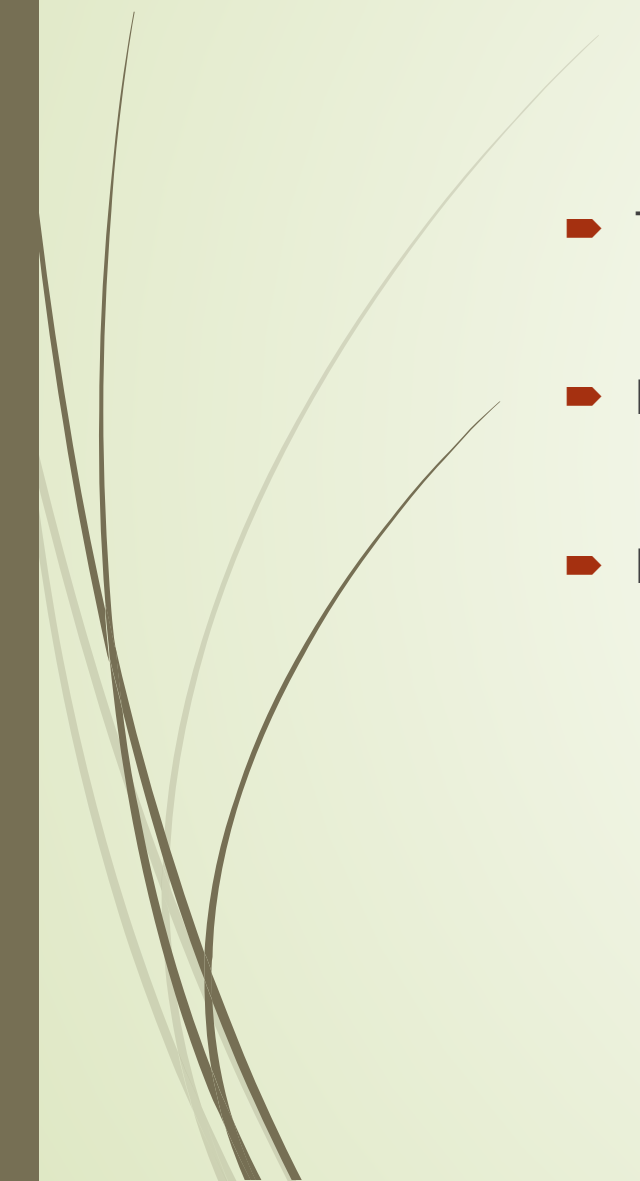


Victim Safety - when is the most volatile time for a victim?

- ▶ Tracking-What to look for?
- ▶ Generally thinking phones.
- ▶ Life360 “leave circle”
- ▶ Locations turned off, turn off share?
- ▶ Hidden tracking apps.
 - ▶ Safeguard the phone



When did cars get smart?

- ▶ Tracking is not new. The apps aren't either.
 - ▶ Beginning was OnStar - who works well with law enforcement.
 - ▶ External GPS trackers, plug in GPS trackers, Tiles and Tags
- 

Trackers





Non-App Trackers

- ▶ Hardwired (no battery issue)
- ▶ External (battery issue)
- ▶ Plug In OBD Port (No battery issue)




App-here is a big problem

- ▶ Case specific. The offender and victim were married for ten years. Louisiana is a community property state. All items purchased in the marriage are community property.
- ▶ Offender was the registered owner
- ▶ Victim had a TRO later, but still within case time frame, was awarded sole and exclusive use in district court (divorce proceedings)
- ▶ Is a tracking device a violation? THE DEFENDANT IS ORDERED NOT TO abuse, harass, assault, stalk, follow, track, monitor, or threaten the protected person(s) in any manner whatsoever. This prohibition includes the use, attempted use, or threatened use of physical force that would reasonably be expected to cause bodily injury.



Vehicle Apps

- Mercedes began 2017/2018
 - Now, most if not all, have apps, from Audi to Volkswagen
 - Problem, registered owner
 - Problem, legal process
- 



Stalking

- ▶ §14:40.2. Stalking
- ▶ A. Stalking is the intentional and repeated following or harassing of another person that would cause a reasonable person to feel alarmed or to suffer emotional distress. Stalking shall include but not be limited to the intentional and repeated uninvited presence of the perpetrator at another person's home, workplace, school, or any place which would cause a reasonable person to be alarmed, or to suffer emotional distress as a result of verbal, written, or behaviorally implied threats of death, bodily injury, sexual assault, kidnapping, or any other statutory criminal act to himself or any member of his family or any person with whom he is acquainted.



App

- Victim called Mercedes
- I called Mercedes, explained the victim had a TRO, and asked for the legal process.
 - ecesupport@Verizon.com
 - Verizon advised they had no control over the app; they could only provide the car's location.
 - This led to multiple additional calls to Mercedes customer service
 - 2 search warrants to Verizon
 - <https://email-us.mbusa.com/home>



Mercedes

- Search.org (search isp) -the end all be all of where to send legal process.
- <https://www.search.org/resources/isp-list/>

Mercedes Benz Financial Services

Contact First Name: Legal

Contact Last Name: Department

Phone Number: 817-224-5960

Notes: Serve subpoenas via CT Corporation (Registered Agent Services). Search on Internet or call CT Corporation at 855-316-8944 to locate an office in your area.

Last Updated: May, 2013



Putting it all together

- ▶ Verizon - search warrant showed the calls.
- ▶ Instagram showed the message on the victims, not the offenders (deleted), but it did show me the two accounts had very different IP addresses, no overlap of phone or access
- ▶ Later in the investigation there was also a Facebook Message to a friend. Again, send search warrants to both accounts.
- ▶ TikTok, IP addresses, and identifiers.
- ▶ The \$\$\$ search warrant. iCloud.



iCloud

- ▶ Full version Magnet extraction iCloud showed
 - ▶ The messages
 - ▶ The reactions and reaction removals
 - ▶ Useful “Search” bar searching Mercedes showed Offender talking about what he had done, brought up a conversation with someone else of the victim, and a photo he had taken of the car well after the TRO, offender following and tracking the victim
 - ▶ Search brought up the app use mbusa, showed when the app was downloaded, “first use,” and every time the offender activated the app.
 - ▶ Confirmed the TikTok Account
 - ▶ Confirmed the social media message! It was deleted from the social media app, and iCloud was retrained.



iCloud

- Showed the search history. The offender was searching for addresses the victim was at.
- Before the victim got the phone separated (Safe Communications Act), the offender was searching unknown telephone numbers
- Screenshotting locations from the car's app.

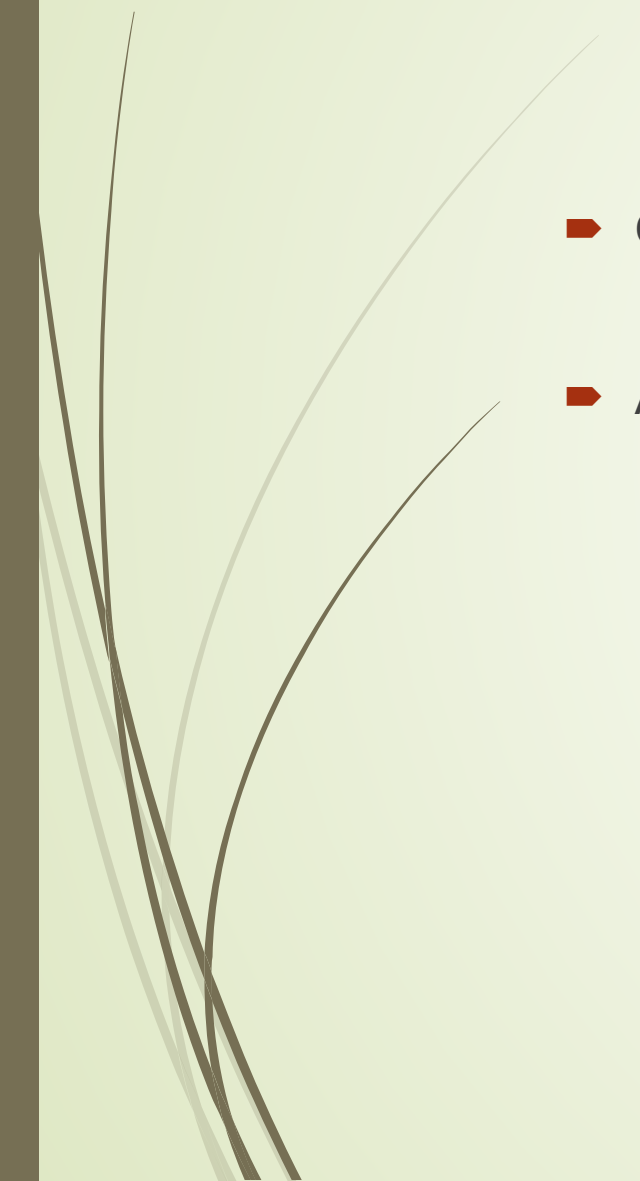



Warrants

- ▶ While we “got em” with the evidence of stalking. This didn’t fix the problem.
- ▶ Reached out to Attorney General, Search.org. ICCR, Crimes against Women, valued trainers This is going to require federal law.
- ▶ Think outside the box. Be the bull in the China shop. The victim got her car rewired.



Technology

- ▶ Greatest asset, greatest pain. Blessing and a curse.
 - ▶ All the ways to torture (harass) manipulate,
- 



GREAT article in Forbes regarding trackers

- ▶ While troubling to think that a tracker could be used for nefarious reasons, the good news is that most trackers have precautions built in to discourage stalking. AirTags, for example, will emit a noise when separated from the owner after 8 to 24 hours, alerting anyone else to their presence. Apple phones will also alert you if you're moving with a nearby AirTag that doesn't belong to you. If you click on that notification, Apple's Find My app will show you where you first picked up the unwanted tracker. To make sure you get notified, you must have location services and other settings enabled on your phone, and have Bluetooth turned on.
- ▶ Android users can scan for nearby AirTags (and AirPods) if they download the [Tracker Detect](#) app in the Google Play store. Similarly, Tile has a feature in its iOS and Android apps called "Scan & Secure"
- ▶ <https://www.forbes.com/home-improvement/garage/how-to-find-a-tracker-on-your-car/>



Social Media



- 1. Facebook
- 2. WhatsApp
- 3. YouTube
- 4. Instagram MAUs
- 5. WeChat
- 6. TikTok
- 7. Telegram
- 8. Snapchat
- 9. Kuaishou
- 10. Sina Weibo
- 11. QQ
- 12. QQ
- 13. X (formerly Twitter)
- 14. Pinterest
- 15. Reddit
- 16. LinkedIn
- 17. Quora
- 18. Discord
- 19. Twitch
- 20. Tumblr
- 21. Threads by Instagram
- 22. Mastodon
- 23. Bluesky



Text apps

- ▶ Specific case excerpts
- ▶ Phone, Facetime, Google Voice attempts at calling Victim. The phone also contained no less than thirteen text apps in current use, including "Burner" "Numnow" "Phoner" "TalkU" "Talkatone" "TextFree" "TextMe" "Texting" "Hushed" "Dingtone," "TextNow," "Voice," "TextFun," "TextPlus" , Cash App showed twenty-one (21) payments with messages to victim in the "For" section. Most payment of \$1.00. Payment is necessary for the message to be sent.



Text app roadblocks

- ▶ Burner (Ad Hoc Labs) is a California company that will not honor out-of-state search warrants.
- ▶ Life360, a California company that will not honor out-of-state search warrants.
- ▶ You have 2 options. Get your district attorney's office to do an order to show cause or have your search warrant naturalized.



Just block them!

- ▶ Doesn't work (stop victim blaming)
 - ▶ Shouldn't ask a victim to change their phone number, this isn't their fault.
 - ▶ *67 circumvents call blocking.
 - ▶ "IT WON'T STOP!!!" When beginning the investigation, get what you have, get the search warrants, and get the evidence. The rest are "patterns of behavior."



Be familiar with your laws

- ▶ Violation of protective order
- ▶ Improper telephone (neat enhancement 2nd or subsequent offense)
- ▶ Stalking (Felony is the offender is subject of a protective order)
- ▶ Cyberstalking
- ▶ Enhancements?
- ▶ Ask for those bond conditions. Advocate for safety.



I'll help

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- 318-529-8109
- I am central standard time.