

Scripps News/*Toronto Star* investigation reveals how encryption technology hampers law enforcement

For immediate release
Nov. 5, 2015

WASHINGTON, D.C. – The same encryption you trust to keep your information private on your cell phone is now a critical tool for child predators and other criminals. A joint investigation by Scripps News Washington Bureau and the *Toronto Star* reveals how law enforcement in the U.S. and Canada is losing access to the very evidence needed to solve crimes. The FBI takes Scripps investigators for a first-ever look inside the National Domestic Communications Assistance Center, a hub of knowledge on electronic surveillance established to help all U.S. law enforcement agencies in the growing battle over “Going Dark.” Top FBI officials share details about new strategies in the agency’s next chapter of the war on Going Dark.

This investigation, “The Price of Privacy,” covers extensive ground stretching from Canada to New York to Louisiana. It ventures into the dark world where pedophilia is plotted, crimes are committed and police agencies say they are increasingly handcuffed in preventing and solving crimes due to the encryption that protects the perpetrators. But it is a battle that law enforcement is losing on Capitol Hill and at The White House.

After Edward Snowden revealed that the federal government was collecting bulk data about Americans from telecommunications and Internet companies, Apple and Google changed the security measures on cell phone operating systems so that only individuals with the password can unlock the phone and view its contents. The companies themselves no longer have that ability, they claim, and the technology they created prohibits access to information stored on the device—even with a search warrant.

In Baton Rouge, Louisiana, homicide detectives blame this heightened level of encryption for halting their investigation of the murder of Brittney Mills, who was eight months pregnant. Authorities believe clues to the murderer’s identity are locked inside the victim’s Apple iPhone, found at the scene. But, they say they cannot get past the encryption on the phone even though they have permission from the victim’s family.

“In this particular case, justice is not going to be served, potentially, because I’m not allowed to get into that phone,” said Hillar Moore, district attorney for the 19th Judicial District in East Baton Rouge, Louisiana.

In New York, the Manhattan District Attorney’s office tracks a similar growing problem. In less than 12 months, investigators were stymied by “roughly 111” encrypted iPhones that were inaccessible.

In virtual meet-up spots for pedophiles around the world, Toronto police reveal how users now coach each other on using the latest advances in encryption so that authorities “won’t get anything off your phone.”

Privacy advocates and experts who support unbreakable encryption argue that investigators have

other tools at their disposal and warn that building a special key to unlock encryption just for law enforcement comes with risks of abuse, both in the U.S. and abroad, that are too great.

“You can’t make a back door in a house that only law enforcement can enter,” said Nate Cardozo, a staff attorney for Electronic Frontier Foundation, a nonprofit organization that defends civil liberties in the digital world.

The joint Scripps News, *Toronto Star* investigation, “The Price of Privacy,” is available on Scripps TV stations and their digital outlets across the country; on Newsy, which is available on most OTT platforms including Apple TV, Roku, and Comcast Watchable, Newsy.com; and on the Toronto Star website, thestar.com.

About Scripps

[The E.W. Scripps Company](#) serves audiences and businesses through a growing portfolio of television, radio and digital media brands. Scripps is one of the nation’s largest independent TV station owners, with 33 television stations in 24 markets and a reach of nearly one in five U.S. households. It also owns 34 radio stations in eight markets. Scripps also runs an expanding collection of local and national digital journalism and information businesses, including podcast industry leader [Midroll Media](#), over-the-top video news service [Newsy](#) and weather app developer [WeatherSphere](#). Scripps also produces television shows including [The List](#) and [The Now](#), runs an award-winning investigative reporting newsroom in Washington, D.C., and serves as the long-time steward of the nation’s largest, most successful and longest-running educational program, the [Scripps National Spelling Bee](#). Founded in 1878, Scripps has held for decades to the motto, “Give light and the people will find their own way.”

Media contact:

Ellen Weiss, *The E.W. Scripps Company*, 202-408-2756, ellen.weiss@scripps.com