

## WANT TO TRACK CELLPHONES? GET A WARRANT: LAWMAKERS

**HARTFORD:** Law enforcement cellphone tracking devices are coming under scrutiny in several states, where lawmakers have introduced proposals ranging from warrant requirements to an outright ban on the technology. Privacy and constitutional concerns, including Fourth Amendment search and seizure violations, are being cited with the proposed laws on cell-site simulators.

The suitcase-size devices, widely known under the brand name Stingray, mimic cellphone towers and allow law enforcement to collect unique subscriber numbers and other basic data from cellphones in a particular area. The data can help police determine the location of a targeted phone - and phones of innocent bystanders - in real time without the users even making calls or sending text messages. Law enforcement officials say the devices are vital in helping to find suspects and victims, and to solve crimes.

At least 13 states already require warrants to track cellphones in real time: California, Colorado,

Florida, Illinois, Indiana, Maine, Maryland, Minnesota, Montana, New Hampshire, New Jersey, Utah and Virginia. Federal law enforcement officers also must get warrants, under policies put in place in 2015 by the departments of Justice and Homeland Security. Courts around the country, meanwhile, have issued conflicting opinions about whether warrants are needed for cellphone location data, leading to a hodgepodge of rules.

Bills addressing use of the devices are now pending in at least eight states, according to a review by The Associated Press. Most of them would require police to get warrants. One bill, introduced by South Carolina state Rep J Todd Rutherford, would ban the purchase and use of cell-site simulators by law enforcement. "I think most people would be offended if they knew exactly how much surveillance the government is doing," said Rutherford, a Democrat from Columbia who is the House minority leader and a criminal defense lawyer. "It's got to stop somewhere."

### Surveillance technology

Rutherford isn't even sure if any police agencies in his state are using the simulators. Many state and local law enforcement agencies sign nondisclosure agreements with the device manufacturer. The American Civil Liberties Union says it has identified 70 law enforcement agencies in 23 states and the District of Columbia that own cell-site simulators. But the actual number may be much higher because many agencies keep their use of the devices secret, the ACLU said.

This year, lawmakers in at least six states are proposing bills to require warrants to use cellphone surveillance devices: Connecticut, Mississippi, Missouri, New Hampshire, New York and Oregon. A California bill would require local governments to approve the use of cell-site simulators and other surveillance technology.

In Connecticut, state Rep. Rob Sampson introduced a bill to require warrants, with exceptions for terrorism and other life-and-death situations.

"A cellphone is an individual's private property and law enforcement has no right monitoring activity on these devices unless there is strong reason to believe the individual is engaging in illegal activity," the Wolcott Republican said.

It also isn't clear whether any police agencies in Connecticut are using cell-site simulators. State police, Hartford police and New Haven police say they don't use the devices. Police in Bridgeport said they do not comment on their surveillance technology. Last month, the US House Oversight and Government Reform Committee issued a report calling for clearer guidelines.

"There's still a real pressing need for states to regulate this technology," said Nathan Freed Wessler, staff attorney for the ACLU's speech, privacy and technology project. "These devices are extraordinarily powerful and invasive. They can very precisely track where people's phones are, and knowing where someone's phone is can tell you a lot about them." — AP



**AUSTELL:** A passenger gets off a driverless shuttle bus on display at the Riverside EpiCenter. — AP

## DRIVERLESS BUS MAKES DEBUT IN GEORGIA AT START OF US TOUR

**AUSTELL:** A shuttle bus that drove itself - along with human passengers - through a course in a parking lot near Atlanta is embarking on a tour that will include stops in Texas and California. The Alliance for Transportation Innovation offered rides in the 12-person bus on Thursday in Austell, Georgia. A key goal of Thursday's demonstration and future ones is to give people a chance to see a driverless vehicle up-close and ride in one, officials said.

Public acceptance is one of the main challenges to getting the vehicles into use on city streets and highways, said Paul Brubaker, president and CEO of the Washington, DC-based Alliance for Transportation Innovation.

Rules and laws in some states pose additional challenges for the industry, Brubaker said. "Self-driving vehicles will change the way we live, work and play," Brubaker said in a statement. "They will improve safety for motorists, cyclists and pedestrians alike." The vehicles could also relieve traffic congestion, he added.

Similar demonstrations are planned for Monday in New Orleans; Feb 2 in Arlington, Texas; Feb. 6 in Los Angeles and Feb 9 in San Jose, California. The Alliance for Transportation Innovation is not-for-profit group that advocates for the adoption of new technologies on behalf of transportation technology firms. — AP

## APPLE SUES QUALCOMM OVER TECHNOLOGY FEES

**BEIJING:** Apple Inc has filed suit in China challenging Qualcomm Inc's fees for technology used in smartphones two years after Chinese regulators fined the chip-maker for its licensing practices. Two lawsuits filed by the iPhone maker accuse Qualcomm of abusing its control over essential technology to charge excessive licensing fees, a Beijing court said on its microblog. It said Apple reports suffering 1 billion yuan (\$145 million) in "economic losses" and asks for 2.5 million yuan (\$360,000).

Most of Apple's iPhones and other products are assembled in China by contractors. Apple filed a similar complaint on Jan 21 in US federal court in San Diego, California, accusing Qualcomm of demanding royalties for innovations on iPhones that have nothing to do with Qualcomm's technology. The US lawsuit seeks \$1 billion in damages.

The US Federal Trade Commission also has filed a lawsuit accusing Qualcomm of imposing unfair licensing terms on manu-

facturers. Qualcomm, headquartered in San Diego, said in a statement it had not seen Apple's complaint to the Chinese court but defended its fees. The company said Apple rejected terms consistent with those accepted by more than 100 Chinese manufacturers.

Qualcomm agreed to change its licensing after Chinese regulators fined the company 6 billion yuan (\$975 million) in 2015 on charges it abused its control over technology to charge excessive fees. In a separate statement, Apple complained Qualcomm demands royalties for phone features that nothing to do with its technology. "For many years Qualcomm has unfairly insisted on charging royalties for technologies they have nothing to do with," said the Apple statement. It also accused Qualcomm of withholding nearly \$1 billion in payments due to Apple, headquartered in Cupertino, California, in retaliation for cooperating with investigations by regulators in the United States, Europe, South Korea and Taiwan. — AP

## CRAIGSLIST FOUNDER TO DONATE 500K TO CURB WIKIPEDIA TROLLS

**SAN FRANCISCO:** Craigslist founder Craig Newmark is donating \$500,000 to help curb harassment on Wikipedia. The Wikimedia Foundation announced Thursday that money from the Craig Newmark Foundation and Craigslist's Charitable Fund will go toward tools for Wikipedia's staff and volunteer editors to reduce harassment on the user-generated encyclopedia site.

The Wikimedia Foundation says online harassment faced by Wikipedia contributors

impedes their ability to write and edit the site's entries. Newmark says in a statement that preventing "trolling, harassment and cyber-bullying" is essential to ensuring Wikipedia's vitality. Wikimedia says the money will be used to launch a program to help editors "more quickly identify potentially harassing behavior." One of the tools being considered under the program is to make it more difficult for blocked users to return to the site. — AP



**SAN FRANCISCO:** In this Jan 18, 2012, file photo, Mallory Whitt works at her desk at the offices of the Wikipedia Foundation. — AP

## US NO LONGER HAS GEOGRAPHY AS DEFENSE, ALLY IN CYBER COMBAT

'IT'S OUR GEEKS VERSUS THEIR GEEKS'

**WASHINGTON:** The United States has long relied on its borders and superior military might to protect against and deter foreign aggressors. But a lack of boundaries and any rulebook in cyberspace has increased the threat and leveled the playing field today.

It's unclear how President Donald Trump, who has emphasized an "America First" approach to domestic issues, will respond to cyberspace threats, which transcend traditional borders and make it easier and cheaper than ever for foreigners to attack the US. Whatever the approach, it will set the tone and precedent for global policies during a critical time when the ground rules are still being written.

At a hearing this month on foreign cyberthreats, the chairman of the Senate Armed Services Committee, Sen John McCain, R-Ariz, ran through a list of recent operations the US believes was carried out by foreign countries - Russia, China, Iran and North Korea. The targets: the White House, State Department, Office of Personnel Management, Joint Chiefs of Staff, Navy, major US financial institutions, a small New York dam and Sony Pictures Entertainment Inc. "Our adversaries have reached a common conclusion, that the reward for attacking America in cyberspace outweighs the risk," McCain said.

With most of the US critical infrastructure in private hands and Americans among the most connected citizens in the world, the potential attack surface for any hacker is vast and increasing. U.S. officials and lawmakers have argued that because there is no official policy on cyberwarfare, the response to any attack can be slow, politicized and ultimately ineffectual. The US took two months, after publicly accusing Russian government hackers of trying to influence the presidential election, to respond with economic sanctions and other more symbolic measures.

### Information space

The reality is that the "nature of conflict has moved to the information space instead of just the physical kinetic space, and it now operates at greater scale and quicker speed," said Sean Kanuck, who served as the first US national intel-



**IDAHO FALLS:** In this Sept 30, 2011, file photo, a reflection of the Department of Homeland Security logo is seen reflected in the glasses of a cyber security analyst in the watch and warning center at the Department of Homeland Security's secretive cyber defense facility at Idaho National Laboratory. — AP

ligence officer for cyber issues in the Office of the Director for National Intelligence. Under the Obama administration, the US proposed international cyber rules for peacetime, including that countries should not target another's critical infrastructure. But otherwise, it has maintained existing international laws and reserved the right to respond to any cyberattack.

The Trump administration is reviewing cyber policies, but it has said it will prioritize developing defensive and offensive cyber capabilities. It has also said it will work with international partners to engage in "cyberwarfare to disrupt and disable (terrorist) propaganda and recruiting." Unlike conventional warfare, the costs in cyberspace can have rippling impacts for both the victim and attacker. Malicious software may end up spreading in an unforeseen and unplanned man-

ner, and a hacker who gets into a single computer can cause unpredictable effects to a network.

"Look at what North Korea did to Sony or what China did to us via the OPM hack," said David Gioe, a history fellow at the Army Cyber Institute at West Point and a former FBI agent. "You've got all of these aircraft carriers and all of this ocean, and it really doesn't matter because we're still feeling effects. They're not kinetic effects, but they're surely effects." More than 20 million people had their personal information compromised when the Office of Personnel Management was hacked in what the US believes was a Chinese espionage operation.

"Really it's our geeks versus their geeks," Gioe said. "In the same way as single combat. It doesn't matter how good my army is or your army is, it's me versus you." — AP



**This Jan 15, 2017 file photo shows public Pilaa Beach, center, below hillside and ridge top land owned by Facebook CEO Mark Zuckerberg, near Kilauea on the north shore of Kauai in Hawaii. — AP**

## ZUCKERBERG DROPPING LAWSUITS SEEKING TO BUY HAWAII LAND

**HONOLULU:** Facebook CEO Mark Zuckerberg said Friday that he was dropping lawsuits seeking to buy out Native Hawaiians who own small pieces of land within his sprawling estate on the island of Kauai, promising to work with the community on "a new approach." Zuckerberg and his wife, Priscilla Chan, said in a letter to the community published in The Garden Island newspaper that they were ending the cases "to find a better path forward."

"Upon reflection, I regret that I did not take the time to fully understand the quiet title process and its history before we moved ahead," the letter said of the legal move to clear up disputed or undetermined land ownership in Hawaii. "Now that I understand the issues better, it's clear we made a mistake."

A spokesman for Zuckerberg confirmed the couple sent the letter. The 14 parcels mostly belong to Native Hawaiian families awarded the land during the mid-19th century, when private property was established in Hawaii. Many original owners died without wills. Ownership today is split among hundreds of descendants, many

of whom are unaware of their shares. The couple filed court cases last month to identify the owners and ask the court to auction the land. Critics say the process often results in Native Hawaiians losing their land.

### Land reforms

The parcels in question emerged during land reforms that the Kingdom of Hawaii pursued in the 1800s called "the Great Mahele." Until then, no individual owned land - it was collectively cared for and used. The reforms allowed commoners to claim title to land they lived on and farmed, usually about a half-acre. But only a small share of Hawaii's land - some 28,000 acres - ended up in the hands of commoners. Millions of acres went to the king, other royals and the government.

In the decades afterward, large sections of land passed into the hands of sugar plantation owners. The plantations, and other landowners who purchased the properties after sugar growing became unprofitable, frequently used the quiet title process to buy out descendants of the

commoner families, whose land was interspersed among the larger holdings.

Kilauea Sugar Co. previously owned Zuckerberg's land. He bought his 700-acre oceanfront property in 2014 for \$100 million, Forbes reported. Moses Haia, executive director of the Native Hawaiian Legal Corp., an agency that frequently represents people on the receiving end of quiet title lawsuits, welcomed the tech billionaire's move.

"We appreciate Mr Zuckerberg's sense of justice and his desire to truly understand the impact that the introduction of private property has had on the indigenous people of Hawaii," Haia said. "We are encouraged by his desire to engage in a process intended to achieve the true intent of the Mahele." Democratic state Rep. Kaniela Ing, who introduced legislation this month requiring people to enter mediation before filing quiet title lawsuits, thanked the Facebook executive. "You now have an opportunity to set the bar for what being a good neighbor and an ally to indigenous peoples looks like," Ing said in a statement. — AP