

Nagel, William

From: Lewis, Ron [ron.lewis@mcleancountyil.gov]
Sent: Wednesday, December 07, 2005 3:26 PM
To: Nagel, William
Cc:
Subject: IIJIS Privacy Issue

Wil,

Please see the USA Today article pasted below. Although I may not be able to attend the next Privacy Subcommittee meeting, I believe the information contained in the article deserves some discussion.

I am mostly concerned with the following information from the article:

“A separate staff at the Law Enforcement Support Center handles hundreds of thousands of electronic requests for background checks and other inquiries on potential suspects from law enforcement agencies. So far this year, agencies have made nearly 700,000 requests for information from the center, which has handled a steady increase in such requests since 2003.”

Will the “Law Enforcement Support Center” push/pull information to/from IIJIS?
What happens to information that is based on false tips?

I think it is important to clarify how IIJIS relates to this federal support center. If we are going to wrestle with “triggering events” for generating and sharing information (see Privacy Issues paper), we should know about links to systems that are triggered by (predictably false) hotline tips.

Ron Lewis



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DHS hotline a hotbed of weak tips

By Kevin Johnson, USA TODAY

WILLISTON, Vt. — The tipster from Illinois first called the Department of Homeland Security's hotline here on Feb. 15, when he reported that while he was helping a "Russian lady" change a flat tire, he saw a pipe bomb in the trunk of her car.



Operators take tips at the Law Enforcement Support Center in Williston, Vt.

By Peter Huoppi, The Burlington Free Press

The tip set off a public safety alert in central Illinois, where state police and Naperville authorities responded to a bulletin from the DHS. The dragnet finally ended Feb. 21, when officers found the woman, her car and a device in the trunk.

There was a twist: The device had been placed in the car by the innocent woman's ex-husband, who was identified as William Nakulski. He and his son were charged in what turned out to be a bizarre and unsuccessful plot to have Nakulski's ex-wife, an immigrant, jailed and deported.

The incident was an extreme example of how the hotline — designed to help identify foreigners and others who could harm U.S. interests — has become a venting board for tens of thousands of tips from across the USA that have nothing to do with potential threats to the homeland.

Sifting through tips

Each day, operators at the Law Enforcement Support Center hear stories that could be straight out of television drama: broken marriages that lead one spouse to report the other's illegal immigration status; disputes that lead one neighbor to report information about another; business owners reporting that their rivals are employing illegal immigrants.

Scott Blackman, the center's unit chief, says it's unclear whether information received here and directed to law enforcement agencies across the nation has led to the arrest of a terrorism suspect. However, during the 2004 budget year, the center — which besides operating the hotline runs an immigration database for law enforcement agencies — reported identifying more than 6,000 illegal immigrants who were wanted by police.

Blackman estimates that about half the calls to the hotline contain false information that law enforcement agencies nevertheless have to check out. He says that's a reasonable cost for getting leads that local law enforcement can use.

"Roughly half the information will be used in some way," Blackman says. "A marriage-fraud tip may end up as a piece of a larger puzzle. We don't want to turn anybody away. If we have to put up with the occasional frustrating call, it's worth it to get the other 50%" with good information.

However, some civil liberties activists and immigrant advocacy groups are expressing concern that the hotline and others like it have merely awakened a nation of busybodies motivated by revenge, ethnic bias or worse.

"The whole question of what the DHS and the government is permitted to do with this information becomes a very big concern," says Kate Martin, director for the Center for National Security Studies. The center, based in Washington, D.C., has cited privacy concerns in calling for limits to the investigative powers of the FBI and CIA.

"There appears to be nothing to prevent an innocent person from being targeted by another who is simply bent on retaliation," Martin says. "The question is: How is the government using this information?"

Jesselyn McCurdy, the American Civil Liberties Union's legislative counsel in Washington, says anonymous tip programs often waste "precious resources" by forcing authorities to investigate unsubstantiated information.

"A lot of this information simply doesn't pan out," McCurdy says. "And we're always concerned about the prospect that the subjects of these calls may become victims of unwarranted retaliation."

The hotline — 866-347-2423 — was established after the Sept. 11, 2001, terrorist attacks. The number of calls to the hotline this year is nearing 100,000, almost triple the number during 2004.

Background checks

A separate staff at the Law Enforcement Support Center handles hundreds of thousands of electronic requests for background checks and other inquiries on potential suspects from law enforcement agencies. So far this year, agencies have made nearly 700,000 requests for information from the center, which has handled a steady increase in such requests since 2003.

Blackman says the increasing number of calls to the hotline suggest that people "are much more aware of the people living in their communities now."

Besides thousands of immigration complaints, the hotline is receiving a rising number of abuse complaints.

Last year, an allegation of abuse called in to the hotline led federal agents to a home in Milwaukee, where a woman was freed from what the DHS described as almost 20 years of indentured servitude, says Michael Gilhooly, spokesman for U.S. Immigration and Customs Enforcement.

On a recent day, however, the hotline's call logs revealed the results of a more typical day. Between 6 a.m. and 2 p.m., operators fielded at least 17 tips, some of them angry husbands or wives who accused their spouses of using marriage to fraudulently obtain legal status in the USA. The calls came from Ohio, New York, New Jersey, West Virginia, Texas, Illinois, Florida and California.

"That's just one shift," Gilhooly says.

Julie Dowd, a center supervisor, says many calls come from disgruntled workers who say they have lost their jobs to people they believe are illegal immigrants. Along with that, she says, "we do get a certain amount of crazies."

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