

Cyber Spying and Victims of Abuse®
Alan J. Rosenthal, Investigative Consultant and Privacy Advocate
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Many domestic abuse and shelter web sites advise victims to be wary of their internet activities. They suggest deleting your “cache” and “history” so that your abuser will not be able to track your internet usage. The idea is to prevent your abuser from discovering your intent to get a restraining order as well as your protective location. While this is good advice, it is outdated and insufficient.

Victims need to protect themselves not only from their abusers but also from their false sense of security.

Three important issues need to be addressed. First, deleting files does not really delete the files. Second, abuse victims often fall prey to active spying or digital surveillance. Lastly, deleting information without analyzing it prevents you from detecting where your abuser has been when online or that you are being spied on.

The local police, helpful as they may be, do not have the manpower to help you inspect your computer for spying software or usage that would indicate that you are being watched. If you are assaulted or killed, then they will perform the necessary forensics on your computer to prosecute your abuser after you have been harmed. The sad reality is that law enforcement agencies simply do not have the resources available to protect every victim.

Without a proper deletion method, your internet usage remains on your computer and can be easily found, even by a computer novice. The telltale files and data are not only still on your computer but they are duplicated in a number of places right down to something called a “registry.”

The average abuse victim does not know what a registry is. Since the registry is the engine of a computer, even those who feel comfortable in the cyber world are fearful that they will break their computer and lose important data.

A protection from abuse or restraining order is only a piece of paper; it does not protect you from one whose intent it is to control or harass you. Cyber stalking is a way for an abuser to track your every movement and communication between your friends, co-workers and even your lawyer, often without even being in your home.

The fact is that you need only open an email for a spying program to be self-installed on your computer or smart phone and you would never know it. In other words, an abuser does not have to show up at your door where he or she can be arrested for violating the PFA when your most personal information (emails, chats, banking and credit card passwords, attorney communications) can simply be automatically and remotely sent to his or her computer or smart phone.

One such case I worked on revealed that the wife’s abusive husband had installed a program that captured every email, chat, and password. The abuser was able to track and control her every move. He gathered her work schedule as well as her trips to the gym and grocery store. He read her attorney correspondence and personal journal as well as when she went to the shelter. As she was opening new bank accounts and doing the necessary things one must do to separate from her abuser, her new usernames and passwords were sent right to his email.

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850-510-6469 RosenthalConsultants@gmail.com AlanRosenthal.org

While the shelter admonitions are good advice, they not only do not go far enough but they also prevent victims from turning the tables and doing their own investigations.

The abuser mentioned above controlled his wife with the aid of readily available spying software. By turning the tables on him, I was able to analyze his computer that was still in the family home. I uncovered the abuser's internet usage that included heavy pornography and drug usage and transactions, all going on in the bedroom next to their young children's bedrooms. Years of correspondence between the abuser and his mistresses were uncovered, even hidden videos of intimate activities. Emails and his own journals revealed his intent and pattern of spying. He used the information about his wife's work schedules to schedule the best time for he and his mistress to meet. Further analysis showed the diversion of hundreds of thousands of dollars of marital assets.

As noted above, it is important to have a knowledgeable and experienced professional analyze your computer. While the large electronics and office supply stores offer computer support service, touting removal of viruses and other malicious software (malware), they are not trained in this type of work.

The Electronic Privacy Information Center reports, "Identity theft is present in situations of domestic abuse. In a 2004 survey of identity theft victims, 15% reported that they were also victims of domestic harassment and abuse from the perpetrator. Identity Theft Resource Center, *Identity Theft: The Aftermath 2004*, 19, (Sept., 2005)."

Another case I worked on was a home health aide's abuse of an elderly client. There was suggestion of meddling with the octogenarian's banking and investment accounts. Working with the Power of Attorney of the elderly gentleman, we were able to install a surveillance program on the computer in question. When the home health aide was not playing video games and downloading photos of family while on the clock, the reports revealed that she added her name to his financial accounts. One by one, she changed usernames and passwords, even having statements sent to her home.

As we were getting closer and the financial institutions were confirming the changes we made to get the accounts back in the hands of the Power of Attorney, she became suspicious and had one of the major box-store services inspect the elderly man's computer. This company's report showed that they did update the anti-virus program and tweaked a few settings but they do not have an investigative mindset. They did not find the surveillance program that I had installed. This gave the perpetrator a false sense of security as she continued to move assets.

As you can see, simply deleting one's cache and internet history serves only to give the victim a false sense of security. It is beneficial to have someone who is not only trained in anti-virus software but who also has the experience in computer related spying and abuse to assist you and your loved ones to stay safe. Be safe by being aware.

Alan J. Rosenthal, an Asheville, NC resident, is a former private investigator and process server with thirty-five years of experience assisting litigants and victims and over two decades in transportation. Alan is an Investigative and Personal Privacy Consultant. He is also a residential and commercial Realtor. Alan teaches Realtor® Safety at the Land of the Sky Association of REALTORS®. Please call to book consulting appointments and speaking engagements.

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