Surveillance requests expand by 500 percent in Washington, DC

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Since 2011, the number of federal electronic surveillance requests by law officials has grown by nearly 500 percent in the Washington, D.C. region, according to recent court documents obtained by the American Civil Liberties Union (ACLU).

Court dockets indicate that the Alexandria division of the U.S. District Court for the Eastern District of Virginia received 305 such surveillance requests in 2011 and the federal court for the District of Columbia 235 requests in 2012. By 2016, the requested number of federal intrusions into the privacy of individuals had climbed into the thousands; both courts received a total of nearly 5,000 requests to track communications between 2011 and 2016.

According to the *Washington Post*, law officials requested "sender and recipient information," in addition to "the time, date, duration and size of calls, emails, instant messages and social-media messages, as well as device identification numbers and some website information" of those targeted for surveillance.

The large number of spying requests were first revealed in 2011, "after three individuals represented by the EFF [Electronic Frontier Foundation] and ACLU challenged a secret government attempt to track their Twitter communications, connection records and account information." The request was made in connection with the witch-hunt against WikiLeaks

The US government allowed Twitter to alert the users to their surveillance, which later led to revelation of the Virginia court's docketing information. Similarly, in D.C. last month a chief District judge ordered all docketing material to be released for the year 2012.

Of the thousands of requests received by the two federal courts only a handful have been unsealed for the benefit of the public. The U.S. District Court for Eastern Virginia, which received over 4,100 of the requests, has unsealed only a single case. Similarly, the D.C. court has revealed only three cases to the public from a total of nearly 800 in 2012 and 2013 alone.

Though the court dockets detail the dates of such requests, they do not state why surveillance was asked for, if the investigation was now closed, in what way targeted individuals were monitored or if the information resulted in an arrest or conviction.

The exponential increase in surveillance is attributed to the expanded use of the 1986 federal Electronic Communications Privacy Act. By making use of the 1986 law, authorities merely have to assert to a judge that the surveillance is related to an ongoing investigation, rather than prove probable cause in relation to a specific criminal act, as is the case with a warrant. After such permission has been granted, the request is sealed by the court and service providers are barred from informing targets that they are under surveillance.

"It's hard to understand whether this surveillance is necessary or whether there is overreach without basic information about how often these orders are sought or granted, or who is granting them. Even judges themselves do not know," Brett Max Kaufman of the ACLU's Center for Democracy told the *Post*.

Replying to the court docket revelations, Peter Carr, a spokesperson for the Department of Justice, commented that "there are no broad generalizations or presumptions about when matters are sealed or not sealed," but that when courts grant disclosure of such requests to the public, the Department [of Justice] has worked with them… [to protect] the integrity of ongoing investigations." In other words, the Department of Justice has sought to block the information from reaching the public.

The targeting of individuals in the U.S. capital area

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for surveillance is further proof that the ever-expanding web of electronic spying conducted by the federal intelligence agencies is aimed at the population of the entire globe, regardless of geographic region.

The *Post* notes that federal courts throughout the United States received roughly 42,000 requests in the year 2013, the last year comprehensive records are available for such information. It also notes that, as in D.C., few courts are compelled to reveal their spying to the public.

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