

REUTERS ASKS EVEN STUPIDER QUESTIONS ABOUT APPLE-FBI FIGHT THAN PEW

In my post on Pew's polling on whether Apple should have to write a custom version of its operating system so FBI can brute force the third phone, I gave Pew credit for several aspects of its question, but suggested the result might be different if Pew had reminded the people the FBI has already solved the San Bernardino attack.

Imagine if Pew called 1000 people and asked, "would you support requiring Apple to make iPhones less secure so the FBI could get information on a crime the FBI has already solved?"

As I said, at least Pew's question was fair.

Not so Reuters' questions on the same topic. After asking a bunch of questions to which three-quarters said they would not be willing to give up their own privacy to ward against terrorism or hacking, Reuters then asked this question:

Apple is opposing a court order to unlock a smart phone that was used by one of the shooters in the San Bernardino attack. Apple is concerned that if it helps the FBI this time, it will be forced to help the government in future cases that may not be linked to national security, opening the door for hackers and potential future

Do you agree or disagree with Apple's decision to oppose the court order?

While Reuters explains why Apple opposes the order – because it will be [in fact, already has

been] asked to help break into more phones that have nothing to do with terrorism, creating vulnerabilities for hackers – the wording of the question could easily be understood to imply that Syed Rezwan Farook’s phone “was used [] in the San Bernardino attack.” It’s not clear Farook even used the phone after November, two days before his attack. And to the extent Farook and his wife used phones *during the attack* – as implied by the question – they are believed to be the phones they tried unsuccessfully to destroy.

Yet, even with his problematically framed question, 46% of respondents (on an online poll, which likely skews towards tech facility) supported Apple’s actions.

There’s a problem, too, with the only question for which a plurality supported the FBI’s snooping. a graph of which Reuters highlighted in its story.

The government should be able to look at data on Americans’ phones in order to protect against terror threats.

There are cases where investigators find information on a smart phone that helps prevent follow-on attacks (in happened in Paris with a phone that was not encrypted). Border searches(which I admittedly believe to be one of the real reasons FBI objects to default encryption), too, might prevent terror attacks. But more often, we’re talking about investigating crimes deemed to be terrorism after the fact (or, far, far more often, solving drug crimes).

Nothing the FBI could do with the data on Farook’s work phone will prevent the deaths of the 14 people he already killed. There are other kinds of surveillance far better suited to doing that.