Experts: School can track laptops less intrusively

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Harriton High School is shown in Bryn Mawr, Pa., Thursday, Feb. 18, 2010. A family alleges in a federal lawsuit that the suburban Philadelphia school district used school-issued laptop webcams to spy on students at home, potentially catching them and their families in compromising situations. (AP Photo/Matt Rourke)

(AP) -- School officials in Pennsylvania who admit remotely activating student webcams to locate missing laptops could have used far less intrusive methods such as GPS tracking devices, technology and privacy experts say.

The Lower Merion School District instead finds itself defending a potential class-action lawsuit after a student complained of being photographed inside his home and accused of selling drugs.

The FBI is investigating the school district for possible wiretap and computer-use violations.

"The issues raised by these allegations are wide-ranging and involve the meeting of the new world of cyberspace with that of physical space. Our focus will only be on whether anyone committed any crimes," U.S. Attorney Michael Levy said Monday, taking the unusual step of confirming the FBI and Justice Department investigation.

While pledging to cooperate with any criminal probe, lawyers for the district also appeared in court for the first time Monday in the civil case, negotiating an agreement aimed at preserving computer evidence. The district agreed not to destroy any evidence that might be found on its servers or on the nearly 2,300 laptops issued to students at its two high schools.

Harriton High School student Blake Robbins and his family hope to learn "whether there were systematic violations or whether this is an isolated instance," according to their lawyer, Mark Haltzman.

The district activated the webcams after 42 laptops disappeared in the past 14 months. Eighteen were located, district spokesman Doug Young said Monday. He did not immediately know whether any were found - after webcam pictures were taken - in student homes.

Young has declined to discuss whether Blake Robbins' laptop was reported missing, because of the litigation, but said the district did not violate its policy to activate webcams only for that purpose.

Yet Robbins insists in court filings that it was never reported missing.

Either way, technology and privacy experts agree that GPS, "call home" and other location tracking software offer better results without raising

privacy concerns.

"There are less intrusive ways to track stolen laptops, no question about it," said Marc Rotenberg, a Georgetown University law professor who serves as president of the Electronic Privacy Information Center in Washington.

The company that owns the LANrev remote-activation software allegedly used by Lower Merion no longer promotes its use for anti-theft purposes.

"Webcam pictures are not useful in tracking down the culprit," said Stephen Midgely, vice president of global marketing for Absolute Software, which recently bought the LANrev software. The user in the picture is often not the person who stole the computer, and the photos are usually inadmissible in court, he said.

Nonetheless, a Lower Merion network technician marveled at LANrev's theft-tracking potential in a May 2008 MacEnterprise.org webcast.

"Fantastic feature - I can't speak highly enough of it," network technician Michael Perbix said, describing how the system could not only provide network address data to help police track down a missing machine but also send back screen shots and pictures from the built-in camera at regular intervals.

Perbix said he had once used the feature to try to locate laptops mistakenly thought to be missing. "By the time we found out they were back, I had to turn the tracking off and I had a good 20 snapshots of the teacher and students using the machines in the classroom," he said.

According to Rotenberg, those photographs could also raise legal problems for Lower Merion, since officials have said students did not

sign waivers agreeing to the hidden use of webcams.

"The question is whether the wiretap law applies when the school tries to communicate with laptops at school. That's a very interesting dimension in this case," Rotenberg said.

The American Civil Liberties Union also entered the case Monday, filing a friend-of-the-court brief in support of the student, arguing the alleged secret webcam activation in a home amounts to an illegal search.

Robbins filed suit last week, alleging that Harriton officials took a photo of him inside his home in November. He said he learned of it when an assistant principal said she knew he was engaging in improper behavior at home. According to Haltzman, the supposed pills were actually Mike and Ike candies.

Lawyer Henry E. Hockeimer Jr., who represents the district, urged families and community members not to jump to conclusions.

"To the extent any mistakes were made, we will make recommendations for any needed changes in policies and procedures," Hockeimer said.

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