

NYC police: Criminals say Apple encryption a 'gift from God'

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In this Wednesday, Sept. 9, 2015, file photo, Apple CEO Tim Cook discusses the new iPhone 6s and iPhone 6s Plus during the Apple event at the Bill Graham Civic Auditorium in San Francisco. Apple has spent years setting itself up as the champion of individual privacy and security, a decision that's landed it in the government's crosshairs over an iPhone allegedly used by one of the San Bernardino shooters. The high-profile case presents risks for Apple almost no matter what it does, and may spill over into the broader tech industry as well, potentially chilling cooperation with federal efforts to curb extremism. (AP Photo/Eric Risberg, File)

Police and prosecutors in New York City said Thursday that the top-notch encryption technology on Apple mobile phones is now routinely hindering criminal investigations. And they predicted the problem could grow worse as more criminals figure out how well the devices keep secrets.

Manhattan District Attorney Cyrus R. Vance Jr. said at a news conference that investigators cannot access 175 Apple devices sitting in his cybercrime lab because of encryption embedded in the company's latest operating systems.

"They're warrant proof," he said, adding that the inability to peer inside the devices was especially problematic because so much evidence once stored in file cabinets, on paper, and in vaults, is now only on criminals' smartphones.

Apple has marketed its encryption data as an important privacy tool, and many privacy advocates have praised the company, saying that if it opened its devices to government surveillance that ability to spy on users could be abused in places with authoritarian regimes.

"There is no magic key that only good guys can use and bad guys cannot," said Cindy Cohn, executive director of the Electronic Frontier Foundation, a digital civil liberties organization.

"Any vulnerability Apple is forced to create in its phones can and will be exploited by criminals making all less secure," Cohn said. "This is really a question of security versus surveillance."

Apple, based in Cupertino, California, is currently fighting a federal magistrate's order to help the FBI hack into an iPhone used by a gunman in December's mass shooting in San Bernardino, California. An Apple spokesman did not immediately return a call Thursday for comment on

the concerns of New York City authorities.

Vance didn't specify which cases were being hindered. But Police Commissioner William Bratton said a phone seized in the investigation of the shooting of two police officers in the Bronx last month is among those detectives can't crack. It was displayed Thursday alongside other phones, iPads and tablets similar to 600 devices the prosecutor's team tested, of which the 175 proved inaccessible.

Bratton said criminals are increasingly aware of the protection offered by their devices. He said a prisoner in a city jail was recently recorded saying in a phone call that iPhone encryption was "another gift from God."

Vance said investigators have relied on phone data to investigate killings, child pornography, robbery and identity theft. He said that might include checking a suspect's contact list to get the names of witnesses or conspirators, or viewing incriminating videos and photographs.

Apple CEO Tim Cook has warned that creating software allowing the FBI to unlock the San Bernardino suspect's phone could make millions of other phones vulnerable to hackers and criminals.

Cook said that if Apple were forced by the courts to "hack our own users," the government could order the company to build surveillance software to intercept all sorts of messages, "access your health records or financial data, track your location, or even access your phone's microphone or camera without your knowledge."

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