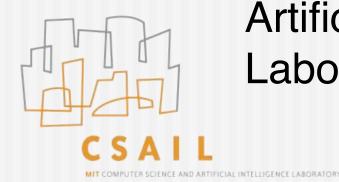
# Remembrance of Data Passed: Used Disk Drives and Computer Forensics

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### Acknowledgements

- Abhi Shelat (MIT)
- Ben Gleb (MIT)

### August 1998

- I purchased 10 used computers from a computer store...
- Mostly '386 and '486 machines...
- ... for a project



### Computer #1

- Operational hard drive ... It boot!
- File server from a law firm...
- Still had client documents...



#### Computers #2-#5

- Server from a law firm
- Database of mental health patients
- Quicken files
- Draft manuscript of a novelist...

#### Other Stories of Data Passed...

#### **April 1997**

 A woman in Pahrump, NV, purchases a used IBM PC and discovers records from 2000 patients who had prescriptions filled at Smitty's Supermarkets pharmacy in Tempe, AZ.

#### August 2001

More than 100 computers from Viant with confidential client data sold at auction by Dovebid.

#### Spring 2002

Pennsylvania state Department of Labor and Industry sells computers with "thousands of files of information about state employees."

#### August 2002

 Purdue student purchased used Macintosh computer at equipment exchange; computer contains FileMaker database with names and demographic information of 100 applicants to Entomology Department.

### With so many used systems, why so few stories of actual data disclosure

- Hypothesis #1: Disclosure of "data passed" is exceedingly rare because most systems are properly sanitized.
- Hypothesis #2: Disclosures are so common that they are not newsworthy.
- Hypothesis #3: Systems aren't properly sanitized, but few notice the data.

### How could people not notice the data?

- DEL removes the file's name...
- ... but doesn't delete the file's data

```
C:\WINDOWS\system32\cmd.exe
C:\tmp>dir
 Volume in drive C has no label.
Volume Serial Number is 1410-FC4A
 Directory of C:\tmp
10/15/2004
                           <DIR>
10/15/2004 09:20 PM
                               27,262,976 big_secret.txt
27,262,976 bytes
10/03/2004
             11:34 AM
                1 File(s)
                2 Dir(s)
                             4,202,078,208 bytes free
C:\tmp>del big_secret.txt
C:\tmp>dir
 Volume in drive C has no label.
 Volume Serial Number is 1410-FC4A
 Directory of C:\tmp
10/15/2004
            09:22 PM
                           <DIR>
10/15/2004
                           <DIR>
                 0 File(s)
                                          0 bytes
                2 Dir(s) 4,229,296,128 bytes free
C:\tmp>_
```

### How could people not notice the data?

■ FORMAT C: writes a new root directory...

```
C:\>format c:
The type of the file system is NTFS.
WARNING, ALL DATA ON NON-REMOUABLE DISK
DRIVE C: WILL BE LOST!
Proceed with Format (Y/N)?
```

#### FORMAT is misleading

```
A:\>format c:
```

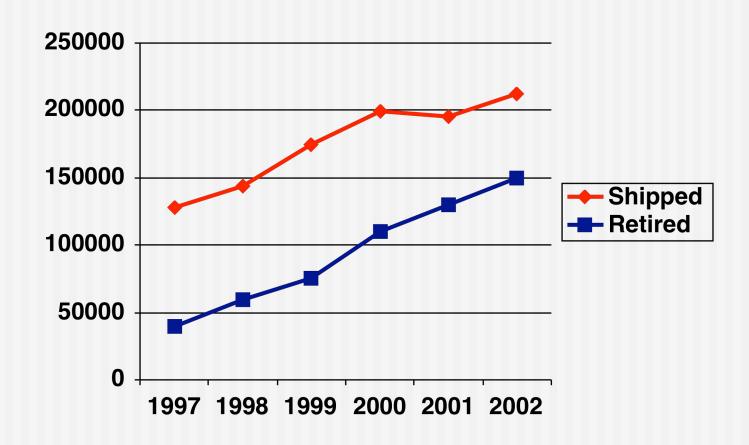
```
WARNING, ALL DATA ON NON-REMOVABLE DISK DRIVE C: WILL BE LOST! proceed with Format (Y/N)?y
```

```
Formatting 1,007.96M
100 percent completed.
Writing out file allocation table
Complete.
```

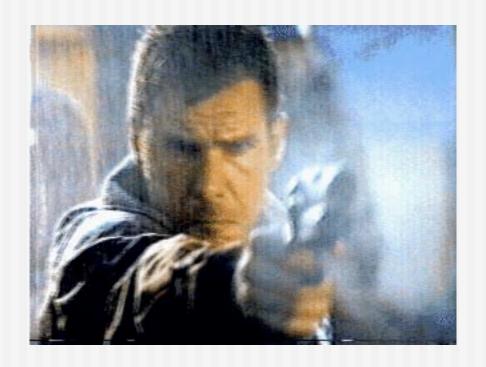
### Hard Drives Pose Special Problem For Computer Security

- Do not forget data when power is removed.
- Can contain data that is not immediately visible.
- Today's computers can read hard drives that are 15 years old!
  - Electrically compatible (IDE/ATA)
  - Logically compatible (FAT16/32 file systems)
  - Very different from tape systems
- Strong social bias against destroying a working drive

#### 149M Drives Retired in 2002!



#### "Retire?"



Deckard (Harrison Ford) retires a replicant.

Blade Runner (1982)

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## Throwing out a Hard Drive Feels Wrong

- Give to:
  - School
  - Church
  - Parents
- Send it to India
- Find somebody to "take it away."



## Many hard drives are "repurposed," not "retired"

- Re-used within an organization
- Given to charities
- Sold on eBay







50 items 1	egories ound for hard drives ns: ending first   newly listed   lowest priced   highest pri	iced		Save this searc
Picture	Item Title	<u>Price</u>	Bids	Time Left
ď	Lot of hard and floppy drives	\$5.50	2	14:
	Lot of hard and floppy drives	\$5.50	2	22:
	Lot of hard and floppy drives	\$5.50	2	25
ď	Lot of 2 hard drives IDE	\$8.00	12	29t
	3.2 gig Hard Drives	\$180.00	_	591
	(5) 1.2 hard drives & (15) 10/100 network	\$25.00	1	1h 00r
	Lot of 3 Quantum 9.1 gig SCSI Hard Drives	\$26.00	6	1h 25t
	IDE HARD DRIVES (3)	\$6.50	6	1h 46
ď	LOT OF 5 Hard Drives! 3.2 Gig Western Digital	\$120.00 \$124.95 =6	Buy It Now	1h 50i
	QTY 3IDE Hard Drives 2.5 Gig	\$20.50	5	2h 02i
ď	5 WESTERN DIGITAL 2.5 GIG HARD DRIVES	\$30.00	4	2h 031
	QTY 3IDE Hard Drives 1.0 Gig	\$9.99	1	2h 041
	Western Digital 850 meg IDE Hard Drives dutch	\$6.00	1	2h 571
	WINDOWS	\$	6.00	- 3h 18r

### Modern systems use several techniques for assuring data privacy:

- #1 Physical security
- #2 Logical access controls (operating system)
- #3 Cryptography (disk & link)

## Data privacy techniques don't apply to repurposed disks

Techniques for assuring confidentiality:

```
#1 - Physical security
```

#2 - Logical access controls (operating system)

#3 - Cryptography (disk & link)

... and most data isn't encrypted

## Weird Stuff, Sunnyvale California, January 1999

■ 10 GB drive: \$19 "tested"

■ 500 MB drive: \$3 "as is"





Q: "How do you sanitize them?"

A: "We FDISK them!"



#### FDISK does not sanitize disks

- 10 GB drive: 20,044,160 sectors
- "FDISK"
  - Writes 2,563 sectors (0.01%)
- "FORMAT"
  - Writes 21,541 sectors (0.11%)
  - Erases the FAT
  - (complicates recovery of fragmented files.)

## The "Remembrance of Data Passed" Study

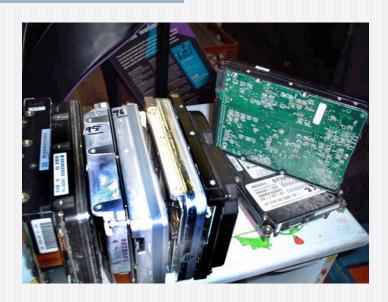
- I purchased 235 used hard drives between November 2000 and January 2003
  - eBay
  - Computer stores
  - Swap fests
  - No more than 20 from the same vendor
- Mounted the drives, copied off the data, looked at what I found.

### Drives arrived by UPS.



### Numbered and put on shelf





### Imaged using FreeBSD



### Stored images on RAID



#### Lore

Use atacontrol(8) to attach/deteach

dd if=/dev/ad1 of=/image conv=noerror,sync

Use a modified "dd" that fills error blocks with a distinct pattern / code.

### Stored file metadata in MySQL

- Disk #
- Dir name
- File name
- Length
- mtime
- MD5 (Actually, md5id)

#### Disk #70: IBM-DALA-3540/81B70E32

- Purchased for \$5 from a Mass retail store on eBay
- Copied the data off: 541MB
- Initial analysis:
  - 1,057,392 disk blocks
  - 67,878 blocks are all NULs (6%)

```
-r--r--- 1 root project 541384704 Aug 9 2002 70.img
-rw-r--- 1 simsong project 205892 Aug 9 2002 70.tar.gz
```

### #70 the disk partition report

```
****** Working on device /dev/ad2 ******
parameters extracted from in-core disklabel are:
cylinders=524 heads=32 sectors/track=63 (2016 blks/cyl)
parameters to be used for BIOS calculations are:
cylinders=524 heads=32 sectors/track=63 (2016 blks/cyl)
Media sector size is 512
Warning: BIOS sector numbering starts with sector 1
Information from DOS bootblock is:
The data for partition 1 is:
sysid 11,(DOS or Windows 95 with 32 bit FAT)
  start 63, size 1054305 (514 Meg), flag 80 (active)
     beg: cyl 0/ head 1/ sector 1;
     end: cyl 522/ head 31/ sector 63
The data for partition 2 is:
<UNUSED>
The data for partition 3 is:
<UNUSED>
The data for partition 4 is:
<UNUSED>
```

#### 70.tar.gz: Visible Files

```
% tar tfz images/tar.gz/70.tar.gz
./
IO.SYS
MSDOS.SYS
COMMAND.COM
%
```

#### % strings 70.img I more

```
% strings img.70 I more
[.??
!ZY[
0123456789ABCDEFS
                                               56M of printable strings!
W0W0W090
WOWO
6..h
Insert diskette for drive
and press any key when ready
Your program caused a divide overflow error.
If the problem persists, contact your program vendor.
Windows has disabled direct disk access to protect your long filenames.
To override this protection, see the LOCK /? command for more information.
The system has been halted. Press Ctrl+Alt+Del to restart your computer.
You started your computer with a version of MS-DOS incompatible with this
version of Windows. Insert a Startup diskette matching this version of
OEMString = "NCR 14 inch Analog Color Display Enchanced SVGA, NCR Corporation"
    Graphics Mode: 640 x 480 at 72Hz vertical refresh.
    XResolution
                      = 640
    YResolution
                      =480
    VerticalRefresh
                      = 72
                                         © 2004 Simson L. Garfinkel
11/25/04
```

#### 70.img con't

\_\_\_\_\_

IBM AntiVirus Trial Edition is a full-function but time-limited evaluation version of the IBM AntiVirus Desktop Edition product. You may have received the Trial Edition on a promotional CD-ROM or as a single-file installation program over a network. The Trial Edition is available in seven national languages, and each language is provided on a separate CC-ROM or as a separa

EAS.STCm

EET.STC

ELR.STCq

**ELS.STC** 

#### 70.img ...

Appears to have some kind of medical information on it.

MAB-DEDUCTIBLE MAB-MOOP MAB-MOOP-DED **METHIMAZOLE INSULIN (HUMAN)** COUMARIN ANTICOAGULANTS CARBAMATE DERIVATIVES **AMANTADINE MANNITOL MAPROTILINE** CARBAMAZEPINE CHLORPHENESIN CARBAMATE **ETHINAMATE** FORMALDEHYDE MAFENIDE ACETATE **MALATHION** s@ **MAZINDOL** NOMIFENSINE MALEATE **PIPOBROMAN** 

#### A typical hard disk

#### Factory-Fresh Hard disk: All Blank

0	0	0	0	0	0	0	Ea
0	0	0	0	0	0	0	51:
0	0	0	0	0	0	0	A 2
0	0	0	0	0	0	0	40
0	0	0	0	0	0	0	

Each block is 512 bytes

A 20G disk has 40M blocks.

Disk blocks (not to scale)

#### % format C:\*



- Boot blocks
- Root directory
- "File Allocation Table" (FAT)
- Backup "superblocks" (UFS/FFS)
- May also:
  - Validate surface

					*		
•	В	Ш	Ш	Ш	/	0	0
	0	<b>*</b> O	0	0	0	0	0
	0	0	0	0	0	0	0
	0	0	0	0	0	0	0
	0	0	0	0	0	0	0

<sup>\*</sup> Examples based on FAT32 running under Unix

## % cp b1 /mnt/b1 % cp b2 /mnt/b2



- File Contents
- File Directory Entry
- Bookkeeping

	*			<b>\</b>			
В	F	H	F	/b1	/b2	0	
◆Big Secret File #1							
◆ Big Secret File #2							
0	0	0	0	0	0	0	
0	0	0	0	0	0	0	

#### root directory:

b1	•	jan	1	2004	block	7
b2		jan	1	2004	block	14

## % rm /mnt/b1 % rm /mnt/b2

#### Writes:

New root directory

■ Bookkeeping -

В	F	Ш	F	/?1	/?2	0		
Big Secret File #1 0								
Big Secret File #2								
0	0	0	0	0	0	0		
0	0	0	0	0	0	0		

#### new root directory:

?1		jan	1	2004	block	7
?2	•	jan	1	2004	block	14

# % cp Madonna.mp3 /mnt/mp3

#### Writes:

- New root directory
- madonna.mp3
- Bookkeeping

В	F	ш	F	/mp3	/?2	0
Madonna et File #1						0
◆ Big Secret File #2						0
0	0	0	0	0	0	0
0	0	0	0	0	0	0

#### new root directory:

Madonn	amp3	jan	2	2004	block	7
?2	•	jan	1	2004	block	14

### What's on the disk?

- Madonna.mp3
- Madonna.mp3's directory entry
- All of B2
- Most of B2's directory entry
- Part of B1

В	F	F	F	/mp3	/?2	0
Madonna et File #1						0
Big Secret File #2					0	
0	0	0	0	0	0	0
0	0	0	0	0	0	0

# % format C: Again!

#### Writes:

- Boot blocks
- Root directory
- "File Allocation Table" (FAT)
- Backup "superblocks" (UFS/FFS)
- May also:
  - Validate surface

				<b>\</b>		
В	Ш	I	L	/	/?2	0
Ma	don	na	et Fi	le#	1	0
Big Secret File #2						0
0	0	0	0	0	0	0
0	0	0	0	0	0	0

# Taxonomy of hard disk data

Level 0	Files in file system
Level 1	Temp files (/tmp, /windows/tmp, etc)
Level 2	Recoverable deleted files
Level 3	Partially over-written files

# Digital Forensics

- "Forensics" has two meanings:
  - The art or study of formal debate
  - The use of science and technology to investigate and establish facts in criminal or civil courts of law
- Digital Forensics:
  - Disk drive forensics
  - Network forensics
  - Software forensics

#### Hard Disk Forensics

- Consumer Tools:
  - Disk sector editors
  - Norton Disk Doctor
- Professional Tools:
  - Access Data's Forensic Tool Kit (FTK)
  - Guidance Software's EnCase
- Open-Source Tools:
  - SleuthKit

# Capabilities of Forensic Tools

#### All tools:

- Undelete files (level 2 data)
- Search for text (level 3 data)

#### Professional Tools:

- Display contents of Outlook .PST files
- Search for files by MD5 or SHA-1
- Create report of operator's actions
- Create "timeline" of disk's activity

# The Forensics Challenge

- Most forensic tools are designed to spend a lot of time with one drive.
- I had a lot of drives and a little bit of time
- Tools that I used/created:
  - strings(1)
  - fatdump a "forensic file system"
  - blockstats forensics based on statistical analysis
  - level0 Cataloging of existing files with MD5 factoring.

# "Automated Forensics:" Automatically find the good stuff

- Automatic searching for credit-card numbers
- Most common email address
- Searching for medical terms
- Combined timeline of all disks

# Email stop list: addresses to ignore!

111 c2le@mz.um not an e-mail address 76 keywitness@keywitness.ca something SSL related 71 cps-requests@verisign.com "" 70 server-certs@thawte.com 70 premium-server@thawte.com 56 1bf@q.ec not an e-mail address 55 enews@microsoft.nwnet.com 54 personal-premium@thawte.com something SSL related 53 inet@microsoft.com 52 personal-freemail@thawte.com THAWTE personal freemail CA 52 personal-basic@thawte.com THAWTE personal basic CA 51 mazrob@panix.com Authors of Utopia sound scheme for Windows 95, 41 java-security@java.sun.comJava stuff 41 java-io@java.sun.com 38 me@mycompany.com Word Templete, "Elegant Fax.dot" 37 mbenson@msn.com included in Word Template "Professional Resume.dot"

37 dgreer@mycompany.com

included in Word Template "Contemporary Resume.dot"

# Findings... Reloaded

Jan 2002: 150 drives

Jan 2004: 235 drives

Drives DOA: 59

Drives Imaged: 176

■ Total files: 168,459

■ Total data: 125G



# Zeroed drives (all 0s)

- 11 drives were zeroed
- Other drives from same vendors were not sanitized

7 15:	., .	,,,,	
Zeroed Drives	Vendor	# other working	
		drives from	
		vendor	
#2	Driveguys.com	3*	
#34	WeirdStuff	30	Purchased later
#72	eBay / PCSurplus	0	7/
#82, 83, 84, 85,	eBay / TSLi	3*	
86, 87, 88, 91			

1 had just an OS

#### "Formatted Drives"

- Clean formatted
  - all 0s except for FAT and root directory
- Clean formatted with OS
  - FAT, root, & DOS or Windows install
- Dirty formatted
  - Lots of data, but with a clean FAT and root.

## Clean Formatted

- Easily identified with SQL:
  - img\_blocks>0 and img\_blocks!=img\_zblocks and img\_blocks\*0.01 > img\_zblocks
- 22 drives were "clean-formatted."
  - 1 from Driveguys (but other 2 had lots of data)
  - 18 from pcjunkyard (out of 25; 1 had parish data)
  - 1 from Mr. M. who sold his 2GB drive on eBay.
  - 1 from a VA reseller (1 DOA; 3 dirty formats)
  - 1 from unknown source (1 DOA; 1 dirty format)

#### Clean format with OS

- Easily identified with SQL:
  - # blocks # blocks in files where the MD5 is seen in more than one file

# MD5 factoring

- Register every found md5 in a database
- Allows quick determination of:
  - Unique files
  - Operating system files
  - Most common files
  - See: Garfinkel, S., <u>A Web Service for File Fingerprints: The Goods</u>, the Bads, and the Unknowns, January 2003.
- Coming soon: Factor blocks!
  - A 60GB file would have 3.6GB of MD5 codes...
  - Specialized database...

# **Unique Files**

- 783 Microsoft Word Files (!)
- 184 Microsoft Excel Files
- 30 Microsoft PowerPoint files
- 11 Outlook PST files!
- 977 audio files
- Notes:
  - This is a rapid way to find the good stuff!
  - Why so few unique files?

#### Most common level 0 files

- (3235 copies)
- /Program Files/Internet Explorer/Connection Manager/00000001.tmp (2899 copies)
  - "204 No download Necessary"
- /WINDOWS/TEMP/~DFE014.TMP (143 copies)
- /WINDOWS/Temporary Internet Files/desktop.ini (104 copies)
- /WINDOWS/CURSORS/ARROW\_IL.CUR (96 copies)
- /WINDOWS/Java/Packages/Data/TZ3P7BVN.DAT (82 copies)
- /WINDOWS/Temporary Internet Files/../space.gif (81 copies)
- ...
- /msdos.sys (40 copies)
- /WINDOWS/SYSTEM/OLE2NLS.DLL (38 copies)

## More Data...

#### ■ Level 1 Files:

- Web caches
  - Hotmail
  - Purchases
  - Pornography
- Cookies
  - Authentication cookies

### More data...

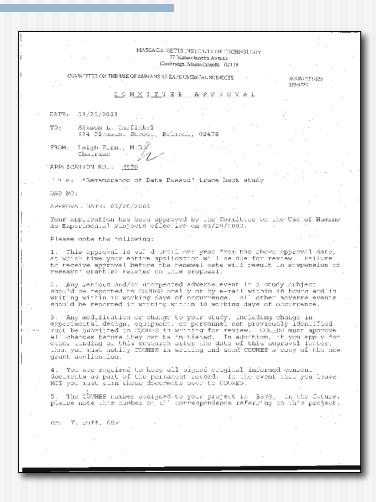
- Level 3 data:
  - Credit card numbers
    - "comb" by A. Shelat
  - Email addresses

## Confidential information found

- Medical records
- Short stories
- Personal correspondence
- HR correspondence
- Loan repayment schedules

# Trace back Study

- Started April 2003
- Required approve of MIT "Committee for of Humans as Experimental Subjects" (IRB)



## Disk #6: Biotech Startup

- Memos & Documents from 1996
- Acquired Nov. 2000
- Company shut down; PCs disposed of without thought to contents.

# Disk #7: Major Electronic Manufacturer

- Company had a policy to clear data
- Policy apparently implemented with the FORMAT command
- New policy specifies DoD standard

#### **Disk #44**

- Bay Area Computer Magazine
- Personal email and internal documents
- Many machines stripped and sold after a 70% reduction in force in summer 2000.
- No formal policy in place for sanitizing disks

#### **Disk #54**

- Woman in Kirkland
- Personal correspondence, financial records, Last Will and Testament
- Computer had been taken to PC Recycle in Belleview by woman's son.
- PC Recycle charged \$10 to "recycle" drive and sold it to me for \$5.

## Disks #73, #74, #75, #77

- Community College (WA)
- Exams, student grades, correspondence, etc.
- Protect information under Family Educational Rights and Privacy Act!
- School did not have a procedure in place for wiping information from systems before sale, "but we have one now!"

#### Disk #134

- Chicago bank
- Drive removed from an ATM machine.
- One year's worth of transactions; 3000+ card numbers
- Bank had hired contractor to upgrade machines; contractor had hired a subcontractor.
- Bank and contractor assumed disks would be properly sanitized, but procedures were not specified in the contract.

#### Main Sources of Failure:

- Failing or Defunct Companies
  - Nobody charged with data destruction
- Trade-ins and PC upgrades
  - Owner assumed that service provider would sanitize
- Failure to supervise contract employees
  - Sanitization was never verified

# **USB Drives & Digital Cameras**

- Everything about hard drives applies to other storage media that is treated as a "hard disk."
- Most are formatted with FAT32

# Example: Digital Photography

- Many police have forced photographers to "delete" images they didn't want taken.
  - Ground Zero, post-9/11. Unnammed photographer forced by police to delete photos. Was able to recover with help from slashdot.
  - College student Mohammed Budeir, Philadelphia, Sept. 4, 2002, taking photographs of police cars. <a href="http://www.copcar.com/mo0902.htm">http://www.copcar.com/mo0902.htm</a>
  - Airlines.net photographer Daniel Wojdylo, forced to delete photos photographed at BUF in April 2002.
- Google for:
  - officer made me delete pictures in my digital camera

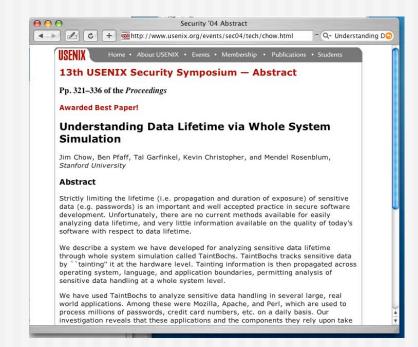
### PalmOS 3.5.2 and others

- @Stake Security Advisory 3/01/2001
- Debugging back door:
  - dm displays memory
  - saveimage saves a memory image
- All Databases (including private entries), & delete information in memory!
- http://www.atstake.com/research/advisories/2001/a0301 01-1.txt



# "Virtually no limit to the lifetime of sensitive data."

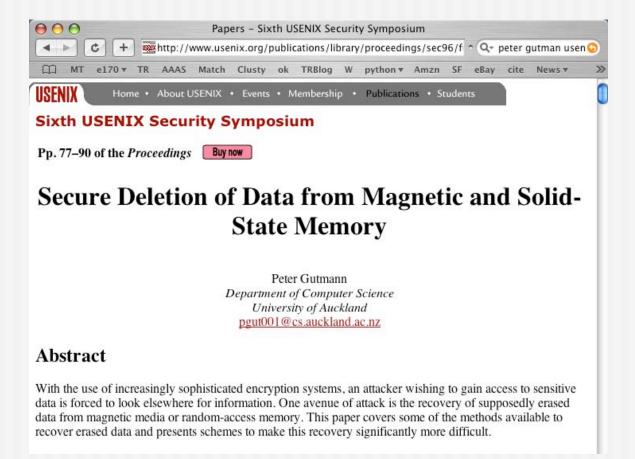
- "Understand Data Lifetime via Whole System Simulation," Jim, Crow, Ben Pfaff, Tal Garfinkel, Kevin Christopher, Mendel Rosenblum,
- Best Paper, UsenixSecurity 2004



#### What's the threat?

 Many people ask about recovering data that has been over-written

## Gutmann '96



# Gutmann Epilogue

- http://www.cs.auckland.ac.nz/~pgut001/pubs/se cure del.html
  - "some people have treated the 35-pass overwrite technique described in it more as a kind of voodoo incantation to banish evil spirits ..."
  - "...performing the full 35-pass overwrite is pointless"
  - "For any modern PRML/EPRML drive, a few passes of random scrubbing is the best you can do."
  - "This was true in 1996, and is still true now."

### Overwritten Data...

- People from secret government agencies with advanced technology might be able to recover overwritten data...
- ... but nobody else can.



# Threat Models: What are you afraid of?

- For most threats...
  - Snoop in the office
  - Data recovered from a discarded disk.
  - Disk seized by cops; data recovered.
- writing new data over old data should be sufficient...

# DOD 5220.22-M — standard for sanitizing media with *non-classified data*.

- "Degauss with a Type I degausser"
- "Degauss with a Type II degausser"
- "Overwrite all locations with:
  - a character,
  - it's complement,
  - then a random character
  - and verify"
- Destroy. Disintegrate, incinerate, pulverize, shred, or melt."

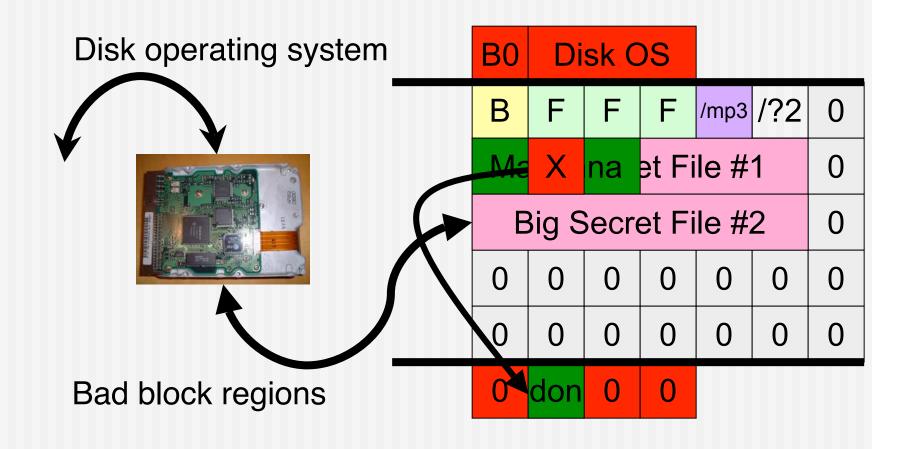
# Tools for overwriting...

- dd if=/dev/zero of=/dev/ad2
- Stand alone tools:
  - AutoClave
    - http://staff.washington.edu/jdlarious/autoclave
  - DataGone
    - Now part of Symantec's professional offering.
  - SecureClean
    - http://www.bluesquirrel.com/so/secureclean/
  - DBAN: Darik's Boot and Nuke
    - http://dban.sourceforge.net/
- Suites
  - Norton Disk Doctor has a "wipe" feature.
- Missing: tools for verifying something is sanitized.

# Exotic Threat #2: Hostile Hard Disk

- "I'm bad; send me back for service."
- Scopes out data on other hard drives
- Lies when you try to try to sanitize it.

### Level 4 Data: Vendor Area



### Solutions for hostile hard drives

#### Approach #1:

- Write the entire disk with non-repeating data.
- Read the entire disk to make sure that the data is accurate.

#### Approach #2:

- Never write plaintext to the drive
- (This works for all cases...)
- Approach #3:
  - Never send hard drives back for service

# DOD 5220.22-M — standard for sanitizing media with *non-classified data*.

- "Degauss with a Type I degausser"
- "Degauss with a Type II degausser"
- "Overwrite all locations with:
  - a character,
  - it's complement,
  - then a random character
  - and verify"
- "Destroy, Disintegrate, incinerate, pulverize, shred, or melt."

## Type 1 Degausser

Model HD-2000

73 seconds cycle time

■ 260 lbs

**\$13,995** 

Monthly rental \$1,400



Your hard disk won't work after it's been degaussed (why not?)

http://www.datadev.com/v90.html

# Drive Slagging: Melting the drive works just fine!

Dave Bullock, John Norman, & CHS



http://driveslag.eecue.com/

# "Good luck removing data from this."









"Our prognosis: drive slagging is a foolproof method to prevent data recovery."

### The Bad News:

- Most people aren't using these techniques...
- Most people are using "del" and format.
- This is an issue that must be addressed by OS vendors in the kernel.
  - Add-on software doesn't work
  - Even programs like CIPHER.EXE don't work

## Thoughts...

- Do we really want computers to give us "strong delete?"
- In legal "discovery," is the opposing side entitled to:
  - All of the files on your hard drive?
  - An image of your hard drive?
- If you delete a file, can you still be legally liable for having it?

## Bruce Mirken, 1999



- Gay journalist, advocate for rights of gay teenagers.
- Police man posing as a gay 14-year-old send Mirken child pornography
- Mirken deletes photographs.
- Police raid Mirken's apartment, use forensic software to recover deleted files.
- Case eventually dismissed (\$50K in legal bills)
- http://www.journalism.sfsu.edu/flux/bayCurrents/mirken.html
- http://gaytoday.badpuppy.com/garchive/events/051799ev.htm
- July 8, 1999, Page 3B, San Jose Mercury News

### Michelle Theer

- Husband Air Force Capt. Marty
   Theer shot by Army Staff Sergeant
   John Diamond on Dec. 17, 2000
- Examination of computer's hard drive found:
  - 21,000 documents, mostly deleted.
  - Personal ads that Theer had written in 1999 and responses to the advt.
  - Theer active in swinger's clubs in winter & spring 2000
  - Affair between Diamond and Theer started in Spring 2000



## Final thoughts...

- Spending less than \$1000 and working part time, I was able to collect:
  - Thousands of credit card numbers
  - Detailed financial records on hundreds of people
  - Confidential corporate files
- Who else is doing this?