

Tri-County Batterer Intervention Provider Network Meeting Minutes-12/11/2018

Present: Chris Huffine (Allies in Change), Guruseva Mason (Safety First), Clarissa Antunez (Bradley Angle), Linda Castaneda (Castaneda Counseling), Regina Holmes (ARMS), Matt Johnston (Domestic Violence Safe Dialogue—Lutheran Community Services NW)

Minutes by Chris Huffine

Meeting Topic: Smart Home Tech & DV

Today's discussion is intended to talk about some of the recent developments in Smart Home tech and how it intersects with DV, both in terms of new ways of being abusive and controlling and new ways of increasing survivor safety.

What is Smart Home Tech?

Smart Home Tech typically refers to home based devices that connect to the internet and are then remotely accessible. This is a rapidly growing field, so the list is likely to grow significantly in the coming years. At present examples of Smart Home Tech include:

- Drones (small flying devices with cameras which are remote controlled)
- Thermostats that can be remotely changed or turned on or off
- Door locks that can be remotely locked or unlocked. Some also have built in surveillance cameras that can run either continuously or when there is motion in front of the door
- Security systems that can be activated/changed/triggered via cellphone
- Remotely turning on devices (e.g., lights, oven, stereo system, etc)
- Bank accounts (with any manner of bank activity being done via cell phone)
- Locating a lost/misplaced/stolen phone
- Recording interactions via cellphone or some of the above devices
- Alexa/Siri—these are two examples of voice activated programs that can access information on the internet, turn off and on devices, make phone calls, and do a variety of tasks via voice command.

There are other technological and software advances that don't exactly fit under the Smart Home tech rubric, but are relevant for this conversation. These include:

- Face Time and Skype where you can have live video conferencing
- “Nanny cams” which are hidden cameras placed in rooms to monitor what happens typically by either recording continuous video or taking motion activated photos or videos
- Apple pay and related apps which allow you to make purchases simply by swiping your phone, no need for credit cards or cash
- Under the skin chips—right now they are both illegal and have limited practical uses, but it is expected that this is the wave of the future where people will have microchip implants

- GPS in phones
- Data mining programs that are widespread that help tailor ads and related content to fit your particular interests and browsing of the internet
- Caller ID as well as programs that provide false caller IDs
- Fit bit and related fitness trackers, typically worn on the wrist which can track things like heart rate, number of steps walked, physical location, and sleep pattern, among other things
- Key stroke loggers that can note when someone is using a keyboard or phone and even record what they are typing up without the other person's knowledge.

There was an extended discussion on to what extent it is legal to record a person's conversation without their consent. With no one quite clear on whether that is okay. Editor's note: Some online research revealed that federal law DOES allow a person to record a conversation without the other's consent, this is known as "one party consent" law. However, eleven states, including Washington and California, but not Oregon, require that everyone involved in the conversation or phone call need to give consent first. So in Oregon it is legal to record a conversation (or presumably other interaction) without the other person's knowledge or consent.

It was noted that typically working-class folks are the last to access the latest technology/technological developments. This is an important consideration throughout this discussion.

"Is it legal"? It is challenging to pass laws against every bad thing, especially with how quickly technology is evolving and changing. As a result, laws tend to lag behind a bit where things are technologically.

Dark aspects of Smart Homes and other newer technology

- Spoofing phone numbers involves listing the wrong number on caller ID so that the person answers their phone. It's possible to fake being other persons and organizations.
- You can use remote access to lock/unlock doors or to disable phones. Because so many things can be remotely accessed these days, an abusive partner can use that remote access to do all kinds of crazy making and gas lighting. They can also easily sabotage systems so they won't work correctly.
- Tech savvy becomes another source of power. So if the abusive partner is more tech savvy they can use this power to further control and mistreat their partner. This is another power differential they can exploit.
- With the various ways to remotely monitor all sorts of activity, stalking becomes almost natural and automatic. You can monitor who is coming and going to/from the house and when they are. You can know what rooms they are going into. You can monitor their account activity in real time. Through GPS you can know where they are virtually any moment of the day. This

technology makes it so incredibly easy to stalk that some abusive partners who might not otherwise engage in stalking will start simply because of how easy it is to do so.

-This technology further limits the freedom and safety abused partners have in their own home. Historically one time that the family might feel safer was when the abusive partner was not physically around, say at work or on a business trip. However, with Smart tech they can still engage in a significant level of monitoring which may leave the family on eggshells and having to constrain their behavior even when he's not in the house. In that way the house becomes even more of a prison.

-Related to this, a person in general has far less privacy than they once did. This limited privacy can trigger additional acts of abuse and control. A common safety tactic is to hold off on behaviors that the abusive partner doesn't like until they are not around or able to witness it. However, with additional privacy limits that is harder to do which means that there may be additional triggers for the abusive partner to be abusive and controlling. For example, he may insist the children not play until all of their homework is done. Historically the mother could allow the children to play and simply not tell him when he came home. With Smart Tech he could monitor the children coming and going and would know that they were outside playing, which could lead to an abusive outburst when he gets home.

-It is much easier to track who's been called, who's been texted, and that sort of thing. There is much more extensive documentation of those sorts of things than there used to be.

-One's digital footprint is much larger and more extensive than it has ever been. So there are many more avenues to figure out what a person has been doing, where they've been, who they've been interacting with, etc.

-All of this Smart Tech can allow the abusive partner to even more dominate and control the house—the temperature of the house, the amount of electricity used, access to bank accounts, who can come and go, etc. All of this can be addressed without him even being around.

-Through the select use of videos, photos, and other recordings and postings, the abusive partner can do an even better job of conveying a certain image and story to others. For example, he could record a conversation in which he is extensively verbally abusive towards his partner who, eventually, loses it and yells back at him. He then edits it and releases only the portion where she is yelling to convey how “out of control” she is.

-Because of the lack of privacy it's also easier to collect material that can be used to blackmail or otherwise publicly embarrass and shame an abused partner with a variety of embarrassing information.

As should be clear, as is always the case, abusive partners will use anything they can find to utilize for abuse and control, including the latest Smart tech. It means that the list of ways to be

abusive and controlling will continue to grow and evolve with each additional technological development.

Positive aspects of Smart Homes and other newer technology

As depressing and disturbing as all of the above is, the news is not all bad. While they can be used to be abusive and controlling, Smart Homes and other newer tech are also providing many new avenues for abused partners to keep themselves and their children safer. Here are just some examples of that . . .

-One of the most important changes is that it is SO much easier to document and record abusive behavior. Between always having a video/still camera on hand, the communication via texts and emails which can be saved, recording where the abusive partner is, doing screen captures, etc., it is easier than it has ever been to provide documentation and evidence of the abusive behavior. The fear of being recorded alone can deter abusive partners from behaving as badly as they might otherwise. It's almost like there's always someone watching from outside of the home.

-This recorded material can be used to prosecute. It can also be used to provide a more accurate and objective account of what happened in an incident without the abusive partner being able to put as much "spin" on it. It can provide material that can be examined in a group. It can also be used to counter the spin the abusive partner may put on material with others. It can also be kept as a way of verifying that it really happened, that the abused partner isn't overreacting or being too sensitive, etc.

-Finally, for abusive partners trying to change/working to change, the recorded material could be shared with their group for additional input and identifying alternative ways of behaving and what they could have done differently.

-If the abused partner is more tech savvy than their abusive partner they can use this knowledge to increase their safety and provide a number of other protections from the abusive partner.

-Smart Tech can be used to further protect a space that doesn't belong to the abusive partner and keep it safer.

-Smart Tech and related tech can help reduce the isolation that abused partners may feel. It makes it easier for them to stay in touch with others and connect with others.

-It can be used to get more immediate assistance. There are panic buttons that can be hit on cellphones and some alarm systems. The voice activated systems can also call the police so that even if a cell phone is taken away there can still be a call for help.

-The smart tech also could be used to interrupt an abusive episode by calling a friend or activating other devices in the home to distract.

-This same tech that can be used to stalk victims can also be used to stalk abusive partners. They can know when they enter the house, monitor where they are, etc. All of this can be utilized to increase their safety and even catch some stalking behaviors.

-It can be easier to mask survivor services so that the abusive partner isn't aware of where they are going.

-There was some brainstorming around creative ways to use voice activated tech to help intervene with abusive episodes. That includes having it monitor the loudness of the voices. It could interrupt if certain "trigger" words were said.