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**The Cat Hair Conviction**  
**Tor Under Attack**



**CE/CLE Training**

Jean Mignolet is proud to offer state approved trainings regarding tips for "Locating Hidden Assets" and "Google is not an Investigation" for legal professionals and attorneys. Please contact for available dates.

For more than three decades Jean Mignolet has served in law enforcement and private investigation, managing all aspects of general investigative business. She specializes in in-depth background investigations, and is the top choice of attorneys, corporations, small business owners and individuals who require all types of investigative services.

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Dear Jean,

Tor is legal internet software that allows users to browse while making it harder to track your activity. Often known as the anonymous internet browser, Tor does this by routing through a complex series of interconnected users.

The ability to browse the web anonymously is an invaluable tool for private investigators. It allows us to track fraudsters and other individuals under investigation via computer without being detected.

Now the Department of Justice AND internet service providers such as Comcast are targeting Tor users simply for the reason that they are using this LEGAL software. Not only does this make my job harder, but it is a huge rights violation for anyone trying to uphold their right to privacy.

*Jean Mignolet*

*A reminder that prior issues of the newsletter are view-able from the website.*

Contact us at:  
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## The Cat Hair Conviction

A lone light-orange cat hair was found in the jean pocket of a murder victim in Clay County, Missouri. The victim was found beaten severely and nearly decapitated. **The cat hair was collected, and in the end, it helped to convict the murderer.**

However, this evidence didn't mean much until the mitochondrial DNA of the cat hair was determined. Mitochondrial DNA is the DNA sequence passed down through the generations, mother to offspring. *Since both the victim and the murder suspect owned cats, the fact that the victim's pocket contained a cat hair hardly seemed like case-breaking evidence.*

## Tor Under Attack

Tor is a legal internet browser and its software is free and open-sourced. This browser software routes through a complex series of interconnected users which makes it hard to monitor Tor users' internet usage, which is why **Tor is popularly known as an anonymous web browser.** In the past, this kind of software was popular with criminals on the Silk Road-the internet black market for drugs and hit men-but most Tor users are not criminals. Since Edward Snowden leaked that the NSA has been monitoring the internet activity of ordinary citizens,

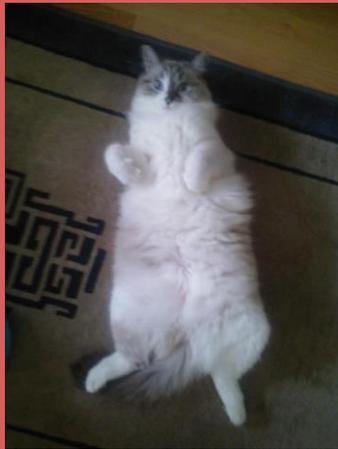


more and more people have started making use of Tor to protect their own privacy.

Tor is also an important tool in a private investigator's bag of tricks because it allows us to track the online activity of fraudsters without being detected as investigators. This legal and open-source technology is vital to my work as a private detective, as well as my own safety and the safety of my clients and their interests. In essence, this software is vital to the search for truth.

This software and its users are also under attack from all sides. Comcast, a popular internet service provider, has been reported to threaten to terminate the internet service of Tor users. Although the company denies these claims, anecdotal evidence has found this to be true. Deepdotweb investigations found that customer service representatives at Comcast were actually telling Tor users that the software is illegal-which it is not-and against company policy and that they will cut off internet service if the customer does not stop using the Tor search browser.

Even the US Department of Justice is taking a stab at Tor users in the name of national security. The Department of Justice even proposed an amendment to Rule 41 of the Federal Rules of Criminal Procedures that would lawfully enable law enforcement to pierce Tor and ignore borders between countries when conducting online investigations



Only when the mitochondrial DNA was analyzed and compared to a database of sequences as well as from DNA samples taken from the suspect's and the victim's cats could the evidence be meaningful. **It was found that the hair did in fact belong to one of the suspect's 11 feline roommates: while it was scientifically excluded that the hair could belong to one of the victim's cats, it couldn't be excluded that the hair didn't belong to one of the cats the suspect lived with.** The suspect was convicted of first degree murder and sentenced to life in prison without the chance for parole.

**Mitochondrial DNA from cat hair found at the scene of a murder was accepted as evidence in the US for the first time in history.** While human hair is commonly brought forth as evidence in criminal

to track down extraterritorial evidence because the internet is now considered a global commons. This amendment is in regards to Network Investigative Techniques that US law enforcement uses to access private computers remotely to use their microphones and cameras to collect evidence, upload files from the private computer to FBI servers, infect computers with viruses, etc.

The second part of this amendment also would affect Tor users in particular because 85% of Tor users reside outside of the United States. For the US to carry out law enforcement across borders without the consent of the country evidence is being collected in is considered invasion of sovereignty. In 2002, an FBI agent used evidence in a case against Russia gathered by accessing computer servers within Russian borders using Network Investigative Techniques without the consent of the Russian government. In response Russia filed criminal charges against the FBI agent for trespassing on servers within their borders.

This amendment would violate both the right of ordinary citizens to use legal software without being profiled as criminal and international sovereignty agreements. **In hindering private investigators from being able to track fraudster activity without being discovered, this amendment would actually make it easier for crooks to get away with criminal activity unscathed and stand in the way of investigations.**

**Exemptions for legal investigations should be provided for in the amendments.**

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cases, pet hair - particularly cat hair - has rarely been provided as evidence. The outcome of this case could set a precedent for cat hair being presented as evidence in US legal proceedings on a more regular basis.

*Disclaimer: the above photograph is of my cat, Zozo, not the orange cat mentioned in the article. :)*