



Smartphone Kill Switch Campaign Gathers Momentum

New York Attorney General argues that disabling phones will cut crimes. Will it help lawyers as well?

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From left, New York State Attorney General Eric Schneiderman and New York City Public Advocate Bill de Blasio.

Photo: Victor Li

New York Attorney General [Eric Schneiderman reiterated](#), on Monday, his commitment to pressuring smartphone manufacturers to install kill switches that can remotely disable smartphones in an effort to make them worthless to thieves and black market smartphone resellers.

Standing alongside [New York City Public Advocate Bill de Blasio](#) at a press conference in the New York Attorney General's office in New York City, Schneiderman stated, in no uncertain terms, that adopting an industry-wide kill switch allowing users to cancel a phone "like a credit card" was necessary in order to stem the "epidemic of violent street crime involving the theft of mobile devices."

Schneiderman started the Secure our Smartphones campaign in June along with San Francisco District Attorney George Gascón and London Mayor Boris

Johnson. Schneiderman explained that he has [met with representatives](#) from the four largest smartphone manufacturers: Google Inc. (and its subsidiary, Motorola Mobility), Samsung Electronics Co., Microsoft Corp., and Apple Inc. in San Francisco to test their security features. He did not talk about each company's discussion, except to say that he believed a kill switch, which would shut down a smart phone and render it inoperable for thieves looking to resell it, was the only satisfactory outcome. Additionally, Schneiderman pointed out during the Monday press conference that "[the kill switch] has to be industry-wide, because thieves will not look to see what kind of smart phone you've got." Stolen smartphones can sell for as much as \$2,000 each, he said. "These are too easy to steal, clean and resell."

De Blasio, according to the AG's press release, is the highest-ranking New York City official to join the S.O.S. effort — and his rank could get even higher soon. De Blasio, the Democratic candidate for mayor who is [enjoying a wide lead in the polls](#), joined the effort in his capacity as public advocate. De Blasio [unveiled a letter](#) than he sent to the CEOs of Google, Samsung, Microsoft, Motorola, and Apple pressuring them to adopt the kill switch. To make their case, Schneiderman and de Blasio pointed to some staggering statistics, stating that theft of Apple mobile devices has risen 40 percent in NYC over the last year, with many thefts involving physical violence. "In this city, overall crime, all crime, would have gone down last year if not for theft of Apple products and smartphones," said de Blasio.

During the press conference, Schneiderman singled out Apple, saying that he was pleased with the company's new activation lock feature on its iOS 7. Schneiderman also mentioned Samsung's use of "Lo-Jack for Android." However, both Schneiderman and de Blasio made clear that they were inferior options to the kill switch, and maintained that any kill switch should be well-publicized to users and should not require them to pay or opt-in.



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Both also pointed to **proposed legislation in South Korea** requiring that all smartphones manufactured in the country be equipped with a kill switch. "We look forward to continued progress, but we are not done until we have a 100 percent industry-wide policy of kill switches on every smartphone," said Schneiderman. In late August, Samsung and LG Electronics Co. **stated they would look at** installing a kill switch on their phones.

Schneiderman and de Blasio also stated that they would use the tools of their respective offices in order to put pressure on smartphone manufacturers to comply. "We believe that when we're representing the interests of the people, we have every right to aggressively utilize public sector capacity to make changes," said de Blasio. "It may be utilizing the legal power of the Attorney General's office. It may be utilizing the financial power of our pensions funds." Schneiderman agreed, telling manufacturers it was better for them to get on board now, rather than wait and see what could happen. "If you don't work with us on this, then you'll see states and countries pass legislation you might not like — for instance banning sales of products that don't include a kill switch," said Schneiderman. "We're hopeful we'll see action from multiple manufacturers by end of the year."

Both de Blasio and Schneiderman emphasized that this was not just a New York problem, but an international problem. Schneiderman cited a **study from Lookout Inc.** projecting that lost and stolen cell phones cost consumers more than \$30 billion in 2012.

The effort is not without its critics. In a **guest column** in *USA Today*, Tom Kemp, CEO of cloud security company Centrifly, cautioned that "with every positive, comes a negative: by granting the carrier more controls, we're inviting the prospect of the government stepping in to monitor and have access to that control."

This campaign may nonetheless win the support of the legal profession, due to the sensitivity of client confidentiality. *Corporate Counsel's* 2013 In-House **Tech Survey** found that while 76 percent of respondents said that legal staff can use their own mobile devices, the survey found that "security strategies are all over the map" — and 23 percent of respondents said their legal department "had no formal security policy at all for mobile devices."

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