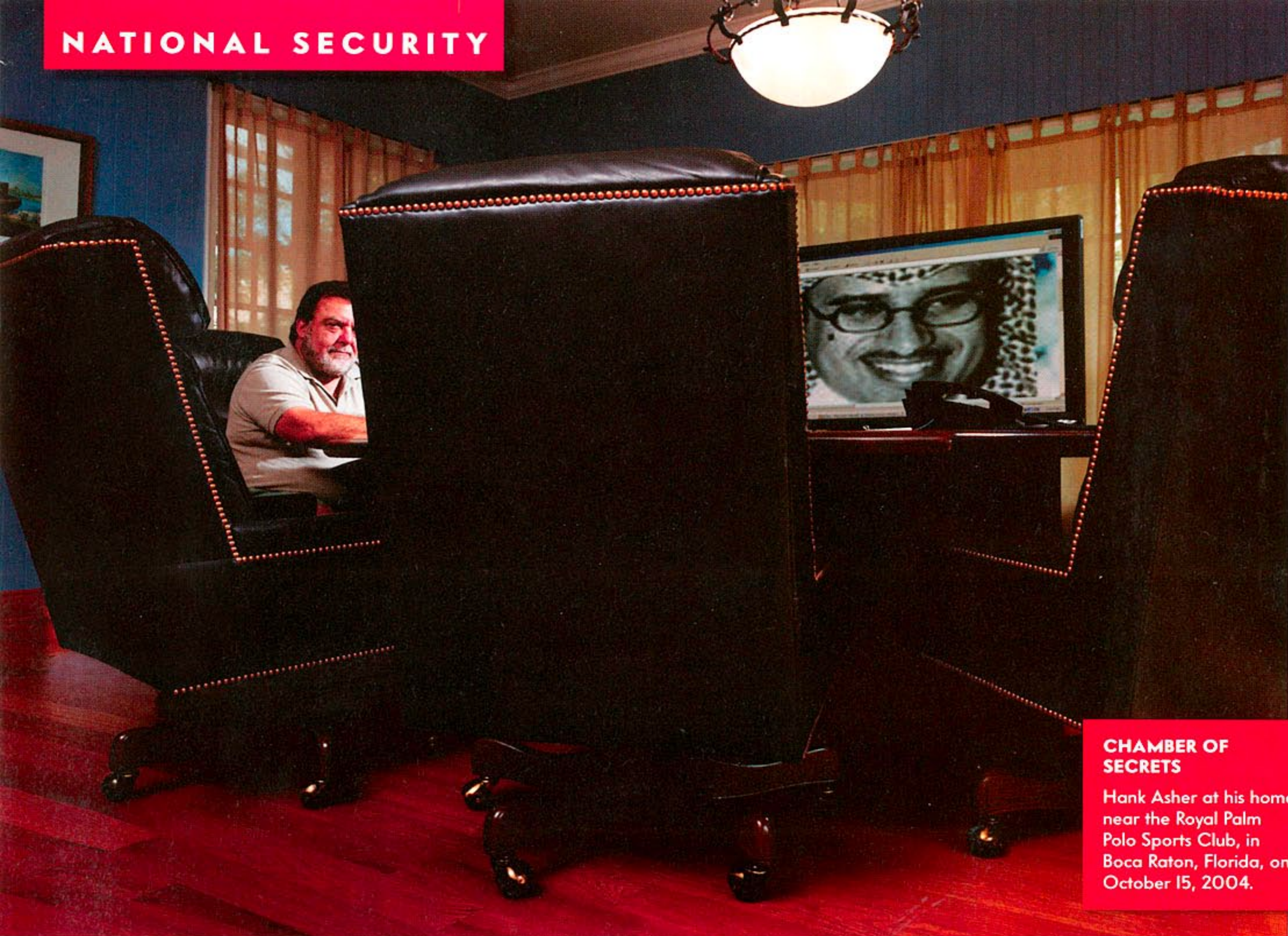

CHAMBER OF SECRETS
Hank Asher at his home, near the Royal Palm Polo Sports Club, in Boca Raton, Florida, on October 15, 2004.

THE DANGER LIST

Entrepreneur Hank Asher says that MATRIX, his vast electronic database, identified one of the 9/11 hijackers, then nailed the Beltway sniper for the F.B.I. Instead of making him a hero, his cyber-sleuthing systems have turned his life upside down

BY MICHAEL SHNAYERSON

Two days after 9/11, Hank Asher poured himself a wineglass-size martini and sat down to dinner in his mansion in Boca Raton, Florida. His houseguest, a former drug agent named Bill Shrewsbury, knew Asher well enough to see how frustrated he was. Shrewsbury had met his host during the latter's cocaine-smuggling period in the mid-1980s. Asher was living in the Bahamas back then, very much adrift. He'd helped Shrewsbury persuade a bunch of fellow smugglers to take early retirement. Now Shrewsbury, like a number of other former agents of the Drug Enforcement Administration (D.E.A.), Federal Bureau of Investigation, Florida Department of Law Enforcement (F.D.L.E.), and U.S. Secret Service, was working for Asher. A lot had changed in 15 years.

"Suddenly Hank says, 'I can find these people,'" by which he meant the 9/11 hijackers. "'I know how to do it,'" Shrewsbury recalls. "It was like lightning bolts coming out of his head."

At eight P.M., Asher sat down at the computer in his baronial master bedroom and started writing programming code. He was there at 10, when Shrewsbury went to bed. He was still there at 6:30 Friday morning, when Shrewsbury popped his head in to say hello.

That day at noon, Asher ran a program on the 450 million individuals in his vast assemblage of electronic databases. The databases were like books in a library. What he'd done all night was write algorithms to flag data in those books, data that might be associated with a terrorist; then the computer matched names with the data. The 9/11 terrorists, for example, had likely come to the United States within the last year or two. So a nonresident Muslim who started generating records only in that time—phone bills, utility bills, driver's licenses—was potentially suspect. A Muslim who'd lived 10 years in the same U.S. city and been registered to vote that whole time was off the hook.

Anyone who had a certain number of factors got a score above zero. Only 120,000 names had any score at all. But, of those, 419 had very high scores.

By now, the F.B.I. had a list of suspects

 PHOTOGRAPHS BY JASON SCHMIDT

drawn from the passenger manifests of 9/11's four ill-fated flights. But none of those names had been released to the public that Friday when Asher came up with his High Terrorist Factor list—from the program that would later be given the acronym MATRIX, for Multi-state Anti-Terrorism Information Exchange. The list was forwarded through Asher's law-enforcement contacts to Brian Stafford, head of the U.S. Secret Service, and to a senior F.B.I. agent. The feds were stunned.

According to Asher, five of the names on his list were under investigation by the F.B.I., and one was on those passenger manifests—Marwan al-Shehhi, pilot of the second jet that hit the World Trade Center. Asher had current and prior addresses for al-Shehhi and the rest of those 419 names. He had bank records, motor-vehicle records, and driver's licenses, complete with digital photographs. He had aviation licenses. He had credit histories. He had the names of neighbors and landlords, along with *their* digital pictures.

"Suddenly Hank says, 'I can find [the 9/11 hijackers]. I know how to do it.' It was like lightning bolts coming out of his head."

That Sunday morning, a senior F.B.I. agent, accompanied by an assistant U.S. attorney, knocked on Asher's door. And so began the most extraordinary chapter in Asher's roller-coaster life. MATRIX would soon be heralded as a state-of-the-art terrorist-tracking tool by Vice President Dick Cheney and Homeland Security chief Tom Ridge, as well as former New York mayor Rudy Giuliani and senior law-enforcement officials around the country. But it would also stir loud cries of protest across the political spectrum, from the American Civil Liberties Union (A.C.L.U.) to former Republican congressman Bob Barr, leader of the push to impeach President Clinton, all proclaiming MATRIX a sinister, Orwellian threat to civil liberties and individual privacy.

Amid the scrutiny that followed, Asher's past would come back to haunt him. Asher's own company would force him to resign. Yet MATRIX would have a profound effect on law enforcement. And Asher, bittersweet as his latest triumph might be, would emerge as the reigning genius of data mining, a cyber-realm as dazzling as it is disturbing.

Up close, Hank Asher doesn't look like a leader in this strange new field. Or, for that matter, like a man worth hundreds of millions of dollars. As he waits for a limousine on Manhattan's 43rd Street just east of Broadway, he resembles a nearby corporate car-service dispatcher: modest of height, generous of girth, dressed unassumingly in clothes that might well have come from a discount store. At 53, Asher still has a full head of dark hair and the kind of stylized beard you'd associate with a NASCAR driver. He has a working-class, salt-of-the-earth manner about him, too, usually warm, occasionally gruff.

"*Je veux trouver un mur de vert, s'il vous plaît,*" Asher declares genially with no French accent at all to his driver when he settles his formidable frame into the backseat of the car. The driver, as Asher has noted, is a French-speaking Haitian. As he heads west toward New Jersey's Teterboro Airport, the driver looks perplexed. "*Qu'est-ce que vous voulez?*"

"*Un mur de vert,*" Asher repeats.

"*Un mur de vert?*" the driver echoes.

"I want to find a fucking WALGREENS!" Asher exclaims.

There is, regrettably, no Walgreens on the way to Teterboro Airport, where Asher's private plane is waiting. Nor is there one between Boca Raton's small airport and Asher's seven-bedroom mansion in the gated enclave of Le Lac, near the Royal Palm Polo Sports Club, a route Asher navigates nimbly at the wheel of a brand-new Mercedes convertible sport coupe. But he's in a sunny mood nonetheless, for a very good reason that he can't disclose until some weeks later: his latest company, Seisint, Inc., which owns MATRIX, among other data-mining products, is about to be sold to LexisNexis, a widely used database of periodicals, for $775 million.

Past the guard booth and gates, a sense of elegant desolation pervades Le Lac. No cars, no people, just humongous houses. A particularly large one remains unfinished: the home of Scott Sullivan, the former chief financial officer of WorldCom, who was arrested for helping perpetrate a $3.8 billion accounting fraud. "He's in a really big house now," Asher says wryly.

Asher's own spread is dominated by a vehicle about four times the size of a Hummer in the driveway. It's an amphibious car. "I pull it behind my big boat," Asher says of the 100-foot yacht from which he often does business. "If people don't like it when I pull up to a beach, I can just drive onto shore and keep going."

Asher leads the way through a cavernous kitchen to the gardens out back, where his wife of six years, Peggy, spends much of her days tending the beds. Peggy, 40, who once worked for one of Asher's companies, has Irish good looks and an air of infinite calm that's probably useful; Asher is impulsive, often in extraordinarily generous ways. He's also pretty intense.

Out in the octagonal cottage he uses as a conference room, Asher offers a small demonstration, typing my name on a keyboard. Instantly, other names and addresses appear on a jumbo computer screen. "Who's Bonnie?" he asks.

That's one of my sisters. He has the other two as well: their names, birth dates, addresses, when they last paid their electricity and phone bills, and more.

"Who's Ned?"

My grandfather, dead almost 20 years—I can't remember exactly when. "August 1984," Asher says helpfully. "And what's 184 Don Gaspar Avenue?"

An address I lived at in Santa Fe, New Mexico, nearly 30 years ago.

This, Asher explains, is merely the program known

JASON SCHMIDT

DRIVING FORCE
Asher outside his seven-bedroom home with his amphibious car. He pulls it behind his 100-foot yacht.

as Accurint: a network of databases he put together for commercial use. Law-enforcement agencies around the country subscribe to Accurint. But so do insurance companies, collection agencies, law firms, even big-city newspapers. MATRIX, available only to law enforcement, is vastly more powerful than this.

"It's the amalgamation of literally thousands of sources of data," Asher explains. Many of the databases in Accurint, he says, are public information. Part of Asher's genius was to realize, more than a decade ago, that many local-, state-, and federal-government databases were available to anyone who wanted to buy them. The data stored by commercial enterprises—banks, insurance companies, and the like—were not public, but could still be purchased. Banks had Social Security numbers. Auto-insurance companies had access to their local Department of Motor Vehicles. Like underappreciated real estate, these databases were cheap. Asher says he spent tens of millions of dollars assembling a wealth of data no one else can match.

On that Sunday in September 2001, the F.B.I. agent and assistant U.S. attorney watched a demonstration enhanced by the high-risk-terrorist factors. The F.B.I. agent, Asher recalls, kept saying, "Can you print that? Can you print that too?"

Over that weekend, Asher marshaled a huge construction crew to house MATRIX within a secure room at Seisint's Boca Raton headquarters. By Monday morning, September 17, the room was done. It had 20 workstations, each with a computer linked to the MATRIX supercomputers—thousands of Intel motherboards—hooked together to work in tandem. The room was guarded and locked to a degree that satisfied the government agents who began manning the workstations on a 24-7 basis. No employee at Seisint, including Asher, had access to the room. Yet Seisint's team of dozens of programmers complied with almost daily requests to modify the system. Names, for example, could be cross-referenced to a list of "dirty addresses"—known terrorist lairs. Nonresident Muslims who got multiple driver's licenses were flagged too: the 9/11 hijackers, it turned out, had helped one another secure licenses by sharing Social Security numbers and other vital statistics.

All this—work that might have cost millions of dollars—Asher supplied to the government for free.

"I don't think I've ever met a guy more patriotic than Hank," says Shrewsbury. "He has such a passion to keep this country safe."

Today, more than three years after 9/11, law enforcement is still there in the Boca Raton secure room.

"I know they're doing some good work down there," says Brian Stafford, the former Secret Service director and, until recently, chairman of Seisint. "Otherwise, they wouldn't have stayed so long."

MATRIX was still unknown to the public—not even named as yet—on October 26, 2001, when the U.S.A. Patriot Act was signed into law. Hardly any of the 98 senators who voted for it had more than a chance to skim the act's hundreds of pages or debate its many troubling new security measures. Probably none, it's safe to say, realized that the government agents in Asher's secure room were already gathering the sort of intelligence that Section 505—the one about personal records—was about to sanction.

Before there was a Section 505, the government had had limited access to records from banks, phone companies, and other institutions. It had to persuade a judge that the individual in question might be guilty of espionage. If convinced, the judge would issue a subpoena for the records in question, and the institutions would have to furnish them. But now in the secure room, agents were mapping the whole diaspora of suspects' relatives and associates. Like new constellations coming into view through state-of-the-art telescopes, terrorist networks were emerging from cyberspace.

"My systems have always been massively paralleled," says Asher. "It's like teaching a thousand chickens to pull a wagon."

Section 505 allowed the government to procure personal records, paper or electronic, on anyone "relevant" to investigations of espionage or terrorism. No longer was a judge required. Now any F.B.I. officer could write a National Security Letter to get those files. Not only did the institution that received that letter have to comply with the request, it was under a legal gag order not to disclose that request to the object of the search. With MATRIX, the feds didn't even need to waste money on postage for the National Security Letter. As likely as not, they had the records right there in Asher's databases. (Last September a federal judge ruled Section 505 unconstitutional and called for a stop to National Security Letters in 90 days. The government is appealing.)

As one lead pointed to the next, suspects were rounded up and detained. Within two months of 9/11, more than 1,200 people had been detained, many without charges, at the direction of Attorney General John Ashcroft. Many were Arab or South Asian immigrants whose tourist visas had expired.

Asher believes no one was jailed solely on the basis of MATRIX data. The government, he says, knows his data is only a starting point for investigation. Yet to White House officials, Seisint would later point out that "several arrests" among those 419 suspects were made within a week of the list's disclosure, with "scores of other arrests" after that. Today, all that Asher will say on the subject is that the names he came up with were worth investigating. "You could accidentally live next door to Mohammed Atta," he says by way of example. "You couldn't accidentally live next door to Mohammed Atta twice."

With federal agents encamped in Asher's secure room, MATRIX as a terrorist-hunting tool was out of his hands. But he could still make it available to law-enforcement agencies around the country for other hard-to-solve crimes, and so he did, again at no cost, most dramatically with John Allen Muhammad and Lee Boyd Malvo, the Washington, D.C., Beltway snipers.

In the autumn of 2002, as the death toll mounted, eyewitness reports were coming in sketchy and confused. For a while, police were looking for a white van. Finally, another lead emerged: the sniper might be named John Williams. But, according to Asher, there were 32,000 John Williamses in the United States. At MATRIX, agents ran the suspicious name every way they could think of. Suddenly, there it was on their screen: John Allen Muhammad, otherwise known as John Allen Williams. Certain details about him were very compelling.

"They produced the list of all his relatives, associates, every place he ever lived," Asher recounts. "The next morning they were in Tacoma, Washington, cutting the stump down that had the projectiles in it that matched the projectiles from the killings." With that, MATRIX was able to identify the blue Chevrolet Caprice Muhammad had been driving—and its license plate. A lucky sighting at a rest stop that night brought the case to a close.

Once again, Asher had made his state-of-the-art data-mining systems available to law enforcement for free. Once again, he'd declined to publicize their role in solving a high-profile case. For all his bluster, Asher kept quiet about a lot of help he'd offered

to law enforcement over the years. So hardly anyone knew that he'd donated the use of his systems—along with millions of dollars—to help find missing children. To date, says Ernie Allen, president of the National Center for Missing & Exploited Children, no fewer than 109 children have been found as a direct result of Asher's help. Hundreds of other cases have benefited from his systems.

Perhaps anyone in his position would do the same, but Asher's focus on tracking criminals and finding abducted children has the intensity of a private mission, one rooted in his own vulnerability as the child of a tough father—a father from whom, at an early age, he had to escape.

"They were all teenagers when it happened," recalls Asher's 87-year-old mother, Lu, of the seminal event in her four children's lives on a 90-acre farm outside Valparaiso, Indiana. Hank's father was a dentist who rode his kids hard. Then he developed cancer of the finger. "He would hold the X-ray film that he had put in the children's mouths—he didn't know the danger," explains Lu. First his hand was removed, then his arm and shoulder. He was back in his office six weeks later: the one-armed dentist of Valparaiso. But his setback did nothing to improve his spirits. A family friend, Burt Langer, recalls that Asher's father would "overdrink and get wild" and verbally abuse the family.

Fed up at 16, Hank dropped out of school and won a draftsman's job at a local factory. Langer remembers Hank as fiercely hungry to prove himself. Soon he had a union job painting radio towers, then a housepainting business on the side. He was making more money than he'd ever imagined—until the first winter snow. "I looked around and I said, 'Man, I'm outta business for a long, long, long time.'" So Asher moved to Florida. He arrived in Fort Lauderdale one morning with $7 in his pocket, but had a painting job by noon. The real money, he saw, was in painting high-rises—the tombstone towers that lined Florida's Gold Coast. By the age of 21, he had 100 painters working for him. A partner from that time, Roy Bordeaux, says Asher was soon grossing $10 million a year.

At 30, Asher retired, or so he thought. He wanted to have fun—perhaps too much fun. "I was an adrenaline junkie," he admits. "Scary and fun were almost synonymous. . . . I don't think that I lived a day where I didn't get close to a near-death experience." In painting high-rises, Asher had joined his crews on the swing stages that got lowered down the outside of a building from the roof. "Everyone had safety harnesses and belts on," recalls Bordeaux, "but I wouldn't go up on one of those myself." Now Asher drove a fast boat and did aerobatics in his twin-engine Aerostar plane. These were toys that soon drew the attention of a social set that supported its lavish lifestyle in the early 1980s with cocaine smuggling.

"I was an adrenaline junkie," says Asher. "I don't think that I lived a day where I didn't get close to a near-death experience."

"I'd gotten literally hundreds of offers," Asher recalls. "It was like the Wild West down here—every boat captain went from making $15,000 a year to $15,000 a night." Asher had resisted every temptation—until this one, in 1982. "I met some older people, probably 10, 15 years older than me, that I thought were very legitimate," he says. "They belonged to all the clubs that certainly I wouldn't belong to, and they were socially very appealing people." But money did play a part. Asher had spent much of the proceeds from the sale of his painting company and taken a $45,000 loan from his new friends. Now they told him how they wanted the loan repaid.

Asher began making pickups from Colombia in his Aerostar. First he flew the whole way directly, strapping on "Lindbergh tanks" of extra fuel. Then he began stopping to refuel in Belize, where he had a house. Seven times between Easter and June of 1982, he flew loads of up to 700 kilos to a ranch in Florida's Okeechobee County. The danger gave Asher an adrenaline rush, but he began to have his doubts. "The more I got to know them," he says of the smuggling set, "the less I liked them."

By now Asher had a house on Great Harbor Cay, in the Bahamas, where a lot of smugglers were based. One day Asher visited one of his new cohorts at the man's house in a remote part of the island. "With a .22 pistol, he took this shot out of the door from inside the house and hit a cat right between the eyes at about 300 feet. A revolver, not a nice target pistol or anything. It was a circus shot—beyond good marksmanship." Asher was shaken. "I mean, I'm not a cat person, I'm a dog person. But I don't understand shooting an innocent animal." He realized that he was dealing with criminals, and that what he was doing was a crime. He made his seventh flight his last and bid his new friends good-bye. About five years later, he says, they were caught. "Which, luckily for me, was longer than the statute of limitations."

Asher was done with smuggling cocaine, but not with snorting it. He figures he was addicted for about a year, until he stopped cold turkey and never did the stuff again. Now he grew remorseful about his seven-week stint as a smuggler. And so one day he suggested to his island neighbor and friend, renowned criminal lawyer F. Lee Bailey, that the two of them do what they could to clean up the drug traffic based in Great Harbor Cay.

Bailey had been speaking out for some time about the smugglers. One had retaliated by burning down Bailey's house. "It inspired me," recalls the superlawyer of later O. J. Simpson fame, "to be interested in some affirmative action."

Bailey knew that Asher was in a unique position. "While there was not universal affection for American inhabitants, Hank was beloved by all," Bailey recalls. "He had done amazing things for the locals. One night, for example, someone took an overdose. Hank flew the person to Nassau to get his stomach pumped." In fact, Asher did a lot of that; he used his plane as an air ambulance, never accepting money for his services. Also, says Bailey, Asher was brave: if he wasn't up in the air doing daredevil displays in his plane, he was down in the

SAILSMEN
Asher, right, with his friend Joe Darville, in the Bahamas, 1979. Both were boat captains at the time. "It was like the Wild West down here," recalls Asher.

water swimming with hammerhead sharks. "So he was a hero on the island," says Bailey. "Without asking a lot of questions, I realized he was privy to a lot that was going on."

Bailey called the Miami office of the D.E.A. and said he had a guy the feds should meet. "Bailey offered up Hank as someone who could help get some of these guys out of business," explains Bill Shrewsbury. At the D.E.A.'s direction, Asher approached the smugglers he knew—Americans who were working with the Colombians—to persuade them to get out of the business. The deal, explains Asher, was they didn't have to rat on their friends. "He was an envoy for us to convince them that if they didn't help they would go to jail," says Shrewsbury of Asher. "He did a real decent job, because the Colombians left Great Harbor."

Ironically, it was only Asher's campaign to stop other smugglers that made his own brief stint as a smuggler known to law enforcement: the D.E.A. had had no idea who he was when Bailey first brought up his name. If he hadn't felt the need to atone for that seven-week stint, none of the details would have dogged him later on.

Asher worked with Bailey off and on for about two years, until the morning in 1988 when he awakened to realize, as he puts it, that he wasn't retired—he was unemployed. With no other prospects in sight, Asher became a freelance computer programmer. "I don't think he was computer-literate when I met him," recalls Bailey. "But now he started coming to my office in West Palm Beach and working on my computers. I don't think he had a lot of money to toss around." Asher was learning a programming language called Clarion. "He was fascinated by it," says Bailey, "because it enabled him to synthesize all these databases." Bailey had no doubt that something would come of it. "He's one of the brightest people I've ever known. And I've known quite a few.

"He doesn't just comprehend things very quickly," Bailey adds. "Instead of forgetting it the next day, as most of us do, he's tremendously retentive."

"Right from the beginning," recalls Asher, "I believed that if one was to hook hundreds of these P.C.'s together that he could replace minis or mainframes that were expensive systems. My systems have always been what you would call massively paralleled, meaning to a great degree all of the machines are doing the same thing but on different data. It's kind of like teaching a thousand chickens to pull a wagon."

So broke was Asher that when he started a company to see just what a parallel system could do, he had to borrow a sizable chunk of money from his family. He lived in a tiny rooftop apartment, actually an elevator tower, in Pompano Beach, Florida, and spent every spare dollar buying computers to fill a small office nearby. Eventually he had about 30 P.C.'s ranged on bread racks. Now all he needed was customers.

Through a fellow programmer, Asher heard of a problem he thought he could solve. A new no-fault law had just been passed to help Florida's auto-insurance industry, but the industry's data-retrieval system was too primitive to let the industry take advantage of it. The law said that if one driver in an accident wasn't insured, the other driver's insurance company could press a claim against anyone in the first driver's house who did have insurance. The industry wanted to be able to type in a house address and have every vehicle registered to residents of that house pop up on the screen. But the state's 26 million vehicles were registered only by name. "I said, 'Yeah, I can do that,'" Asher told a contact in the insurance industry. "He goes, 'Well, son, then we're going to make a lot of money.'"

Asher started with the database of records from Florida's Department of Motor Vehicles, which he simply bought from the D.M.V. Night after night, he wrote algorithms that sliced and diced that information in new ways, and used the combined power of his linked P.C.'s to comb the records with them. He called his company Database Technologies, or DBT. The system that he finished—on September 18, 1992—he christened AutoTrack. Almost overnight, every major auto-insurance company in Florida began subscribing to it.

Flush with his new success, Asher cast about for customers in other fields. Which was how he found himself one day at the Boca Raton police department. In 1993 the police could look up someone's driver's license only by inputting the person's name, sex, and birth date. All three facts were needed, and the search took a long time. With AutoTrack, Asher could put in no more than an address, a name, a phonetically spelled name, or even just part of a Social Security number. The license record would come up instantaneously. The police were floored.

Soon hundreds of police forces signed on to AutoTrack. But even as they did, rumors swirled of Asher's seven-week stint as a smuggler. Could Asher be trusted? Was he still in cahoots with smugglers? Would he monitor the cops' AutoTrack searches and tip off druggie pals? Asher offered to take a lie-detector test to confirm that his smuggling had been a brief, unhappy chapter in an otherwise law-abiding life. He answered every question he was asked. The machine registered everything he said as true. With that, AutoTrack gained universal acceptance. Asher had transformed the art of criminal investigation in America.

Before AutoTrack, explains William Berger, chief of the North Miami Beach Police Department and former head of the International Association of Chiefs of Police, "we only had what the F.B.I. had: was the person wanted or not. But no background information. Everything had to be hand-sought. DBT said, 'We'll search all the databases and come up with information you might have spent two or three days to find—in a few minutes.'"

Data mining was so new that no laws governed the use of the public records on which it fed. Asher could have sold his data to the public, he says, and made a lot more money while DBT was starting out, but he chose to sell it only to legitimate investigators. He was haunted, he says, by the 1989 murder of actress Rebecca Schaefer by a crazed fan who had hired an investigator to find her through the state's motor-vehicles department.

Another murder had an even more profound effect on how Asher used AutoTrack. Almost a decade earlier, all of Florida had been horrified by the abduction and gruesome killing of six-year-old Adam Walsh. To Asher, the details remained chillingly fresh. So did the public indignation of Adam's father, John Walsh, who declared that the F.B.I. was of no help and that no system was set up to track kidnapped children. Walsh had channeled his rage into the creation of a crime-stopping television show that galvanized the country.

"Hank donated AutoTrack to *America's Most Wanted,*" says Walsh. "He made the overture to me; he wanted to get involved." AutoTrack's impact was hard to overestimate. "Typically on a Saturday night we'd

"Hank was an envoy for us to convince [the drug smugglers in the Bahamas] that if they didn't help they would go to jail," says Shrewsbury.

have a horrible case—a very inexperienced cop who begged to get his case on *America's Most Wanted,*" says Walsh. "We'd analyze the case on AutoTrack and say, Oh my God, that's the car we're looking for, that's the guy."

Walsh had also helped set up the National Center for Missing & Exploited Children. Here, too, AutoTrack proved invaluable. In 74 percent of abduction homicides, observes the center's president and C.E.O., Ernie Allen, the child is dead within the first three hours. Prior to AutoTrack, the center had been able to do little more in those critical hours than circulate pictures of missing children with a 24-hour hotline number and relay leads to overworked police officers. Now one or two tiny details of the abduction—"red pickup truck," say, or "a 3 in the license plate"—could be entered into AutoTrack and matched to a list of known sexual predators in that geographic area. Up might come a telltale name.

Far more children, observes Walsh, are abducted each year by what he calls "the psychopath parent who didn't get custody." Of the more than 100,000 cases tracked since 1990 by the center, AutoTrack and Accurint have proved helpful in literally thousands of them. Always, Walsh notes, Asher has made his systems available to the center for free. Neither for that nor for the financial contributions he's made has he sought any public recognition. "Hank doesn't want anyone to know what he gives," says Walsh, but he and the center's Ernie Allen think it's time the center's largest private donor got credit. Asher's most recent donation—only his most recent—was a reported $7.9 million.

These were extraordinary gestures from a man with a big heart, but as colleagues in his growing company found, Asher had a combative streak as well. When in early 1998 DBT's board of directors suggested that Asher let a seasoned manager take over day-to-day operations, the indignant innovator founded a new company called Indar in the same building and began competing for clients with DBT, where he remained president and C.E.O. In November 1998, shortly after DBT accused Asher of disparaging the company and trying to lure favored employees to Indar, he quit the board. "I never hired any technologist from the company," Asher says. "I hired a few people, mostly secretaries, who'd gotten fired."

Asher was merely a stockholder now, and yet that was enough, in May 1999, for both the F.B.I. and the D.E.A. to suspend contracts with DBT. Once again, his drug-smuggling past had come back to haunt him. To the D.E.A.'s Miami office, the Asher story was years old. F.D.L.E. director Tim Moore certainly knew about it. But Asher believes his enemies at DBT spread the story to other law-enforcement officials, who hadn't heard it before. That fall, DBT bought out Asher in order to regain the F.B.I. and D.E.A. contracts, and bid its founder good riddance. Asher was hurt. He was also $147 million richer than he'd been when he started DBT.

"It seems to me what Hank has been doing," says Rudy Giuliani, "is to make up for some of the mistakes he may have made."

His timing was impeccable. In the spring of 2000, soon after his departure, DBT went into high gear on a $4 million contract with the state of Florida that would mire it in controversy for years to come. Part of the assignment was to scan every relevant database to come up with the names of ex-felons who had registered to vote, then pass the list on to Florida's 67 counties so that the felons could be struck from the rolls, in accordance with Florida law. In the legal finger-pointing that followed, DBT would claim that Florida's Division of Elections, under Secretary of State Katherine Harris, encouraged it to cast as wide a net as possible. Of the more than 50,000 names it came up with as a result, some 20,000 would be registered voters who simply had the misfortune of sharing a name, part of a name, or an inverted name with an actual ex-felon. A disproportionate number of blacks would be barred from the polls in the presidential election, and civil-rights groups would accuse Governor Jeb Bush's administration of using the purge to disenfranchise blacks, who would have voted, in all likelihood, for Al Gore over George W. Bush.

Asher has his own take on that. "I know exactly what happened 'cause I talked to some programmers—they're friends of mine," he says. "They wrote the program wrong. They forgot to only link people with felonies. They had misdemeanors too, so if some poor guy 20 years ago shoplifted or whatever, drove away from a gas station without paying for the gas or whatever, they tagged him as an illegal voter." Voters who never even had a misdemeanor were caught up in the purge, too, says Asher, because DBT wrote bad code, with algorithms that let matches be too loose. "They fucking blew it! This comes from people who do not know how to architect data matching. There is enough data on the criminal record between a Social Security number, a date of birth, and a name to never make a mistake. It's idiotic." ("DBT executed on the parameters established by Florida officials," says a company spokesman. "Mr. Asher has a long history of actions deriving out of his bitterness with DBT.")

With his newfound wealth, Asher became a philanthropist in quiet and quirky ways. In addition to his help with missing and abducted children, he sent the children of various black Bahamians to college, and flew a Bahamian woman who needed heart surgery over to Florida for the operation. One day his old friend Burt Langer from Valparaiso said in passing that his son was starting a reading foundation for children. Asher dropped a check in the mail for $50,000. Asher has also given more than $500,000 to Democratic candidates since 1998.

Soon Asher was back in business with a new data-mining company, called Seisint—for seismic intelligence. He'd developed Accurint—son of AutoTrack—and stirred the fury of DBT (which was absorbed in 2000 by a larger company called ChoicePoint) for allegedly violating his non-compete agreement. (The lawsuit continues; Asher calls it frivolous.) Soon he became a volatile force in his new shop, too. According to the *New Times Broward–Palm Beach,* two Seisint board members in October 2001 issued a confidential memo to fellow board members that stated, "Hank Asher, without the authority of the Board, is hiring and firing, spending corporate funds, committing important resources of the company and in-

KIDS FIRST
Asher, left, with *America's Most Wanted* host John Walsh. Asher's AutoTrack program has helped find many missing children.

timidating and harassing its officers and directors, including the CEO."

A key to that memo was its date of issue: one month after 9/11. Some of Seisint's directors, Asher says, questioned whether the company should pay to build the secure room for MATRIX and spend whatever was needed to help the U.S. government track terrorists. It was a commitment that Asher himself has come to question, though not because of the money. "I would have thought they'd say thank you," he says now of the government, "instead of what they did say, which was 'Fuck you.'"

Asher had made MATRIX available to the U.S. government for free. But he'd hoped the government might, at some point, see its way clear to funding it, even making it a federal program. Unfortunately, the government already had a data miner in the person of one John Poindexter, bearer of five felony charges for lying to Congress in the Iran-contra scandal, yet rehabilitated in the Bush administration as head of the Pentagon's Office of Information Awareness, from which lofty station he'd cooked up the truly alarming Total Information Awareness program. The goal of T.I.A. was to create a central database of personal information about every human being in the United States. Everything from airplane-ticket purchases to pharmacy prescriptions would be gathered.

"John Poindexter got a specification sheet on what MATRIX did and he added a bunch of things that made no sense—that were invasive, that would be against anybody's grain," Asher says in disgust. "Poindexter is no computer-systems designer; he doesn't know what data's legal to do what with and what's not."

This was all too apparent from Poindexter's proposal of a unique way to buttress his program: by establishing a financial futures market on terrorism. Both individuals and companies could bet on the likelihood that a certain terrorist act would occur, and make a profit if it did. The Policy Analysis Market was probably the stupidest idea ever proposed by an official of the U.S. government. Within 24 hours of its disclosure in the mainstream press in July 2003, Poindexter and T.I.A. were toast. Happily, the government could now turn to MATRIX.

Despite all his contacts in law enforcement, Asher had been unable to demonstrate MATRIX to high-ranking members of the Bush administration all through 2002. At last, on January 24, 2003, Asher got to make his pitch, in the Roosevelt Room of the White House. His introducer was Florida governor Jeb Bush. In the audience were Vice President Dick Cheney and F.B.I. director Robert Mueller. There, too, was Tom Ridge, director of the Department of Homeland Security, which would officially begin operations later that day. Asher's listeners were amazed. A few months later, Ridge announced that Homeland Security had given MATRIX its seal of approval and granted $8 million to get it up and running as a one-year pilot program for any states that wanted to adapt it. With that, MATRIX was out in the open—and the piling on began.

"Congress killed the Pentagon's 'Total Information Awareness' data-mining program, but now the federal government is trying to build up a state-run equivalent," declared Barry Steinhardt, director of the A.C.L.U.'s Technology and Liberty Program. "What does it take for the message to get through that government spying on the activities of innocent Americans will not be tolerated?"

From the other end of the political spectrum, former Georgia Republican congressman Bob Barr heartily agreed. "Do we want to live in a society," he says, "where private industry and government work in cahoots and can find out whatever they want to about us?"

To Brian Stafford, former head of the U.S. Secret Service, the critics were simply laboring under a misunderstanding. "MATRIX is not an intelligence program," he says with exasperation. "It's nothing more than a high-speed search engine. This is what confuses me about the privacy concerns. I'm all for privacy and we should always have those discussions. But this information is the same information that law enforcement has had access to for 20 years."

"To take 270 million Americans and turn them upside down . . . that's contrary to what this country is about," says Senator Wyden.

Stafford, it should be noted, was so impressed with MATRIX that, like a lot of other law-enforcement heavies, he joined Seisint, in his case becoming chairman of the board of directors. Whether or not Stafford's position influenced his view, Barr says it's just wrong. "That's apparently the basis on which it was originally sold to Georgia," he says of the search-engine argument. "But the governor looked at it and found that it was not limited to public information." Asher, however, insists that state law-enforcement agencies do have access to all the databases in MATRIX.

"If you want to say these are just search engines," adds Senator Ron Wyden (Democrat, Oregon), "these guys should not have objections to what we're proposing: that we have oversight and ground rules." Wyden and Lisa Murkowski (Republican, Alaska) are pushing a bill to scale back the surveillance powers given to the government by the U.S.A. Patriot Act. Among other provisions, it calls for government data-mining to be allowed only when Congress specifically authorizes it.

Perhaps, adds Wyden, unrestricted use of MATRIX can yield information that might prove useful in a terrorist investigation, but at what cost? "If you want to take 270 million Americans and turn them upside down by the ankles, rather than to say we're going to look on the basis of real evidence, there isn't any question that stuff will fall out, and you'll find some really bad people. But that's contrary to what this country is all about."

Asher says that MATRIX's most controversial aspect—the High Terrorist-Factor algorithms he wrote that night of September 13, 2001—were stripped from MATRIX before states started weighing whether to use the program. Yet when the Justice Department let Homeland Security use Seisint as the sole contractor, in May 2003, it cited the program's uniqueness, which included "applying the 'terrorism quotient' in all cases." Mark Zadra, of the F.D.L.E., who helps oversee the use of MATRIX, swears the H.T.F. factors are gone. "I'll put my 26 years of law-enforcement experience on the line," he said. "It is not in there." But the A.C.L.U.'s Barry Steinhardt has noted, "They have yet to produce a document that verifies that."

Steinhardt also points out that the government's Terrorism Screening Center boasts a list of 120,000 names of suspects—the very same number Asher produced after 9/11 through MATRIX and handed over to the government. "That is either an amazing coincidence or it's the same list." Yet Asher has conceded that most names on his list were of innocent people.

To Asher, the A.C.L.U.'s privacy concerns seem not only overblown but beside the point. "What's worse: an invasion of my privacy or a jumbo jet flying into the building my wife works in or my child works in?" Asher fumes. "*That's* a fucking invasion of privacy.

"I firmly believe," Asher adds, "that the next time we have a serious situation here this A.C.L.U. concern is going to vaporize. You know, the whole 9/11 commission was

about why we didn't know more. The 9/11 commission criticizes the living shit out of the government for not knowing, and then we get the A.C.L.U. criticizing the living shit out of them for looking at people's driver's licenses? Give me a break."

At first, 13 states signed on. Then one after another began dropping out. The A.C.L.U.'s drumbeating scared off some states, such as Utah. Prospective costs were also a concern. The campaign was hardly helped by a damning story on Asher in August 2003 in the *St. Petersburg Times.* A reporter named Lucy Morgan had attended the retirement party of longtime F.D.L.E. director James T. "Tim" Moore and was intrigued by the beefy guy whom Moore referred to as his best friend. "He was the only civilian there," Morgan recalls of Asher. "I wondered: who is he?" Curiosity led her to the F.D.L.E.'s original investigation of Asher's druggie past. "I had the feeling a lot of people at F.D.L.E. were surprised to hear about the investigation," says Morgan, "and that a lot of people on the board of Seisint didn't know about it, either."

"What's worse: an invasion of my privacy," asks Asher, "or a jumbo jet flying into the building my wife or child works in?"

John Walsh, for one, waved away the story as old news. "I know all the bullshit about Hank," he says. "All that was cool in those days. Jimmy Buffett bragged about it." What matters, says Walsh, is that Asher has lived up to his philosophy: "Doing well by doing good." Former New York mayor Rudy Giuliani rallied, too. "It seems to me that what Hank has been doing for some time is in essence to make up for some of the mistakes he may have made," Giuliani calls in to say from the Republican campaign trail. "Those mistakes are way behind him."

Yet the damage was done. That August, Asher resigned—under pressure—from Seisint's board and put his stock in a blind trust. Even so, eight states in all have since withdrawn from the MATRIX pilot program; the ones that remain are Florida, Pennsylvania, Ohio, Michigan, and Connecticut. Whether or not the states continue after the pilot year depends on whether they want to ante up the cost of subscribing on their own: the average cost per state is more than $1 million a year.

Since then, Asher has spent most of his time trying to save the life of his 51-year-old sister, Sari Zalcberg, who suffers from bone-marrow cancer. "Hank has been my warrior," Zalcberg says. Asher has learned microbiology with the same obsessive curiosity he once applied to computers. He's thrown millions of dollars at the Mayo Clinic and assembled his own team of doctors to pursue an experimental combination of drugs: a cocktail approach much like the one now used with AIDS. He likes to say, these days, that when he finds a cure for cancer the first sentence in the news stories will announce the cure, the second will mention his drug ties, and the third will say, "The A.C.L.U. claims Asher has no regard for the privacy of cancer cells."

On a summer evening in Boca Raton, the man who did more than anyone else to provoke the data-mining debate drives with his wife, Peggy, over to the local club for dinner. A story in the news that week has stung him deeply. After due deliberation, the Homeland Security Department has awarded a massive contract—up to $10 billion—to Accenture, the reincarnation of Andersen Consulting, to set up a "virtual border" around the U.S. to head off potential terrorists. "U.S.-Visit," as it's being dubbed, is precisely the sort of grand program of electronic anti-terrorism Asher feels he could have done at Seisint. This is the "fuck you" he feels he's gotten from the government, after all those months of free data mining on MATRIX.

The club is several tall, pink stucco buildings graced by palm trees and a circular drive, the sort of place that very proper, very wealthy Florida golfers and tennis players frequent in lime-green jackets and canary-yellow pants. Up in the club's penthouse-restaurant bar, Asher and Peggy stand out. They order a round of martinis, gulp those down, and order more. Asher's colorful language makes a few of the locals cringe. The bartender is jovial, but in that nervous way that bartenders can be when they feel they have no choice.

But if Asher and Peggy are aware of the ripples they send through the room, they give no indication. They're in their own world of two, with enough money to do as they please, anywhere they like, for the rest of their lives. Asher's take just on the Seisint sale to LexisNexis is about $250 million. Added to his DBT profits, it's a windfall that puts him about halfway toward his first billion.

Over a third martini, Asher starts in on Accenture again and his frustrations with the government. He is, in truth, more than a little defensive, perhaps even a bit paranoid—an odd irony for the mastermind of data mining. And yet after all the times his brief stint as a smuggler has been used to knock him down, perhaps he has reason to be.

"I mean, the thousands of murderers stopped because of my systems, the hundreds of abducted children returned to their families—I can tell you that I got no problem with who I am," Asher says.

"What redemption I felt I needed for being an adventurous pilot doing a ridiculously stupid stunt seven times, I think I've made up for it. I don't think we live in a country where we don't believe in redemption. I think maybe somebody's gotten a little too high and mighty. I think mostly, though, that law enforcement is scared to wind up with their name in a newspaper article with me."

For a man who really loves law enforcement, and only wants to help, it suddenly seems a lonely place to be. □

SAFE HOUSE
Asher with his wife, Peggy, who used to be an employee at one of Asher's companies.

HAIR, MAKEUP, AND GROOMING BY STEVEN COOPER; FOR DETAILS, SEE CREDITS PAGE