Day #1

7:30-8:00 Registration

8:00-8:50 Welcome & Introduction to Fourth Amendment Framework
   Thomas K Clancy
   * overview of course
   * basic F/A/ framework
   * introduction: are computers containers or something “Special?”

9:00-9:50 Sources, Types, & Locations of Digital Evidence, Introduction to Computer Forensics
   Don Mason
   * digital evidence is everywhere
   * user created and computer created data
   * introduction to forensics

10:00-10:50 What is Cyber Crime?
   Priscilla Adams
   * ways digital evidence used in crimes
   * some examples of new statutory crimes

11:00-11:50 Fourth Amendment Applicability: Expectations of Privacy (inside the box)
   Don Mason
   * voluntary exposure doctrine
   * in & out of the box
   * non-private computers: common access
   * deleted files

1:00-1:50 Fourth Amendment Applicability: Private Searches
   Priscilla Adams
   * private search doctrine and replication issues
   * repairmen, hackers

2:00-2:50 Breakout group: Elements of Warrant for digital evidence / Objects Police Want to Seize at Digital Evidence Crime Scene: Scope of desired seizure

3:00-3:50 Fourth Amendment satisfaction
   Thomas K Clancy
   * general f/a discussion on warrant issuance and review
   * Probable Cause issues
     * general principles
     * “model” warrant probable cause statement to justify broad seizures
4:00-4:50  Search Warrants in Computer Cases: issuance requirements

  Thomas K Clancy

* discussion of “special” limitations of some courts
  -- including search strategies, limits such as file names, types, or dates
  -- CCIPS manual and federal search strategies
* particularity of description
* document searches, including Andresen, with comparison to digital evidence, including Carey and United States v. Giberson, 527 F.3d 882 (9th Cir. 2008)

Day #2

8:00-9:00  Search Execution Issues

  Don Mason

* on site vs. off site examinations
* when is a warrant “executed” -- applicability of rule based execution time limits
* businesses and networks
*First Amendment concerns: materials held for publication

9:10-9:40  Plain View

  Priscilla Adams

* general principles
* screens and unopened files
* Carey, U.S. v. Osorio, 66 M.J. 632 (2008), Wisconsin case
* getting second warrant

9:40-10:20  Search Incident to Arrest, Inventory, Probable Cause based Vehicle Searches

  Thomas K Clancy

* traditional doctrine
* applicability to laptops, PDAs, cell phones, GPS devices
* inventory of evidence lawfully in police custody

10:30-11:20  Consent Searches

  Priscilla Adams

* consent standard, scope of consent
* third party consent
* new case law on technology that avoids passwords

11:30-12:00  breakout: internet child porn groups

1:00-1:50  Child Pornography Cases

  Thomas K. Clancy

* statutory framework
* characteristics of collectors
* staleness issues
* CP intent site memberships & probable cause

2:00-2:50  Outside the Box: the Internet, Networks, and New Technologies

  Don Mason

working with ISPs: identifying the computer and the person at it email (delivered vs. non-delivered)
chat rooms, P2P, new technology
connecting to local networks

3:00-3:50  **Electronic Exchange of Documents: The Ethics of Metadata.**

*Hans Sinha*

3:50-4:00  **Evaluations and Wrap Up**

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