Day #1

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

9:00-10:30 Sources, Types, & Locations of Digital Evidence - Intro. to Computer Forensics
* digital evidence is everywhere
* user created and computer created data
* introduction to computer forensics

10:40-12:00 Fourth Amend. Satisfaction: Competing Views of the Nature of Digital Evidence Searches
* discussion of “special” limitations of some courts
  - including search strategies, limits according to file names, types, or dates
  - CCIPS manual and federal search strategies
* document searches, including Andresen with comparison to digital evidence, including Carey.

1:00-1:50 Breakout Group:
* Elements of warrant for digital evidence
* Objects police want to seize at digital crime scene: Scope of desired seizure

2:00-2:50 Search Warrants in Computer Cases: Issuance Requirements
* general discussion on warrant issuance and review
* probable cause issues
  - general principles
  - “model” warrant probable cause statement to justify broad seizures
* particularity requirement

3:00-3:50 Fourth Amendment Applicability: Expectations of Privacy (inside the box)
* voluntary exposure doctrine
* in & out of the box
* non-private computers: common access
* deleted files

4:00-4:50 Fourth Amendment Applicability: Private Searches
* private search doctrine
* replication issues
* repairmen, hackers
Day #2

8:00-9:00  Search Execution Issues

* on site v. off-site examinations
* when is 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

* general principles
* screens and unopened files
* Carey, Osorio, Shroeder

9:50-10:40  Search Incident to Arrest, Inventory, Probable Cause based Vehicle Searches

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

10:50-11:40  Consent Searches

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

11:40-12:15  Breakout Group: Internet Child Pornography Groups

1:15-2:05  Child Pornography Cases

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

2:15-3:05  Outside the Box: The Internet, Networks and New Technologies

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

3:15-4:05  Electronic Exchange of Documents: The Ethics of Metadata

4:05-4:15  Evaluations and Wrap Up