

COVERS HARD DRIVE TECHNOLOGY, FILE SYSTEM TECHNOLOGY, COMPUTER FORENSIC CONCEPTS, AND FOURTH AMENDMENT ISSUES!

FIND OUT WHY *MERE POSSESSION OF A CELL PHONE* GIVES RISE TO A REASONABLE EXPECTATION OF PRIVACY REGARDING ITS CONTENTS.

# DIGITAL EVIDENCE

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## COMPUTER FORENSICS AND LEGAL ISSUES ARISING FROM COMPUTER INVESTIGATIONS

By Michael J. Hannon, Associate Director For Library and Educational Technology, University of Minnesota

### About This Book

The purpose of this book is to provide attorneys, judges, and others interested in digital evidence and computer-related Fourth Amendment issues with an identification and explanation of some of the most important technical and legal issues that arise when computers, digital devices and network communications are the focus of investigation and potential use in a criminal or civil matter.

Computer technology including cell phones, PDAs, emails, and text messages, just to name a few, now constitute digital evidence. These changes are increasingly impacting the practice of law, and attorneys need a higher level of knowledge in order to better serve their clients. Lawyers must be informed advocates who have enough knowledge to converse with computer forensic experts, whether working collaboratively or when cross-examining an expert for an opposing party. Judges need sufficient knowledge to rule on digital evidence issues.

This book helps to identify and clarify some of the terms and jargon used in the computer forensic field. It also illustrates some of the important Fourth Amendment and federal privacy statute issues that arise from investigations involving computers and the Internet. Examples from published appellate cases are used illustrate the various technical and legal issues.

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# Topics Covered

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An incredible amount of information is stored on various digital storage devices such as computer hard drives, USB flash drives, hand held devices and network servers. As computers and digital devices are increasingly used to create, store and communicate digital information, the importance of digital evidence and the legal issues surrounding it become increasingly clear.

This book covers many aspects of digital evidence, including:

- Hard Drive Technology, File Systems, and Computer Forensics
- Computer Forensic Techniques and Sources of Digital Evidence
- Child Pornography Investigations
- Fourth Amendment and Computers
- Federal Privacy Statutes including the Wiretap Act, the Pen Register Statute and the Stored Communications Act.
- [View the Table of Contents»](#)

This book cites to relevant published appellate case law to illustrate the legal issues arising from the intersection of law and computer forensics. Appellate briefs are also cited to demonstrate how parties in such cases argue about different aspects of computer evidence and the applicable law. It should be noted that appellate briefs are written to persuade judges and are biased in favor of the party on whose behalf they are written.

## About Michael J. Hannon

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Professor Michael J. Hannon is the Associate Director for Library and Educational Technology. He earned his B.A. degree from the University of Missouri–St. Louis; his J.D. degree, magna cum laude, from the University of Minnesota Law School; and his M.L.S. degree from the University of Illinois at Urbana–Champaign. He worked at the Duke University School of Law Library as a reference librarian and lecturing fellow from 1999 to 2005 prior to joining the University of Minnesota Law School Library faculty. Professor Hannon is a member of the American Association of Law Libraries (AALL), the Minnesota Association of Law Libraries (MALL) and the Missouri Bar.

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