

Class 13: Introduction to the Fourth Amendment

Administrative

- Next Time
 - Mon, 10/12: 316-23; 335-41; Pages from Kerr, Fourth Amendment Seizures of Computer Data (website)
 - Wednesday: No class
- Upcoming Classes
 - Addendum to Syllabus on class website
 - Mon, 10/19: 323-35; Supplement 13-24
 - Wed, 10/21: Will change, but not available just yet.
 - Subsequent: Back to regular schedule (I hope)
- Upcoming Events
 - This afternoon: Wednesday ThAC
 - 10/12: After our class, broadband video at cablelabs 🌐
 - Fred Von Lohmann speaking at Law School on Tuesday, 10/13 🌐
 - 10/20-21: US Sentencing Commission holding regional hearing in Denver.
- News Wednesdays
 - Secret Service deems facebook poll no threat 🗳️
 - Another scraper investigated, but victim is PACER 🌐
 - US v. Stevens argued yesterday 🗳️

Last Time

Sentencing: Restrictions on Internet and Computer Use

- Funny, somewhat related news story 📰
- Basic Fact Pattern +
- 18 USC 3583(d) +
- Basic arguments +
- Circuit Split
- 5th (Paul)
- 2nd (Sofsky)
- Internal Cases +

Terms

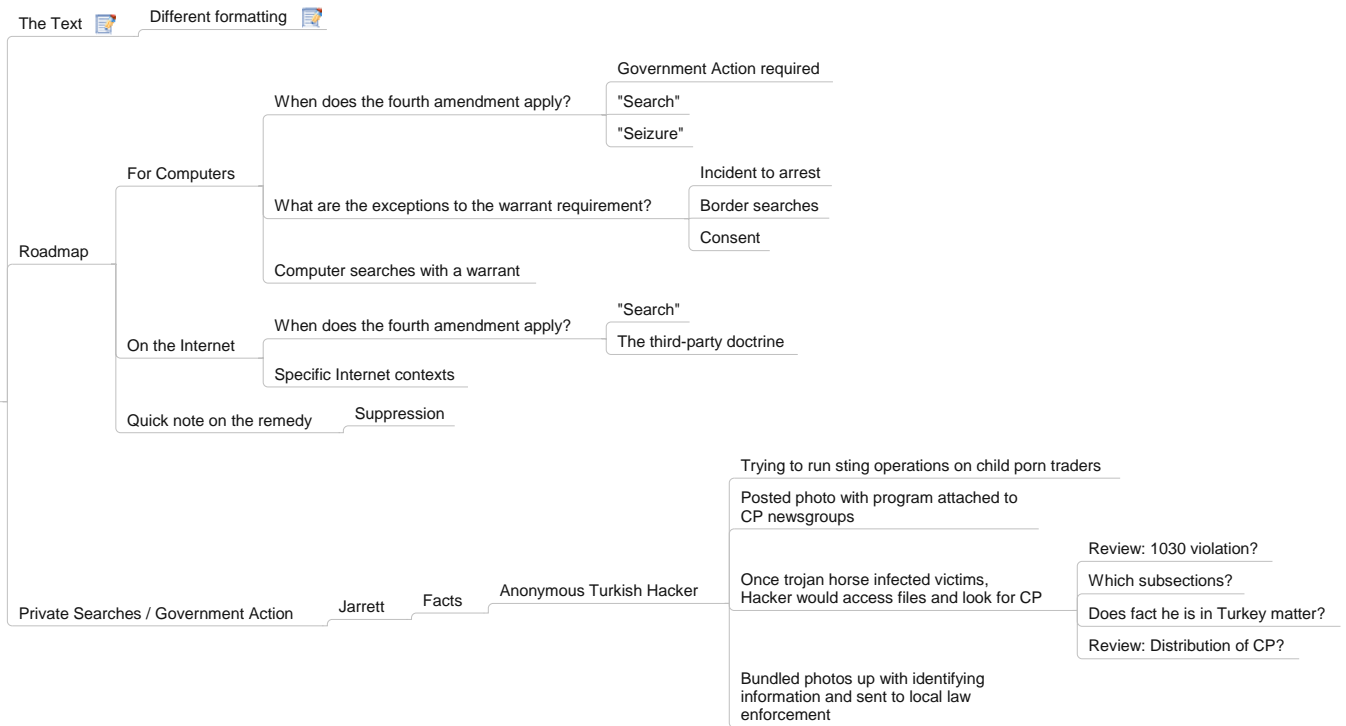
Trojan Horse

Introduction to Part II

- Moving from the criminal and victim to the cop
- Six classes on the Fourth Amendment
- Five classes on electronic surveillance statutes

**Class 13:
Introduction to the
Fourth Amendment**

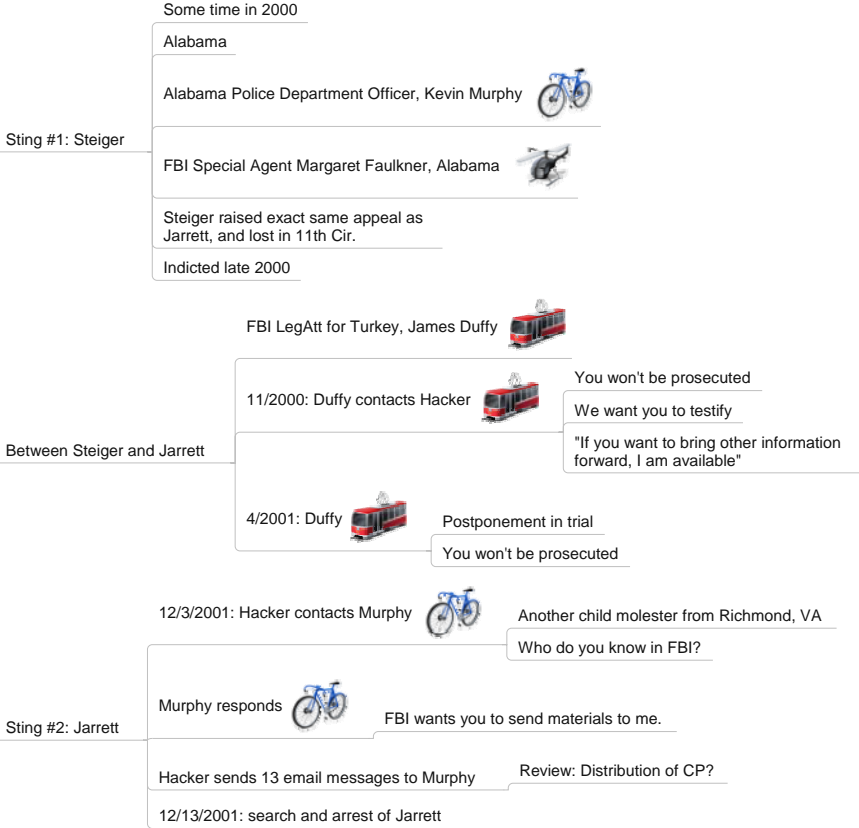
**Introduction to the Fourth
Amendment**



**Class 13:
Introduction to the
Fourth Amendment**

**Introduction to the Fourth
Amendment**

Private Searches / Government Action Jarrett Facts



Class 13:
Introduction to the
Fourth Amendment

Introduction to the Fourth
Amendment

Private Searches / Government Action

Jarrett

Facts

Post-Jarrett

Held


Reasoning


Test


- 1. Govt acquiescence
- 2. Individual intent to assist


Applied


Computer Repairmen


12/16/2001: Duffy (knowing nothing of Jarrett case)  Steiger has been sentenced
Thanks

12/17/2001: Hacker to Duffy  What ever happened to Jarrett?

12/18/2001: Hacker to Duffy  Saw that Jarrett had been arrested.
Ask Faulkner to get in touch.

12/19/2001: Duffy to Hacker  Thanks for help with Jarrett
Here's how to reach Faulkner

12/19/2001: Faulkner to Hacker  "Proverbial wink and a nod"
"I can not ask you to search out cases such as the ones you have sent to us. That would make you an agent of the Federal Government"
"But if you happen across such pictures . . ."
You are not a US citizen, and are not bound by our laws

Next two months, four more messages  Dist Ct: "pen-pal type correspondence."
Hacker: I will continue to search them out.
Faulkner never tells him to stop.

Jarrett brings motion to suppress after learning of Faulkner email messages

Class 13: Introduction to the Fourth Amendment

Introduction to the Fourth Amendment

What is a "Search"?

