

Class 9: Wiretap Act And Pen Register And Trap And Trace

Administrative

Next Time

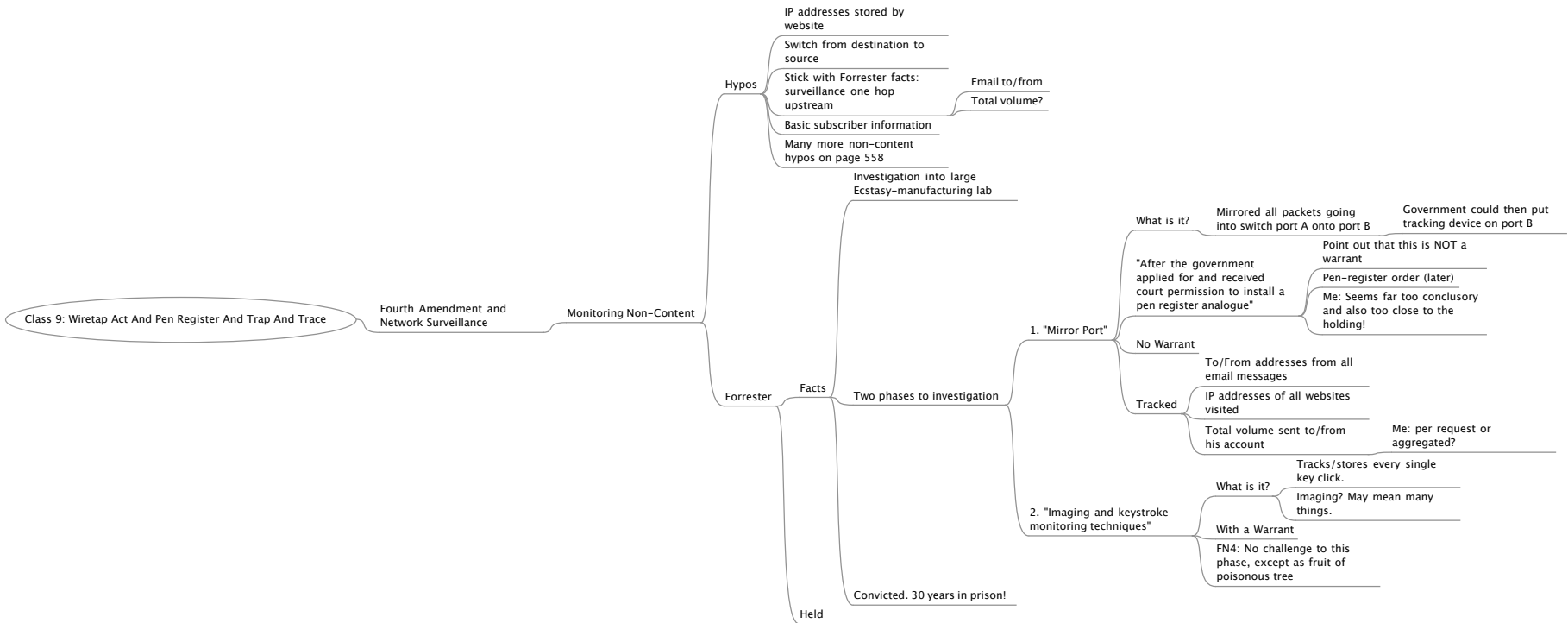
632-673; 18 USC 2701-03, 2705, 2707-08, 2711

Supplement (now posted)

News

➔ Recruiting High School cyberwarriors: Virginia Governor's Cup Cyber Challenge

➔ Jack Dorsey's hacking past



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Fourth Amendment and Network Surveillance

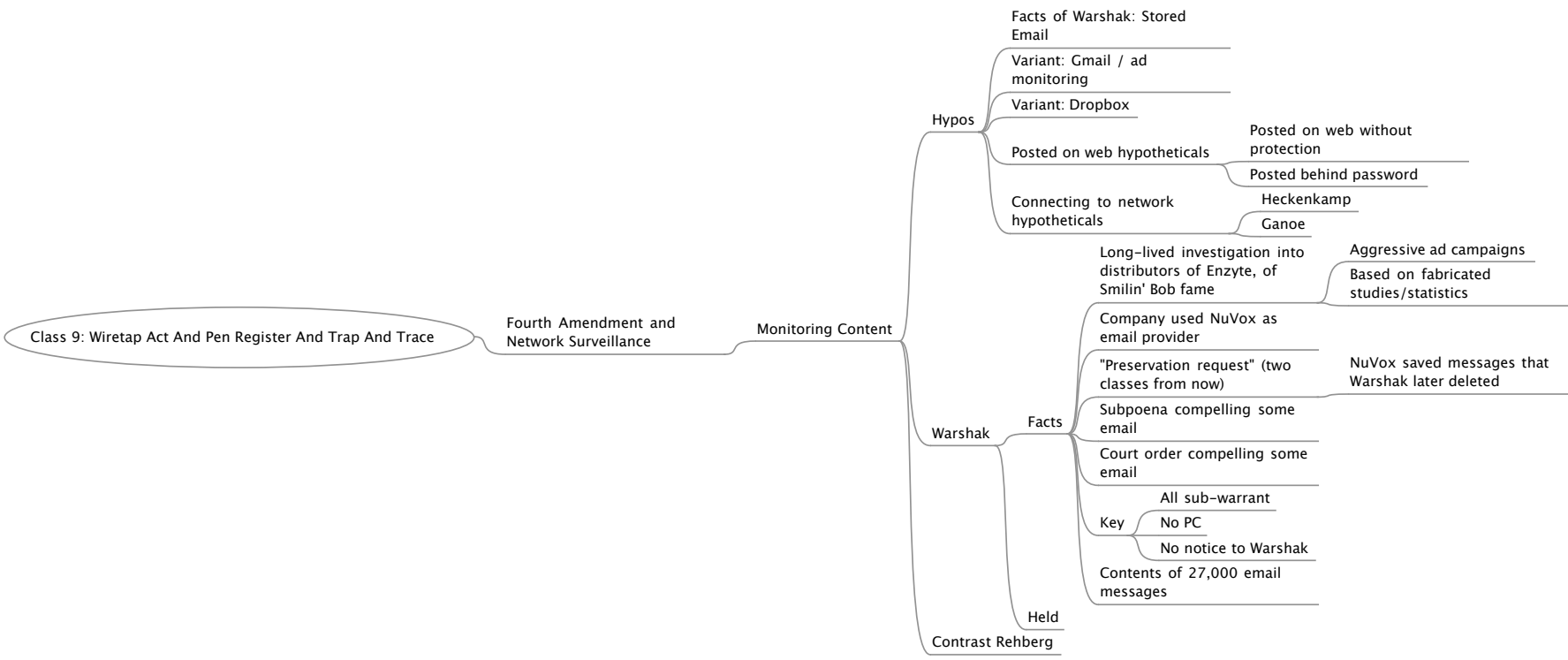
Monitoring Non-Content

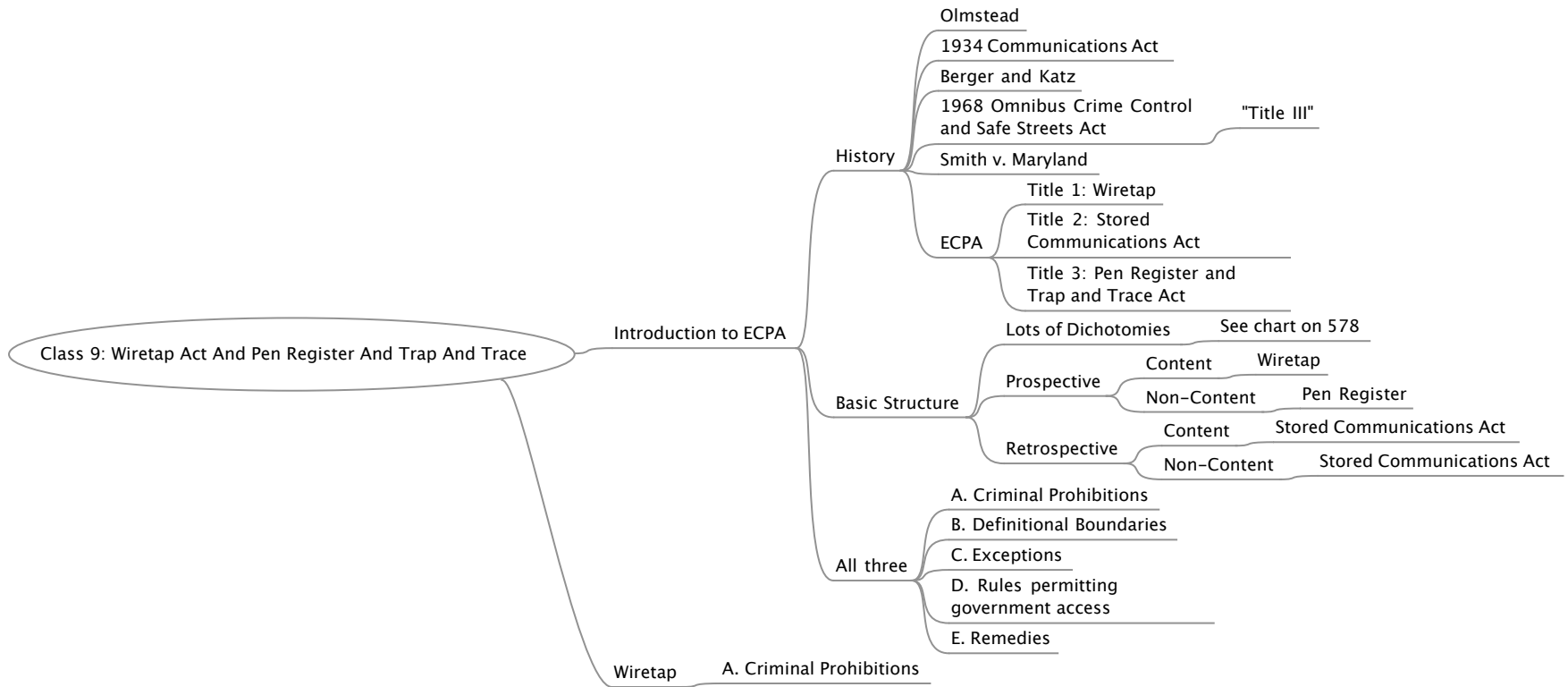
Hypos

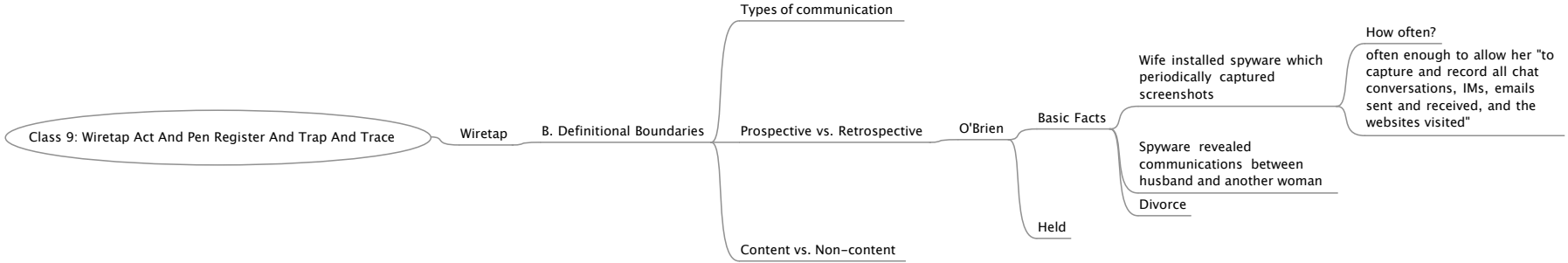
- IP addresses stored by website
- Switch from destination to source
- Stick with Forrester facts: surveillance one hop upstream
- Basic subscriber information
- Many more non-content hypos on page 558
- Email to/from
- Total volume?

Forrester

- Investigation into large Ecstasy-manufacturing lab
- Facts
 - Two phases to investigation
 - 1. "Mirror Port"
 - What is it?
 - Mirrored all packets going into switch port A onto port B
 - Government could then put tracking device on port B
 - "After the government applied for and received court permission to install a pen register analogue"
 - Point out that this is NOT a warrant
 - Pen-register order (later)
 - Me: Seems far too conclusory and also too close to the holding!
 - No Warrant
 - Tracked
 - To/From addresses from all email messages
 - IP addresses of all websites visited
 - Total volume sent to/from his account
 - Me: per request or aggregated?
 - 2. "Imaging and keystroke monitoring techniques"
 - What is it?
 - Tracks/stores every single key click.
 - Imaging? May mean many things.
 - With a Warrant
 - FN4: No challenge to this phase, except as fruit of poisonous tree
- Held
- Convicted. 30 years in prison!







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