

Webinar Series  
Funded by the U.S. Department of Justice

Bureau of Justice Assistance

Capital Litigation Initiative:  
Crime Scene to Courtroom Forensics Training

**Webinar #8: “Electronic Evidence Essentials”**

- I. Introduction
  - A. Welcome – Professor Carol Henderson
  - B. Speaker introductions
  - C. How to participate in the Chat Feature
  
- II. Digital Evidence Forensics
  - A. Digital Forensics Defined
  - B. Importance of Digital/Multimedia Evidence
  - C. Digital/Multimedia OSAC Disciplines
    - Digital/Multimedia Evidence
    - Speaker Recognition
    - Facial Recognition
    - Video/Image Technology and Analysis
  - D. Digital Forensic Expert Witness Considerations
  - E. SWGDE
  - F. OSAC Registry
  
- III. Legal Overview of Electronic Evidence
  - A. Computer Forensics Defined
  - B. Importance of Electronic Evidence
  - C. Electronic Evidence Sources
  - D. Electronic Data
    - Types
    - Data/Metadata Legal Differences
    - Metadata Case Law
    - Locating Data Evidence
  - E. Obtaining Access to Electronic Evidence
    - Search Warrants
    - Stored Communications Act (SCA)
    - Gag Orders and Nondisclosure
    - Compulsory Process
    - Third Party Doctrine
    - International Third Party
    - Rule 41 FR Crim P

- No Knock Warrant
- Legal Options for Collecting Electronic Evidence

#### IV. Legal Perspective of Electronic Evidence Collection

##### A. Relevance of Location

- Devices and Methods
- Third Party Data Holders
- Encryption Data
- Compelled Decryption

##### B. Data Seizure Considerations

- Jurisdictional Requirements
- Admissibility
- Changes to Federal Rules of Evidence
- Preservation of Evidence

##### C. Legal Considerations

- Hearsay
- Deleted Files
- Tampering
- Electronic Alibi

##### D. Computer Forensics Basics

- Processing Digital Evidence
- Quality Assurance Measures

##### E. Forensic Analysis

- Purpose
- Types of Analysis
- Intrusion Analysis
- Damage Assessment
- File Recovery

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