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Digital Evidence in the Courtroom: A Guide for Law Enforcement and Prosecutors

National Institute of Justice



Now essential to modern life, computers have also become increasingly important to criminals, who steal information, commit fraud, and stalk victims online. Even if a crime was not committed online, law enforcement may discover critical evidence from an offenders' digital media. For this evidence to be admissible, however, police must demonstrate proper collection and handling. In the courtroom, prosecutors must overcome the twin barriers of skepticism and lack of technical understanding. To help navigate this complex process, the National Institute of Justice's technical working group of national experts prepared this special report.

Chapters 1 and 2 inform crime scene investigators and other handlers about legal requirements for the handling of digital evidence. Chapters 3 and 4 provide guidelines for successful prosecution. The last chapter is a working application—using digital evidence to convict in a child pornography case. Appendixes provide useful resources and forms.

1 volume.....\$55.00

Item: 340560 ISBN: 978-0-8377-1577-3

Pages: xi, 75 pp.

Originally Published: Washington, D.C.; Department of Justice; 2007.

Reprinted: Buffalo; William S. Hein & Co., Inc.; 2007.

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