

Truckee sex offender loses Supreme Court case

By David Kravets, Wired

A convicted sex offender's loss at the Supreme Court on Monday was indirectly a boost to the privacy rights of travelers crossing the border to the United States.



Howard
Cotterman
Photo/Californ
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Offender
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Without issuing a ruling, the justices let stand an appeals court's decision that U.S. border agents may indeed undertake a search of a traveler's gadgets content on a whim, just like they could with a suitcase or a vehicle. That is known as the "border search exception" of United States law, where travelers can be searched without a warrant as they enter the country. The Obama administration has aggressively used this power to search travelers' laptops, sometimes copying the hard drive before returning the computer.

However, in a rare win for digital privacy, the 9th U.S. Circuit Court of Appeals' ruling last year concluded that a deeper forensic analysis by border officials using software to decrypt password-protected files or to locate deleted files

now requires “reasonable suspicion” of criminal activity – an outcome the justices refused to tinker with today.

It’s a victory of sorts for the public at large. But for convicted sex offender Howard Cotterman of Truckee, the decision upholds a forensic search on his gear that, authorities said, led to the discovery of hundreds of child porn images that can now be admitted in court as evidence.

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