

Civic Minds

Date: Friday, January 6, 2017

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Article Title: Amazon Echo search warrant could open door for prosecutors

Section: Business, A9

Learning Objectives

- ✓ Students will examine search warrants involving personal technological devices, when a crime has occurred.

CCSS Standards

CCSS.ELA-Literacy.SL.11-12.1.b

Work with peers to promote civil, democratic discussions and decision-making, set clear goals and deadlines, and establish individual roles as needed.

Social Studies EALR 1: Civics

The student understands and applies knowledge of government, law, politics, and the nation's fundamental documents to make decisions about local, national, and international issues and to demonstrate thoughtful, participatory citizenship.

Social Studies EALR 3: Geography

Understands the cultural universals of place, time, family life, economics, communication, arts, recreation, food, clothing, shelter, transportation, government, and education.

- Analyzes and evaluates the social and political factors affecting cultural interactions.

Social Studies EALR 4: History

- Analyzes the motives and interests behind an interpretation of a recent event.

Social Studies EALR 5: Social Studies

- Analyzes consequences of positions on an issue or event.
- Analyzes the short-term and long-term implications of decisions affecting the global community.

Vocabulary

Look up the definition of ***incumbent***. Please write the definition and create a new sentence, using your own words.

Nathan Smith, a Benton County, Ark., prosecutor, said in an emailed statement that after the slaying of Collins that allegedly took place in Bates' home, "it is ***incumbent*** on law-enforcement officers to examine (the Echo's) data to determine if it has any relevance to the crime."

Comprehension Questions

1. What are investigators in an Arkansas slaying asking Amazon.com for?
2. The request raises the prospect of authorities harnessing what?
3. Police in Bentonville, Ark., obtained a search warrant to get data that may have been recorded by an Echo speaker in the home of James Bates. What is he accused of doing?
4. What is the Echo?
5. Police suspect that audio recorded by the device and held in Amazon's data centers could hold what?

6. Ryan Calo, a professor at the UW School of Law who specializes in privacy, robotics and cyber law issues, says the Bentonville Police Department's fishing expedition is "unlikely to yield anything." Why?
7. What's more interesting, in Calo's eyes, is what police could do in other cases. For example, they might get a warrant to activate an Echo or some other digital assistant remotely — turning it into what's essentially a bugging device.
8. Authorities can also search what with the device?
9. Amazon didn't speak specifically about the Bentonville case after a recent request for comment, but it said it "will not release customer information without what?"
10. Smith acknowledged the reactions of privacy advocates to the search warrant served on Amazon, but this case is really about what?

Class Discussion Questions and Essay Prompts

It's unclear whether it's technically possible to turn the Echo or other devices into a remote listening device under someone else's control. But the possibility raises legalistic and technical issues not dissimilar to last year's dispute between Apple and federal investigators who wanted the Cupertino, Calif., tech titan to help them break in to the iPhone of one of the shooters in the 2015 San Bernardino, Calif., massacre.

- Should the authorities be able to use people's private information from their cell phones, computers and other devices, such as the Amazon Echo?
- Are there situations where you feel it would be justified? Why or why not?

Calo said tech firms should strongly resist those requests from the authorities "because they really should be putting their customer first."

- Do you agree with Calo? Why or why not?
- Should people lose some rights when they've committed a crime...especially a murder? Why or why not?

Amazon didn't speak specifically about the Bentonville case after a recent request for comment, but it said it "will not release customer information without a valid and binding legal demand properly served on us. Amazon objects to overbroad or otherwise inappropriate demands as a matter of course."

- Was this a fair response from Amazon? Why or why not?

Nathan Smith, a Benton County, Ark., prosecutor, said in an emailed statement that after the slaying of Collins that allegedly took place in Bates' home, "it is incumbent on law-enforcement officers to examine (the Echo's) data to determine if it has any relevance to the crime."

Smith acknowledged the reactions of privacy advocates to the search warrant served on Amazon, but "this case is really about seeking justice for the victim, who was a husband and a father."

"Since law-enforcement officers followed the constitutionally mandated procedures to obtain a lawful search warrant in this case, I am hopeful that Amazon will agree to fully comply with it," Smith said.

- Do you think Amazon will comply? Why or why not?
- Do you think the Echo will provide any important information to the crime? Why or why not?

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