

is not allocated to an active file or that is unused after a file has been allocated to a set block of storage space - for long periods of time before they are overwritten. In addition, a computer's operating system may also keep a record of deleted data in a "swap" or "recovery" file. Similarly, files that have been viewed via the Internet are automatically downloaded into a temporary Internet directory or "cache." The browser typically maintains a fixed amount of hard drive space devoted to these files, and the files are only overwritten as they are replaced with more recently viewed Internet pages. Thus, the ability to retrieve residue of an electronic file from a hard drive depends less on when the file was downloaded or viewed than on a particular user's operating system, storage capacity, and computer habits.

The search of a computer system is an exacting scientific procedure which is designed to protect the integrity of the evidence and to recover even hidden, erased, compressed, password protected or encrypted files. Searches and seizures of evidence from computer systems commonly require the seizure of all computer items to be processed by a qualified computer expert in a laboratory or other controlled environment. The high volume of the contents and intentional concealment of criminal activity through random ordering and deceptive file names requires search authorities to examine all the stored data. This sorting process may take weeks or months depending on the volume of the data stored and would be extremely impractical to attempt this kind of data search on site, therefore it may be necessary that the items seized be transported to one or more computer forensic laboratories for forensic examination.

A forensic examination of the computer is needed to check for other file variations, which may be erased, hidden, encrypted, compressed, or password protected.

Attached are copies of the original Kansas Search Warrant labeled: Exhibit A.

Detective: _____
Clay County Detective