

A MATRIX OF STATE OPINIONS ON PRIVATE INVESTIGATION REGULATION OF DIGITAL FORENSICS IN THE UNITED STATES

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ABSTRACT

This paper reports on the state of Private Investigation opinions on digital forensics in the United States across the fifty states. Private Investigation boards or other private security boards began initiatives in 2008 to attempt to pass State statutes which would require practitioners of Digital Forensics, and in particular Digital Forensics Acquisition and Imaging, to pursue and obtain licenses as private investigators in that State before conducting acquisition and imaging.

The authors began studying the opinions of private investigation regulatory bodies and state statutes at about the same time. This resulted in two papers published in 2008 and 2009 [1] [2]. This area continues to be an important area of study as there is a continually changing landscape for Digital Forensic examiners in terms of statute. With States such as Texas requiring unobtainable certificates, other states continually revisiting the matter, and some states passing regulations to allow or disallow, the topic remains quite viable and important to the practitioner community.

The authors continue to poll States each year to collect new data on the matter and provide continuous updates via both conferences and publications on the matter to DF practitioners. This paper will report on the most current status updates of the matter as followed by the authors as of the date of the conference. This matter has been taken up by the Consortium of Digital Forensic Specialists (cdfos.org) as a primary issue of advocacy for forensic examiners in the United States.

- [1] Lonardo, T., D. White, and A. Rea. To license of not to license revisited: An examination of state statutes regarding private investigators and digital examiners, *The Journal of Digital Forensics, Security, and Law*, 4:3, pp. 1-16.
- [2] Lonardo, T., D. White, and A. Rea. To license of not to license: An examination of state statutes regarding private investigators and digital examiners”, *The Journal of Digital Forensics, Security, and Law*, 3:3.