



## SUMMER 2021 E-NEWSLETTER

At Digital Mountain, we assist our clients with their electronic discovery, computer forensics, cybersecurity, and data analytics needs. For this E-Newsletter, we discuss collection, processing and presentation of audio and video evidence as well as its usage in court proceedings to impact the outcome of your case.

### Audio and Video Artifacts: Gems to Be Considered

If you're a miner, recognizing gems in their raw state is an essential skill. The diamonds, emeralds, and other glittering stones sparkling in jewelers' cases bear little resemblance to the natural, unpolished, and uncut stones that are pulled from the earth as chunks of rock. The same can be true of audio and video artifacts not yet discovered or prepared to serve as trial evidence. These raw audio and video clips can be noisy, unclear, grainy, and even seemingly irrelevant or prejudicial – until computer forensic professionals preserve, edit, redact and export these evidentiary gems for use in the courtroom.



With audio and video files representing a growing source of evidence in litigation, it is important that correctly locating and preserving potential audio and video files are performed by specialized computer forensic professionals. The discovery process for audio and video artifacts is affected by the source from which the artifacts are pulled. Mobile devices, collaboration apps such as Teams and Slack, social media uploads on YouTube, Facebook or TikTok, surveillance systems, cloud-based storage, and body-worn cameras have many specialized and constantly changing file types. This requires forensic experts to understand which tools are compatible and what the proper settings are within those tools for the specific file type. Not all audio and video forensics tools are compatible with all file types, and even the right tool used improperly can lead to data loss. Additionally, while many organizations routinely budget for IT system maintenance and upgrades, a single audio and video evidence preparation tool can consume significant financial resources. There is often a substantial investment in hardware and training for in-house personnel to conduct searches, preserve evidence, perform redactions, and export files for use in court. Depending on the volume of audio and video evidence an organization deals with on a regular basis, hiring experienced

computer forensics professionals can provide significant cost benefits over establishing an in-house team or pulling a team together from an organization's other functions.

Once the audio and video artifacts are discovered, attorneys and investigators need to be reassured that artifact integrity is preserved and that any redacted video is still an accurate, albeit edited, version of the original. Thanks to their close associations with law enforcement and criminal courts, where a chain of custody for evidence is a serious matter, most providers of audio and video redaction solutions are quick to tout the logs that are kept by their products. This metadata record of the alterations to the original source file is reproducible as part of the submitted evidence and can demonstrate a clear set of decisions made by the person who prepared the redacted product. Much in the same way a redaction log can be created for a document and used to catalog removed information, video and audio redaction logs are part of the process to ensure the integrity of the final product. The practitioner who created the redacted video can be called as a witness to discuss the efforts made to preserve the authenticity and integrity of the evidence. This is another benefit of utilizing the professional services of a computer forensics service experienced in providing expert testimony.

Digital evidence management is an ancillary function of locating and preparing evidence for trial. Setting up a system that works for the variety of evidence presented over the course of litigation is enabled by the various products currently on the market. Again, many of these systems may require a significant investment, and organizations would be wise to consult with a computer forensics specialist before acquiring a specific system. There are various functions available for digital evidence management, including file sharing, sorting and compiling various types of digital evidence into bespoke folders, and apps for remote access to digital evidence collections via mobile devices. Configuring these systems requires professional expertise with the system, the digital evidence being managed, and the needs of an organization. If an organization is unsure that a commercially produced digital evidence management system is the best fit, a consultation with Digital Mountain may offer a better alternative without the capital outlay for an entire system.

Knowledge and experience are vital when it comes to wading through the seemingly bottomless depths of audio and video artifacts for potential evidence and the sea of tools for preserving, preparing, and managing data. The most optimal solution may be to invest in the services of a digital forensics firm that can prepare a completed product without a large investment of time and resources by in-house personnel. Much like outsourcing payroll, web design, or computer forensics services, outsourcing for a novel or infrequent task is knowing your organization well enough to know when not to try to do it on your own.

**Please direct questions and inquiries about electronic discovery, computer forensics, cybersecurity, and data analytics to [info@digitalmountain.com](mailto:info@digitalmountain.com).**

## UPCOMING INDUSTRY EVENTS

### BLACK HAT USA 2021

Las Vegas, NV: July 31, 2021 - August 5, 2021

### CVENT CONNECT 2021

Las Vegas, NV or Virtual: August 1-4, 2021

### TECHNO SECURITY & DIGITAL FORENSICS CONFERENCE

Denver, CO: August 2-4, 2021

### ABA 2021 ANNUAL MEETING

August 4-10, 2021

### ILTACON 2021

Las Vegas, NV: August 22-26, 2021

***Click here to see more upcoming events and links.***



*Digital Mountain, Inc. Founder and CEO, Julie Lewis, will be presenting at various upcoming industry events. Please send requests for speaker or panel participation for her to [marketing@digitalmountain.com](mailto:marketing@digitalmountain.com). In the short term, she is available for webinars and remote e-conferences.*

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