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Mason Wheeler: @Jeffrey Ugh, that article is

totally missing the point. That's not DRM, it's

signing, and it's completely reasonable. Actual

DRM would be a very different (and very bad)

Ninja: Just read it. It seems to me it's crypto

signing and I'm kind of shocked they haven't

using a buzzword instead of an accurate

Meantime, more evidence that you can't

description. Clickbait, mayhap.

Jeffrey Nonken: Yeah, seems like somebody is

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Legal Issues by Tim Cushing

> Filed Under: 13-year old, david

> > eavesdropping,

middle school,

Permalink.

Short link.

illinois, manteno

nathan short, paul

boron, recording

conrad,

Wed, Jun 27th 2018 9:33am

One of Illinois' most-abused laws continues to be abused. For years, cops used the state's eavesdropping laws to arrest citizens who attempted to record them. This practice finally stopped when three consecutive courts -- including a federal appeals court -- ruled the law was unconstitutional when applied to target citizens recording public servants.

This may have led to the end of bullshit arrests from cops who didn't like being observed while they worked, but it's still being used by government officials to punish people they don't like. Illinois Policy reports a 13-year-old student is facing felony charges for recording a meeting between him and two school administrators.

cellphone. Boron said he argued with Conrad and Short for approximately 10 minutes in the reception area of the school secretary's office, with the door open to the hallway. When

Principal Conrad sure knows his local statutes. He turned Boron in to law enforcement, which apparently decided to go ahead and process the paperwork, rather than tell Conrad to stop acting

In his petition to bring the charge, Kankakee County Assistant State's Attorney Mark Laws wrote that Boron on Feb. 16 "used a cellphone to surreptitiously record a private conversation between the minor and school officials without consent of all parties."

to discuss anything further once they were informed they were being recorded should have been enough. The conversation was ended, along with the recording. If they were concerned they said something they shouldn't have during the previous ten minutes, maybe should have restrained themselves during the argument, rather than ruin a 13-year-old's life with a bad law Illinois legislators refuse to rewrite. Given how often this law is used to protect the powerful, it's hardly surprising legislators haven't expressed a serious interest in fixing it.

As it stands now, the law relies on a "reasonable expectation of privacy" to determine whether recordings without the consent of all parties are illegal. A conversation in a school's reception area hardly seems to be the place where privacy would be expected. Unfortunately, the law doesn't actually say recordings in ostensibly public areas are legal. This was the legislature's response to multiple court rulings declaring the old law unconstitutional. This may have made most recordings of police officers legal, but it still makes lots of recordings of public officials -- like school administrators -a felony.

officials on the same level as aggravated assault and stalking. It comes with a *minimum* prison sentence of one year. The reaction by school officials is petty and vindictive and only draws more attention to the recording at issue. If these officials are willing to subject a student to a felony prosecution to keep the conversation from being made public, what sort of things were said by the supposed adults in the room?

a stop to this chain of events but they all chose not to. The cops may feel they had no choice but to follow up, but the "prosecutorial discretion" lauded most frequently by those who rarely exercise it (prosecutors) is, once again, nowhere to be found.

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Tuesday

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Illinois Prosecutor Brings Felony Eavesdropping Charges Against 13-Year-Old Who Recorded His Conversation With School Administrators

from the no-crime-too-small dept

On Feb. 16, 2018, [Paul] Boron was called to the principal's office at Manteno Middle School after failing to attend a number of detentions. Before meeting Principal David Conrad and Assistant Principal Nathan Short, he began recording audio on his

Boron told Conrad and Short he was recording, Conrad allegedly told Boron he was

committing a felony and promptly ended the conversation.

like a child. This led to prosecutors being just as unwilling to be the adults in the room.

The law forbids recordings without all parties' consent. It would seem that the school officials' refusal

For a 13-year-old, this is a huge problem. This places his recording of his conversation with school

Anyone further down the line -- from local law enforcement to the county prosecutor -- could have put

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Anonymous Coward, 27 Jun 2018 @ 9:39am

school officials = petty and vindictive

"The reaction by school officials is petty and vindictive"

Kids are kids... they need to be able to make some mistakes without it fucking up their life... but these clowns do not care...

why else would they crap up "Zero Tolerance" policies... unless it's something their politics says must be tolerated that is.

no matter how much they say they do when their unions get on their soap boxes! [reply to this | link to this | view in chronology]

Kevin Hayden, 27 Jun 2018 @ 9:53am

Administrators may have shot themselves in the foot

foot. The lawyer for the kid should ask to have the entire recorded conversation entered into the public record at the trial. Perhaps a threat of this nature would cause the prosecution to reconsider its case, or at least prove embarrassing to the administrators.

If the school administrators wanted to keep the conversation out of the public eye, they may have shot themselves in the

[reply to this | link to this | view in chronology]

Jeremy Lyman (profile), 27 Jun 2018 @ 10:59am

Re: Administrators may have shot themselves in the foot

[reply to this | link to this | view in chronology]

10L + 66 99 That Anonymous Coward (profile), 27 Jun 2018 @ 9:53am

Yup, this was my thought as well. How does anyone know if there was even a recording unless it is preserved,

presented in court, and the administrator testifies that it's him being recorded without consent?

One really needs to ask what the school staff was up to. To destroy a 13 yr olds life over a meeting...

I wonder how many children they call in and bully on a regular basis, but no one believes the kids because school officials would NEVER do anything bad to kids & attempts to have a recording to avoid the truth being whatever the adult claims later needs to be treated like an assault.

One does wonder if the prosecutor no longer wants the job b/c its hard to explain away I sent a 13 yr old to prison for the

felony of trying to record a meeting with school officials where the student wanted a record of what was said. But hey, rules are rules and if you didn't want a school to prison pipeline you wouldn't ever question your betters.

[reply to this | link to this | view in chronology]

John Cressman, 27 Jun 2018 @ 10:03am

Are PUBLIC school officials NOT public servants? What are they? Public TASKMASTERS?

Odd

[reply to this | link to this | view in chronology]

JoeCool (profile), 27 Jun 2018 @ 10:11am Cha-CHING!

Illinois taxpayers are gonna be on the hook for another million dollar settlement after his family's lawsuit over a law already declared unconstitutional. Should be a slam dunk - I expect the family has more offers from lawyers than you can shake a

stick at for the opportunity at 30% of the settlement. [reply to this | link to this | view in chronology]

Anonymous Coward, 27 Jun 2018 @ 10:34am

Re: Cha-CHING! They will fight it all the way to the supreme court again. Then they will be forced to pay millions in restitution for the rights

violations of this kid who may have kids by then. [reply to this | link to this | view in chronology]

David, 27 Jun 2018 @ 10:33am

I mean, a 1 year felony prison sentence is nice and all that but to send a real message to U.S. children, fucking them over for the rest of their life just seems more impressive.

Can't we put him in the sex offender registry for this?

A year is over so fast. Well, at least the U.S. prisons are in a state where they may mar him for the rest of his life as well, so maybe it's not that much of a lost opportunity.

[reply to this | link to this | view in chronology] Q + Lot + 66 PM 99

Pixelation, 27 Jun 2018 @ 12:02pm Re: Can't we put him in the sex offender registry for this?

Nice to see them working to get a hardened criminal off the streets. [reply to this | link to this | view in chronology] 99 tom (profile), 27 Jun 2018 @ 11:19am

Wonder what Mr Conrad and Mr Short said that they are so afraid of being recorded? Wonder if Mr Conrad and Mr Short violated any rules by having a 'detention/punishment/etc' discussion with a minor

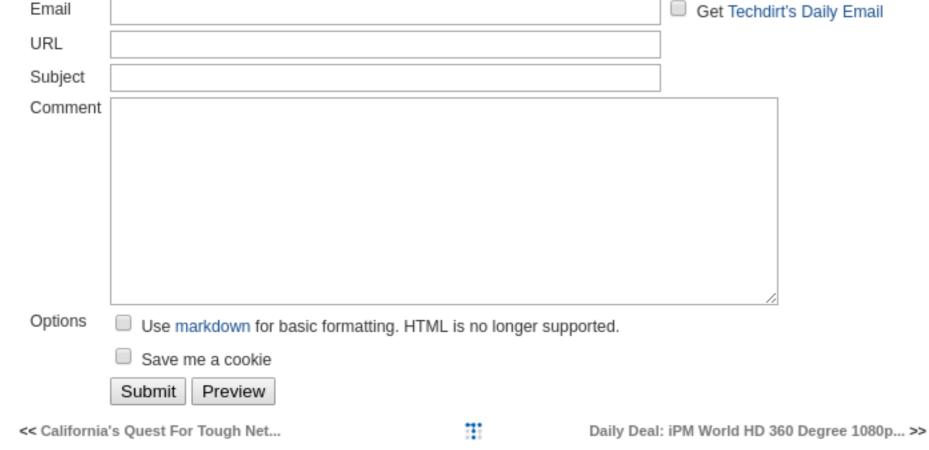
There is something going on between Mr Boron and that school administration because of all of the detentions and Mr

student in a public area? There are some pretty interesting Federal laws on preserving student privacy. [reply to this | link to this | view in chronology]

Boron deciding to miss them. Might be interesting to investigate that in the process.

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