

Blessings of Computers Can Also Be Curse

By Reg P. Wydeven
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Other than Mountain Dew, I rely on my computer more than anything else to help me through my workday. Technology is a wonderful thing because it can make life so easy. But when my computer is too slow or isn't responding at all, which causes me to smash things and roar like the Incredible Hulk, technology can make life very hard.

For instance, one of the best uses a computer has for companies is email. Quick and easy, email allows people continents apart to communicate instantaneously. However, because email is so quick and easy, people can practically carry on conversations using back-and-forth messages, and these conversations can quickly become casual and oftentimes inappropriate.

For example, former FEMA director Michael Brown added insult to injury when compounded the disastrous mishandling of the Hurricane Katrina relief efforts with flippant emails about his clothes, TV appearances and his duties. Brown's messages were exposed by Rep. Charlie Melancon, D-Louisiana, who was a member of the House committee assessing responses to the hurricane. As a government employee, all of Brown's email messages were considered public property.

Interoffice e-mail is now the biggest hunting ground for lawyers searching for smoking guns in both criminal and civil lawsuits. Emails, like other written documents, can be the subjects of subpoenas or search warrants. In fact, several investigative firms have emerged that specialize in dissecting a business' computer hard drives.

Long-forgotten emails resurfaced in the Martha Stewart, Enron and Arthur Anderson lawsuits, resulting in convictions in all three cases. Emails have also been the root of civil lawsuits, such as the Massachusetts class-action suit involving the controversial diet drug Phen-Fen. In that case, a company executive wrote in an email, "Do I have to look forward to spending my waning years writing checks to fat people worried about a silly lung problem?"

So if you're thinking of firing off an email message to a colleague, make sure it's not incriminating. If you're now too scared to email, maybe you need to look for another outlet on your computer to channel your venting, such as an online journal or web log. Commonly called a 'blog', web logs are hugely popular venues for spouting off about politics, sports, entertainment, or any other topic you could possibly imagine.

Unfortunately, careless bloggers should also beware - they may find themselves in court if their journal entries are defamatory or disseminate private information like medical records or trade secrets.

Many bloggers consider themselves Internet news reporters, such as Matt Drudge, whose Drudge Report first revealed the Monica Lewinsky scandal. Bloggers, however, don't have the same First Amendment protections as journalists in other media, most importantly, maintaining confidential sources.

Apple Computers was recently involved in a lawsuit where the company subpoenaed several bloggers that printed stories leaking Apple's trade secrets on the Internet. Claiming bloggers aren't journalists, the judge in the case forced the bloggers to reveal their formerly-confidential sources.

There once was a time, and not too long ago, when people could get away with doing really stupid things. Because of technological advances, however, such as tiny digital cameras, cell phone cameras, and software that tracks emails and blogs, anyone doing something stupid today stands a pretty good shot at getting caught.

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