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A warrantless FBI search in Las Vegas sets a troubling precedent.

BRUCE SCHNEIER | DEC 17 2014, 8:00 AM ET

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Lucas Jackson/Reuters

The next time you call for assistance because the Internet service in your home is not working, the 'technician' who comes to your door may actually be an undercover government agent. He will have secretly disconnected the service, knowing that you will naturally call for help and—when he shows up at your door, impersonating a technician—let him in. He will walk through each room of your house, claiming to diagnose the problem. Actually, he will be videotaping everything (and everyone) inside. He will have no reason to suspect you have broken the law, much less probable cause to obtain a search warrant. But that makes no difference, because by letting him in, you will have 'consented' to an intrusive search of your home.

This chilling scenario is the first paragraph of a [motion to suppress evidence](#) gathered by the police in exactly this manner, from a hotel room. Unbelievably, this isn't a story from some totalitarian government on the other side of an ocean. This happened in the United States, and by the FBI. Eventually—I'm sure there will be appeals—higher U.S. courts will decide whether this sort of practice is legal. If it is, the county will slide even further into a society where the police have even more unchecked power than they already possess.

You can't give consent to

The facts are these. In June, Two wealthy Macau residents stayed at Caesar's Palace in Las Vegas. The hotel suspected that they were running an

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illegal gambling operation out of their room. They enlisted the police and the FBI, but could not provide enough evidence for them to get a warrant. So instead they repeatedly cut the guests' Internet connection to the hotel, FBI agents wearing hidden cameras and recorders pretended to be Internet repair technicians and convinced the guests to let them in. They filmed and recorded everything under the pretense of fixing the Internet, and then used the information collected from that to get a warrant. As a result, the judge said that the FBI's actions were illegal.

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The FBI claims that their actions are no different from any conventional sting operation. For example, an undercover policeman can legitimately look around and report on what he sees when he invited into a suspect's home under the pretext of trying to buy drugs. But there are two very important differences: one

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You can't give consent to something you don't know and understand. The FBI agents did not enter the hotel room under the pretext of making an illegal bet.



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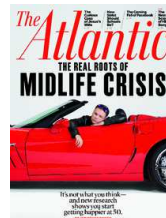
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