

Judge orders stop to FBI search of devices seized from Washington Post reporter

The Post asked for an expedited briefing and hearing schedule. Porter ordered the government to file a reply by January 28 and scheduled oral arguments for February 6.

Post: “Government refused” to stop search

FBI agents reportedly seized Natanson’s phone, a 1TB portable hard drive, a device for recording interviews, a Garmin watch, a personal laptop, and a laptop issued by The Washington Post. Natanson has said she’s built up a contact list of 1,100 current and former government employees and communicates with them in encrypted Signal chats.

“The day the FBI raided Natanson’s residence, undersigned counsel reached out to the government to advise that the seized items contain materials protected by the First Amendment and the attorney-client privileges,” attorneys for The Washington Post and Natanson told the court. “Undersigned counsel asked the government to refrain from reviewing the documents pending judicial resolution of the dispute, but the government refused.”

The filing said that unless a standstill order is issued, “the government will commence an unrestrained search of a journalist’s work product that violates the First Amendment and the attorney-client privilege, ignores federal statutory safeguards for journalists, and threatens the trust and

confidentiality of sources.”

The six devices seized from Natanson “contain essentially her entire professional universe: more than 30,000 Post emails from the last year alone, confidential information from and about sources (including her sources and her colleagues’ sources), recordings of interviews, notes on story concepts and ideas, drafts of potential stories, communications with colleagues about sources and stories, and The Post’s content management system that houses all articles in progress,” the Post said. “The devices also housed Natanson’s encrypted Signal messaging platform that she used to communicate with her more than 1,100 sources. Without her devices, she ‘literally cannot contact’ these sources.”

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