

**EDWARD SNOWDEN:**  
**American-Russian Technology Specialist**

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Edward J. Snowden was a systems administrator who was a high school dropout because he had to work at an early age to provide for his family. He received a GED at a community college but did not obtain a college degree. Snowden picked up computers in his free time, and although he did not have formal training, he obtained a Top-Secret security clearance and joined the CIA by 2007. When he left in 2009, he became a contractor for different companies that work with the NSA directly. In 2013, Edward Snowden was charged with conveying classified information to an unauthorized party, disclosing communications intelligence information, and theft of government property. Snowden was later charged with violating non-disclosure agreements with the CIA and NSA in 2020 after releasing his book *Permanent Records* without approval (Snowden, E. J., 2020; United States Obtains Final Judgment and Permanent Injunction Against Edward Snowden, 2020).

This paper discusses the implications Snowden's actions caused throughout the criminal justice system. The purpose of this research will show how this investigation interacts with criminal justice through legal, ethical, constitutional, and international laws, showcasing the overlap between individual rights, privacy, and security. The ethical debate regarding Snowden's actions has continued among the years since the incident. While many see Snowden's actions as brave and necessary, the impact the implications had caused against the judicial system must be examined.

Snowden chose to share his revelations with *The Guardian* due to the organization's established reputation, commitment to ethical journalism, and its ability to oversee sensitive and critical information effectively. Edward Snowden leaked the documents of the black cover-ops budget, exposed the success, and failures of spy missions, and revealed what and who the NSA was paying for access to communications networks (Howe, 2024). More items were taken that

Snowden requested stay private and the government is still unsure of all the data that was compromised. Snowden wanted the public to know that their rights in the constitution were being violated specifically the 4<sup>th</sup> amendment. In that amendment search and seizure permitted when approved by a judge with probable cause. The issue with this is that the government was collecting the data by turning cameras on without the person knowing and watching everything you do even if it is not public information. “The NSA say it needs all this data to help prevent another terrorist attack like 9/11. To find the needle in the haystack, they argue, they need access to the whole haystack (MacAskill et al., 2014)”.

Snowden stated in an interview with The Guardian the reason for releasing these documents was because of seeing how the government functions while working at the CIA and how it affected people and the world. “Much of what I saw in Geneva really disillusioned me about how my government functions and what its impact is in the world,” he says. “I realized that I was part of something that was doing far more harm than good” (Greenwald et al., 2021). In the same interview, he revealed that was the first time he had thought about releasing government secrets but decided not to because of the danger he believed it would place on others.

The result of these documents going public was a mass debate of the public. Snowden states he did not do it for fame or money, but instead to let the people know what is really happening against them and to encourage more people to not hesitate to act. Snowden admitted to combing through all the documents taken to ensure the items disclosed were purely in the interest of the public. He also claimed that there were other documents he chose not to release as while they may have made an impact, he did not wish to cause harm to people and only wanted to provide transparency (Greenwald et al., 2021).

In July 2013, a petition was circulated to pardon Snowden, but it was rejected by the government in 2015. Lisa Monaco said Snowden should return home to be “judged by a jury of his peers—not hide behind the cover of an authoritarian regime,” and stop “running away from the consequences of his actions” (Sullivan, 2024). Moscow offered Snowden asylum until 2020 and gave him Russian citizenship in 2022. According to the Guardian, Snowden is still an advocate for digital privacy and frequently gives public speeches online. He has worked to create methods that journalists can use to determine whether they are being watched, particularly in nations with dictatorial leaders. He is no longer under investigation by the US Department of Justice, which has filed Espionage Act charges against him that carry a maximum 30-year jail sentence (Smith, 2023).

According to the law and a release by the U.S. House of Representatives, Edward Snowden was not a whistleblower. “Under the law, publicly revealing classified information does not qualify someone as a whistleblower. However, disclosing classified information that shows fraud, waste, abuse, or other illegal activity to the appropriate law enforcement or oversight personnel, including Congress, does make someone a whistleblower and affords them critical protections” (H. Rept. 114-891 - REVIEW OF THE UNAUTHORIZED DISCLOSURES OF FORMER NATIONAL SECURITY AGENCY CONTRACTOR EDWARD SNOWDEN by the HOUSE PERMANENT SELECT COMMITTEE ON INTELLIGENCE for the ONE HUNDRED FOURTEENTH CONGRESS, n.d.). Whistleblowing is perceived as a public service, while espionage is the unauthorized release of classified information, often seen as a threat to national security. When Edward Snowden was accused, it brought light to the legal difficulties and disagreements in the field of criminal justice regarding the purpose of the information released.

Due to the major legal and constitutional concerns raised by the NSA's general surveillance activities, Snowden's actions created a lot of debate. His disclosures sparked discussions on how to strike a balance between personal privacy rights and national security (Amnesty International, 2021). In particular, the Fourth Amendment's protections against unreasonable searches and seizures. Supporters claimed that gathering phone data without a warrant was necessary to stop terrorism, while others claimed that this went against constitutional rights. Overall, the public's perception was severely impacted by his acts, which brought the conflict between state security and individual rights protection to light.

Snowden's asylum in Russia and the United States government's attempts to extradite him displayed the complications of international law and cross-border criminal justice. Russia's decision to grant him asylum, despite his charges of espionage in the U.S., highlights the tension between political and legal aspects between nations (Ackerman & Rushe, 2017). Revaluations of the challenges of achieving international cooperation and enforcing domestic laws globally were raised. Along with this, there were questions about jurisdiction and the reach of national legal systems. Overall, Snowden's situation illustrates the difficulties of balancing national interests, legal ethics, and international human rights.

Edward Snowden's actions were not in vain, and discussions caused change. In federal court, the American Civil Liberties Union (ACLU) filed a constitutional case. After some time, a decision was made that declared the NSA telephone collection program to be unlawful. This was a huge step forward because, up until then, national security surveillance operations had not been subject to court investigation. "James Clapper, the director of national intelligence, who earlier that year had testified to Congress that the NSA did not collect data on millions of Americans,

was forced to apologize and admit that his statement had been “clearly erroneous” (Smith, 2023).”

Even though Edward Snowden's actions had an impact on conversations about privacy and surveillance, several issues are still untouched. The extent of global surveillance has not changed; many nations are keeping an eye on the kinds of operations that Snowden revealed. The intelligence operations are still classified despite the public's requests for transparency, and opinions on Snowden's acts are still mixed. Whistleblower laws were not altered because of the case, and international relations—particularly those with Russia—remained unaffected but weakened. The implications of international surveillance and whistleblower protections remained unchanged despite the discussions that Snowden's actions created.

The conclusion of Edward Snowden's impact on the criminal justice system highlights both significant and persistent challenges. Snowden's documentation about mass surveillance brought scrutiny of intelligence agencies and created debates about the balance between national security and individual privacy. His disclosures led to some legal and policy alterations, such as the USA Freedom Act, which aimed to curb excessive surveillance and increase transparency. However, the case also highlighted limitations regarding the criminal justice system's ability to oversee and regulate intelligence practices. While Snowden's actions triggered needed discussions and some changes to legislation, they did not fully resolve issues related to surveillance oversight or produce protections for whistleblowers. In the end, Snowden's story brought attention to the necessity of continued surveillance and restructuring to guarantee that security protocols respect basic rights and are monitored by the legal and legislative branches of government.

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