

**Louisiana Chief's of police
Executive Reference**

**Cell Phone Information
Phone, File Cabinet, Tracking device, Radio.**

- I. System
- II. Cell Phone as a telephone (Louisiana Surveillance Act)
- III. Cell Phone as a Tracking Device
- IV. Cell Phone as a file Cabinet
- V. Service Provider Protocol for Information
 - Preservation Letter
 - Subpoena Duces Tecum
 - Court Orders
 - Permission to Search
 - Search Warrant
- VI. Forensics
- VII. Application

I. Systems Information

A. Tower Information

1. 72 ft approximate
2. 1.78 mile effective range
3. Tower Phone use half a watt for out put
4. 832 frequencies per Service provider
5. Small power= small batteries and longer life
6. Can house multiple server providers or multiple frequency sets
7. Through technology (CDMA or TDMA) allows three signals per single frequency
8. Tower configurations
 - a. Small signal can not be picked up by same frequency with the tower placement
 - b. Line of site
 - c. www.cellreception.com gives you the towers in your area
9. Conversations use hard wiring through switching stations. Signals do not go tower to tower. Signals go tower to Mobile Switching Station to Tower.

Summary: The current system has information available for law enforcement at the cell sites (Maintained at switching stations) and the cell phone.

II. The Cell Phone as a phone (Louisiana Surveillance Act 15: 1303-1312)

A. Wire Taps (Aural Transfer) You can not obtain a State Wire Tap Order

1. Only an officer from the department of public safety may apply.
Definition of officer is State Police and the District Attorney.
2. Requires a special application (pg 16)
3. Has criminal penalties for non compliance
4. If an informant is used to establish PC, that informant will be forced to appear before the judge
5. Has a time limit
6. Privileged information does not apply
7. You can not own or possess the equipment
8. Applies to only certain crimes (pgs 13-15)
9. Has reporting requirements (pgs 24-25)
- 10 1312.B (A court order keeps you out of trouble)

B. Application for Pen Register and Trap and Trace

1. Requires a special application
2. Has criminal penalties for non - compliance
3. You can not own or possess the equipment civilians included
4. Applies to only certain crimes
5. Must have a certification from the head of agency that he/ she is aware of the investigation and supports the application.

Tool – Pen Register Trap and Trace Order

III. Cell Phone as a Tracking Device

A. Tracking

Information on a persons location at that exact time, does not necessarily require the person to use the service providers product.

Tool Tracking Order (Search Warrant)

B. Cell Site Information

Information on where a person was located when he/she used the service providers product.

Tool Court Order

IV. Cell Phone as File Cabinet

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Tool Search Warrant

V. **Service Providers** (Each provider has a special investigative or legal section to handle the investigation)

- | | |
|----------------------------|--------------------------------|
| A. At&T 800-635-6840 | E. Sprint/ Nextel 703-433-8860 |
| B. AllTell 877-500-6054 | F. Verizon 800-451-5242 |
| C. Sun Com 630-875-8270 | G. Tmobile 973-292-8911 |
| D. Centennial 260-715-4314 | H. US Cellular 630-875-8270 |

VI. **Be sure to obtain the following information. You will need it when you prepare the various paper work.**

A. Contact Person: Preservation Letter, subpoena, Court Order, and or Search Warrant has to be directed to a real person. Get the full name, Title

B. Company Name: Names can change fairly quickly, so get the current name of the company. Do not shorten it or abbreviate in any way.

C. Address: Get the address where the main office is located and the address where the information can be accessed.

D. Fax Number: Be sure you have the number before ending the conversation.

E. Department: You need to ascertain what office or section of the company you are working with.

VI. Service Provider Protocol

- | | |
|----------------------------------|-----------|
| A. Preservation Letter | Police |
| B. Subpoena Duces Tecum RS+ | D/A |
| C. Court Order RS | D/A |
| D. Tracking Order PC+ | D/A |
| E. Consent(Permission) to Search | Police |
| F. Search Warrant PC+ | Police/DA |

Art. 66. Subpoena of witness to appear before attorney general and district attorney

1. Upon written motion of the attorney general or district attorney
2. setting forth reasonable grounds therefor,
3. the court may order the clerk to issue subpoenas
 - a. directed to the persons named in the motion,

b. ordering them to appear at a time and place designated in the order for questioning by the attorney general or district attorney respectively, concerning any offense under investigation by him.

or

The court may also order the issuance of a subpoena duces tecum. Service of a subpoena or subpoena duces tecum issued pursuant to this Article upon motion of the attorney general may be made by any commissioned investigator from the attorney general's office, or in conformity with Article 734 of this Code.

VI. Forensic

The skill to enter into a cell phone for the purpose of retrieving information. Codes have to be passed, information could be encrypted, and the system has protections.

- A. For the State of Louisiana the Attorney General's Office has the best Cell Phone Forensic Lab.
- B. The Lab has its own protocol, but it won't waste a minute of its time if there is no search warrant authorizing the search for the information. (see our language for Search Warrants)

Appendix:

- 1. Microsoft Streets and Trips Ebay 2008 \$35
- 2. Free Directory Assistance (just so,so) 800-373-3411
- 3. www.fonefinder.net tells you who the service provider is on a certain number
- 4. www.gsmarena.com tells you the the particular phones features (search warrant information)
- 5. www.celluraccessory.com/cel.htm this will give you the user guide for your model
- 6. **Messaging Systems** It is the passage of text both sending and receiving to a device such as cell phone or Blackberry.

- a. **SMS- Short Message System**
- b. **EMS-Enhanced Message System**
- c. **MMS- Multimedia Message System**
- d. **Email- Electronic Email**

7. Tracking

- a. **Geographic Information Systems (GIS)** - For large-scale location-tracking systems, it is necessary to capture and store geographic information.

b. Global Positioning System (GPS) - A constellation of 27 Earth-orbiting satellites (24 in operation and three extras in case one fails).

3. Radio Frequency Identification (RFID) - Small, battery-less microchips that can be attached to consumer goods, cattle, vehicles and other objects to track their movements. RFID tags are passive

4. GSM Localisation: (Global Systems for Mobile) is accomplished by [triangulation](#) based on the signal strength to nearby signal masts. Newer systems offer locations with 3 meters of the signal.
(http://www.visualgsm.com/gsm_index.htm)

5. HSCSD: High Speed circuit switch data: 4 times faster than earlier technology

6. GPRS: General Packet Radio Service the standard of the industry for moving data across radio waves.

7. Glossary of terms: <http://www.mobiledia.com/glossary/>