

ERIE COUNTY SHERIFF'S OFFICE

MEMORANDUM

TO: All Cellular Phone Tracking Team Members

FROM: Chief Scott R. Patronik

DATE: June 11, 2014

SUBJECT: CELLULAR TRACKING PROCEDURES

1. Cellular tracking equipment is to be used for official law enforcement purposes only.
2. Notify the Chief of Special Services, or designee, of any cellular tracking requests/missions.
3. A CL will be taken "Asst Other Police – Cellular Tracking" (4519) (even if assisting ECSO Personnel). Include in the CL (at a minimum):
 - Reference original CL# or other agency name / case number;
 - Name and contact information of requestor;
 - Brief summary as to the purpose of the cellular tracking request. (Lost person, suicidal person, arrest warrant, etc);
 - Describe the legal authority for tracking the cellular phone (exigent circumstances, arrest warrant, court order, etc). Exigent circumstances exist when there is an immediate danger of death or serious physical injury to a person;
 - The phone number being tracked and the cellular provider for the number;
 - Name of the person being tracked (if known); and
 - If any data collected will be saved as evidence after the tracking session.

4. Unless there is a specific reason to do so, do not save any data collected by the cellular tracking equipment after the completion of the tracking session.
5. If data collected by the cellular tracking equipment is saved after the completion of a tracking session, the data must be handled as evidence (burned to non-rewritable media such as DVD-R, chain of custody, proper storage, etc). Before analyzing this collected evidence, you must discuss the collection with the appropriate prosecutor's office to ensure there is proper legal authority to analyze the collected data.
6. The following procedures are considered Law Enforcement Sensitive (LES) information, the disclosure of which would reveal non-routine criminal investigative techniques and procedures. At a minimum, these procedures will be disseminated only on a "need-to-know" basis and when unattended will be stored in a locked container or area offering sufficient protection against theft, compromise, inadvertent access and unauthorized disclosure.