I. Purpose

The purpose of this policy is to establish guidelines and procedures for deployment, operation and maintenance of the cellular electronic surveillance system that is maintained in the Harford County Special Investigations Division Members inventory.

II. Policy

The Harford County Special Investigations Division Members maintains an inventory of electronic surveillance equipment to aid in investigations related to cellular telephones. The equipment was purchased through a Homeland Security grant with the agreement to be utilized by agencies in the surrounding Urban Area Security Initiative (UASI) region. The equipment shall be housed with and maintained by the Harford County Special Investigations Division Members. This equipment will be utilized in investigations meeting certain criteria.
Harford County Sheriff’s Office
Policy#MAN6500: Cellular Electronic Surveillance

6500.1 Use and Maintenance

6500.1.1 Only Special Investigations Division members trained in the proper deployment of the Cellular Electronic Surveillance Equipment shall be allowed to deploy the equipment.
6500.1.2 The Harford County Special Investigations Division supervisor shall assign a qualified and trained member of the Special Investigations Division to be responsible for the care and maintenance of the cellular electronic surveillance equipment.
6500.1.3 Monthly inspections shall be completed by the Special Investigations Division Electronic Surveillance Technician.
6500.1.4 The cellular electronic surveillance equipment shall be available for deployment at all times with a trained operator.

6500.2 Pre-Deployment

6500.2.1 Exigent Circumstances – Kidnapping, Amber Alert, Crimes of Violence, etc.
6500.2.1.1 Contact the Special Investigations Division supervisor or if after hours, contact the on call supervisor.
6500.2.1.2 The Special Investigations Division supervisor shall make contact with the investigator and/or the jurisdiction requesting assistance to assess the request.
6500.2.1.3 The requesting investigator shall provide all information required to conduct the cellular electronic surveillance operation.
6500.2.1.3.1 The information shall include the subscriber information, cellular carrier, electronic serial number (ESN), and equipment serial number if available.
6500.2.1.3.2 The requesting investigator shall be responsible for obtaining a court order, if necessary, to obtain such information from the cellular carrier.
6500.2.1.3.3 In the event of an exigent circumstance, the investigator shall be responsible for obtaining the court order and following up with the cellular carrier.
6500.2.1.3.4 A copy of the court order shall be provided to the Special Investigations Division personnel and retained with the file.
6500.2.1.4 Upon approval, the Special Investigations Division supervisor shall assign a trained operator(s) who will meet with the investigator and/or other jurisdiction investigator.
6500.2.1.5 The investigating unit and/or other jurisdiction will provide additional support personnel to assist in the electronic surveillance as needed.

6500.2.2 Routine Circumstances

6500.2.2.1 To request assistance with cellular electronic surveillance, the investigator shall submit a written request with supervisor approval, utilizing the Request for Cellular Tracking Form (SO-146).
6500.2.2.2 The written request shall contain the following information:
6500.2.2.2.1 Nature of the investigation.
6500.2.2.2 Subscriber information.
6500.2.2.3 Electronic Serial Number (ESN).
6500.2.2.4 Equipment serial number if available.
6500.2.2.5 Copy of court order.
6500.2.2.6 If requested by another jurisdiction, the above information shall be documented on their agency’s letterhead and signed by their unit commander/supervisor.
6500.2.2.7 The request shall be forwarded to the Special Investigations Division supervisor for review, approval and assignment to a qualified, trained operator.
6500.2.2.8 The operator shall meet with the requesting investigator and/or the other jurisdiction investigator.
6500.2.2.9 The investigating unit or other jurisdiction shall provide additional support personnel who shall assist in the electronic surveillance as needed.
6500.2.2.10 Cellular Electronic Surveillance Equipment shall only be used for the following types of cases/incidents:
6500.2.2.10.1 Felonies.
6500.2.2.10.2 Critical missing persons.
6500.2.2.10.3 Crimes of violence.
6500.2.2.10.4 Incidents where the suspect poses an imminent threat to the public or law enforcement.

6500.2.3 Briefing
6500.2.3.1 Special Investigations Division personnel shall ensure the pre-operations briefing is conducted with all involved members of the surveillance operation.
6500.2.3.2 The briefing shall contain the following:
6500.2.3.2.1 Operations assignments.
6500.2.3.2.2 Communications to be used.
6500.2.3.2.3 Relief of personnel if necessary.
6500.2.3.2.4 Special equipment needs.
6500.2.3.3 The assigned Special Investigations Division member shall document the pre-operations briefing.
6500.2.3.4 All personnel involved in the operation shall be informed that any information related to the use, deployment and capabilities of the cellular electronic surveillance equipment shall only be shared or released on a need to know/right to know basis.

6500.3 Deployment
6500.3.1 The Special Investigations Division member shall ensure that members of the operation DO NOT utilize the cellular electronic surveillance equipment in the following manner:
6500.3.1.1 Take down and/or arrest of suspects.
6500.3.1.2 Vehicle pursuits.
6500.3.1.3 Undercover operations/purchases of contraband.
6500.3.2 A log of the operation activities shall be kept during the deployment.
6500.3.3 The cellular electronic surveillance may take the operation out of state.
6500.3.3.1 The decision to continue the operation must be seriously considered and prior approval must be received by the Special Investigations Division Commander or his designee.
6500.3.3.2 The Special Investigations Division investigator assigned shall make notification through the chain of command to the Special Investigations Division Commander of the pending out-of-state travel relating to the cellular electronic surveillance.
6500.3.3.3 The Special Investigations Division Commander or his designee shall give the final authority to continue the out-of-state travel.
6500.3.3.4 All expenses involved in any out-of-state operation shall be documented and forwarded through the chain of command to the Special Investigations Division Commander.

6500.4 Post Deployment
6500.4.1 At the conclusion of the deployment, the assigned investigator shall ensure the following:
6500.4.1.1 Document the results of the operation, to be retained with the Request for Deployment or request from other jurisdiction, the operational briefing packet and the operation log.
6500.4.1.2 Forward all documentation to the supervisor for review.
6500.4.2 All documentation shall be retained in the Special Investigations Division investigative files.

6500.5 Training
6500.5.1 The Special Investigations Division supervisor shall schedule quarterly training sessions for all trained investigators/operators.
6500.5.2 The training shall include practical exercises in electronic surveillance to enhance the operator’s proficiency in the use of the system.

6500.6 Press Releases
6500.6.1 The use of the Cellular Electronic Surveillance Equipment shall not be disclosed in any press release.

6500.7 Deviation
6500.7.1 Any deviation from this procedure must be authorized by the Harford County Special Investigations Division Commander.

Reference: CALEA 43.1.4