



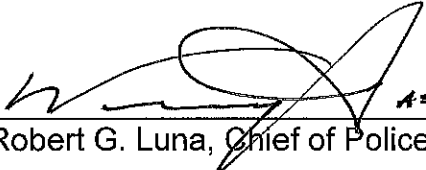
**Date:** October 21, 2020  
**To:** **WATCH REPORT**  
**From:** Robert G. Luna, Chief of Police  
**Subject:** **SPECIAL ORDER - CELLULAR COMMUNICATIONS INTERCEPTION TECHNOLOGY**

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This special order supersedes all prior special orders regarding the use of cellular communication interception technology.

Please see the attached policy and familiarize yourself on the requirements.

This special order will remain in effect until LBPD Manual Section CELLULAR COMMUNICATIONS INTERCEPTION has been developed.

  
Robert G. Luna, Chief of Police *AST. CDP*

10-21-2020  
Date

RGL:LD  
Special Order – CCIT



**Date:** September 10, 2020  
**To:** **WATCH REPORT**  
**From:** Robert G. Luna, Chief of Police  
**Subject:** **SPECIAL ORDER - CELLULAR COMMUNICATIONS INTERCEPTION TECHNOLOGY**

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Effective immediately, this Special Order will govern the use of the Long Beach Police Department's ("LBPD") Cellular Communications Interception Technology.

#### **DEFINITION**

**Cellular Communications Interception Technology (CCIT)** – means any device that intercepts mobile telephony calling information or content, including an international mobile subscriber identity catcher or other virtual base transceiver station that masquerades as a cellular station and logs mobile telephony calling information, per [California Government Code section 53166](#).

#### **BACKGROUND**

The use of CCIT provides valuable assistance in support of public safety objectives. Whether deployed as part of a search and rescue mission, a terrorist event, fugitive apprehension, the CCIT helps detectives quickly locate and arrest suspects or locate missing persons.

This special order shall serve to ensure any information obtained from the use of a CCIT device will be handled in a way that is consistent with all applicable laws, regulations, and policies that guide law enforcement on how it may and may not collect, retain, and disclose data. As such, either a search warrant will be obtained, or exigent circumstances shall exist prior to utilizing the CCIT device.

#### **DEPLOYMENT**

Use of the CCIT device shall be approved by the Sergeant of the Career Criminal Apprehension Team (CCAT) or by their chain of command. Prior to approval, the CCIT operator will ensure the use of the equipment will be in support of a public safety operation or criminal investigation and shall not be utilized unless the proper legal process has been followed.

Requests from another law enforcement agency to assist them with the use of the CCIT shall only be approved if it meets policy and legal statute. No deployment will take place until the proper legal paperwork (i.e., search warrant or exigent request) has been provided to the LBPD and has been reviewed to ensure it meets the legal requirements for use of the CCIT device. If the request is approved, the CCIT deployment form will be completed.

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In all cases where the CCIT is deployed, the authorized operator shall complete a CCIT deployment form. The form shall be signed by the operator responsible for the operation, the CCAT Sergeant who approved the operation, the Robbery – Homicide Lieutenant, and the Commander of the Special Investigations Division. Upon completion of the review and signature process, the form will be retained in the CCIT deployment file.

### **AUTHORIZED PERSONNEL**

The CCIT shall only be utilized and accessed by detectives authorized by the Special Investigations Division Commander and who have attended the requisite training.

### **LEGAL PROCESS**

The LBPD is committed to ensuring the collection and retention of data is lawful and appropriately respects the privacy interests of individuals. The LBPD shall not collect, retain, or disseminate any data except as authorized by this special order and by law. Consistent with applicable existing laws and requirements, including any duty to preserve exculpatory evidence, the Department's use of a CCIT shall include the following privacy practices:

- When the equipment is used to locate a known cellular device, all data must be deleted as soon as that device is physically located and no less than once daily.
- When the equipment is used following a disaster, or in a search and rescue context, all data must be deleted as soon as the person(s) in need of assistance has been located, and no less than once every ten days.
- Prior to deploying the equipment for any mission, the CCIT operator must verify the equipment has been cleared of any previous operational data.
- When a suspect is known to have been in two separate geographically different areas, any data collected to identify the cellular device shall be deleted upon completion of the mission, unless the data collected is deemed to have evidentiary value.

Data collected by the device, which is retained for the investigation, shall only be shared with those involved within the investigation, or when ordered produced as part of a legal compliance process.

In the event of a deployment under exigent circumstances, a search warrant must be obtained within three days of its use. The CCIT operator shall be responsible for ensuring the legal paperwork is obtained.

### **SECURITY**

The CCIT equipment shall be secured and maintained in a locked LBPD facility when not in the field. Access to the equipment will only be allowed to

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authorized personnel within the CCAT chain of command or those approved by the Special Investigations Division Commander, or their designee.

**ADMINISTRATIVE REVIEW**

The CCAT sergeant is responsible for conducting periodic audits to ensure compliance with obtaining search warrants prior to using the CCIT device, auditing exigent circumstances to ensure search warrants are obtained within three days, and ensuring the data obtained is being deleted in compliance with this policy and the law. The audits shall take place no less than once every six months. The CCAT Sergeant will document the audits and submit them for review to the Lieutenant of the Robbery - Homicide Section. The audits will be maintained by the Commander of the Special Investigations Section and retained in compliance with the Department's business document retention policy.

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