

"Keep Orlando a safe city by reducing crime and maintaining livable neighborhoods."

ORLANDO POLICE DEPARTMENT POLICY AND PROCEDURE

1638.1, CELL PHONE LOCATION TRACKING

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|--------------------------|-----------------------------------|
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POLICY:

This policy establishes guidelines compliant with Florida Statutes as it pertains to the geolocation or "ping" of cell phones. This encompasses both E911 Public Safety Answering Point (PSAP) requests and exigent circumstances.

PROCEDURES:

1. DEFINITIONS

Automatic Location Identification (ALI) - ALI is the automatic display at the PSAP of the end user's call back number, the address/location of the end user and, in some cases, supplementary emergency services information.

Public Safety Answering Point (PSAP) - PSAP is an answering location for E9-1-1 calls originating in a specified area.

Enhanced 9-1-1 (E911) System - is support for wireless phone users who dial **911**, a service that allows the location of the wireless user to be known to the call receiver.

Re-Bidding on the viper phone system - refreshes cellular 9-1-1 call data to acquire latitude and longitude coordinates.

Emergency Medical Services (EMS) - is a service providing out-of-hospital acute care and transportation of patients with illnesses and injuries which the patient believes constitute a medical emergency.

Cell Site Location Information (CSLI) - the location of a cellular tower.

Credible Threat - is a verbal or nonverbal threat, or a combination of the two, including threats delivered by electronic communication or implied by a pattern of conduct, which places the person who is the target of the threat in reasonable fear for his or her safety or the safety of his or her family members or individuals closely associated with the person, and which is made with the apparent ability to carry out the threat to cause such harm. It is not necessary to prove that the person making the threat had the intent to actually carry out the threat. For purposes of this policy, a **specific** threat to cause death or great bodily harm that we reasonably believe can be carried out is a credible threat. If the threat is assumed and not stated and we cannot determine any real threat exists, then it is not credible.

The Technology and Forensics Unit - Responsible for the overall control and security of the IRIS video surveillance system and maintains a record of each camera location.

Computer Aided Dispatch CAD - a method of dispatching and monitoring police officers via computer software.

Phase 1 Cell Phone Call- A call where the Federal Communications Commission (FCC) rules require wireless service providers to provide the PSAP with the telephone number of the originator of a wireless 911 call and the location of the cell site or base station transmitting the cell.

Phase II Cell Phone Call- A call where the FCC rules require wireless service providers to provide more precise location information to PSAS's; specifically, the latitude and longitude of the caller. This information must be accurate to within 50 to 300 meters depending upon the type of location technology used.

Electronic Surveillance Officer – Any officer responsible to assist with exigent cell phone location requests, historical records requests, and any other electronic support.

2. EMERGENCY 9-1-1 CELLULAR

When a Cellular 9-1-1 call is made to the Orlando Police Department, Desk Operators are authorized to utilize the provided geolocation information obtained via the Automatic Location Identification (ALI) display to locate or confirm the location of a subscriber, which has dialed or connected to the Orlando Police Department Public Safety Answering Point (PSAP) via the Enhanced 9-1-1 (E911) system.

While the cellular caller is actively connected to the PSAP, the Desk Operators must: 1) obtain the Phase 1 location of the cell tower used, 2) wait until after the 15 seconds have passed for the system to report a Phase 2 location and 3) request a re-bid on the Viper phone system to acquire new or updated Phase 2 geolocation information (i.e. to determine if the cellular caller is moving or a more accurate geo-location with a smaller error rate can be obtained by the Desk Operator.) The caller must be actively connected to the PSAP for the duration of this process.

If the cellular caller disconnects from the PSAP before the location of the subscriber was obtained or confirmed, and the nature of the E-9-1-1 call would warrant the response of police, fire or Emergency Medical Services (EMS) personnel, the Desk Operator will generate a call for service using the Phase 1 location and attempt to call the cellular caller back to acquire additional information. The Desk Operator will also notify the appropriate cell phone carrier to request subscriber information or Cell Site Location Information (CSLI) using information that can be found on the N: drive in the Law Enforcement Guide Folder. If the information comes back to another agency the Desk Operator will notify the appropriate agency. Below are examples of when this request would be necessary for Phase 1 type calls.

- a. The cellular caller requested assistance from police, fire or EMS before a complete and exact location could be obtained;
- b. The cellular caller indicated they were in a situation where they were mobile, and were unaware of the current location or direction of travel (i.e. kidnapped victims);
- c. The cellular caller was unintelligible, but the Desk Operator or on-duty supervisor identified background noises that would be indicative of a crime or situation where immediate emergency services intervention was required;
- d. Any other situation where the immediate intervention of emergency services is required to prevent the loss of life or property (i.e. suicidal callers and bomb threats).

3. NON-EMERGENCY

When the Desk Operator receives a non-emergency call from a caller requesting a well being check on a person and the caller is unable to provide information or a location for that person and can only provide a phone number (or social media contact i.e. Facebook, Snapchat, Twitter, Kickstart), the Desk Operator will ascertain if the threat is credible. All calls are taken on face value and Communications will respond accordingly which will include notifying the on-duty Communications Supervisor. The on-duty supervisor will review the information with the Desk Operator and acquire additional information from the caller to determine if there are any circumstances that would warrant a request for CSLI or cellular subscriber account information. If the on-duty supervisor believes that the threat is credible, he or she shall notify the on-duty watch commander to request that the cell phone carrier execute a cellular subscriber CSLI and acquire cellular subscriber account information from the appropriate cell phone carrier, using resources that can be found on the N: drive in the Law Enforcement Guide Folder.

When a cellular subscriber ping is executed, it is the responsibility of the on duty watch commander to request the designated Electronic Surveillance Officer be notified and request a cell site location of an identified cellular number. The request should be done as soon as possible.

Upon obtaining the requested information, if the location is in the City of Orlando, then a call for service will be generated in Computer Aided Dispatch (CAD) and the on duty Watch Commander will be notified. If the information is returned indicating another jurisdiction, the Supervisor or Desk Operator will notify the appropriate agency via phone or Teletype. Listed below are circumstances that would warrant a subscriber CSLI or a request for subscriber account information:

- a. The caller believes that the cellular caller is in a situation where immediate assistance from police, fire or EMS is required to prevent the loss of life and property and can articulate the reasoning for the request.
- b. Any other situation where the immediate intervention of emergency services is required to prevent the loss of life (i.e. exigent circumstances).
- c. If the emergency call requires immediate intervention of emergency services the request for the designated Electronic Surveillance Officer should be made immediately.