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May 7, 2015

Cyrus Farivar
Ars Technica

[REDACTED]
cyrus.farivar@arstechnica.com

Re: Public Records Act Request

Dear Mr. Farivar:

The San Bernardino County Sheriff's Department ("Department") has completed its review of the records you requested on April 13, 2015.

The Department objects to the disclosure of records that are exempt pursuant to state or federal law. (Government Code § 6254(k).) This includes any business or industry information protected by the trade secret privilege, (Civil Code § 3426.1 (d)), and any privileged "official information" not open, or officially disclosed, to the public, (Evidence Code section 1040).

The Department objects to disclosure of confidential investigative and intelligence records. Government Code section 6254, subdivision (f) protects investigative files of a law enforcement agency from disclosure. (*City Of Hemet v. Superior Court* (1995) 37 Cal.App. 4th 1411, 1422). "[R]ecords of investigations conducted by local police agencies are not open to inspection under the California Public Records Act" (*Jackson v. County of Sacramento* (E.D. Cal. 1997) 175 F.R.D. 653, 654-655). The section 6254(f) exemption is not limited to situations where the likelihood of enforcement has ripened into something concrete and definite. (*Haynie v. Superior Court* (2001) 26 Cal. 4th 1061, 1070.) Furthermore, the exemption continues for an indefinite period of time, even after an investigation has concluded. (*Williams v. Superior Court* (1993) 5 Cal. 4th 337, 355-362, and *Rivero v. Superior Court* (1997) 54 Cal.App.4th 1048, 1052.)

Finally, the Department objects to the disclosure of documents when the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record. (Government Code § 6255(a); *Times Mirror Co. v. Superior Court* (1991) 53 Cal.3d 1325; *Rogers v. Superior Court* (1993) 19 Cal.App.4th 469.) This includes any records that qualify as preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained in the ordinary course of business. (Government Code § 6254(a); *Citizens for A Better Environment v. Department of Food and Agriculture* (1985) 171 Cal. App. 3d 704.)

Without waiving these or any other objections, exemptions, or privileges relating to this request, the Department has nonetheless made a good faith effort to identify records which may be responsive to your request.

Below, please find an itemized list addressing your records requests:

1. Any and all records regarding your agency's acquisition of cell site simulators, including but not limited to invoices, purchase orders, contracts, loan agreements, evaluation agreements, solicitation letters, correspondence with companies and public agencies that provide the devices, and similar documents.

See attached one (1) page "Report/Recommendation to the Board of Supervisors of San Bernardino County, California and record of Action" dated December 18, 2012. This document is the public record signifying the County's purchase of the wireless receiving system from the Harris Corporation.

2. Any and all records regarding any offer, proposal, arrangement, agreement, or memorandum of understanding with the California Highway Patrol ("CHP"), Naval Criminal Investigative Service ("NCICS"), Federal Bureau of Investigation ("FBI"), U.S. Marshals Service, FBI's Data Intercept Technology Unit ("DITU"), Northern California Regional Intelligence Center ("NCRIC"), and/or any corporation, to borrow, permanently acquire from, or use any cell site simulator owned or possessed by the named entities.

The Department has not located any disclosable documents that are responsive to this request.

3. Any and all nondisclosure agreements with Harris Corporation, Digital Receiver Technology (DRT, formerly Utica Systems, now a subsidiary of Boeing Corporation), Septier Communication Limited, Proximus LLC, any other corporation, and any state or federal agencies, regarding your agency's actual or potential possession or use of cell site simulators

See attached 6 page non-disclosure agreement between the Sheriff's Department and the FBI. The document is redacted pursuant to Government Code § 6255(a), and § 6254(c).

4. Any and all records regarding policies and guidelines governing use of cell site simulators, including but not limited to

a) when, where, how, and against whom they devices may be used,

b) logging, retention, purging, use, and auditing data stored in or communicated from the devices,

c) under what circumstances administrative warrant, judicial warrant, or other legal process must, should, or should not be obtained prior to, during, or following direct or indirect use of the devices,

d) under what circumstances the existence or use of the devices must, should, or should not be revealed to judges, prosecutors, defense attorneys, criminal defendants, or the general public., and

e) parallel construction techniques for use in avoidance of disclosure of the initial method of discovery of information gained initially by use of cell site simulators

The Department has not located any disclosable documents that are responsive to this request.

5. Any and all training materials for use of cell site simulators

The Department has not located any disclosable documents that are responsive to this request.

6. Any and all records regarding any communications or agreements with wireless service providers (i.e., mobile phone carriers such as AT&T, CenturyLink, CREDO Mobile, MetroPCS, Sprint, Ting, T-Mobile, Verizon, Virgin Mobile, etc.) concerning use of cell site simulators

The Department has not located any disclosable documents that are responsive to this request.

7. Any and all records regarding any communications, licenses, waivers, or agreements, with federal or state communications regulatory agencies (e.g., Federal Communications Commission, Canadian Radio-television and Telecommunications Commission, California Public Utilities Commission) concerning use of cell site simulators

See attached redacted Non-Disclosure Agreement between the Department and the FBI. See attached six (6) page non-disclosure agreement between there Sheriff's Department and the FBI. The document is redacted pursuant to Government Code § 6255(a), and § 6254(c).

8. Any and all records reflecting the number of investigations in which cell site simulators were used, the number of those investigations that resulted in prosecutions, and the number of those investigations that resulted in convictions

Department records indicate that the device was used 201 times in 2014, and was used 102 times between January 1, 2015 and May 7, 2015. Further detail regarding the use of the device cannot be provided, and is exempt from disclosure pursuant to the authorities discussed above.

9. Any and all records reflecting a list of all criminal cases, with docket and/or case numbers if available, in which law enforcement officers or other staff used or arranged for the use of one or more cell site simulators as part of the underlying investigations

The Department has not located any disclosable documents that are responsive to this request. Any records of this type are exempt from disclosure pursuant to the authorities discussed above.

10. Any and all applications submitted to state or federal courts for warrants, orders, or other other authorization for use of cell site simulators in criminal investigations, as well as any warrants, templates, orders, authorizations, denials of warrants, denials of orders, denials of authorization, and returns of warrants associated with those applications

See attached six (6) page template used by detectives seeking a search warrant to obtain information pertaining to cell phones. Any additional Department records responsive to this request are exempt from disclosure pursuant to the authorities discussed above.

11. Any and all records regarding the use of cell site simulators in closed investigations

Any Department records responsive to this request are exempt from disclosure pursuant to the authorities discussed above.

12. Any and all date and docket number of any responsive records that are sealed

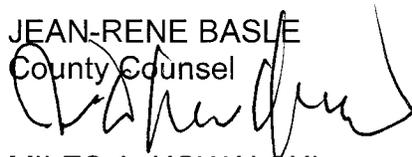
The Department has not located any disclosable documents that are responsive to this request. Any records of this type are exempt from disclosure pursuant to the authorities discussed above.

13. Any and all associated metadata

Any Department records responsive to this request are exempt from disclosure pursuant to the authorities discussed above.

Sincerely,

JEAN-RENE BASLE
County Counsel



MILES A. KOWALSKI
Deputy County Counsel

#2DD8611

U.S. Department of Justice

Federal Bureau of Investigation



Washington, D.C. 20535-0001

December 7, 2012

[REDACTED]
Captain
San Bernardino Sheriff's Department
[REDACTED]
San Bernardino, CA 92402

Re: Acquisition of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

Dear [REDACTED]

We have been advised by Harris Corporation of the San Bernardino Sheriff's Department's request for acquisition of certain wireless collection equipment/technology manufactured by Harris Corporation. Consistent with the conditions on the equipment authorization granted to Harris Corporation by the Federal Communications Commission (FCC), state and local law enforcement agencies must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement prior to the acquisition and use of the equipment/technology authorized by the FCC authorization.

As you are aware, law enforcement agencies increasingly rely on wireless collection equipment/technology to conduct lawfully-authorized electronic surveillance. Disclosing the existence of and the capabilities provided by such equipment/technology to the public would reveal sensitive technological capabilities possessed by the law enforcement community and may allow individuals who are the subject of investigation wherein this equipment/technology is used to employ countermeasures to avoid detection by law enforcement. This would not only potentially endanger the lives and physical safety of law enforcement officers and other

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individuals, but also adversely impact criminal and national security investigations. That is, disclosure of this information could result in the FBI's inability to protect the public from terrorism and other criminal activity because, through public disclosures, this technology has been rendered essentially useless for future investigations. In order to ensure that such wireless collection equipment/technology continues to be available for use by the law enforcement community, the equipment/technology and any information related to its functions, operation, and use shall be protected from potential compromise by precluding disclosure of this information to the public in any manner including but not limited to: in press releases, in court documents, during judicial hearings, or during other public forums or proceedings. Accordingly, the San Bernardino Sheriff's Department agrees to the following conditions in connection with its acquisition and use of the Harris Corporation equipment/technology:

1. By entering into this agreement, the San Bernardino Sheriff's Department affirms that it has statutory authority to lawfully employ this technology and will do so only in support of public safety operations or criminal investigations.
2. The San Bernardino Sheriff's Department assumes responsibility for operating the equipment/technology in accordance with Federal law and regulation and accepts sole liability for any violations thereof, irrespective of the Federal Bureau of Investigation approval, if any, for the sale of the equipment/technology.
3. The San Bernardino Sheriff's Department will ensure that operators of the equipment have met the operator training standards identified by the FBI and are certified to conduct operations.
4. The San Bernardino Sheriff's Department will coordinate with the FBI in advance of its use of the wireless collection equipment/technology to ensure de-confliction of respective missions.
5. The San Bernardino Sheriff's Department will not distribute, disseminate, or otherwise disclose any information concerning the wireless collection equipment/technology or any software, operating manuals, or related technical documentation (including its technical/engineering description(s) and capabilities) to the public, including to any non-law enforcement individuals or agencies.
6. The San Bernardino Sheriff's Department will not distribute, disseminate, or otherwise disclose any information concerning the wireless collection equipment/technology or any software, operating manuals, or related technical documentation (including its technical/engineering description(s) and capabilities) provided to it to any other law enforcement or government agency without the prior written approval of the FBI. Prior to any approved distribution, dissemination, or comparable disclosure of any information concerning the wireless collection equipment/technology or any software, manuals, or related technical documentation related to such equipment/technology, all materials shall be marked "Law Enforcement Sensitive, For Official Use Only - Not to be Disclosed Outside of the San Bernardino Sheriff's Department."

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7. The San Bernardino Sheriff's Department shall not, in any civil or criminal proceeding, use or provide any information concerning the Harris Corporation wireless collection equipment/technology, its associated software, operating manuals, and any related documentation (including its technical/engineering description(s) and capabilities) beyond the evidentiary results obtained through the use of the equipment/technology including, but not limited to, during pre-trial matters, in search warrants and related affidavits, in discovery, in response to court ordered disclosure, in other affidavits, in grand jury hearings, in the State's case-in-chief, rebuttal, or on appeal, or in testimony in any phase of civil or criminal trial, without the prior written approval of the FBI. If the San Bernardino Sheriff's Department learns that a District Attorney, prosecutor, or a court is considering or intends to use or provide any information concerning the Harris Corporation wireless collection equipment/technology, its associated software, operating manuals, and any related documentation (including its technical/engineering description(s) and capabilities) beyond the evidentiary results obtained through the use of the equipment/technology in a manner that will cause law enforcement sensitive information relating to the technology to be made known to the public, the San Bernardino Sheriff's Department will immediately notify the FBI in order to allow sufficient time for the FBI to intervene to protect the equipment/technology and information from disclosure and potential compromise.

Notification shall be directed to the attention of:

Assistant Director
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
[REDACTED]

Quantico, Virginia 22135
[REDACTED]

and

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
[REDACTED]

Quantico, Virginia 22135
[REDACTED]

8. In addition, the San Bernardino Sheriff's Department will, at the request of the FBI, seek dismissal of the case in lieu of using or providing, or allowing others to use or provide, any information concerning the Harris Corporation wireless collection equipment/technology, its associated software, operating manuals, and any related documentation (beyond the evidentiary results obtained through the use of the equipment/technology), if using or providing such information would potentially or actually compromise the equipment/technology. This point supposes that the agency has some control or influence over the prosecutorial process. Where such is not the case, or is limited so as to be inconsequential, it is the FBI's expectation that the law enforcement

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agency identify the applicable prosecuting agency, or agencies, for inclusion in this agreement.

9. A copy of any court order in any proceeding in which the San Bernardino Sheriff's Department is a party directing disclosure of information concerning the Harris Corporation equipment/technology and any associated software, operating manuals, or related documentation (including its technical/engineering description(s) and capabilities) will immediately be provided to the FBI in order to allow sufficient time for the FBI to intervene to protect the equipment/technology and information from disclosure and potential compromise. Any such court orders shall be directed to the attention of:

Assistant Director
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
[REDACTED]
Quantico, Virginia 22135
[REDACTED]

and

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
[REDACTED]
Quantico, Virginia 22135
[REDACTED]

10. The San Bernardino Sheriff's Department will not publicize its acquisition or use of the Harris Corporation equipment/technology or any of the capabilities afforded by such equipment/technology to the public, other law enforcement agencies, or other government agencies, including, but not limited to, in any news or press releases, interviews, or direct or indirect statements to the media.
11. In the event that the San Bernardino Sheriff's Department receives a request pursuant to the Freedom of Information Act (5 U.S.C. § 552) or an equivalent state or local law, the civil or criminal discovery process, or other judicial, legislative, or administrative process, to disclose information concerning the Harris Corporation wireless collection equipment/technology, its associated software, operating manuals, and any related documentation (including its technical/engineering description(s) and capabilities), the San Bernardino Sheriff's Department will immediately notify the FBI of any such request telephonically and in writing in order to allow sufficient time for the FBI to seek to prevent disclosure through appropriate channels. Notification shall be directed to the attention of:

Assistant Director
Operational Technology Division

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UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

Federal Bureau of Investigation
Engineering Research Facility

[REDACTED]
Quantico, Virginia 22135
[REDACTED]

and

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility

[REDACTED]
Quantico, Virginia 22135
[REDACTED]

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The San Bernardino Sheriff's Department's acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative and wireless collection equipment operators of the San Bernardino Sheriff's Department.

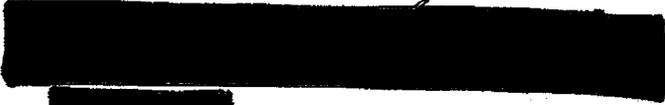
Sincerely,


Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this 19 day of December, 2012.



Captain
San Bernardino Sheriff's Department
San Bernardino, CA



Detective

SUPERIOR COURT DISTRICT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO

IN THE MATTER OF THE APPLICATION) Case Number
OF THE PEOPLE OF THE STATE OF)
CALIFORNIA FOR AN ORDER) APPLICATION
AUTHORIZING THE USE OF A PEN) (UNDER SEAL)
REGISTER AND A TRAP-AND-TRACE)
DEVICE ON TELEPHONE LINE CUR-)
RENTLY DESIGNATED BY TELEPHONE)
NUMBER:)
Telephone Number / Carrier)

DetectiveName, a Detective for the San Bernardino County Sheriff's Department, hereby applies to the Court for an Order (1) authorizing the use of a PEN register on the telephone lines currently designated by the numbers: Telephone Number(the "Telephone Line"); (2) authorizing the use of a trap-and-trace device on the Telephone Line; and (3) requiring the disclosure of subscriber name and address, whether listed or unlisted, for numbers called by the Telephone Line or numbers calling the Telephone Line, or found during investigation of this case upon oral or written demand of agents of the San Bernardino County Sheriff's Department. In support of this application, he states the following:

- 1) I am a detective for the San Bernardino County Sheriff's Department and am requesting an Order authorizing the installation and use of a PEN register and a trap-and-trace device, and the disclosure of subscriber information.
- 2) I certify that the San Bernardino County Sheriff's Department is conducting a criminal investigation of Crime in connection with possible violations of Crime Definition. It is believed that the below named persons and other unknowns are using the Telephone Lines in furtherance of the subject offenses and that the information likely to be obtained from the PEN register and the trap-and-trace devices is relevant to the ongoing criminal investigation being conducted by the above-named agency.

AFFIDAVIT

**Insert Probable Cause

Telephone Number Information

**Insert how phone number identified

3) I, the applicant, request that the Court issue an Order authorizing the installation and use of a PEN register to register numbers dialed or pulsed from the telephone line to record the date and time of such dialing's or pulsing and to record the length of the time the telephone receiver in question is off the hook for incoming calls for a period of 60 days.

4) Applicant further requests that the Order authorize the installation in use of a trap-and-trace device on the telephone line to record the telephone numbers calling the Telephone Line.

5) Applicant is aware that individuals involved in criminal and/or narcotic trafficking commonly change their phone numbers in order to defeat surveillance by law enforcement. Applicant understands that a PEN register is defined as a device which records or decodes electronic or other impulses that identify the numbers dialed or otherwise transmitted on the telephone lines to which such devices attached.

Therefore, as PEN registers are defined with respect to telephone lines, not with respect to numbers or subscribers, and as the government has information showing that the locations from which the PEN registers are requested, are being used for criminal purposes, the applicant requests that this Order for the PEN register is to remain in force in the event that the numbers or subscribers to the Telephone Line are changed.

6) Applicant further requests that the Order direct furnishings of information, facilities, and technical assistance necessary to accomplish the installation of the PEN register, trap and trace device, and location information including installation and operation of the device unobtrusively and with the minimum of disruption of the normal telephone service. The wire communication service providers shall be compensated by the San Bernardino County Sheriff's Department for a reasonable expense incurred in providing such facilities and technical assistant.

7) Applicant further requests the Telephone Carrier and any other affected telephone companies, long-distance carriers, Information Service Provider, Internet Service Providers, VOIP Providers and any other service provider be ordered to supply any and all information in their files with respect to persons, including but not limited to call detail records (CDR), calls to destination, calls called by the Telephone Line and persons calling the Telephone Line (except for the contents of communications), the target number and any other number discovered during this investigation, whether published or non-published, including but not limited to subscriber names and addresses, driver's license numbers, Social Security numbers, application information, and billing information, for historical records of 60 days prior to this court order, upon oral or written demand of agents of the San Bernardino County Sheriff's Department.

8) Applicant further requests that this Order and Application be sealed until otherwise ordered by the court, and that Telephone Carrier and any other affected companies shall not disclose the existence of the PEN register, the trap-and-trace device, or the investigation to the listed subscribers or to any other person, unless or until otherwise ordered by the court.

WHEREFORE, it is respectfully requested that the Court grant an Order for a period of 60 days from the date hereof; (1) authorizing the installation and use of a PEN register to register numbers dialed or pulsed from the Telephone Line; (2) authorizing the installation and use of a trap-and-trace device to record the telephone numbers of telephone instruments calling the Telephone Line including location information; (3) directing Telephone Carrier and any other affected telephone companies to forthwith furnish agents of the San Bernardino County Sheriff's Department with all information, facilities, and technical assistance necessary to accomplish the installation of the PEN register and trap-and-trace device; (4) directing Telephone Carrier and any other affected telephone companies, Information Service Providers, Internet Service Providers, long-distance carriers and VOIP Providers to supply subscriber names and addresses for persons called by the Telephone Line, calling in and any other number identified during the investigation whether listed or unlisted, upon oral or written demand of agents of the San Bernardino County Sheriff's Department; and (5) sealing this application and Court's Order.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED: _____

_____, Affiant's Name
San Bernardino County Sheriff's Department

SUPERIOR COURT DISTRICT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO

IN THE MATTER OF THE APPLICATION)	Case Number
OF THE PEOPLE OF THE STATE OF)	
CALIFORNIA FOR AN ORDER)	Court Order
AUTHORIZING THE USE OF A PEN)	(UNDER SEAL)
REGISTER AND A TRAP-AND-TRACE)	
DEVICE ON TELEPHONE LINE CUR-)	
RENTLY DESIGNATED BY TELEPHONE)	
NUMBER:)	
Telephone Number / Carrier)	

This matter having come before the San Bernardino County Superior Court by Detective Affiant's Name, whose probable cause application requests an Order pursuant to USC Title 18, 2703d, USC Title 18, 3121 - 3127, and Electronic Communications Privacy Act (ECPA) - 18 U.S.C - 2701-2712, authorizing the installation and use of a PEN register and trap-and-trace device and location information on the following telephone lines:

a) Telephone Number

b) The "Telephone Lines," the Court finds that the applicant has certified that the information likely to be obtained by such installation and use is relevant to an ongoing criminal investigation of Crime in connection with possible violations of Crime Definition

IT APPEARING that probable cause exists to believe that those named in the application are involved in the commission of Crime and/or using the telephone line in furtherance of the commission of Crime Definition and the numbers dialed or pulsed from the Telephone Line are relevant to an ongoing criminal investigation of the specified offenses;

IT IS ORDERED, pursuant to the San Bernardino County Superior Court, that the agents of the San Bernardino County Sheriff's Department, the United States Marshall's Service (USMS), and/or any other law enforcement agency may install and use the PEN register to register numbers dialed or pulsed from the Telephone Line to record the date and time of such dialing or pulsing, and to record the length of time the telephone receiver in question is off the hook for incoming or outgoing calls without geographical limitations to include the entire United States, for a period of 60 days from date of this order; and

IT IS ORDERED, that detectives or authorized civilians of the San Bernardino County Sheriff's Department, USMS and/or any other law enforcement agency may install and use a trap-and-trace device on the Telephone Line to record the telephone numbers calling or being called to the Telephone Line, and all other functions and capabilities of the target device(s) including but not limited to all wireless digital functions, wireless analog functions, digital dispatch functions and automatic mode switching functions if available without geographical limitations to include the entire United States.

IT IS ORDERED that Telephone Carrier, Google, Skype Communications SARL, Blackberry (RIM) and any and all telecommunications providers subject to regulation by the Federal Communications Commission to provide telecommunications services within the United States of America, as listed on an ongoing basis on FCC Form 499-A (hereinafter referred to as "Telecommunications Companies"), or Internet Service Providers (hereinafter referred to as ISP), VOIP Providers and any other service provider shall furnish information, facilities, and technical assistance 24 hours a days, 7 days a week, necessary to accomplish the installation and operation of the devices unobtrusively and with a minimum of disruption of normal telephone service.

IT IS ORDERED that Telephone Carrier, Google, Skype Communications SARL, Blackberry (RIM) shall activate and provide caller ID information and any calling features such as call forwarding and speed dialing currently assigned to the phone number, if available.

IT IS ORDERED that Telephone Carrier, Google, Skype Communications SARL, Blackberry (RIM) and any other Telecommunications company, ISP, VOIP Provider shall provide cell site data and/or GPS location information including, but not limited to, cell site location (physical address) of call initiation, call termination, and call progress locations (Automated Message Accounting Data) connected to the use of each target telephone and any and all cellular telephones called or being called by each target number without geographical limitations, pursuant to Title 18 USC Section 2703(D). Such service provider shall initiate a signal to determine the location of the subject's mobile device on the service provider's network or with such other reference points as may be reasonable available and at such intervals and times as directed by the law enforcement agent serving this order for a period of (60) days.

IT IS ORDERED that Telephone Carrier, Google, Skype Communications SARL, Blackberry (RIM) and any other Telecommunications Company, Internet Service Provider, VOIP Providers and any other service providers, provide toll information pursuant to Title 18 USC Section 2703(D), Call Detail Records (CDR's), calls to destination, Per Call Measurement Data, Real Time Tool, Calea Event GPS locations, including any and all historical data for a period of 60 days prior to the date of this order and/or for the duration of this order, originating and terminating call detail, ESN or other equipment identifying information to include: any other phones, phone numbers associated with the account and/or phone number changes, buddy list, and cell site location information from any and all telephones called or being called by each target number, any numbers discovered thru the investigation and the target number if available and shall provide that information within 48 hours of request from Law Enforcement when requested verbally or in writing.

IT IS ORDERED that the PEN register trap-and-trace devices on the Telephone Line are to be continued to be authorized in spite of the fact that the subscriber or the number of the Telephone Line may change; further, it is ordered that the affected telephone company notify the San Bernardino County Sheriff's Department regarding any changes of the number or subscriber of the Telephone Line.

IT IS ORDERED that Telephone Carrier, Google, Skype Communications SARL, Blackberry (RIM) and any and all telecommunications providers, ISP, or VOIP Provider, providing service to the target telephone(s) to continue to provide service to the target telephone(s) for the duration of the intercept, regardless of unpaid balances, the telecommunication Companies, ISP, and VOIP Providers be ordered to not disclose to the target subject(s) the fact that the service was continued in spite of unpaid balances. In the event the telecommunications, ISP, VOIP Provider continue to provide service to the

target telephone(s) regardless of unpaid balance, and the target subject(s) do not pay for the continued service, the telecommunications companies shall be compensated by the agency executing the court order of the service that was continued regardless of unpaid balances, pursuant to the court's order

IT IS ORDERED, pursuant to the San Bernardino County Superior Court, that Telephone Carrier, Google, Skype Communications SARR, Blackberry (RIM) and any other affected telephone companies and long-distance carriers shall be compensated by the San Bernardino County Sheriff's Department for reasonable expenses incurred, complying with the Court's Order.

IT IS FURTHER ORDERED that Telephone Carrier, Google, Skype Communications SARR, Blackberry (RIM) and any other affected telephone companies, long-distance carriers, ISP, VOIP Provider and any other service provider shall supply any and all information in their files with respect to persons called by the Telephone Line, the current telephone line, for persons calling the Telephone Line, and any other number that is identified thru this investigation whether published or non-published, including but not limited to subscriber names and addresses, driver's license numbers, date of birth, Social Security numbers, application information, credit information and billing information, and any other phones, calling plan, start and stop dates, ESN, IMSI, IMEI, SIM numbers, buddy list subscribed by the requested subscriber, information related to Blackberry Enterprise server (BES) including IP address, domain, subscriber information of BES, and any other users that are attached to the BES upon oral or written demand of agents of the San Bernardino County Sheriff Department; and shall provide that information within 48 hours of request from Law Enforcement

IT IS FURTHER ORDERED that this Order and the application be sealed until otherwise ordered by the Court, and that Telephone Carrier, Google, Skype Communications SARR, Blackberry (RIM), and any other affected Telecommunications companies, ISP, VOIP Provider and any other service providers shall not disclose the existence of the PEN register, the trap-and-trace device, or the existence of the investigation to the listed subscriber or to any other person, unless or until otherwise ordered by the Court.

DATED: _____

CALIFORNIA SUPERIOR COURT JUDGE

SIGNATURE