

**SAN DIEGO POLICE DEPARTMENT  
ORDER**

**DATE/TIME:** MAY 19, 2023 1715 HOURS

**NUMBER:** OR 23-13

**SUBJECT:** MOBILE DEVICE COLLECTION, IMPOUND, AND LOCKER  
PROCEDURE

**SCOPE:** ALL MEMBERS OF THE DEPARTMENT

**DEPARTMENT PROCEDURE AFFECTED:** DP 3.02

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**Portions of this document are deemed by the San Diego Police  
Department to be records of security procedures and are exempt from  
disclosure under the California Public Records Act (CPRA), Government  
Code Section 7923.600**

Investigations are constantly encountering mobile devices such as cellular phones and tablets. Preserving data is critical for these mobile devices and several steps are required to prevent a possible data wipe. Due to modern mobile devices' use of encryption, it is recommended to keep them powered on as long as possible and to isolate them from any network using Airplane Mode, Faraday bags, or, at a minimum, aluminum foil.

**Effective immediately, these procedures shall be followed for the collection and impound of mobile devices.**

Officers shall follow these steps:

- A. Mobile Devices
1. If the device requires DNA and /or latent print analysis, take the necessary steps to preserve potential evidence. Note, DNA analysis may not be possible if a Faraday bag is used for the mobile device. Refer to DP 3.02 for proper packaging.
  2. Determine the power status of the mobile device.
    - a. If the device is **OFF**, then leave the device **OFF**. Create a Barcode label, place the device in a package, seal it, and submit it to the Property Room. **Do Not Use the Mobile Device Locker.**
    - b. If the device is **ON**, place the mobile device in Airplane mode, when possible. This mode should be accessible, even if the device is locked.
      - (1) If images or other potentially incriminating information is unintentionally viewed while activating the airplane mode function, minus a legally allowed reason to search the device, it **SHALL NOT** be used in any search warrants or probable cause

declarations thereafter, unless there is a lawful reason for the search. The probable cause for any mobile device shall stand on its own, without this inadvertently collected information.

- (2) If Airplane Mode is not enabled, the device is not protected at this point from a possible data wipe. **If Department personnel are unable to activate the Airplane mode, they shall transport the device to the SDPD Property Room as soon as possible. Proceed to step 3.**
3. Locate the Mobile Device Locker, identified as the “MOBILE DEVICE LOCKER” and select an open cabinet with a key. **If a cabinet is not available, proceed to step 7.** Place the mobile device in a clear bag with an attached Barcode label. Connect the device to the cable inside the Faraday bag using the appropriate cable (located in the bag’s exterior zipper pouch) for charging. Place the charging device inside the black Faraday bag. **Do not use evidence tape on the clear bag containing the mobile device.** Prior to locking the door, confirm the following:
  - a. Check all cable connections.
  - b. Locker charging cable is connected to the external block on the Faraday bag.
  - c. Faraday bag’s interior cable is connected to the appropriate charging cable that is connected to the mobile device. Verify that the mobile device is charging.
  - d. Close the Faraday bag by folding the open end until you can snap the button.
4. **Complete the Mobile Device Courtesy Hold Form only for powered-ON mobile devices. Fill out a separate form for each device impounded.** Affix the mobile device’s barcode label to the form. In addition, the following information is required to be completed on the form: SDPD Case Number, assigned detective (if known), investigative unit, estimated battery level of the mobile device, whether Airplane Mode is on or off, and the locker cabinet used for impound. Drop the completed form in the bin marked “COMPLETED Mobile Device Courtesy Hold forms.”
5. The Crime Laboratory will only retain a mobile device charge for up to 10 business days while the investigator determines whether there is legal justification to search the device. **After 10 business days, the device will be returned to the Property Room without a charging source.**
  - a. Many mobile devices contain personal information, sensitive material that enhance people’s lives. **As such, it is imperative that the assigned investigator determine whether there is legal justification to search the mobile device and obtain a search warrant as soon as possible, in accordance with DP 3.02 Section XIII.C.**

- (1) After the 10 business day hold has been exceeded, and the device is returned to the Property Room, the impounding Department personnel must contact their supervisor to evaluate the need to continue to hold the device for further investigatory purposes or to release the device.
6. Remove the key from the used cabinet door and drop the key into the slot of the key box located on the left side of the Mobile Device Locker. **Do not retain the locker key.**
7. Mobile devices shall be removed from the Mobile Device Locker by Crime Laboratory personnel.
8. If no cabinet is available on the Mobile Device Locker, proceed with the following steps:
  - a. Determine the remaining battery life for the mobile device received **ON**.
  - b. Enable Airplane Mode and proceed to step d.
  - c. If Airplane Mode cannot be activated, wrap the entire mobile device with aluminum foil (located in the Property Room) at least five times and verify that no wires or exterior of the mobile device is exposed. Place the mobile device in the appropriate packaging and submit the item to the Property Room.
  - d. **Complete the Mobile Device Courtesy Hold Form only for powered-ON mobile devices. Fill out a separate form for each device impounded.** Affix the mobile device's barcode label to the form. In addition, the following information is required to be completed on the form: SDPD Case Number, assigned detective (if known), investigative unit, estimated battery level of the mobile device, and whether Airplane Mode is on or off. Check "None available" in the "Locker cabinet used" field. Drop the completed form in the bin marked "COMPLETED Mobile Device Courtesy Hold forms" on the Mobile Device Locker.

## B. TRAINING

1. In anticipation of the upcoming Department-wide use of the "**Mobile Device Locker**", a SuccessFactors video is available to highlight the basic operation and features of the **Mobile Device Locker**. This video is mandatory for all Department members. *Factors captures the time stamp of your initial access*

*and closing of the learning. Do not open any other windows while completing the learning.*

To access the video in SuccessFactors:

- a. Please use Google Chrome Web Browser.
- b. Enter **(Deleted – records of security)** and login with City LAN access.
- c. Select “Success Factors (Production)”
- d. At the first screen, check to make sure you see the word “Learning” in the upper left corner. If you see “Analytics” or “Home” in that area, click on that word and then click on “Learning” from the drop down. This will take you to the “Learning” page.
- e. In the middle of the screen you will see a box with the header “Find Learning” that contains a search line which reads, “What do you want to LEARN today?” In that search box type “Mobile Device Locker”.
- f. The course will show up on your screen. Click on “Mobile Device Locker” and then click on “Start Course”.
- g. At the conclusion, you must click “agree” at the bottom of the screen to ensure you receive credit for completing the section. You will then click “Return to Content Structure” to end the learning.
- h. Then Click on “Mobile Device Locker” and watch the video.
- i. On the next screen click on the section for this learning. This is in blue font. Click the blue font to begin the section. At the conclusion, you must click “agree” at the bottom of the screen to ensure you receive credit for completing the section. You will then click “Return to Content Structure” to end the learning and view the completion certificate.

Department members shall not use the “Mobile Device Locker” prior to viewing the training video. All sworn Department members shall complete this training **by June 9, 2023**. The video is currently available for viewing on SuccessFactors.

If you have any questions or if troubleshooting is required for anything related to the

Mobile Device Locker, please contact the San Diego Police Department Crime Laboratory at **(Deleted – records of security)** or email **(Deleted – records of security)**

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Please read at squad conferences and give a copy to all personnel.