

Cell-site simulator technology provides valuable assistance in support of critical public safety objectives. Whether deployed as part of a felony fugitive apprehension effort or to locate and rescue a kidnap victim, cell-site simulators fulfill critical law enforcement operational needs.

Cell-site simulator technology must be used in a manner that is consistent with the requirements and protections of the Constitution, including the Fourth Amendment, and applicable statutory authorities. Moreover, any information resulting from the use of cell site simulators must be handled in a way that is consistent with the array of applicable statutes, regulations, and policies that guide law enforcement in how it may and may not collect, retain, and disclose data. As such, either a search warrant or an “emergency” must exist prior to use of the equipment. An emergency is defined in Senate Bill 178 as “danger of death or serious physical injury to a person.” Examples of such cases include homicide, sexual assault, armed robbery, and kidnap. In cases of emergency, the law mandates a search warrant must be obtained within three days of the use of cell-site simulator equipment.

San Diego Police Department members who are Certified Operators (CO) are the only authorized individuals who can operate the equipment. A CO is a Department member who has had the mandatory 36 hours of training required to operate the equipment. As of March 2016, there are three Department members who are Certified Operators.

The cell-site simulator equipment is kept within the secure interior of the Headquarters building, and access to the equipment is coordinated and controlled by the supervising Robbery Sergeant. Prior to seeking either a search warrant or a use based upon an emergency involving danger of death or serious physical injury to a person, approval will be required from each supervisory level within Investigations II, culminating with the approval of the Assistant Chief of Centralized Investigations.

Department members receiving supervisory authorization to use the equipment will not seek, obtain, or retain any information not specifically related to the current investigation. All information gathered by the equipment related to a specific investigation will be deleted at the conclusion of the use period granted through a search warrant for that investigation.

On a monthly basis, the Robbery Lieutenant shall complete an inspection/review of ALL security and approval procedures related to cell-site simulator equipment to ensure compliance with applicable statutory requirements.

The San Diego Police Department does not share cell-site simulator equipment, nor information gathered from the usage of cell-site simulator equipment with any other law enforcement agency.