

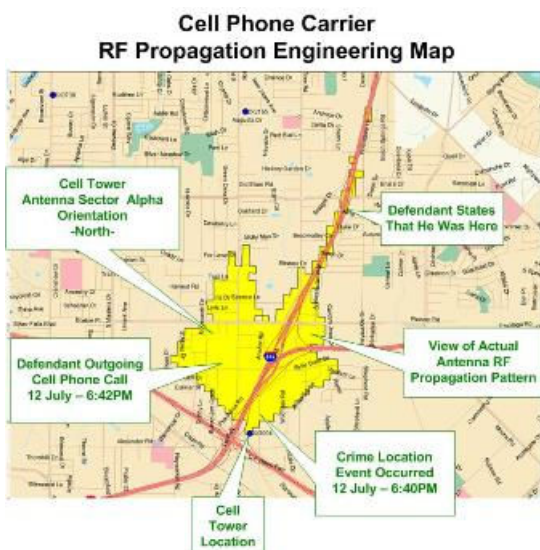
Preserving & Acquiring Cell Phone Carrier Evidence – A Summary

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Digital evidence is present in a high percentage of investigations whether civil or criminal. And cell phones are rapidly becoming more common digital evidence producers than computers for two reasons. **First**, a cell phone is often a more intimate digital device than a computer. A cell phone may be used more often than a regular desktop or notebook computer for an individual's voice, video and text communications.

Secondly, the comparable volume of devices in use today means that cell phone evidence will be more likely to produce evidence than computers in many cases. In recent worldwide estimates over **850 Million** computers are used to communicate via the Internet whereas over **3.2 Billion** cell phones are used to communicate via telecommunications systems and the Internet. Cell phone evidence can so quickly make or break a case that investigators are often motivated to find any evidence related to cell phone usage. Although forensic examination of a cell phone can frequently assist an investigation it is often the records maintained by cell phone carriers that when properly examined and interpreted can become the case maker.

A step by step procedure should be followed by an investigator or litigation team when deciding to pursue cell phone carrier records. If followed carefully, and with the support of a communications expert, an investigator can gain access to what may become explosive answers in the case inquiry.



First, determine the evidence target or decide what may be important to learn from the evidence.

Second, determine the cell phone carrier to whom the cell phone number is subscribed.

Third, contact the cell phone carrier legal compliance department for verification.

Fourth, author a records preservation request using correct technical jargon and forward to the legal compliance department of the cell phone carrier.

Fifth, immediately pursue a subpoena or court order depending on what evidence types you are seeking.

A communications expert should be engaged at the earliest stages of a case and should be capable of providing guidance in the evidence determination and preservation request stages. The same expert should also effectively support a court order request by providing both the technical language and the testimonial support to gain judicial approval for the request. Once the records have been obtained, the work really begins. A careful analysis of what is produced by the cell phone carrier may lead to immediate evidence conclusions but often requires additional communication with the legal compliance department of the carrier.

For Assistance Contact John B. Minor, Communications Expert
Phone – (800) 725-2726 Cell Phone – (432)553-6666
Email – jminor@johnbminor.net