



TAC CONFERENCE

SYRACUSE CITY POLICE DEPARTMENT
BUREAU OF CRIMINAL IDENTIFICATION
eWARRANT COMMITTEE

INTRODUCTION

AGENDA

2020 TAC CONFERENCE



eWARRANTS

DATA PRIVACY ACT

RESOURCES

CONCLUSION

AGENDA

2020 TAC CONFERENCE



- Syracuse City Police Department
 - Investigations Division
 - Attorney General’s ICAC Task Force
 - FBI Child Exploitation Task Force
 - North Davis SWAT – Chief Negotiator
 - Davis Co CART / OIS Teams

- Roy City Police Department
 - Patrol, Investigations
 - Weber County Homicide Task Force
 - Public Information Officer
 - Ogden Metro SWAT – Chief Negotiator

- Weber State University – Bachelors – Criminal Law
- Brigham Young University – Masters – Public Administration
- Trainer / Presenter
- Past-President – SYPD Police Assoc.
- Business Owner
- eWarrant Board Member



BRYCE WEIR

BACKGROUND



eWARRANTS

DATA PRIVACY ACT

RESOURCES

CONCLUSION

AGENDA

2020 TAC CONFERENCE



EWARRANT TEMPLATES

- Search Warrant – General
- DUI Blood Draw
- Emergency Personnel Blood Draw
- GPS Electronic Monitoring
- Unmanned Aircraft System
- **Electronic Service Provider**
- Extend Sealing
- Extend GPS Notification
- DOPL
- Alcohol Restricted Driver
- **Extend ESP Notification**

EWARRANTS

DATA PRIVACY ACT



RESOURCES

CONCLUSION

SEARCH WARRANT – GENERAL

- Location
- Person
 - The body of the person, blood, DNA, etc.
- Vehicle
- Item
 - Cell phone, computers, etc.
- CAN do multiple of these in one warrant!

EWARRANTS

DATA PRIVACY ACT



RESOURCES

CONCLUSION

ESP TEMPLATE

- Focused on Electronic Service Providers
 - Social media companies, etc.
- Usually served via fax, email, portal, etc. and the ESP provides the warrant listed in the warrant.
- Instead of searching the Ford truck, sending the warrant to Ford and they provide info about the Ford truck back.

EWARRANTS

DATA PRIVACY ACT



RESOURCES

CONCLUSION

EWARRANTS

DATA PRIVACY ACT

RESOURCES

CONCLUSION

AGENDA

2020 TAC CONFERENCE



SEARCH WARRANTS – ELECTRONIC INFO/DATA

- Seal - delays becoming public record
- Provider non-disclosure – typically 90-days, directed at the service provider (the ESP). Cannot tell the customer (target) about the warrant.
- Law enforcement delayed notification – delays the required notification by law enforcement (HB57 – 77-23c)

EWARRANTS

DATA PRIVACY ACT



RESOURCES

CONCLUSION

HB57 – U.C.A. 77-23C

ELECTRONIC INFO OR DATA PRIVACY ACT

- Requires notification be sent to the owner of electronic data when that data is obtained by search warrant.
- Notice must be sent when:
 1. Response data has been received by law enforcement
 2. Can reasonably identify the owner of that data
- Default is within 14-days
- Can request a delayed notification of this notice

EWARRANTS

DATA PRIVACY ACT



RESOURCES

CONCLUSION

HB57 – U.C.A. 77-23C

ELECTRONIC INFO OR DATA PRIVACY ACT

- Applies to search warrants (not subpoenas, summons, etc.)
 - Electronic info from an Electronic Service Provider (ESP)
 - ESP template
 - Electronic info from a device (computer, cell phone, etc.)
 - General search warrant template
- Identifies what information must be sent to the data owner
 - Refer to statute.

EWARRANTS

DATA PRIVACY ACT



RESOURCES

CONCLUSION

HB57 – U.C.A. 77-23C ELECTRONIC INFO OR DATA PRIVACY ACT

- Penalty – suppression of the data as though it was illegally obtained (even though obtained by search warrant).
- **POTENTIALLY HUGE PROBLEM!!!**

EWARRANTS

DATA PRIVACY ACT



RESOURCES

CONCLUSION

EWARRANTS

DATA PRIVACY ACT

RESOURCES

CONCLUSION

AGENDA

2020 TAC CONFERENCE



AVAILABLE RESOURCES

- Search.org
 - ESP Resources
 - Who to direct legal process to
 - Contact info (address, email, etc.)
 - Other resources
 - Can request LEO guides for ESP providers.

EWARRANTS

DATA PRIVACY ACT



RESOURCES

CONCLUSION

AVAILABLE RESOURCES

- UTLEOResources.com
 - Free resource for Utah law enforcement
 - Secure site – requires an account (government email and password)
 - eWarrant tips & tricks, updates
 - eWarrant cut & paste templates
 - ESP reference materials
 - HB57 breakdown and materials
 - Other reference materials and templates

EWARRANTS

DATA PRIVACY ACT



RESOURCES

CONCLUSION

EWARRANTS

DATA PRIVACY ACT

RESOURCES

CONCLUSION

AGENDA

2020 TAC CONFERENCE



A FEW FINAL THINGS

- Updates are regularly done to meet legal requirements
- Feel free to reach out with questions or issues that come up
- Updated help boxes
- Judicial orders – in process
- New templates (90-day, delayed notification, etc.)
- Case number column on query page

EWARRANTS

DATA PRIVACY ACT



RESOURCES

CONCLUSION

A FEW FINAL THINGS

- ESP delayed notification
 - System starts counting from the first delayed notification (not the end of the fourteen days). System may short-change the time frame (14+30...)
 - No 60-day option, only 30-day options currently
 - Applies to ANY search warrant that gets electronic data
 - ESP template and general search warrant template (car, item: cell phone, computer)
 - System currently won't let you do it on a general search warrant
 - Delayed notification is post-warrant, cannot be done at the time of the warrant issue.

EWARRANTS

DATA PRIVACY ACT



RESOURCES

CONCLUSION



CONCLUSION

2020 TAC CONFERENCE



QUESTIONS?

CONCLUSION

2020 TAC CONFERENCE



eWARRANTS

AGENDA

2020 TAC CONFERENCE



HB57 – UCA 77-23c ELETRONIC INFO & DATA PRIVACY ACT

AGENDA

2020 TAC CONFERENCE



RESOURCES

AGENDA

2020 TAC CONFERENCE



CONCLUSION

AGENDA

2020 TAC CONFERENCE

