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Mobile Telephones as Electronic Evidence



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The cell phone is everywhere. What information can investigators obtain from this device and how can they preserve it for evidentiary purposes?



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Strategies

- What kind of evidence resides on mobile phones
- How to search and seize mobile phones
- What kind of evidence is held by service providers



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Where do You Encounter Cell Phones?

- Field Interviews
- Arrests
- Search Warrants
- Where.



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Cell Phone Considerations

- Always consider every cell phones as evidence
- Determine if the suspect has one early in the investigation
- Remove and store the cell phone in a secure place when interviewing suspects
(officer safety and securing data)
- Never let the suspect use their phone during an interview, treat it just like a computer



Evidence Residing on Mobile Phones

- Call History –
 - received calls
 - dialed numbers
 - missed calls
 - call dates and durations
- Text Messages
- Contacts
- Datebook
- Calendar
- To Do List
- Videos
- Pictures of Contraband
- Email
- Deleted Text Messages
- GPS Way Points
- Scheduler



When to examine a cell phone

- During initial interview
 - Consent/Search Incident to Arrest
 - make notes/documentation
 - need for immediate information
- By a forensic Examiner
 - Consent/Search Incident to Arrest/Warrant
 - Pull the Battery/Cell Phone Protective Bags
 - Power Cords/Data Cords



It depends.

- Cell phones technology is extremely proprietary
- There is NO one certain way to analyze a cell phone.



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Searching and Seizing Mobile Phones (#1)

- 1) Maintain Power
- 2) Get the Phone “Off the Grid” utilizing a Faraday bag or even a paint can.
- 3) Take Everything-seize power cords, data cables, manuals and media cards
- 4) Get the device to a forensic examiner as quickly as possible



Take Everything



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Searching and Seizing Mobile Phones (#2)

- If there will be a delay until the phone gets analyzed, turn it off.
- Remove Battery
- Do not turn on the phone.



Searching and Seizing Mobile Phones (#3)

- Sometimes, the only option you have is to “do it the old fashioned way”.
 - Take notes, pictures



Reminders For All Methods:

- Take Everything
- Isolate the phone from the Network
- Do not remove media cards, SIM cards, etc
- Don't forget about latent prints, DNA and other trace evidence



Evidence Held By Service Providers

- Depending on the legal process utilized, you may obtain:
 - Subscriber Information
 - Billing Information
 - Call Tolls, which will include the numbers involved in the call, date, time, etc.



Questions?



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