

King County Prosecutor's Office, Special Operations
Electronic Surveillance and Warrant Templates, August, 2016

by
Special Operations Unit
King County, WA

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FILES AVAILABLE FOR DOWNLOAD (instructions below)

You may not be able to download these files after _____

This is a list of items available on the secure website:



























(Install [peazip-5.3.0.WINDOWS.exe](#), if you don't already have it, so you can open the .zip files)

The following pages list of the contents of each .zip file on the secure website.

Electronic Surveillance Templates.zip

Name
<input type="checkbox"/> Agency Only Evidence Gathering 08.01.16.dotx
<input type="checkbox"/> Agency Only Evidence Gathering Authorization for text and email communications 08.01.16.dotx
<input type="checkbox"/> Agency Only Officer Safety 08.01.16.dotx
<input type="checkbox"/> AOC Emergency report 08.01.16 .doc
<input type="checkbox"/> EMERGENCY Live Provider Device Locate Affidavit Order 08.01.16.dotx
<input type="checkbox"/> Extension of Nondisclosure Order 08.01.16.dotx
<input type="checkbox"/> GPS and Video Protocol InventoryReturn 08.01.16.dotx
<input type="checkbox"/> GPS Tracker Application Warrant and Return 08.01.16.dotx
<input type="checkbox"/> Live Provider Device Locate Affidavit Order and Return 08.01.16.dotx
<input type="checkbox"/> PCR 30 Day Report 08.01.16.dotx
<input type="checkbox"/> PCR Application and Order 08.01.16.dotx
<input type="checkbox"/> PCR for ORC trafficking with retailer suspect Aff Order 08.01.16.dotx
<input type="checkbox"/> PCR Inventory 08.01.16.dotx
<input type="checkbox"/> Pen Trap Cell Site Simulator Application Order and Return 08.01.16.dotx
<input type="checkbox"/> Sealing Template 08.01.16.dotx
<input type="checkbox"/> Video Application Warrant and Inventory 08.01.16.dotx

Electronic Surveillance Resources.zip

Name
 A Guide to Using Facebook Graph Search.pdf
 A Guide to Using URL Manipulations in Facebook.pdf
 Authenticating Evidence Found in Cyberspace.pdf
 Cell Phone Geo-Location.pptx
 da's - cell phone guide v 5.doc
 doj_cell-site_simulator_policy_9-3-15.pdf
 Electronic Surveillance in WA v.2.pdf
 Electronically-stored information and privacy rights.docx
 Executing Warrants for Digital Evidence Kerr July 2015.pdf
 GPS Video CSS 072016.pdf
 How to Google More Effectively.pdf
 Interception Record HANDOUT 072016.pdf
 Internet site for Tech company info.docx
 IP Address Source Ports.pdf
 IVR phone provider info 03.31.16 NO PIN.doc
 KCPAO Office ES Policy 110115.dotx
 pen_trap_open_wifi 4 2014.doc
 Pinging flow chart.docx
 Privilege Protocol for Pros and LE 030114.doc
 ProdedureAppdx 06.04.14.dotx
 Sealed Search Warrant Process 06.15.16.pdf
 Search and Privilege 042014.doc
 The Internet is Upgrading IPv4 to IPv6.pdf
 Tips for the undercover officer.docx
 VOLITILE DATA.pdf
 WHEN IS IT LEGAL TO PING OR OTHERWISE LOCATE A PHONE 03.31.16.docx

Search And Seizure Resources.zip

- 📄 A Guide to Using Facebook Graph Search.pdf
- 📄 A Guide to Using URL Manipulations in Facebook.pdf
- 📄 Authenticating Evidence Found in Cyberspace.pdf
- 📄 CCIPS manual2009.pdf
- 📄 Cell phone provider retention chart 10-16-2011.pdf
- 📄 Cert of Rec Custod.doc
- 📄 Compendium of ECS info for SWs 073115.docx
- 📄 CONSENT TO SEARCH DIGITAL STORAGE.docx
- 📄 Digital Due Process Defense View.docx
- 📄 Electronically-stored information and privacy rights.docx
- 📄 Expectation of Privacy in and Discovery of Social Networking Web Site Postings a.doc
- 📄 How to Google More Effectively.pdf
- 📄 iCloud.docx
- 📄 In-State SW Custodian Letter.doc
- 📄 Internet site for Tech company info.docx
- 📄 IVR phone provider info 082312 NO PIN.doc
- 📄 LE Out of state Custodian Letter.doc
- 📄 Mobile forensics NIST.SP.800-101r1.pdf
- 📄 Notice of Intent.docx
- 📄 Out-State SW Custodian Letter.doc
- 📄 Privilege Protocol for Pros and LE 120115.doc
- 📄 RC Custod ltr in state.docx
- 📄 RC Custod ltr out of state.docx
- 📄 RC Ltr to defense in state.docx
- 📄 RC Ltr to defense judge issued SDT.docx
- 📄 Search and Privilege 042014.doc
- 📄 Search warrant process with authority.pptx
- 📄 Search warrant process.pptx
- 📄 search warrant tips.doc
- 📄 SPANISH CONSENT FORM.pdf
- 📄 The Internet is Upgrading IPv4 to IPv6.pdf
- 📄 Tips 4 The Affidavit.docx
- 📄 Tips 4 The warrant.docx
- 📄 Tracing Email Addresses for Law Enforcement.pdf
- 📄 VOLITILE DATA.pdf

Search And Seizure Templates.zip

Name
Backpage SW Application 06.01.16.dotx
Basic SW Application and Warrant 07.20.16.dotx
Blood draw DUI test template from WAPA.pdf
Cell Phone - SW Application Warrant Inventory 03.31.16.dotx
Cell phone records - SW Application Warrant Inventory 03.31.16.dotx
Cell phone records example preservation letter 12.01.15.dotx
Computer and Cell phone SW Application Warrant 06.24.16.dotx
Consent to Search - Cell phone Service Provider 12.01.15.dotx
Consent to Search - Computer and Phone 12.01.15.dotx
Consent to Search - HOTMAIL-criminal.pdf
Consent to Search -- Financial Institution 12.01.15.dotx
Cover Letter to Record Custodian from LE.dotx
Craigslist SW Application Warrant Inventory 06.01.16.docx
Email SW Affidavit Warrant Inventory 06.24.16.dotx
Extension of nondisclosure order.dotx
Facebook Records App and SW 6.24.16.dotx
Facebook Records App and SW 7.11.16.dotx
Find Mobile Device SW Application 12.01.15.dotx
iCloud.docx
Instagram SW Warrant 12.01.15.dotx
Inventory and Return Basic 03.31.16.dotx
ISP Application SW Inventory 06.24.26.dotx
Medical Records SW Application Warrant Inventory 03.31.16.dotx
OfferUp SW Application Warrant Inventory Example 03.31.16.dotx
Record Custodian Certification 12.01.15.docx
Redact Mot Aff Find Ord 12.01.15.dotx

Preservation Letter Examples.zip

Name
Apple Example.docx
ATT Pres Letter.docx
Gmail.docx
Microsoft.docx
Preservation letter 042012.doc
Preservation letter sample DOJ OLD.doc
Preservation ltr ISP sample DOJ.doc
Skype.docx
SPD Letterhead.docx
SW Salal CU.docx
TMobile.docx
verizon pres letter (2).docx
verizon pres letter (3).docx
Webhost Preservation Letter Appendix A.xlsx
Webhost preservation letter.docx

Instructions – Access To Secure Website

1. Go to <https://sftp.kingcounty.gov>
2. Logon using username **kcpaospecopsguest** and password _____ (Contact PAO). E-mail Susan Storey at Susan.Storey@kingcounty.gov
3. Do NOT install the “vcst_ea.CAB” from “Tumbleweed Communications Corp” when prompted
4. To download a file:
 - a. Check the box to the left of the file, and
 - b. Click on the Download button.
 - c. You will be prompted to save the file. Click the arrow next to the Save button (arrow); choose “Save As”
 - d. Navigate to the location on your computer where you would like to save the file. You will be prompted to choose a folder.
 - e. Repeat steps a. through d., as necessary.
5. Logout.
6. This website will be available until _____.

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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

IN THE MATTER OF APPLICATION)
FOR [Enter type of warrant/order sought])
) No. ____-S-____
)
) MOTION AND DECLARATION
) FOR ORDER SEALING DOCUMENTS
)
)
)
)
)
)

The State of Washington moves this court for an order sealing documents filed in this matter. This motion is based upon the Application for [Type of warrant/order sought] filed in this matter and the attached declaration of [Declarant name and title] in support of the motion to seal the file.

DATED this ____ day of _____, 20____.

Respectfully submitted,
DANIEL T. SATTERBERG, Prosecuting Attorney

By: _____
[Prosecutor name], WSBA # _____
Senior Deputy Prosecuting Attorney

1 **DECLARATION**

2 [Declarant name], declares that I have personal knowledge of the matters set forth below
3 and that I am competent to testify to the matters stated herein:

4 I am a commissioned law enforcement officer of the [Police department name]. In that
5 capacity, on _____, 20__, I completed an Application for [Type of warrant/order sought] in
6 this matter.

7 I am requesting that this court order that documents filed in this matter be sealed for the
8 following reasons:

9 (1) Impact on Investigation and Public Safety

10 [Discuss the nature of the investigation and the impact on the investigation or planned
11 investigative techniques if the suspect(s) were to learn of the investigation. Consider
12 including discussion regarding the probability that, if the suspect(s) learn of the
13 investigation they could change their methods, hide or destroy evidence, or otherwise
14 hinder the investigation. Example language follows.]

15 Public disclosure of this investigation and the affidavit filed herein presents a serious and
16 imminent threat to the interests of effective law enforcement and public safety. This is an
17 ongoing investigation into [nature of the crime being investigated]. No criminal charges have
18 been filed. I anticipate that the criminal investigation will continue for approximately [Number
19 of months] months beyond today's date;

20 In my experience, suspects who know they are the subject of a criminal investigation, and
21 particularly of the type of investigative action authorized in this matter, quickly change their
22 behavior. They hide or destroy evidence, move their criminal activity to another location, alter
23 the way they engage in their criminal activity, and change the vehicles or communication devices
they have been using in pursuit of their criminal activity, and/or flee to unknown locations. Such
actions will interfere with law enforcement's ability to successfully complete this investigation
and erode law enforcement's ability to protect public safety. The public interest in discovering
and capturing the perpetrator of a criminal act is also compromised.

1 [Keep?] This is a long term investigation into a large number of very similar crimes that
2 may or may not be related to one another, and that may include additional, as yet unidentified,
3 criminal activity. Investigators continue their effort to determine the scope, details, and to
4 identify the conspirators in the criminal scheme.

5 [Keep?] The crimes under investigation in this case are ongoing. [Keep?] Investigators
6 continue to search for witnesses and/or additional evidence in this case. The authorization
7 obtained in this matter contains discussion of police efforts in this vein, including a discussion of
8 the crime(s) under investigation, including information about the crime(s) that only a limited
9 number of people know; evidence identified/located to date; and witnesses interviewed.

10 (2) [Keep?] Victim/Witness Safety

11 Information is contained in my application regarding the cooperation of a
12 [witness][confidential informant][victim]. This information is likely sufficient so that the
13 suspect(s) under investigation would be able to determine the identity of the cooperating
14 individual(s). If the suspect had access to the information contained in my application, it would
15 pose a significant risk to the safety of the cooperating individual(s).

16 In my experience, a significant safety risk is created when suspects learn about the
17 cooperation of individuals with an investigation into the suspects' illegal activities. In such
18 situations, cooperating individuals have been harassed, assaulted, and in extreme cases, killed.

19 (3) Personal Privacy

20 [This paragraph is optional but recommended to demonstrate neutrality,
21 evenhandedness, and fairness.] This investigation is in the early stages and may or may not result
22 in criminal charges. The suspect's privacy and interest in not having the fact and details of this
23 investigation made public also support sealing the documents filed in this matter. [Add
description of how suspect's privacy interests or reputation will be impacted by premature
public disclosure of the investigation.].

(4) Limited Sealing

For these reasons, this investigation must be kept secret for a limited period of time. The
above-described factors require protection only until the investigation is complete. I anticipate

1 that this investigation will likely be concluded within [Number of months] months from this date,
2 so request an order sealing the file in this matter until _____, 20__.

3 I believe that for the immediate future no action short of total sealing of the records in
4 this file will protect the above interests. Should facts change, less restrictive alternatives to total
5 sealing may be appropriate and will be sought.

6 For the reasons stated above, I believe a limited term of total sealing is justified and
7 appropriate, and request the court to so order.

8 (Check if applicable) This application was submitted to the issuing judge using an
9 electronic device that is owned, issued, or maintained by the below-identified criminal
10 justice agency.

11 I declare under penalty of perjury under the laws of the State of Washington that the foregoing is
12 true and correct.

13 Signed this ____ day of _____, 20__, at _____, WA.

14 Applicant Signature: _____

15 OR, if submitted electronically or by phone:

16 Declarant full name: /s/ _____

17 Agency Badge/Serial or Personnel #: _____

18 Agency Name: _____

19 (Check if applicable) The Judge's signature, below, was placed by declarant, at the
20 judge's direction given by

21 telephone (preserve a recording of the authorization)

22 email (preserve and file the email) or by

23 _____ (other reliable method).

Signature: _____

SUPERIOR COURT JUDGE

Printed Judge's Name: _____

1
2 II. [Keep?]Safety of Cooperating Individual(s)

3 The life or safety of a citizen who has cooperated with law enforcement would be
4 endangered if the nature of this investigation were prematurely made public.

5 III. [Keep?]Personal Privacy

6 This investigation may or may not result in criminal charges. The personal privacy of the
7 individuals named in the application filed in this cause also supports sealing the documents filed
8 in this matter.

9 IV. Limited Sealing

10 For these reasons, this investigation must be kept secret for a limited period of time. Law
11 enforcement estimates the investigation will likely be concluded within [*Number of months*]
12 months from this date, so an order sealing the file for that period of time until charges are filed,
13 whichever occurs first, is appropriate and necessary.

14 For the immediate future no action short of total sealing of the records in this file will
15 protect the above interests.

16 Based on the foregoing, the court now makes and enters the following:

17 **CONCLUSIONS OF LAW**

18 [*Please note: The below conclusions are intended as suggestions and examples.*

19 *Modify as appropriate to your case.]*

20 I. Jurisdiction

21 This court has jurisdiction over the subject matter herein.

22 II. Effective Law Enforcement and Public Safety

23 There exists a serious and imminent threat to efficient and effective law enforcement, to
public safety, and to the public interest in law enforcement's ability to completely investigate
criminal activity using all tools lawfully at their disposal to collect evidence of criminal activity,

1 and to discover and capture the perpetrator(s) of a criminal act, and no means less restrictive than
2 sealing the listed documents herein will protect those interests.

3 III. [Keep?]Safety of Cooperating Individual(s)

4 There exists a serious and imminent threat to the life or safety of cooperating
5 individual(s) if the investigative facts are prematurely made public, and no means less restrictive
6 than sealing the listed documents will protect that interest.

7 IV. [Keep?]Personal Privacy

8 There exists a serious and imminent threat to the privacy of the individual(s) named in
9 the affidavit, and no means less restrictive than sealing the listed documents will protect that
10 interest.

11 V. Limited Sealing

12 The above interests do not require protection for an extended period of time, and can be
13 served by sealing these documents until _____, 20__ or until charges are filed, whichever
14 occurs first.

15 VI. Compelling Circumstances

16 Weighed against the public interest in the open administration of justice, compelling
17 circumstances that warrant the temporary sealing ordered in this matter.

18 DONE this _____ day of _____, 20__.

19 (Check if applicable) The Judge's signature, below, was placed by declarant, at the
20 judge's direction given by

21 telephone (preserve a recording of the authorization),

22 email (preserve and file the email), or by

23 _____ (other reliable method).

Signature: _____

SUPERIOR COURT JUDGE

Printed Judge's Name: _____

1 Presented by:
2 DANIEL T. SATTERBERG
3 King County Prosecuting Attorney

4 [Prosecutor name], WSBA #
5 Senior Deputy Prosecuting Attorney

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IT IS FURTHER ORDERED that (1) this ORDER and (2) the FINDINGS and CONCLUSIONS ON MOTION TO SEAL DOCUMENTS are exempt from the sealing requirement and shall be available for public inspection and copying.

DONE this ___ day of _____, 20__.

(Check if applicable) The Judge's signature, below, was placed by declarant, at the judge's direction given by
 telephone (preserve a recording of the authorization),
 email (preserve and file the email), or by
 _____ (other reliable method).

Signature: _____
SUPERIOR COURT JUDGE
Printed Judge's Name: _____

Presented by:
DANIEL T. SATTERBERG
King County Prosecuting Attorney

[Prosecutor name], WSBA # _____
Senior Deputy Prosecuting Attorney