



Chapter: Investigations and Enforcement Operations
Subject: 07-09 – Cellebrite Data Extraction Policy
Effective: September 1, 2022
Supersedes: Temporary Department Policy 22-11, dated June 8, 2022
Distribution: Department Members

PURPOSE: This Order establishes policy to direct members in the training, usage, and maintenance of Cellebrite data extraction devices and software. This Order applies to all Michigan State Police (MSP) and non-MSP members assigned to MSP work units authorized and trained to use Cellebrite devices and software.

A search warrant or signed consent is required to search and/or for the extraction of data contained on all digital devices where a person has a reasonable expectation of privacy to the contents of the digital device.

Cellebrite devices and software shall be used in accordance with department policy and all state and federal laws pertaining to search and seizure of digital media.

07-09-1 PROCUREMENT, LICENSING, MAINTENANCE, AND FIELD SUPPORT

- A. Any procurement of forensic recovery devices shall be approved by the Cyber Section and the district or division of the associated work unit. Prior to deployment, the make, model, and serial number must be reported to the Cyber Section and associated district or division for inventory purposes.
- B. All licensing, maintenance requirements, and field support, will be coordinated through the Cyber Section. The Cyber Section will be responsible for negotiating licensing fees and associated software enhancements with the vendor.
- C. Users experiencing issues with Cellebrite equipment and/or licenses shall contact the MSP Cyber Section office in their district. Users shall not directly contact Cellebrite.

07-09-2 TRAINING AND CERTIFICATION REQUIREMENTS

- A. Only personnel trained and certified by Cellebrite and/or the Cyber Section certified examiners are permitted to operate Cellebrite devices and software. Prior to using Cellebrite devices and software, members shall complete training provided by Cellebrite or Cyber Section certified examiners.
- B. Personnel responsible for the recovery of "Narc Numbers" associated with the MSP Statewide Drug Enforcement Strategy shall either be Cellebrite trained and certified or trained by MSP Cyber Section Cellebrite examiners.

07-09-3 OPERATIONAL REQUIREMENTS

- A. Proper guidelines, procedures, and methods shall be followed to ensure sustainability of data extractions, seizure of evidence, chain of custody, privacy, and expert court testimony.
- B. Members are not authorized to operate Cellebrite devices or software for any purpose beyond which they have been trained and certified.

07-09-4 REPORTING REQUIREMENTS

- A. Users are required to complete a detailed written report in eAICS whenever a Cellebrite device is used for the following:
 - (1) Original or assistance investigations
 - a. The below information shall be included within the body of the eAICS report:
 - i. Agency name
 - ii. Agency ORI
 - iii. Type of incident
 - iv. The model and serial number of the device analyzed
 - v. The device owner's full name and date of birth
 - vi. Written consent or a search warrant authorizing the analysis of the device included as an external document
 - vii. If an exception to the search warrant rule is the basis of the search, the exception used, as well as factors supporting the exception, shall be noted in the incident report.
 - (2) Narc Number Extractions-Multijurisdictional Task Force Teams (MJTF)
 - a. Narc Number extraction and submission to the Michigan Intelligence Operations Center (MIOC) is the responsibility of all multijurisdictional task forces and Hometown Security Teams.
 - b. When Narc Number data is extracted from a digital device, an XML report of the extracted data shall be submitted to the MIOC at NarcNumbers@michigan.gov and must include:
 - i. Name of the submitting task force or agency
 - ii. Name of the officer submitting the request
 - iii. Phone number for the submitting officer
 - iv. Email address for the submitting officer
 - v. Incident number for the data
 - vi. Target/owner name (this can include a street name if real name is unknown)

vii. Target/owner phone number

(Records cannot be processed without this information)

(3) Cellebrite Data Extraction Downloads

- a. Data being sent to the MIOC for data link analysis shall include the following from the Cellebrite data extraction:
 - i. Contact list
 - ii. Call log
 - iii. Text messages (SMS, MMS, and chats)
- b. MIOC analysts will enter the data in the High Intensity Drug Trafficking Areas Case Explorer System, Pen Link, and DICE. A response will be provided for every submission.
- c. Upon request of the Records Resource Section, work units shall produce usage records of Cellebrite devices.

DIRECTOR

Annual Review Responsibility:	Field Operations Bureau; Intelligence Operations Division
Accreditation Standards:	CALEA TBD