



INFORMATION FOR PUBLIC SAFETY From AT&T Mobility

The AT&T Mobility National Compliance Center (NCC) provides near real-time location (cell site) information to law enforcement via their CALEA solution upon receipt of a Pen Register or Title 3 order which includes reference to 18 U.S.C. §2703(d) or “specific and articulable facts.” Historical location information is routinely provided upon receipt of a Search Warrant (where required) or court order that also references 18 U.S.C. § 2703(d) or specific and articulable facts .

The NCC also utilizes a tool known as Mobile Locator. The Mobile Locator has the ability to provide latitude and longitude of the location of the phone typically within 50-100 meters in an enhanced 911 Phase 2 market. In other markets, the tool can only provide location down to the cell site/sector. This tool is especially helpful because the phone can be located even if no calls are being made by the target phone. Location from this tool can be obtained manually by the NCC Analysts logging into the tool and providing the information to law enforcement or the system can be programmed to automatically send information every 5, 15 or 30 minutes via email depending on the urgency of the investigation.

The Locator Tool has been invaluable in assisting law enforcement and there are numerous documented cases of lives being saved as a result of this tool. The information provided by this tool is not taken lightly and every precaution is taken to preserve the customer’s right to privacy while assisting law enforcement when lives are in danger.

The NCC responds to approximately 150 exigent requests per day which include calls from Public Safety Answering Point 911 operators (PSAPs) around the country as well as from law enforcement agencies that are working on kidnappings, missing persons, attempted suicides, etc. Information is provided to PSAPs immediately upon verification that we are, in fact, dealing with a legitimate PSAP.

All other requests for exigent information require law enforcement to sign an affidavit stating that the information is needed due to an emergency involving immediate danger of death or serious physical injury to a person. The affidavit must be signed and returned to the NCC before the NCC will provide the information to the law enforcement officer.

In order to comply with the exigent circumstances exception set forth in the Electronic Communications Privacy Act, the NCC must have enough information to *prove*, if necessary, that it had a good faith belief that an emergency existed at the time the information was provided. In order to accomplish this, the NCC requests a factual recitation from the law enforcement officer, in writing on an “Exigent Circumstances Form” which is provided to the officer by the NCC at the time the officer contacts AT&T. The form should detail the facts to the extent possible (e.g., national security considerations may prevent a detailed analysis).

The certification states that the facts are true, that they constitute an emergency and that the law enforcement agency cannot otherwise obtain the legal process required. Our goal is to provide law enforcement with the information they need, especially during exigent circumstances while protecting the privacy rights of our customers.

PSAPs, public safety and law enforcement agencies needing assistance with this service should call 1-800-635-6840, option 4.