

IN THE KANSAS DISTRICT COURT

ENTER JUDICIAL DIVISION ENTER YOUR COUNTY, KANSAS

CRIMINAL DIVISION

In Re: Application for Search Warrant; *Cellular Telephone Correspondence*

STATE OF KANSAS

COUNTY OF:

v.

The Premises of:

**ENTER DESCRIPTION AND ADDRESS OF PREMISE,
In the County of Shawnee, State of Kansas**

**APPLICATION AND AFFIDAVIT FOR
SEARCH WARRANT PURSUANT TO K.S.A. 22-2502 AND SECTION 15 OF THE
BILL OF RIGHTS OF THE KANSAS CONSTITUTION**

STATE OF KANSAS
COUNTY OF:

ss:

I,

being first duly sworn upon my oath state:

Section 1: Professional Identity and Experience:

I am a duly certified law enforcement officer under the laws of the State of
Kansas employed by the:

I have approximately _____ years of experience as a law
enforcement officer and have had _____ of hours of professional law
enforcement training in the detection and investigation of criminal offenses.

As a law enforcement officer, I

In addition to my experience, I have attended numerous seminars and training classes, which include those taught by

Section 2: Evidence of Crime:

The following evidence establishes probable cause to believe the following crime(s) have been or are being committed:

21-3523 Electronic Solicitation

The suspect

had used his cellular telephone to correspond back and forth with the victim

NAME AND DESCRIPTORS who was years old at the time of the actual occurrence.

Victim and Suspect Names

did text each other back and forth.

INCLUDE FACTS ABOUT THE NATURE OF THE TEXT AND WHETHER PHOTOS OR OTHER FILES WERE EXCHANGED (i.e. They were talking about having sexual intercourse. SUSPECT had also sent VICTIM two photos of his erect penis and face to VICTIM over their cellular telephones.

Section 3: Place to be searched:

This affidavit is made in support of and as an application for a search warrant to search the follow:

ENTER DESCRIPTION OF THE RESIDENCE

Section 4: To Be Seized:

The evidence, fruits, and/or instrumentalities of crime to be seized are hereinafter described with particularity as:

1. Cellular telephone
2. Evidence found during the Forensic Examination of the cellular telephone

This request for a warrant involves the potential seizure and review of computer and/or digital media. The analysis of computer and/or digital media is an exacting scientific procedure which is designed to protect the integrity of the evidence and to recover digital information, to include hidden, erased, compressed, password-protected or encrypted files. The analysis of evidence from computer and digital systems commonly require the seizure of all computer related items to be processed by a qualified computer expert in a laboratory or other controlled environment. The high volume of the contents and the potential intentional concealment of criminal activity through random ordering and deceptive file names may require the examination of all stored data. This process may take weeks or months depending on the volume of the data involved and the caseload of the computer expert.

One such forensic and controlled laboratory environment is the Heart of America Regional Computer Forensics Laboratory (HARCFL), which is physically located in Clay County, Missouri. The HARCFL is a cooperative law enforcement organization comprised of federal, state and local certified Forensic Examiners that provide digital forensic services to law enforcement throughout Kansas and the western two-thirds of Missouri.

Recognizing that specialized and highly technical equipment and software

will be needed to conduct the analysis of the previously seized digital media, the media will likely be transferred to the HARCFL or other qualified laboratory with a request that a forensic examination be conducted in this matter. Additionally, under limited situations, assistance may be required by the receiving laboratory from other qualified laboratories. For example, the HARCFL may need to request assistance from its affiliated laboratory, the FBI Laboratory in Quantico, Virginia. Should such assistance be required, the receiving laboratory will likely forward the above described digital evidence for further analysis as authorized by the requested warrant.

Upon issuance of the requested warrant, the receiving laboratory will attempt to initiate the process to facilitate the forensic examination within 96 hours. In those instances in which such cannot be accomplished due to the laboratory's case load, transportation and/or shipping delays, absence of available qualified Forensic Examiners, etc., the court will be appropriately notified. Additionally, due to the processes that must be conducted to analyze digital media, the volume of information normally associated therewith, and the laboratory's caseload, it is extremely likely that the entire forensic process will require more than 10 days to complete.

Section 5: Evidence of Probable Cause:

The evidence of probable cause to believe that which is sought to be searched for and seized described with particularity and set forth above in Section 4 as evidence, fruits and/or instrumentalities of the crime and the evidence of probable cause to believe that such are now located in the premises to be searched as described in Section 3 above is set forth hereinafter:

Dragnet Rules In Effect...Just The Facts!

WHEREFORE, affiant respectfully requests that a Search Warrant issue authorizing the search of the premises described in Section 3 above and seizure of the property described in Section 4 above.

In witness whereof I have hereinth subscribed my name and seal on this:

Date: Time: am pm

Subscribed and sworn to before me this:

Date: Time: am pm

District Court Judge

IN THE KANSAS DISTRICT COURT

**ENTER JUDICIAL DIVISION ENTER YOUR COUNTY, KANSAS
CRIMINAL DIVISION**

In Re: Application for Search Warrant

STATE OF KANSAS
COUNTY OF:

v.

The Premises of:

ENTER PREMISE DESCRIPTION, In the County of ENTER COUNTY, State of Kansas

SEARCH WARRANT

THE STATE OF KANSAS to Any and All Law Enforcement Officers of the State of Kansas:

Having reviewed evidence before me under oath from which I have found probable cause to believe that a crime has been or is being committed, and sufficient facts have been presented to me under oath or affirmation which particularly describes the person, place or means of conveyance to be searched as identified in the caption hereof and such facts have established probable cause to believe that the following described articles have been used in the commission of a crime or are contraband or property which constitutes or may be considered a part of the evidence, fruits or instrumentalities of a crime, to-wit:

1. Cellular telephone
2. Forensic Examination of the cellular telephone

And that there is probable cause to believe that the above-described articles to be

seized are located in or on the above described premises or person to be searched.

THEREFORE, YOU ARE COMMANDED forthwith to search the person, place, thing, or means of conveyance described above within ninety-six (96) hours of the time and date of the issuance hereof and to seize the things described above to be seized and to hold them to be dealt with according to law.

This Search Warrant may be executed at any time of any day or night within ninety-six (96) hours of issuance within the:

ENTER Judicial District.

On execution hereof you should make due return of this warrant and a copy hereof shall be provided the person searched or the person in possession or control of the premises or thing or means of conveyance searched and if such person is not present a copy together with a completed return shall be left on or in the premises, thing, or means of conveyance searched.

ISSUED THIS

Date: Time: am pm

Reviewed By the District Attorney Office:

By:

Judge of District Court
Third Judicial District
Shawnee County, Kansas

OFFICER'S RETURN

I received this Search Warrant on the:

Date: [redacted] Time: [redacted] am pm

and executed the same by searching the above described person, place, thing or means of conveyance described in said Search Warrant and seized the following:

Which I now have in my custody, possession or control subject to the further order of the Court, and, further, executed said warrant by arresting the within named:

[redacted] [redacted]