
IN THE MATTER OF AN APPLICATION BY THE MILWAUKEE COUNTY DISTRICT ATTORNEY'S OFFICE FOR THE FOLLOWING ORDERS:

- (1) An order, pursuant to Wis. Stat. § 968.36, approving the installation and use of a pen register and caller identification trap and trace device or process, including a pen register/trap and trace in the form of a cell site simulator.
- (2) A warrant, pursuant to Wis. Stat. § 968.375(3), approving the release of information including but not limited to subscriber information, account notes/memos, device information, payment information, point of purchase information, incoming and outgoing call detail records (CDR) for voice/text/data, originating and destination IP addresses, text content, cell site location information, E911 information, specialized location information (Timing Advance/True Call, RTT, LOCDBOR, or equivalent), E-911 Phase II data, GPS data, and latitude-longitude data, real time cell site information, if available, for a cellular telephone.
- (3) A warrant, pursuant to Wis. Stat. §968.373, authorizing the identification and tracking of the location of a communications device and/or cellular telephone assigned number.

AFFIDAVIT OF CHRISTOPHER RANDAZZO

STATE OF WISCONSIN)
) ss.
MILWAUKEE COUNTY)

Christopher Randazzo, being duly sworn on oath, states the following:

1. I am a full-time, state certified law enforcement officer. I am employed as a Milwaukee Police Officer, assigned to the Milwaukee Police Department's Special Investigations Division. I have been a full-time sworn officer for over seventeen (17) years; I have been assigned to the Special Investigations Division for three (3) years;
2. My duties at the Special Investigation Division relate primarily to the law enforcement telecommunications field. I have been working in the law enforcement telecommunications field since June of 2019;
3. I have assisted other agencies with cell phone record analysis and geo-location. The agencies I have assisted include, the Wauwatosa Police Department, The Waukesha Police Department, The Marquette University Police Department, the West Allis Police Department, the Greenfield Police Department, the Glendale Police Department, the Milwaukee County Sheriff's Department, the Wisconsin Department of Justice, the United States Marshall's Service, the Drug Enforcement Agency, the Federal Bureau of Investigation and the Northcentral High Intensity Drug Trafficking Areas Agency;

4. I have specialized training related to the law enforcement telecommunications field and cell phone record analysis;
5. In addition to other training, I have received the following training related to electronic communications, telephone communications and the forensic analysis of telecommunications and telecommunication record:
 - a) I have received eighty (80) hours of training focusing on the communication between cellular devices and cellular towers, and geo-locating cellular phones;
 - b) I have received fifty-six (56) hours of cellular phone records analysis training;
 - c) I have over ten (10) hours of phone support with legal compliance personnel from various cell phone service providers, regarding the individual properties of their proprietary systems;
6. I have obtained, or assisted other officers in obtaining pen register orders, trap and trace orders and orders to track cellular telephones on over two hundred and fifty (250) occasions;
7. I have executed orders for pen registers, trap and trace devices and cell tracking on over one hundred (100) occasions. I have participated in over two hundred and fifty (250) investigations where such technology was used;
8. I base this affidavit on my training and experience, including that recited above;
9. I am aware that the subscriber information maintained by providers includes records that identify individual mobile devices by unique identifiers. Depending on the provider, these unique identifiers may be referred to as the Electronic Serial Number (ESN), the Mobile Subscriber Identification (MSID), the Public Land Mobile Network (PLMN), an International Mobile Subscriber Identifier (IMSI), or an International Mobile Equipment Identifier (IMEI). Within this document, I will refer to these unique identifiers, generally, as "identifiers."
10. I know that cellular/wireless providers (hereinafter, "providers") keep records relating to the service they furnish. Those records include, subscriber information, incoming and outgoing call detail records (CDR), IP connection records, IP sessions and destination log, data connection records, cellular tower activity, cellular tower location, text header information, cellular toll information, E911 information, range to tower information, and – in some cases- cellular telephone global positioning system (GPS) location information;
11. I know that the subscriber information, incoming and outgoing call detail records (CDR), IP connection records, IP session and destination log, data connection records, cellular tower activity, cellular tower location, text header information, cellular toll information, E911 information, range to tower information, phone enabled GPS or locating devices, electronic serial numbers and other identifiers are useful in attempting to identify the physical location of a cellular/wireless device. I have used such data in the past to locate a cellular/wireless device on over two hundred and fifty (250) occasions;

12. A mobile cellular device by its very nature is capable of traveling from one location to another, which necessitates law enforcement's access to real-time information accessible only via pen register and/or GPS information provided by the cellular/wireless company;
13. I know that GPS locating systems are the most accurate and precise ways of locating a cellular telephone. However, not all carriers track GPS location, and some phone manufactures such as Apple block requests from the network to provide the GPS location of a phone. Therefore, law enforcement must rely on other location mechanisms to identify, locate, and track a phone;
14. I know that text header information can help locate a phone: when a text message is sent to a cellular device, the device communicates with a cell tower, thus generating cell tower location record which will assist law enforcement in locating the device;
15. I know that cellular tower data can be extremely important in locating a phone, particularly where GPS tracking is not available. I know the following regarding cellular tower activity:
 - a. Cellular telephone communications are routed through transmitters and receivers on towers, often called "cell towers" or cell sites." The transmitters and receivers on these towers are articulated in such a way so as to divide the tower's footprint into sectors of varying degrees to cover the full radius around each cell tower;
 - b. As cellular telephone users move around a tower, their communications are routed through the various tower sectors and when they move far enough away from the tower, the cellular communications are recognized and transmitted through other towers with a better signal;
 - c. In order to maintain their networks and to properly bill their customers, cellular telephone companies record information such as the site of the cell tower to which a cellular telephone sends/receives its signals when a call is first placed/received, the telephone number in contact with the cellular telephone and the duration of the call;
 - d. Cell tower or site data is routinely collected by cellular telephone company; providing it does not provide and data stored within the customer's cellular telephone or the content of any communication;
 - e. In my experience, cell tower information can assist in the locating of a given cellular telephone, but not pinpoint the location where the cellular telephone was used. Typically, the area could range anywhere from several square blocks to several square miles;
 - f. Historical information regarding cell tower location can help law enforcement identify where a person who is using a specific phone spends time on a regular or periodic bases. This can help identify places the person might be found, such as a residence or work place, or people who are familiar with the individual and who in turn can help locate the person;

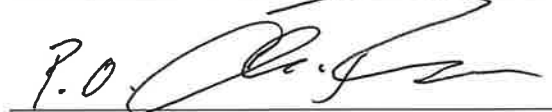
- g. I know that, for the purpose of locating a target telephone, obtaining historical call detail records including tower location and other information (for example, LOCDBOR, RTT or Timing Advance) helps to narrow what is often a geographically large search area and will provide law enforcement a more precise location in which to begin a search for the target telephone;
 - h. Real time information about cellular tower activity can help identify where a person who is using a specific phone is at a given time. While the location is not pin-pointed, the data can help direct officers to an area or place where the target phone is or may be;
 - i. Real time information regarding cellular tower activity is available by use of a pen register
16. I know that pen registers and trap and trace devices can be important in locating a phone, particularly where GPS tracking is not available. I am aware of the following regarding that technology:
- a. A pen register will show what numbers are called by the target device; a trap and trace device will show what numbers have called the target device;
 - b. A pen register / trap and trace device or process records or decodes dialing, routing, addressing or signaling information from a given cellular telephone in real time. The routing information gives real times access to cell tower activity;
 - c. A pen register / trap and trace does not provide location for any cellular or landlines in communication with the target telephone, and does not provide content of any communication;
 - d. Although providers traditionally don't provide exact GPS location data from mobile devices, all providers are capable of installing a pen register or a trap and trace.
17. From my training and experience, I know that,
- a. Cellular phones and other cellular devices (hereinafter in this section, collectively, "cellular phone" or "cellular phones") communicate wirelessly across a network of cellular infrastructure, including towers that route and connect individual communications. When sending or receiving a communication, a cellular phone broadcasts certain signals to the cellular tower that is routing its communication. These signals may include a cellular phone's unique identifiers.

- b. To identify, locate and track a cellular phone, law enforcement may use a cell site simulator device, which is (1) capable of broadcasting signals that will be received by the target cellular phone and non-targeted phones which are on the same provider and which are in close proximity, and (2) receiving signals from nearby cellular phones, including the target cellular phone. The cell site simulator device may send a signal to the target cellular phone and thereby prompt it to send signals that the cell site simulator device uses to provide signal strength and general direction of the target phone. That information is used to determine the target cellular phone's location, even if it is located inside a house, apartment, or other building.
 - c. In order to identify, locate and/or connect with the target cellular phone, the cell site simulator device may briefly exchange signals with all cellular phones which are on the same provider and in its vicinity. This may result in cellular phones other than the target cellular phone sending identifiers to the cell site simulator device. The cell site simulator device will not complete a connection with cellular phones determined not to be the target cellular device, and law enforcement limits collection of information from cellular phones other than the target cellular phone. To the extent that the cell site simulator device collects any information from a cellular phone other than the target cellular phone, law enforcement will delete the information and make no investigative use of the information absent order of the court, other than distinguishing the target cellular phone from all other cellular phones.
 - d. Once the cell site simulator device identifies the specific cellular phone for which it is looking, it will obtain the signaling information relating only to that target cellular phone.
 - e. The cell site simulator device acquires limited identifying information from cellular phones: specifically, an industry standard, unique identifying number, assigned by a device manufacturer or a cellular network provider. The cell site simulator device provides only the relative signal strength and general direction of the target cell phone. It does not function as a GPS locator, as it does not download any location information from cellular phones or their applications; it does not provide subscriber's name, address or phone number; and it does not access or collect contacts, images, or other information stored in cellular phones, or the content of any communications.
 - f. The use of the cell site simulator device may cause a brief and temporary interruption of service for the target phone and other cellular phones on the same provider which are in the immediate area. Any service disruption to non-target devices will be brief and temporary, and all operations will attempt to limit that interference. Regardless, all phones will be able to dial 911 during this phase.
18. LOCDBOR, RTT, Timing Advance Data, and signaling information are all forms of information which help locate a cellular telephone or device.

- a) LOCDBOR or Location Database of Record is utilized by AT&T and is an estimated location of a target telephone based on measurements and information by the network;
- b) RTT or Real Time Tool is utilized by Verizon and is the length of time it takes for a signal to be sent to the device and back from the tower. Based on the time, a distance is able to be calculated utilizing the speed of light;
- c) Timing Advance is utilized by T-Mobile, US Cellular and AT&T and is an amount of time that the mobile needs to advance its transmission so that the signal arrives as if there was no delay. The network needs to ensure that the device is synchronized with the network and utilizes the RTT or (Round Trip Time) to set the timing advance value. RTT in this instance is measuring the actual time it takes for a signal to go from the tower to the phone and back. Based on the time, a distance is able to be calculated utilizing the speed of light. This distance is recorded in the Timing Advance reports;

19. I know that once this information is received from the cellular/wireless service, it may then be determined that the target telephone is outside the lawful jurisdiction of the agency which is conducting the underlying investigation. Therefore, in any cell tracking order, it is important that the court authorize the cellular/wireless service to release information to the Wisconsin Department of Justice, the United States Marshal's Service, the United States Secret Service, the Federal Bureau of Investigation, and/or any other law enforcement designated by the investigating agency; those agencies can assume tracking or assisting when the device leaves the investigating agency's jurisdiction;

Dated 31st day of May, 2024



Christopher Randazzo
Police Officer

Subscribed and sworn to before me
this 31st of May, 2024



Sara N.V. Sadowski
Notary Public, State of Wisconsin, Milwaukee County
My Commission is permanent

