COUNTY OF LARIMER )

 ) SS IN THE COMBINED COURT

STATE OF COLORADO )

**SEALED**

**AFFIDAVIT FOR SEARCH WARRANT FOR**

**FACEBOOK ACCOUNT information**

Before the Honorable \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Judge/Magistrate

Affiant, LEO NAME, a commissioned law enforcement officer, being duly sworn, deposes and says that I have probable cause to believe that the following facts support the need for the release of Facebook account information for the following social media account:

**FACEBOOK user profile ID:**

Your Affiant believes these records reside in the place or business entity known as or described as:

**Facebook, Inc.**

**Facebook Security LE Response Team**

**1601 Willow Road**

**Menlo Park, CA 94124**

Served via Facebook Law Enforcement Portal at:

<https://facebook.com/records>

Your Affiant, NAME, is a Detective with the Law Enforcement Agency and is currently assigned to the Northern Colorado Drug Task Force (NCDTF). Your Affiant has been trained at the state and local levels with regard to my duties and is authorized by law to execute search and arrest warrants in the state of Colorado.

Through my training and experience, your Affiant knows that subjects involved in the illegal distribution of controlled substances use cellular telephones in order to arrange and facilitate drug transactions. Your Affiant also knows that these subjects will use their cellular telephones to access social media accounts which have messaging features that allow them to communicate with and arrange drug transactions using these social media platforms. In addition, these subjects use their telephones to contact and to store the names and phone numbers of associates who are also involved in the illegal distribution of controlled substances. Your Affiant is aware that it is common for a subject involved in the illegal distribution of controlled substances to use multiple telephones, multiple social media applications and multiple forms of communication (calls, texts, and social media applications) in an attempt to avoid law enforcement detection.

Because this Affidavit is being submitted for the limited purpose of securing an order authorizing the release of Facebook account information your Affiant has not included details of every aspect of this investigation to date. Facts not set forth herein are not being relied on in reaching your Affiant’s conclusion that an order should be issued.

Your Affiant believes the below-described facts to be true based upon official law enforcement records, conversations with fellow officers, personal observations and interviews:

**PROBABLE CAUSE STATEMENT**

Your Affiant is aware that Facebook is a multi-faceted, electronic social media platform which can be accessed and used in a variety of ways. Users can communicate via text and multi-media messages, as well as voice calls, electronic message boards, and other ways. Your Affiant is aware that mobile devices, applications, and the Facebook website are among the ways that users can also access their profile. As a result, your Affiant believes the location information and access information such as IP addresses will provide evidence of **TARGET NAME**’s activities.

Through training and experience, your Affiant has found that subjects involved in the illegal distribution of controlled substances often utilize Facebook messenger, send private messages and photos, and use the phone call feature in Facebook to further their criminal activity. Your Affiant has requested and been issued search warrants for Facebook user account information in similar but unrelated cases and found that this information proved to be critical evidence in future criminal proceedings. Your Affiant believes the account information, log-in information, and all other information and records associated with this profile will be essential in identifying **TARGET NAME** source(s) of supply, co-conspirators, and customers. Your Affiant believes that by collecting the aforementioned records from Facebook, Inc., investigators will be able to preserve the evidence which is material to this investigation.

Your Affiant is aware from prior experience that nearly all user-initiated Facebook activity, including the posting of images, status updates, the sending of messages, etc., is associated with an Internet Protocol (IP) address. This IP address would assist your Affiant in determining the geographic location from which any messages made by **TARGET NAME** were posted, to include if these messages are sent with a mobile device. Your Affiant is also aware mobile devices connected to a Facebook account can sometimes store location data associated with the device’s Facebook activity. Your Affiant believes obtaining the records requested in this affidavit will help identify from which mobile or wireless networks **TARGET NAME** or anyone with access to their Facebook profile, is in fact accessing that profile. This information would help establish a pattern of movement, identify additional co-conspirators they are associating with and further the investigation described in this affidavit.

Based on the above-referenced information, your Affiant believes that the above-referenced Facebook account is being utilized to facilitate illegal drug trafficking activity. Your Affiant believes that by obtaining Facebook account information, investigators will be able to identify other Facebook accounts which are in contact with the above identified Facebook account in order to identify other associates and participants in this illegal drug trafficking activity.

Your Affiant has reviewed the Facebook, Inc., informational website. In the section entitled, “Information for Law Enforcement Authorities,” Facebook notifies the public that their corporation will require a search warrant issued under the procedures described in the Federal Rules of Criminal Procedure or equivalent state warrant procedures upon a showing of probable cause in order to compel the disclosure of the stored contents of any account, which may include messages, photos, videos, timeline posts, and location information.

Your Affiant is aware that Facebook has a policy of notifying their customers shortly after receipt of legal process, such as a search warrant. Your Affiant believes notification of receipt of this Search Warrant would cause the suspects to become aware of the law enforcement investigation. Your Affiant believes, upon being notified of the law enforcement investigation, the suspects would conceal, secrete, delete, destroy or encrypt the evidence this Affidavit for Search Warrant seeks to retrieve and preserve.

Your Affiant requests that this Affidavit and any Order granting a Search Warrant, and all records related to this Order be sealed until the completion of the law enforcement criminal investigation. Should this information be made public record prior to the completion of the investigation, your Affiant strongly believes that such disclosure would have an adverse impact on the criminal investigation in progress. Your Affiant further believes that sealing this Affidavit and any Order would be in the best interests of the community.

**Your Affiant advises this Court that the requested Facebook account information will in no way allow the active, real-time monitoring of any content or conversation(s).**

Therefore, based on the above information and facts, your Affiant respectfully requests that the Court make the following findings and orders:

1. That the grounds for the issuance of this search warrant exist pursuant to C.R.S. §16-3-301, C.R.S. §16-3-301.1 and C.R.S. §16-3-303.5 and that there is probable cause to believe that such grounds exist.
2. That the Affiant has certified that the information that is likely to be obtained by the Facebook account information on the following social media account:

**FACEBOOK user profile ID:**

is related to an ongoing criminal investigation into felony violations of the Colorado Uniform Controlled Substances Act, C.R.S. §18-18-405.

1. That there is probable cause to believe that the above-referenced individual participated and/or conspired to participate in the illegal trafficking of controlled substances and that individual utilized the above-referenced Facebook account to facilitate these illegal trafficking activities.
2. That there is probable cause to believe that there is information likely to be obtained from the Facebook account informationthat is related to the ongoing criminal investigation into felony violations of the Colorado Uniform Controlled Substances Act, C.R.S. §18-18-405, and that such information is needed in order to further the above-referenced investigation.
3. There is now located the following described property, which is in the active or constructive possession of Facebook:

**The following records pertaining to Facebook User profile:**

**Facebook user profile ID:**

From **DATE 1** to **DATE 2** to include, but not limited to:

* All contact and personal identifying information, including full name, user identification number, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.
* Date the Facebook User Profile account was created and current account status.
* Internet Protocol (IP) address at time of registration, date username registered, and log-in IP addresses associated with the Facebook User Profile.
* IP address logs for the Facebook User Profile.
* All activity logs and all other documents showing the user’s posts and other Facebook activities, to include geographical locations and/or cellular site locations if applicable.
* All Photoprints and all photos uploaded by any user that have these users tagged in them as well as cellular site or geographical locations from where the messages and/or pictures were processed to determine geographical locations where these messages and or photographs were made and received.
	+ Photoprint- The photoprint is a compilation of all photos uploaded by the user that have not been deleted, along with all photos uploaded by any user which have the requested user tagged in them.
* All Neoprints (which is an expanded view of the given users profile), including profile contact information; News Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends’ Facebook user identification numbers; groups and networks of which the user is a member, including the groups’ Facebook group identification numbers; future and past event postings; comments; gifts; pokes; tags; and information about the user’s access and use of Facebook applications.
* All other records of communications and messages made or received, including all private messages, chat history, video calling history, and pending “Friend” requests. All past and present “Friends” lists.
* All records of Facebook searches performed.
* All geolocation information relating to account access and use.
* All privacy settings and other account settings, including privacy settings for individual Facebook posts and activities, and all records showing which Facebook users have been blocked.
* All messages sent and received through the Facebook Messenger function and the Facebook Messenger Mobile Application for the user with the Facebook User Profile for the above-identified date range.
1. That the NCDTF will compensate Facebook for expenses reasonably incurred in complying with this order.
2. That **FACEBOOK** NOT take adverse action against the subject account, such as disabling or terminating the account, because of this warrant.
3. That the notification of this Search Warrant be delayed until the completion of the law enforcement criminal investigation.
4. That this Search Warrant and all records related to this Order be sealed until the completion of the law enforcement criminal investigation.

Affiant\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_am/pm.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Judge/Magistrate

COUNTY OF LARIMER )

 ) SS IN THE COMBINED COURT

STATE OF COLORADO )

 **SEALED**

**SEARCH WARRANT FOR**

**FACEBOOK ACCOUNT information**

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 Judge/Magistrate

**TO: ANY PEACE OFFICER AUTHORIZED BY LAW TO EXECUTE SEARCH WARRANTS IN THE COUNTY OF LARIMER AND STATE OF COLORADO.**

The court, upon review of a sworn affidavit filed by **LEO NAME,** a commissioned law enforcement officer, in support of the issuance of this Search Warrant, hereby orders the release of Facebook account information for which there is probable cause to believe are in the actual or constructive possession or control of:

**Facebook, Inc.**

**Facebook Security LE Response Team**

**1601 Willow Road**

**Menlo Park, CA 94124**

Served via Facebook Law Enforcement Portal at:

<https://facebook.com/records>

The Court, upon review of a sworn probable cause affidavit filed by Affiant NAME, a commissioned law enforcement officer, in support of the issuance of this order, hereby finds:

1. That the grounds for the issuance of this search warrant exist pursuant to C.R.S. §16-3-301, C.R.S. §16-3-301.1 and C.R.S. §16-3-303.5 and that there is probable cause to believe that such grounds exist.
2. That the Affiant has certified that the information that is likely to be obtained by the Facebook account information on the following social media account:

**FACEBOOK user profile ID:**

is related to an ongoing criminal investigation into felony violations of the Colorado Uniform Controlled Substances Act, C.R.S. §18-18-405.

1. That there is probable cause to believe that the above-referenced individual participated and/or conspired to participate in the illegal trafficking of controlled substances and that individual utilized the above-referenced Facebook account to facilitate these illegal trafficking activities.
2. That there is probable cause to believe that there is information likely to be obtained from the Facebook account informationthat is related to the ongoing criminal investigation into felony violations of the Colorado Uniform Controlled Substances Act, C.R.S. §18-18-405, and that such information is needed in order to further the above-referenced investigation.
3. There is now located the following described property, which is in the active or constructive possession of Facebook:

**The following records pertaining to Facebook User profile:**

**Facebook user profile ID:**

From **DATE 1** to **DATE 2** to include, but not limited to:

* All contact and personal identifying information, including full name, user identification number, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.
* Date the Facebook User Profile account was created and current account status.
* Internet Protocol (IP) address at time of registration, date username registered, and log-in IP addresses associated with the Facebook User Profile.
* IP address logs for the Facebook User Profile.
* All activity logs and all other documents showing the user’s posts and other Facebook activities, to include geographical locations and/or cellular site locations if applicable.
* All Photoprints and all photos uploaded by any user that have these users tagged in them as well as cellular site or geographical locations from where the messages and/or pictures were processed to determine geographical locations where these messages and or photographs were made and received.
	+ Photoprint- The photoprint is a compilation of all photos uploaded by the user that have not been deleted, along with all photos uploaded by any user which have the requested user tagged in them.
* All Neoprints (which is an expanded view of the given users profile), including profile contact information; News Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends’ Facebook user identification numbers; groups and networks of which the user is a member, including the groups’ Facebook group identification numbers; future and past event postings; comments; gifts; pokes; tags; and information about the user’s access and use of Facebook applications.
* All other records of communications and messages made or received, including all private messages, chat history, video calling history, and pending “Friend” requests. All past and present “Friends” lists.
* All records of Facebook searches performed.
* All geolocation information relating to account access and use.
* All privacy settings and other account settings, including privacy settings for individual Facebook posts and activities, and all records showing which Facebook users have been blocked.
* All messages sent and received through the Facebook Messenger function and the Facebook Messenger Mobile Application for the user with the Facebook User Profile for the above-identified date range.
1. That the NCDTF will compensate Facebook for expenses reasonably incurred in complying with this order.
2. That **FACEBOOK** NOT take adverse action against the subject account, such as disabling or terminating the account, because of this warrant.
3. That the notification of this Search Warrant be delayed until the completion of the law enforcement criminal investigation.
4. That this Search Warrant and all records related to this Order be sealed until the completion of the law enforcement criminal investigation.
5. All records shall be produced to:

LEO NAME

LEO EMAIL ADDRESS

Phone: 970-

Dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_am/pm.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Judge/Magistrate