



Local Police Change Cell Phone Seizure Policy After SCOTUS Ruling

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SPRINGFIELD, Mo. -- We use our cell phones dozens of times a day and rely on them for everything from fun snapshots to storing vital information. The Supreme Court ruled this week that police should be required to get search warrants to search suspect's phones.

Captain Dave Millsap with the Springfield Police Department said police were not hoping to see this change in the law. However, Millsap says police still get the information, but it will take longer now.

For us, cell phones are a convenience and a life line.

For police investigators, it is a treasure trove of information who have you called or texted and why, what have you searched on the web, where have you been.

But, now like searching a home and a car, police will have to get a search warrant. One expert from the Cato institute says that acknowledges the level of privacy a phone deserves.

"Not just their money or credit cards or just their phone, it's their entire life, their medical records, their bank records, their photo albums, your entire life," says Ilya Shapiro of the Cato Institute.

Millsap says this is not the decision police wanted.

"But, I knew we were headed down this direction," he says.

Now, Millsap says he's confident investigators will still get the information.

"Let's say I make a car stop and I believe there is evidence on that telephone. I'm just going to seize the phone. Go get a search warrant and then whether it be the next day, or two days or a week later I'll serve that search warrant on that phone and look through it," says Millsap.

Millsap says then the waiting game begins.

"Usually from the time you start typing until the time a judge signs it about three hours," he says.

But, there are exceptions in the ruling when the clock is ticking on someone's life, a hostage situation or a child abduction for example.

"The Supreme Court left us some wriggle room to be able to search the phone without a search warrant and that would be with exigent circumstances. A compelling need to take official action in life and death circumstances," says Millsap.

The court decision also said if police are concerned someone might try to wipe clean the phones information from a remote location that could be considered an exigent circumstance and an immediate search could be possible.