

AFFIDAVIT FOR SEARCH WARRANT

{State of Arkansas}
{County of Poinsett}
SS

Before Judge Ron Hunter in Poinsett County, Arkansas

The undersigned being duly sworn deposes and says that he has reason to believe that In the

The Meta Platforms, Inc account belonging to <https://www.facebook.com/The-City-of-Trumann-Arkansas-368546663990085>

Located in the City of Trumann, County of Poinsett, State of Arkansas, there is now being concealed certain property, namely:

Location History, IP Adresses, Images including stored meta-data, files, videos, associated meta-data, software, text messages, cellular phone backups, created and/or accessed Internet Protocol addresses including historical Internet Protocol addresses, recovery email accounts, profile information, location data, historical data, or any other digital items that may be located or stored in the Meta Platform Inc. account <https://www.facebook.com/The-City-of-Trumann-Arkansas-368546663990085> that may prove the account is being used to conduct Arkansas Statue 5-71-208 Harassment This includes any contacts, emails, or communications from Meta Platform Inc, Meta Platform Inc. Messenger, or any other applications or add-on applications belonging to this user.

Which are in violation of Arkansas Statute:

5-71-208A(5) Harassment/Conduct that repeatedly causes alarm or serously annove another

And that the facts tending to establish the foregoing grounds for issuance of a search warrant are as follows:

On February 16, 2023 The Trumann Police Department received an Affidavit^{by phone} that was filed with the Trumann Courts that was submitted by the victim Trumann Fire Chief Revis Kemper. Kemper advised that him and his family has been harassed and stalked due to three Meta Platforms Inc Pages requesting that citizens follow him taking pictures and video of him and his family. Due to these post Mr. Kemper has contiously being followed and filmed at this own residence on his proeprty and has it residence. This has cuased him to fear for the safety of himself and his family wife and kids. .

A Night Time search (8:00 PM to 6:00 AM) No-Knock Entry is requested due to: N/A

Capt. L Becker
Signature of Affiant

Operations Commander Capt.
Official Title

Sworn to before me and subscribed ^{by phone} ~~in my presence~~,

Ron Hunter
Judge

2/17/2023
Date

STATE OF ARKANSAS)
SS:
COUNTY OF POINSETT)

SEARCH AND SEIZURE WARRANT

Before Honorable Ron Hunter, Judge of the District Court in the County of Poinsett, Arkansas:

I am currently assigned full time as Captain with the **Trumann Police Department**. I have been assigned to investigate Harassment of public official. The **Arkansas Statue Harassment/Conduct that repeatedly causes alarm or serious annoys another, A.C.A. §5-71-208**, occurred in Poinsett County Arkansas.

DESCRIPTION OF PREMISES TO BE SEARCHED:

The address to be searched is a website hosted by The Meta Platforms, Inc. (Facebook) account belonging to **The City of Trumann, Arkansas**

<https://www.facebook.com/The-City-of-Trumann-Arkansas-368546663990085>

located at:

1601 Willow Road, Menlo, California, 94025 in the United States of America

The website is titled:

and user name **The City of Trumann, Arkansas**

<https://www.facebook.com/The-City-of-Trumann-Arkansas-368546663990085>

META Platform CASE NUMBER: 7599410

STATUTE(S) BEING VIOLATED:

Harassment/Conduct that repeatedly causes alarm or serious annoys another, A.C.A. §5-71-208

PROPERTY SOUGHT:

The affiant seeks to seize the below-described evidence pursuant to Arkansas Rules of Criminal Procedure 13.1 through 13.4, inclusive, as well as the Electronic Communications Privacy Act, 18 U.S.C. 2703, and California Statute § 1524.2, which compel out-of-state electronic communication service or remote computing services that provides such services to the public to provide information requested pursuant to search warrants, court orders, and subpoenas issued in the State of Arkansas. However, because the out-of-state electronic communication service or remote computing service provider has no reasonable means to distinguish evidence of the crimes from any other records contained within the sought-after account, your Affiant seeks to compel the service provider to seize a copy of all records pertaining to this account and provide the entirety of the records to your Affiant. Once your affiant has obtained those records, your Affiant and/or other representatives of the Trumann Police Department shall conduct an actual search of the items obtained from the out-of-state electronic communication service or remote computing service provider in order to sort the evidence of the crimes articulated below and specifically sought herein, which may be intermingled with innocent or innocuous documents or records.

Non-Disclosure

Disclosure of this warrant to any person, including the service provider's customer or subscriber to whom the material relate, would cause a serious and imminent threat to the interests of effective law enforcement, to public safety, and, potentially to victims or witnesses. Such disclosure could also endanger the life or physical safety of an individual; risk flight from prosecution; risk destruction of or tampering with evidence; risk intimidation of potential witnesses; otherwise seriously jeopardize an investigation and/or unduly delay a trial.

In my experience, suspects who know their activity is being investigated by law enforcement quickly change their behavior. They may change or destroy their cell phones and other mobile communication or other digital devices, or stop using the email address, social networking site, or computer that they had previously been using. They also frequently flee to unknown locations, hide or destroy evidence, and otherwise alter their behavior, taking other actions to conceal their crime and their physical location. Suspects do this in an attempt to disrupt law enforcement's ongoing investigation into, or discovery of, their criminal activity. A suspect's sudden disassociation with the target address thwarts police efforts to protect the public by locating fugitives and witnesses, collecting evidence of crime, or locating crime victims, including those who have been kidnapped. The existing endangerment to victim, witness, and public safety would continue.

Likewise, the service provider's notice to the customer or subscriber to whom the target address relates would undermine this investigation, render ineffective the court's warrant, and/or frustrate the purpose of that warrant, which is to collect evidence of an ongoing crime; obtain evidence of a suspect's efforts to conceal a past crime, to locate a criminal suspect and/or to discover a physical location at which evidence of the suspect's crime could be found.

Applicant believes that the disclosure of this request must not be made at any time as it may jeopardize an ongoing criminal investigation. Applicant requests that the Court issue an order directing Snapchat Inc. and their representatives, agents, and employees, not to disclose in any manner, directly or indirectly, by any action or inaction, to the listed account holders, in full or redacted form, or of this investigation unless ordered by this court.

This Court has authority under 18 U.S.C. § 2705(b) to issue “an order commanding a provider of electronic communication service or remote computing service to whom a warrant, subpoena, or court order is directed, for such period as the Court deems appropriate, not to notify any other person of the existence of the warrant, subpoena, or court order.”

Such an Order would be appropriate because the Search Warrant relates to an ongoing criminal investigation that is neither public nor known to the target of the investigation, and its disclosure may alert the target to the ongoing investigation. Accordingly, there is reason to believe that notification of the existence of the Search Warrant will seriously jeopardize the investigation, including by giving the target an opportunity to flee, destroy or tamper with evidence, change patterns of behavior, or notify confederates. See 18 U.S.C. § 2705(b)(2), (3), (5). Some of the evidence in this investigation is stored electronically. If alerted to the investigation, the subject under investigation could destroy that evidence, including information saved to his or her personal computer(s).

Further, it is anticipated that any account holders identified in the responsive documents may be the target of further investigation, including the issuance of search warrants for additional evidence

Therefore, the Court finds that the records which are the subject of this search warrant are material and relevant to a legitimate law enforcement ongoing investigation, Facebook Inc., is **ordered NOT to notify any other person of the existence of this search warrant, including the user of the account, or release any information related to this search warrant, as there is reason to believe that notification or other disclosure would impede this ongoing investigation or otherwise cause an adverse result, as defined by law.** This disclosure restriction shall be for a period not to exceed 90 days.

THEREFORE, you are commanded to search Meta Platform Inc., 1601 Willow Road, Menlo Park, CA 94025, for the following items and return the results in 10 business days or as soon as reasonably possible:

The account holder's names and user IDs are the following:and user name

The City of Trumann, Arkansas

<https://www.facebook.com/The-City-of-Trumann-Arkansas-368546663990085>

Meta Platform Inc. (Facebook) CASE NUMBER: 7599410

Meta Platform Inc. (Facebook) Name: The City of Trumann, Arkansas

<https://www.facebook.com/The-City-of-Trumann-Arkansas-368546663990085>

All items listed in Attachment A and Attachment B.

ATTACHMENT A

Property to Be Searched

This warrant applies to information associated with the Facebook user

<https://www.facebook.com/The-City-of-Trumann-Arkansas-368546663990085>

Meta Platform Inc. (Facebook) CASE NUMBER: 7599410

Meta Platform Inc. (Facebook) Name: The City of Trumann, Arkansas

that is hosted by Facebook Inc., 1601 Willow Road, Menlo Park, California, 94025, USA.

ATTACHMENT B

Particular Things to be seized

I. Information to be disclosed by Meta Platform Inc. Facebook

To the extent that the information described in Attachment A is within the possession, custody, or control of Meta Platform Inc. (“Facebook”), regardless of whether such information is located within or outside of the United States, including any messages, records, files, logs, or information that have been deleted but are still available to Meta Platform Inc. Facebook, or have been preserved pursuant to request **7599410** Meta Platform Inc. Facebook is requested to disclose the following information to the government for each user ID listed in Attachment A

- (a) All contact and personal identifying information, including full name, user identification number, birth date, gender, contact e-mail addresses, physical address (including city, state, and zip code), telephone numbers, screen names, websites, Meta Platform Inc. Facebook advertising ID and associated data including location data collected, and other personal identifiers;
- (b) All location information including Phase II data, latitude-longitude data, and other precise location information, to include RTT reports, PCMD reports, and NELOS/SCAMP reports without geographic limitation as well as cell-site tower and sector activations and locations at call origination, call termination, and during the progress of the call without geographic limitation;

- (c) All activity logs for the account and all other documents showing the user's posts and other Meta Platform Inc. Facebook activities;
- (d) All photos and videos uploaded by that user ID and all photos and videos uploaded by any user that have that user tagged in them, including Exchangeable Image File ("EXIF") data and any other metadata associated with those photos and videos;
- (e) All profile information; News Feed information; status updates; videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends' Meta Platform Inc. 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; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Meta Platform Inc. Facebook applications;
- (f) All records or other information regarding the devices and internet browsers associated with, or used in connection with, that user ID, including the hardware model, operating system version, unique device identifiers, mobile network information, and user agent string;
- (g) All accounts associated to the Meta Platform Inc. Facebook IDs using machine cookies;
- (h) All "check ins," location history, and other location information;

- (i) All other records and contents of communications and messages made or received by the user, including all Messenger activity, private messages, chat history, video and voice calling history, and pending “Friend” requests;
- (j) All past and present lists of friends created by the account including blocked lists and any address books stored by Meta Platform Inc. Facebook obtained from the user’s devices;
- (k) All records of Meta Platform Inc. Facebook searches performed by the account between the dates;
- (l) All information about the user’s access and use of Meta Platform Inc. Facebook Marketplace;
- (m) The types of service utilized by the user, the length of service (including start date) and the means and source of any payments associated with the service (including any credit card or bank account number);
- (n) All privacy settings and other account settings, including privacy settings for individual Meta Platform Inc. Facebook posts and activities, and all records showing which Meta Platform Inc. Facebook users have been blocked by the account; and
- (o) All records pertaining to communications between Facebook and any person regarding the user or the user’s Meta Platform Inc. Facebook account, including contacts with support services and records of actions taken.

which (is) (are) permissible objects of seizure pursuant to Rule 10.2 of the Arkansas Rules of Criminal Procedure and/or pursuant to Ark. Code Ann. § 5-27-602 as either evidence of or other information, except privileged information, concerning the commission of a criminal offense; of distributing, possessing, or viewing of matter depicting sexually explicit conduct involving a child, a violation of Arkansas Statute 5-27-602, a Class C Felony.

I hereby find that this application meets the requirements of Rule 13.1 of the Arkansas Rules of Criminal Procedure and that, on the basis of the proceedings before me, determine there is reasonable cause to believe that the search will discover the things specified in the application and that they are subject to seizure.

The data can be returned via the Meta Platform Inc. Meta Platform Inc. Facebook Law Enforcement Portal System to email: Lenny.becker@trumannpd.org ,

Capt. Lenny Becker of the Trumann Police Department, 220 South Melton Ave, Trumann, AR 72472. Phone Number: 870-227-9483 Or Office 870-483-6423.

This SEARCH WARRANT shall be executed between the hours of 6:00 AM and 8:00 PM.

This SEARCH WARRANT must be executed within a reasonable time, not to exceed thirty (10) days after the issuance of this WARRANT, and if the property specified be found there, seize it, leaving a copy of this warrant and a receipt for the property seized, and return this warrant and bring the data and information to me no later than five days after the execution of this warrant.

Sworn to before me this ^{17th} day of Feb., 2027.



Honorable Judge Ron Hunter

RETURN SEARCH WARRANT

I received the attached search warrant on the 17 day of Feb, 2023, and have executed it as follows:

On the 17 day of March, 2023 at 10:11 o'clock P.M.,

I searched the person or premises described in the warrant and I left a copy of the warrant with the following:
Choose an item. _____ together with a receipt for the items seized.

The following is an inventory of property taken pursuant to the warrant:

Face book meta records on The City of Trumann - Just for fun
#7602487
Digital Content

This inventory was made in the presence of L Becker and _____.

I swear that this inventory is a true and detailed account of all the property taken by me on the warrant.

Capt. L Becker

Officer

Subscribed and sworn to and returned before me this 17 day of March, 2023.

[Signature]

Judge