



**NATIONAL
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8 June 2018

The Honorable C. Patrick Roberts
United States Senate
Washington, D.C. 20510

Dear Senator Roberts,

I am writing on behalf of the members of the Fraternal Order of Police to advise you of our support for S. 2973, the “Kelsey Smith Act.”

Your bill would ensure that law enforcement officers, not telephone companies or wireless carrier services, determine what constitutes an emergency situation in which a person is at great risk of death or serious harm. It would enable law enforcement officers to immediately request cell-site location information without a warrant or delay to locate children or abducted persons in circumstances where time is of the essence. These exigent circumstances would also apply when any device is used to contact 911 within a 48-hour period.

In June 2007, 18-year-old Kelsey Ann Smith found herself in just this type of emergency. She was abducted in broad daylight in a parking lot and images of the crime were captured on a closed-circuit security camera. There was no doubt about the emergency nature of her situation. In an effort to locate Kelsey quickly, numerous requests from family and law enforcement—including a subpoena—were made to the service provider to get the location of her mobile phone. It took four days before the company provided the requested information. Law enforcement was then able to get the location of the phone and found Kelsey Smith’s body as well. We cannot let this happen again.

On behalf of the more than 335,000 members of the Fraternal Order of Police we thank you for your consistent leadership on this important issue. If I can provide any additional information, please do not hesitate to contact me or my Senior Advisor, Jim Pasco, in my Washington office.

Sincerely,


Chuck Canterbury
National President