

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**FROM:** Supervisor Tavaglione

**SUBMITTAL DATE:** January 10, 2006

**SUBJECT:** Implementation of Moratorium on New Cellular Phone Towers Proposed by Sprint.

**RECOMMENDED MOTION:** That the Board of Supervisors immediately initiate a moratorium **on permits for new cellular phone towers proposed** by Sprint. The moratorium shall remain in effect until the Sheriff's Department further investigates why Sprint recently failed to activate its global positioning system (GPS) when a vehicle carrying the owner's infant was stolen. The investigation should ascertain the laws and procedures that Sprint and other cellular providers follow in activating GPS capabilities when a life is at risk, especially in the case of a minor. The Sheriff's Department investigation also should include suggestions for ensuring that companies establish policies to assist law-enforcement officers if similar cases occur in the future.

**BACKGROUND:** At approximately 7 a.m. on December 23, 2005, Eastvale resident Jason Cochran placed his 10-month-old infant son, Wade, in the car seat of his family vehicle. For about a minute, Wade was unattended in the vehicle while Mr. Cochran returned to the home to get his 3-year-old son. When Mr. Cochran returned, the car, with his son Wade inside, was gone. Mr. and Mrs. Cochran immediately phoned the Riverside County Sheriff's Department, which quickly initiated an Amber Alert.

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John Tavaglione, Supervisor 2<sup>nd</sup> District

Fortunately, the vehicle was found within two hours with Wade inside and safe. Wade would have been found much sooner, however, if Sprint had immediately activated the GPS system in the Cochrans' cellular phone, as the family and the Sheriff's Department had requested.

Regrettably, the cellular provider indicated that, "the Cochrans would have to sign a form and pay a \$25 fee before the company could tell investigators where to find the phone." Sprint also refused to cooperate with law enforcement. In fact, statements from Sprint officials in media reports included the following: "The company generally requires a subpoena or some other type of court order to divulge information to public safety agencies." "In situations that are exigent and dire, we do need some law enforcement paperwork to be provided." "We can't release information without having the paperwork beforehand. It is law enforcement's responsibility to do that."

Apparently, Sprint management policies and personnel do not recognize that fast action might be the only way to avoid tragedy when a child has been abducted. Sprint officials seem to believe that a court subpoena, written approval from the owner and payment of \$25 fee are more important than quickly helping to recover a child from a criminal and return that child safely to the arms of his or her parents.

Because of the company's response in this emergency, Riverside County must assess policies adopted by cellular-service providers to determine whether they might hamper law-enforcement efforts to protect our residents and apprehend criminals. We also must work closely with State Legislators to ensure that laws are in place so that GPS capabilities can be initiated immediately if children are abducted under circumstances similar to the Cochran family's case.