



ELECTRONIC DATA DOWNLOAD CONSENT

Case #: _____

I, _____, hereby authorize _____, who has identified himself / herself as an investigator with the Office of the State Public Defender, and any other person(s), including but not limited to a forensic examiner, he / she may designate to assist him / her, to remove, take possession of and / or conduct a complete search of the following: mobile phones, smartphones, tablets, computer systems, electronic data storage devices, computer data storage diskettes, CD-ROMs, or any other electronic equipment capable of storing, retrieving, processing and / or accessing data.

The aforementioned equipment will be subject to data duplication / imaging and a forensic analysis for any data pertinent to my pending criminal case. While all reasonable attempts will be made to prevent physical damage and / or the loss of data, I recognize that damage and data loss is possible. I hereby agree to hold the Office of the State Public Defender and mentioned above harmless for any damage that occurs to my devices and data.

I give consent to search freely and voluntarily without fear, threat, coercion or promises of any kind and with full knowledge of my right to refuse to give my consent for the removal and / or search of the aforementioned equipment / data, which I hereby waive. I am also aware that if I wish to exercise this right of refusal at any time during the collection or search of the equipment / data, it will be respected.

Furthermore, **I understand that anyone encountering visual depictions of a minor (person under 18 years of age) engaged in sexually explicit conduct on my device / data has a statutory obligation under 18 U.S.C. Section 2252(a)(4)(c) to report these materials to law enforcement.** I acknowledge that the discovery and possession of these materials (child pornography) are not protected by attorney-client privilege. Finally, I understand that sexually explicit conduct means actual or simulated sexual intercourse (including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex), bestiality, masturbation, sadistic or masochistic abuse, or lascivious exhibition of the genitals or pubic area of any person.

Mobile Device # and IMEI: _____

Device Passcode, Pattern, or other Locking Information: _____

This consent is given by me this _____ day of _____, 20____, at _____ AM/PM

Consenter Signature: _____

Consenter Printed Name: _____

Witness Signature: _____