

The Department of Justice Office of the Inspector General (OIG) announced today the release of a report examining the operations of the Federal Bureau of Investigation's (FBI) Philadelphia Regional Computer Forensic Laboratory (PHRCFL) located in Radnor, Pennsylvania. The OIG found that the PHRCFL had mixed results in achieving its performance goals and identified several concerns relating to the PHRCFL's Cell Phone Investigative Kiosks (Kiosk), its training program, and its annual statistical reports to the FBI and Congress.

The specific findings in the report released today include:

- Although the FBI reported backlogs at some other RCFLs from fiscal years 2011 through 2013, a material backlog did not exist at the PHRCFL and participating agencies were satisfied with the work it performed. The PHRCFL was timely in completing forensic examination requests and the examination results met the expectations of the PHRCFL's partners. However, it did not consistently meet its performance goals. For example, it met its goal of increasing the number of completed examinations by at least 5 percent in only one of the three fiscal years examined.
- The PHRCFL lacked sufficient controls to ensure that users accessed the Kiosks only for law enforcement matters. Kiosks, which are available at select FBI field offices and regional computer forensic laboratories, including the PHRCFL, allow users to quickly and easily view, extract, and compile data stored on a cell phone or other electronic media. FBI policy requires Kiosk users to confirm that they possess the proper legal authority for the search, and beginning in May 2012, the PHRCFL required Kiosk users to sign an acknowledgment form stating that the user had the appropriate legal authority to use the Kiosk for an official purpose. However, we found that PHRCFL did not have sufficient controls to prevent Kiosk users from viewing private cell phone information for non-law enforcement purposes, or from using a Kiosk without proper legal authority, which could constitute a Fourth Amendment violation. While we did not find any evidence that the PHRCFL Kiosks had been misused, if these weaknesses are not addressed, the PHRCFL Kiosks will continue to be vulnerable to serious abuse. Based on our findings at the PHRCFL, we believe it is important that the FBI evaluate access controls for Kiosks at RCFLs nationwide.
- The PHRCFL did not adequately ensure the accuracy of the information reported in the FBI's RCFL Program Annual Report. For example, the PHRCFL Kiosk usage statistics included data captured during training exercises where participants had practiced downloading data from their own cell phones, and as a result PHRCFL Kiosk annual usage statistics did not accurately reflect the number of times the Kiosks were used for investigative purposes. We also found that the documentation at the PHRCFL did not adequately support the training statistics included in the Annual Report, which is provided to FBI management and to Congress.

The report makes six recommendations to the FBI to help achieve performance goals and address backlogs at RCFLs, minimize potential abuses of the Kiosk program nationwide, and

improve the accuracy and documentation of statistics included in annual reports. The FBI concurred with all six recommendations.

Today's report can be found on the OIG's website at the following link: <http://www.justice.gov/oig/reports/2015/a1514.pdf>.