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TRAINING BULLETIN

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No Warrant, No Exception: Court Blocks Evidence from Navy Cell Phone Search

United States of America v. Joshua Lee Ray

A recent non-binding appellate court decision in *United States of America v. Joshua Lee Ray* delivers a clear warning to law enforcement: you cannot search a phone just because you have it.

In October 2022, the Naval Criminal Investigation Service (NCIS) obtained a military warrant to seize, but not search, the cell phone of Joshua Lee Ray, a US Navy communications engineer, after allegations of child sexual abuse surfaced. Despite the warrant's explicit limitations, NCIS investigators conducted a full search of the phone and uncovered child sexual abuse material.

Ray moved to suppress the evidence, arguing the search violated the Fourth Amendment. The district court agreed and threw out the evidence. The Government appealed, arguing the search was justified under the “good faith” exception—which allows evidence to be admitted when officers reasonably rely on a flawed warrant.

The appellate court wasn't persuaded. It emphasized that the **good faith exception doesn't apply when officers go beyond the scope of a valid and clearly worded warrant**. In this case, the warrant was not ambiguous or flawed – it simply did not authorize a search.

The court ruled NCIS's actions were unreasonable and upheld the suppression of the evidence that the government obtained from the search of the defendant's cell phone.

Take Away: This decision reinforces a critical Fourth Amendment boundary: law enforcement must stay within the limits of the warrant they are given – or risk losing the evidence altogether.