

Board of Supervisors
County of Prince George, Virginia

Resolution

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this 13th day of March, 2018:

Present:

Alan R. Carmichael, Chairman
Donald R. Hunter, Vice-Chairman
Floyd M. Brown, Jr.
Marlene J. Waymack
T. J. Webb

Vote:

C-7

On motion of _____, seconded by _____, which carried unanimously, the following Resolution was adopted:

RESOLUTION; MEMORANDUM OF UNDERSTANDING BETWEEN THE
PRINCE GEORGE POLICE DEPARTMENT AND ICAC TASK FORCE
REGARDING CRIMES AGAINST CHILDREN

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of the County of Prince George this 13th day of March, 2018 does hereby authorize the Chief of Police to execute Memorandum of Understanding between ICAS Task Force and the Prince George Police Department.

A Copy Teste:

Percy C. Ashcraft
County Administrator

Southern Virginia Internet Crimes Against Children Task Force

Memorandum of Understanding

The Southern Virginia (SOVA) Internet Crimes Against Children (ICAC) Task Force is a partially grant-funded, multi-agency endeavor. The Bedford County Sheriff's Office is the recipient of the Department of Justice ICAC grant. This Memorandum of Understanding (MOU) is entered into by and between the following agencies:

Bedford County Sheriff's Office

and

Prince George County Police

This document shall not be construed as limiting or impeding the basic spirit of cooperation that exists between the participating agencies. This document does not intend to prohibit officials from using discretion and best judgment in matters where personal or community safety is at stake.

I. Mission

The mission of the ICAC Task Force is to assist law enforcement and community members in developing an effective response to cyber enticement and child pornography incidents. Taskforce members will identify, apprehend, and assist with the prosecution of sexual predators who exploit children through the use of computers and the Internet. Task force members will sponsor community education efforts regarding the prevention of internet crimes against children. The task force also seeks to enhance the effectiveness of participant agencies by providing investigative training to employees of each agency.

II. Purpose

The purpose of this MOU is to delineate the responsibilities of the SOVA ICAC Task Force, maximize inter-agency cooperation and formalize relationships between participant agencies for policy guidance, supervision, planning, training, and public and media relations. It is the desire of the participating agencies to attain maximum inter-agency cooperation in a combined law enforcement effort aimed at reducing internet crimes against children.

III. Direction

All participants acknowledge that the task force is a joint operation in which all agencies act as partners; however, the Bedford County Sheriff's Office is directly responsible for the policy and direction of the task force and grant management. The SOVA ICAC Task Force Coordinator will periodically contact supervisors and investigators from participating agencies to keep them informed of issues relevant to ICAC operations. Activities of the ICAC Task Force are further governed by the operational and investigative standards of the United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention (DOJ/OJJDP).

IV. Personnel

The SOVA ICAC will include investigators and supervisors from various local, state and federal law enforcement agencies. Assignment of member personnel to the ICAC Task Force will be at the discretion of the respective agency heads/supervisors. Each participating agency, upon request, will be provided with an update regarding the direction and accomplishments of the task force. Affiliate agencies are not required to physically assign personnel to the SOVA ICAC main office but may do so if they choose to.

Southern Virginia Internet Crimes Against Children Task Force

Memorandum of Understanding

V. Investigations

All ICAC Task Force investigations will be conducted in a spirit of cooperation. It is agreed that unilateral acts on the part of employees involved in task force investigations are not in the best interest of the task force. Agency participation in the task force means that when an ICAC Task Force case is developed in a member agency's jurisdiction, either by that agency or through another agency or means, the member agency will conduct or assist in the investigation. Cross jurisdictional investigations within the SOVA ICAC territory shall be coordinated between the affected agencies. Investigations developed outside the SOVA ICAC assigned territory shall be coordinated through the SOVA ICAC Task Force Commander. It shall be the responsibility of the Task Force Commander to contact and facilitate cooperation between the SOVA member agency and the affected ICAC.

VI. Prosecution

The criteria for determining whether to prosecute a particular violation in county, state or federal court will focus on achieving the greatest overall benefit to the public. Any question arising pertaining to jurisdiction will be resolved through discussions among the investigative and prosecutorial agencies having jurisdiction in the matter. When joint jurisdiction exists, this MOU does not preclude additional prosecution(s) in other jurisdictions.

VII. Prevention and Education Activities

Member agencies will conduct education and prevention programs within their jurisdictions to foster awareness and provide practical, relevant guidance to children, parents, educators, librarians, the business community, and other individuals concerned about Internet child safety issues. Presenters shall not discuss investigative techniques utilized by the ICAC Task Force. Requests for services/presentations received by the Task Force Coordinator will be forwarded to the affected member agency.

VIII. Case Predication and Prioritization

Cases may be initiated by referrals from the CyberTipline, Internet Service Providers, or other law enforcement agencies, and by information gathered through subject interviews, documented public sources, direct observations of suspicious behavior, public complaints, or by any other source acceptable under agency policies. Member agency supervisors are responsible for determining investigative priorities and selecting cases for investigation. Assuming the information is deemed credible, that determination should begin with an assessment of victim risk and then consider other factors such as jurisdiction and known offender behavioral characteristics.

The following prioritization scale will be used as a guideline:

- a) A child is at immediate risk of victimization
- b) A child is vulnerable to victimization by a known offender
- c) Known suspect is aggressively soliciting a child(ren)
- d) Manufactures, distributors or possessors of images that appear to be home photography with domiciled children
- e) Aggressive, high-volume child pornography traders who either are commercial distributors, repeat offenders, or specialize in sadistic images
- f) Manufactures, distributors or solicitors involved in high-volume trafficking or belonging to an organized child pornography ring that operates as a criminal conspiracy
- g) Manufactures, distributors or possessors of images of child pornography
- h) Any other form of child victimization.

Southern Virginia Internet Crimes Against Children Task Force

Memorandum of Understanding

IX. Undercover Investigations

Task force investigators shall avoid unlawful inducement of any individual not otherwise predisposed to commit the offenses being investigated. Only sworn, on-duty, ICAC Task Force personnel, who have completed the required basic online investigations course, shall conduct ICAC investigations in an undercover capacity. Private Citizens shall not be asked to seek out investigative targets nor shall they be authorized to act as police agents in an online undercover capacity. ICAC Task Force personnel shall not, under any circumstances, upload, transmit, or forward pornographic or sexually explicit images. Other than images or videos of individuals, age 18 or over, who have provided their informed written consent, and at the time consent was given were employed and compensated by a criminal justice agency, no human images or videos shall be uploaded, transmitted, or forwarded by task force personnel. Other than authorized above, images considered for uploading shall be approved by an ICAC Task Force supervisor and reviewed by a local/state/federal prosecutor. Sexually suggestive screen names shall not be used. During online dialogue, undercover officers should allow the investigative target to set the tone, pace, and subject matter of the online conversation. Image or video transfers shall be initiated and executed by the target.

X. Records, Reports and Evidence

Each individual agency is ultimately responsible for maintaining investigative reports generated by their agency's personnel. Investigative reports will be cooperatively shared in accordance with each member agency's policy. Evidence will be handled by established rules of law regarding chain of custody and property release and consistent with individual agency policy. At a minimum, a unique identifier shall be assigned to each ICAC case. All undercover online activity shall be recorded and documented. Any deviations from this policy shall be documented in the relevant case file. The storage, security, and destruction of investigative information shall be consistent with each agency's policy. Member agency supervisors will ensure that forensic previews and full forensic examinations of computers and related evidence are conducted by qualified and certified personnel.

XI. Statistics

All activity related to the core mission of the task force will be reported and submitted to the Task Force Coordinator by the 10th day of each month. The ICAC monthly performance measures electronic form will be provided for monthly submission. This form gathers such information as: community education, law enforcement training, subpoenas, arrests and number of cases worked. Information/statistics submitted on this form must be substantiated by investigative case files or other member agency documentation for DOJ/OJJDP audit purposes.

XII. Media Relations and Releases

Case specific media release information regarding task force operations will be coordinated and made jointly by all participant agencies. No unilateral press releases regarding individual cases will be made by any participating agency without the prior approval of the other participants. Media releases shall not include information regarding specific investigative techniques. Member agencies may engage in **general** media relations to promote the work of the task force. National Media contact shall only be made after prior approval is obtained by the National ICAC program manager. The Task Force Commander and Coordinator will assist in this process.

Southern Virginia Internet Crimes Against Children Task Force

Memorandum of Understanding

XIII. Workspace and Equipment

Task force computers and software shall be reserved for the exclusive use by agency designated task force personnel. No personally owned equipment shall be used in task force investigations and all software shall be properly acquired and licensed. All task force online investigations shall be conducted in government workspace as designated by the agency. All equipment and software used by ICAC taskforce members shall be legally acquired and legally licensed.

XIV. Information Sharing

To foster coordination, collaboration, and communication, each task force agency must contribute basic case information to a common database maintained by the National ICAC Task Force. This information should be submitted at the earliest practical opportunity. If a common target is identified, the initiating ICAC agency is responsible for contacting the other law enforcement agency targeting the suspect.

XIV. Training

ICAC Task Force members will have priority in the recommendation for training opportunities to improve and enhance the job skills required to combat internet crimes against children. Training costs will be defrayed as much as possible through grant funding.

XV. Duration

This MOU will remain in effect unless either party terminates the agreement. Task Force member agencies may withdraw their participation in this MOU at any time by providing written notice of their intent to withdraw. Upon withdrawing from the task force, equipment assigned to member agencies will be returned to the Task Force Coordinator.

This document has been approved as to form and content by the Sheriff of Bedford County.

Michael J. Brown
Sheriff, Bedford County, Virginia

Date

Colonel W. Keith Early
Chief of Police, Prince George County, Virginia

Date