

EXHIBIT

A

Chapter 7

MISSING & EXPLOITED CHILDREN TASK FORCE

Section 00 – General

7.00.000 Purpose of Unit

- A. The Missing and Exploited Children Task Force (MECTF) is a unit which exists to facilitate the investigative process by providing resources, training, and investigative expertise to law enforcement agencies, thereby ensuring the coordinated safe return of children to their proper custodial entity and conduct thorough investigations involving crimes against children, (i.e. child exploitation, luring, and proactive online cases.)
- B. In order for this task force to operate effectively, uniformly, and professionally, standardization is essential. An area of necessary standardization is the procedures that shall govern the conduct of the MECTF and each agency's personnel assigned thereto.
- C. In any situation that is not addressed, assigned officers shall adhere to their agency's policy and procedures manual if addressed therein.
- D. Officers assigned to MECTF as detectives shall remain subject to the disciplinary procedures of their agency.

Effective: September 2017
Applies to: All MECTF Personnel

7.00.010 Procedures

- A. These procedures are intended to provide the SIS commander, task force supervisors; and all personnel with standardized operating procedures.
- B. All members of the task force are required to comply with all procedures as set forth in this or any other official document as it pertains to the task force and specific or related duties.
- C. All members shall obey and properly execute any lawful order issued by a supervisor. The supervisor/designee acting in that capacity shall be held responsible for all orders/instructions issued and for any consequences arising from compliance with such orders and instructions.
- D. Each member assigned to the task force shall be provided with a copy of the task force procedures. Each task force member shall provide certification they have read and understand the procedures.

- E. Task force members shall consult the procedures if they have any questions about their responsibilities or proper procedures. They should consult a supervisor if these questions are unresolved.
- F. Whenever possible, the development of new procedures shall occur after all pertinent staff of the task force have had an opportunity for input. Members are encouraged to submit suggestions for revisions, additions, or deletions to the procedures.

Effective: September 2017
Applies to: All MECTF Personnel

7.00.020 Procedure Coordination

- A. MECTF supervisors are the procedure coordinators and are responsible for maintenance of the MECTF procedures within the IAD Standard Operating Procedures Manual (SOP).

Effective: September 2017
Applies to: All MECTF Personnel

Section 01 – Responsibilities & Job Descriptions

7.01.000 Responsibilities

I. RCW 13.60.110 – Task Force on Missing and Exploited Children

- A. A task force on missing and exploited children is established in the Washington state patrol. The task force shall be under the direction of the Chief of the state patrol.
- B. The task force is authorized to assist law enforcement agencies, upon request, in cases involving missing or exploited children by:
 - 1. Direct assistance and case management;
 - 2. Technical assistance;
 - 3. Personnel training;
 - 4. Referral for assistance from local, state, national, and international agencies; and
 - 5. Coordination and information sharing among local, state, interstate, and federal law enforcement and social service agencies.
- C. To maximize the efficiency and effectiveness of state resources and to improve interagency cooperation, the task force shall, where feasible, use existing facilities, systems, and staff made available by the state patrol and other local, state, interstate, and federal law enforcement and social service agencies. The chief of the state patrol may employ such additional personnel as are necessary for the work of the task force and may share personnel costs with other agencies.
- D. The chief of the state patrol shall seek public and private grants and gifts to support the work of the task force.

E. For the purposes of this policy, "exploited children" means children under the age of eighteen who are employed, used, persuaded, induced, enticed, or coerced to engage in, or assist another person to engage in, sexually explicit conduct. "Exploited children" also means the rape, molestation, or use for prostitution of children under the age of eighteen.

II. MECTF Chain of Command

A. **Task Force Commander – IAD SIS lieutenant**

1. Under the direction of the Division Commander, the task force commander shall act as principal liaison and facilitator for all training and operations conducted by MECTF. This will include managing the partnerships between the Federal Bureau of Investigations, Department of Homeland Security Investigations, and the Internet Crimes against Children affiliations. In the absence of the task force commander, the task force supervisor will act as principal liaison and facilitator.
2. Specific responsibilities of the task force commander shall be to perform the following and related duties as required:
 - a. Oversee the expenditure of donated funds, seizure fund monies, secure additional funding, and prepare accounting of such monies as required by law or administrative policy.
 - b. Work with the task force supervisor in the preparation/upkeep of the task force procedures.

B. **Task Force Supervisor(s) – Detective Sergeant(s)**

1. Task force supervisors shall direct the day-to-day activities of the task force. If task force includes supervisors from multiple agencies, supervisory oversight and responsibilities may be delegated amongst participating agencies by mutual agreements or understandings. Supervisory tasks include:
 - a. Assignment of investigations/tasks.
 - b. Scheduling of personnel.
 - c. Review and approve all safety plans, search warrants, investigative reports, and closed case investigations.
 - d. Coordination and assignment of personnel training/certification.
 - e. Initiate budget and grant requests.
2. Supervision and evaluation of personnel.
 - a. Perform monthly feedback sessions with detectives

3. Responsible for maintenance of task force property and equipment, including the task force offices.
4. Prepare monthly significant accomplishment reports for presentation and review. Submit monthly ICAC statistics.
5. Update CITE with current case information and track progress of cases assigned to staff.
6. With the assistance of the task force commander, prepare and maintain procedures for the task force.
7. Maintain regular contact with the task force commander.

C. Task Force Detectives/Support Staff

1. All employees assigned to MECTF shall adhere to the following procedures:
 - a. The office shall be kept neat and portray a professional appearance.
 - b. Detectives shall be responsible for security of all investigative, and evidentiary material contained within the office. Material shall not be left out or unsecured in the detective's absence.
 - c. The last detective (or support staff) to leave the office will ensure that all material as previously described is secure.
 - d. All employees are expected to adhere to a standard of conduct that is respectful, courteous, non-offensive, and non-discriminatory.

Effective: September 2017
Applies to: All MECTF Personnel

7.01.010 Job Description - Detective

- A. The following is a job description of the detectives assigned to MECTF. It is a guideline and not meant to be all-inclusive.
 1. Provide resources and investigative insight to law enforcement agencies actively investigating incidents of missing or exploited children.
 2. Provide training to law enforcement agencies on the special aspects of investigating missing and exploited children. Maintain information on current legal issues and provide to other law enforcement agencies.
 3. Provide investigative expertise to law enforcement agencies to facilitate their investigations as an assisting entity.
 4. When requested, initiate investigations into cases involving missing and exploited children.
 5. Prepare prosecutable cases involving sexually exploited children.
 6. May be asked to work undercover and assume the role of a civilian in order to facilitate an investigation or recovery of a child. Conducts and participates in surveillance.
 7. Assist in training patrol officers and participate in presentations to local groups.
 8. Testify in court.
 9. Performs similar and incidental duties as required by supervisor or command personnel.

Effective: September 2017

Applies to: All MECTF Personnel

Section 02 – Administrative

7.02.000 Press Releases and Public Relations

- A. The task force supervisor or designee may draft press releases and forward them to the task force commander.
- B. A press release may be issued following an arrest or search warrant service. Requests for press releases or general information shall be directed to the task force commander.
- C. If the task force is the assisting agency, media requests shall be directed to the lead investigating agency.
- D. Media inquiries for cases referred to the prosecuting attorney shall be referred to the prosecutor.
- E. Members of the task force are prohibited from releasing information to or granting interviews with members of the media without permission of the task force supervisor or the task force commander.
- F. There are no circumstances that justify the release of information concerning informants, sources of information, active or on-going investigations, or rumor to members of the media.
- G. Requests for speaking engagements are to be directed to the task force supervisor who shall consider the source of the request, the information to be provided, and scheduling problems based on current activity. No speaking engagements shall be accepted without the approval of the task force supervisor or the task force commander. Out of state requests require bureau level approval.

Effective: September 2017
Applies to: All MECTF Personnel

Section 03 – Training

7.03.000 Training

- A. Personnel assigned to MECTF require specialized training to maintain a high level of expertise. The task force supervisor shall actively seek out training opportunities to maintain and improve MECTF's ability to effectively serve the citizens of Washington State. A MECTF training matrix details training that is required and recommended for all MECTF personnel to be successful in their job assignment. The MECTF supervisor shall update the training matrix yearly as demands and trends in investigations change.

- B. Staff scheduled to attend approved training shall make every effort to attend all courses. A report of training shall be completed by each attendee. Training reports shall be forwarded to their specific home agency, and retained in the employees file. Absence from training may be excused by the supervisor.
- C. Training shall be approved by the task force supervisor and forwarded through the chain of command.

Effective: September 2017
Applies to: All MECTF Personnel

7.03.010 New Detective Orientation

- A. When new detectives are selected into the task force, an orientation period shall commence. The duration of the orientation period shall be determined by the task force supervisor. The orientation shall be recorded and maintained in the employees file, to include:
 - 1. Meeting with the supervisor, commander, and peer detectives.
 - 2. Issue and review of this Standard Operating Procedure Manual.
 - 3. Meet the assigned field training detective, orientation to MECTF investigations, local agencies and resources, as required.

Effective: September 2017
Applies to: All MECTF Personnel

7.03.020 Wellness Program

- A. Refer to Chapter 2 Section 04 – Safety & Wellness

Effective: September 2017
Applies to: All MECTF Personnel

7.03.030 Firearms and Departmental Training

- A. Officers shall attend firearms training as scheduled by their agencies. Officers shall maintain qualifications as required by their agencies.
- B. The task force supervisor shall ensure all agency mandatory training is scheduled for all staff and conducted in a timely manner. Additionally, the task force supervisor shall ensure review of high-risk warrant service and schedule training.
- C. Records of completed training shall be retained in each employee's file.

D. Task force personnel shall notify their parent agency of any training received if applicable.

Effective: September 2017
Applies to: All MECTF Personnel

7.03.040 Cross-Training

- A. Sworn officers employed full-time by a general authority law enforcement agency may cross-train at the task force. Due to the nature of MECTF investigations, it is recommended the training last 2 -4 weeks. Officers must be referred by their supervisor or command officer and approved by the task force supervisor and task force commander. Officers approved to cross-train will be assigned to an experienced task force detective. If available, the officer in training may be assigned use of a task force vehicle.
- B. Cross-training officers will participate in task force investigations during the training period.
- C. Cross-training officers shall wear civilian clothing as directed; carry their department approved primary or secondary firearm, handcuffs, a flashlight, and their ballistic vest as appropriate.
- D. Following the cross-training period, the task force supervisor may provide the officer's immediate supervisor with a written summary of the training.

Effective: September 2017
Applies to: All MECTF Personnel

7.03.050 Training for Other Agencies

- A. MECTF is mandated to provide training to other law enforcement agencies. Training may include topics such as the function of MECTF, how to conduct investigations, and applicable federal and state laws.
- B. The task force supervisor shall review all requests for training prior to acceptance. An instructional outline will be completed and approved prior to conducting the training. A file copy of each class roster and outline will be maintained in the MECTF general files.

Effective: September 2017
Applies to: All MECTF Personnel

Section 04 – Operations

7.04.000 Duty Hours

- A. The work shifts shall be set by the task force supervisor.
- B. Employees are expected to be available for duty during their assigned duty hours. Regular duty hours do not include commute time to and from their assigned duty station.

- C. Employees will notify the task force supervisor of schedule conflicts, anticipated changes, and substitution of holidays.

Effective: September 2017
Applies to: All MECTF Personnel

7.04.010 Overtime

- A. In order to accomplish MECTF objectives, it may be necessary for detectives to work beyond their normally assigned shift. Detectives assigned from other agencies are required to follow their individual agency's overtime procedures, and the task force supervisor shall ensure these guidelines are complied with.
- B. Overtime will be paid at each agency's overtime rate and under the terms of each agency's policies and collective bargaining agreements.
- C. The task force supervisor will attempt to schedule and manage detective's hours in such a manner as to accomplish MECTF goals and provide the least disruption to detective's regular work hours while keeping overtime to a minimum. Detectives should get pre-approval for overtime, absent exigent circumstances where preapproval isn't feasible.
- D. The MECTF supervisor will keep accurate records of all work and leave time taken. These records will always be available to each detective's agency at request.

Effective: September 2017
Applies to: All MECTF Personnel

7.04.020 Investigative Procedures

- A. Terminology
 1. Every investigation shall be managed by a detective or case agent.
 2. "Agents", "officers", "detectives", and "investigators" refer to sworn commissioned law enforcement personnel assigned to enforcement duties at the task force
 3. "Case agent", "case officer", or "lead detective" are terms to designate the officer assigned to conduct an investigation.

NOTE: An undercover officer shall not be the lead detective or case agent, unless specifically authorized by the supervisor.

Effective: September 2017
Applies to: All MECTF Personnel

7.04.030 Case Initiation

- A. Requests for assistance may be received from numerous sources to include:

1. Undercover operations conducted within MECTF.
 2. Missing and Unidentified Persons Unit (MUPU)
 3. Federal, City, County, and other State Law Enforcement Agencies
 4. City/County Prosecutors
 5. Custodial Entity
 6. NCMEC – Cyber Tips
 7. Internet Crimes Against Children (ICAC) Task Forces
- B. Initial requests are to be completed on the proper form. This initial form will allow for the capture of pertinent information and assist in defining the course of action to be taken.
- C. If the incident has not been reported to a law enforcement agency, the MECTF supervisor or detective will refer the reporting party to the appropriate law enforcement agency to file a formal report. The law enforcement agency:
1. Receives the report of the missing/exploited child.
 2. Opens a criminal case.
 3. Enters the abducted/missing child into NCIC.
 4. May or may not request assistance from MECTF in assisting with the investigation. In all cases where MECTF becomes the primary investigating entity, the originating agency will be kept apprised of any progress.
- D. The case will be assigned to a MECTF investigator who shall be solely responsible for the case until it is closed. The MECTF investigator shall complete the investigation log and all reports, using CITE as a case management tool.

Effective: September 2017
Applies to: All MECTF Personnel

7.04.040 Referrals

- A. Referrals of criminal activity with no nexus to the task force area of responsibility will be promptly referred to the appropriate law enforcement agency.

Effective: September 2017
Applies to: All MECTF Personnel

7.04.050 Identification

- A. Early identification of suspects, accomplices, organizations, and their background are critical safety items. Preliminary suspect investigation will be routed through the task force supervisor before contacts are initiated. Every attempt will be made to positively identify each suspect prior to:
1. Meeting with suspect in an undercover capacity.
 2. Making an undercover purchase.

3. Making an arrest of any suspect.
4. Conducting a search of any premises named in a search warrant.

Effective: September 2017
Applies to: All MECTF Personnel

7.04.060 Financial Investigations

- A. It is advisable to initiate financial inquiries concerning the principal suspects. Profit is a growing motive for organizations participating in child exploitation cases, and financial inquiries may identify higher level violators. Case acceptance shall be based on the merits of the criminal investigation referral, not on the potential for seizure of financial assets or property.

Effective: September 2017
Applies to: All MECTF Personnel

7.04.070 Investigative Funds

- A. The Task Force Investigative Fund is intended for the purchase of information, purchase of evidence, and expenses incurred with informants. This fund is also known as the Imprest Fund. **See Chapter 1 Section 1 Undercover Processes.**

Effective: September 2017
Applies to: All MECTF Personnel

7.04.080 Investigative Reports

- A. Reports of investigations, or case reports, are required when:
 1. An event occurs that results in an arrest, charging a crime, or lead to probable cause for an arrest, or search warrant.
 2. A significant amount of work is performed on a case.
 3. When requested by the prosecuting attorney.
- B. The task force supervisor or task force commander may direct submission of reports to document an event or incident.
- C. Investigative reports shall comply with WSP's retention schedule.

Effective: September 2017
Applies to: All MECTF Personnel

7.04.090 De-confliction

- A. Out-of-area investigations require notification to the agency having jurisdiction. When appropriate, the task force shall turn over the investigation to the agency having jurisdiction.

- B. Out-of-area search warrants, arrests, undercover buys, and surveillance shall be cleared or de-conflicted with local police, local drug task force, HIDTA, or Western States Intelligence Network (WSIN).
- C. Planned raids and arrests conducted by the task force shall require prior notification of the local police agency. A uniformed presence in a marked patrol vehicle shall be present during search warrants. Notification is not required for routine surveillance or investigative activity. Notification is intended for those occasions when a search warrant service or arrest is planned that may interfere with or require the assistance of that agency. If there is a conflict, the task force shall work together with the agency to resolve the conflict. If the conflict cannot be resolved, the planned activity shall be postponed.

Effective: September 2017
Applies to: All MECTF Personnel

7.04.100 Arrests and Arrest Warrants

A. Arrest Warrant Service

1. Task force detectives may arrest persons for active/valid warrants as a normal law enforcement function.
2. If a task force detective encounters a person with an active and confirmed warrant and that person is not under investigation by the task force, the arrest should be referred to the uniformed police in that locality.

B. Existing Investigation

1. When a task force detective becomes aware of the existence of an arrest warrant for a task force suspect under active investigation, the task force supervisor shall be notified.

C. Arrests

1. Officers shall not attempt an arrest alone, except in an emergency when the arrest is necessary for safety and protection of persons. Necessary assistance shall be called before taking action. All planned arrests shall be preceded by an operational briefing utilizing a written ISB Safety Operations Plan (3000-180-001). The briefing shall include assignment of personnel and an introduction of all investigation members to one another (exception: informants).

D. Force

1. Arrests shall be made with the minimum force necessary to ensure officer safety and suspect compliance and control.

E. Arrest without a Warrant

1. Arrests without a warrant (probable cause/warrant-less) are necessary to prevent violence, prevent flight or escape, to preserve evidence, or other exigent circumstance. Arrests without a warrant are appropriate when made from a vehicle or in a public area (such as the buy/bust), or at a phase of the investigation where surprise, preservation of evidence, or timing the arrest is necessary.
2. Arrests without warrants at a residence involve additional hazards. Without exigent circumstances, the arrest should be made under authority of a warrant or as directed by the supervisor.

F. Juvenile Recovery

1. No detective shall make a recovery or arrest alone, except during exigent circumstances wherein the recovery must be made prematurely for the protection of a child. In such circumstances, detectives shall comply with the dictates of sound judgment and tactics.

G. Vehicle stops in Unmarked Vehicles

1. Violator stops with unmarked task force vehicles and plain-clothes officers are a primary safety issue. The identity, purpose, and appearance of the plainclothes officers may be mistaken by other participating law enforcement officers, the violators, and by-standers. The risk of shooting an unintended target increases, where officer identity is not clear and weapons are being displayed.
2. Plainclothes officers in unmarked vehicles should not be used to stop a violator or affect an arrest, unless:
 - a. Exigent circumstances are present.
 - b. The arrest is planned and a briefing utilizing a written ISB Safety Operations Plan, form number 3000-180-001 has been conducted.
3. If circumstances require an unplanned arrest by plainclothes officers in unmarked vehicles, the arresting officers and supervisor should evaluate the risks, and make every effort to notify and summon uniformed officers.

Effective: September 2017
Applies to: All MECTF Personnel

7.04.110 Searches, Search Warrants, and Raids

- A. Refer to Chapter 1 Section 00 – Searches, Search Warrants, and Raids

7.04.120 Use of Force/Firearms

- A. Use of Force

1. Refer to the detective's home agency use of force policies and reporting procedures.

- B. Firearms

1. Task force personnel shall adhere to their own agency's policies regarding firearms and the use of deadly force.
2. When an officer discharges a firearm, except for target practice, qualification shooting, sporting events, or ballistic examinations, the officer shall notify the task force supervisor. The investigation shall be handled as outlined in the WSP Administrative Investigation Manual or home agency policy.
3. If the investigation involves death or serious injury or indicates the need for investigative expertise beyond local level capabilities, the WSP ISB Assistant Chief shall request the assistance of the WSP Criminal Investigation Division.

Effective: September 2017
Applies to: All MECTF Personnel

7.04.130 On-Duty Injury

- A. Task force employees shall immediately report injuries to the task force supervisor and their home agency. Injury reports shall be processed according to the policies of the injured employee's home agency.
- B. Supervisors are responsible for ensuring the employee's access to necessary medical attention. If it is necessary, a supervisor may order an employee to submit to a medical examination relating to an on-duty injury report.

Effective: September 2017
Applies to: All MECTF Personnel

7.04.140 Evidence and Property

- A. Refer to Chapter 1 Section 03 – Evidence

7.04.150 Vehicles

- A. Available Vehicles:
 1. MECTF shall use vehicles that are specifically assigned to MECTF. The agency shall maintain the vehicle inventory and assure that all vehicles are properly licensed and insured. Member agency vehicles may be used from time to time if the agency's department head gives approval. Individual agencies shall be responsible for insuring and maintaining vehicles used by their employees in MECTF operations.
- B. Vehicle Assignment
 1. Each detective assigned to MECTF shall be assigned a full-time work vehicle, which shall be used for official business only. The vehicles may be driven to and from work by the

assigned detective and be available for call-out responses. Vehicles shall only be operated by law enforcement personnel.

2. The task force supervisor shall assign MECTF vehicles to each detective upon approval of the Vehicle Lieutenant. Vehicle assignments may be rotated on a periodic basis to facilitate MECTF casework.

C. Vehicle Maintenance

1. It shall be the responsibility of each detective to ensure their assigned vehicle receives the proper routine and normal maintenance. MECTF vehicles shall be neatly maintained, equipped and ready for use at all times.

D. Vehicle Collisions

1. Any MECTF member involved in a collision while on duty shall report the collision to the task force supervisor. All collisions involving damage or injury shall be investigated by the appropriate law enforcement agency having jurisdiction at the collision scene. In collisions involving MECTF vehicles, the task force supervisor shall follow WSP Regulation 17.02.010
2. Collision While Undercover
 - a. If the involved task force member or vehicle is employed in an undercover capacity, an on-scene police investigation may be conducted. Undercover officers shall report to the task force supervisor as soon as possible.
 - b. If the undercover officer is with a suspect, responding police may need to be cautioned if the undercover officer is known to them. A timely call to the task force supervisor may allow a discreet notification to responding police. Surveillance or cover officers may approach or notify responding police.
 - c. The undercover officer and assisting officers shall place officer safety and safety to responding police ahead of the continuation of the undercover operation.

Effective: September 2017
Applies to: All MECTF Personnel

7.04.160 Equipment

- A. All equipment assigned to MECTF shall be signed for prior to being issued to a detective. The detective shall be responsible for the condition and maintenance of the equipment until it is returned and removed from the detective's inventory. No one shall loan equipment to another agency without approval of the task force supervisor.

Effective: September 2017
Applies to: All MECTF Personnel

7.04.170 Undercover Operations

- A. Refer to Chapter 1 Section 01 – Undercover Operations

Section 05 - Information Dissemination

7.05.000 Criteria

- A. Dissemination of information relating to case files to other than the originating agency, involved parent, or custodial representative shall be in accordance with public disclosure laws (RCW 42.17.250).
- B. Dissemination requests shall be forwarded to the originating agency, because they are the investigating agency and MECTF is an assisting agency.
- C. If dissemination is made by MECTF, the dissemination forms and other relevant information shall be stored in the case file. This information shall include the date, the name of the person and/or agency receiving the information, the information released, the person releasing the information, and any other relevant information.
- D. Case files shall be disseminated upon service of the proper court documentation (subpoena duces tecum, court order, etc.).
- E. Incidents outside those described above, provide only the information necessary to facilitate the investigation. The information released should not jeopardize any subsequent criminal or civil proceeding. It is imperative the appropriate information, records, and documentation are maintained for any additional court requirements.

Effective: September 2017
Applies to: All MECTF Personnel

7.05.010 Poster Distribution

- A. It is optional whether a poster should be developed for a missing/abducted child.
- B. Criteria for poster printing:
 - 1. Posters may not be printed until a case file has been opened.
 - 2. The Task Force supervisor/MUPU Program Manager shall approve all poster printing.
 - 3. Parent/custodial entity's approval shall be obtained prior to printing.
 - 4. MECTF shall not duplicate other agency's efforts.
 - 5. If a poster is distributed, it shall be for a specific period of time. If the child is recovered at the end of that time or sooner, the agencies that received posters shall be notified to remove them.

Effective: September 2017
Applies to: All MECTF Personnel

7.05.020 Publication of Information Identifying Specific Missing Children

- A. The task force supervisor prior to printing shall approve all publications.
- B. Parent/guardian or custodial entity approval shall be obtained prior to printing.
- C. The originating law enforcement agency shall be notified prior to printing.

Effective: September 2017
Applies to: All MECTF Personnel

7.05.030 Publication of General, Non-Identifying Information

- A. MECTF may publish and/or disseminate educational and informational brochures in accordance with their legislative mandate and mission statement.
- B. The task force commander shall approve all brochures prior to publishing.

Effective: September 2017
Applies to: All MECTF Personnel

7.05.040 Emergency Flyers

- A. Emergency flyers may be distributed upon approval of the task force supervisor.
- B. The physical description and circumstances surrounding the child's disappearance may be obtained by telephone from the originating agency. The telephone call shall be followed up with a verification call to the originating agency.
- C. A photograph of the child shall be included, if possible.

Effective: September 2017
Applies to: All MECTF Personnel

Section 06 – Internet Crimes Against Children (ICAC)

7.06.000 Policy Purpose/Statement

- A. The purpose of this policy is to establish responsibilities and guidelines regarding MECTF's response to reports of the exploitation of children, and the possession and distribution of child pornography using computers.
- B. Policy Statement: It shall be the policy of the MECTF to adhere to strict guidelines with respect to investigations of computer related child exploitation. The standards adopted pursuant to this policy mirror those prescribed by Office of Juvenile Justice and

Delinquency Prevention's (OJJDP) Internet Crimes Against Children (ICAC) Task Forces, and ensure compliance with those protocols accepted by the Federal Bureau of Investigations (FBI), U.S. Immigration Customs Enforcement (ICE), and the U.S. Postal Inspector's Office.

C. Definitions:

1. Proactive Investigation: An investigation designed to identify, investigate, and prosecute offenders, which may or may not involve a specific target, and requires online interaction and a significant degree of pre-operative planning.
2. Reactive Investigation: Involves the investigation and prosecution of a known target(s), and where the need to proceed with the investigation is urgent. It also includes a response within the community or area of jurisdiction to a specific complaint brought to your attention by another law enforcement agency, a reputable source of information such as the Cyber-Tip line at the National Center for Missing and Exploited Children (NCMEC). We must respond to complaints made by citizens, schools, libraries, or businesses who believe illegal material has been transmitted or potentially dangerous situations, such as child luring attempts have been communicated through the Internet.
3. Internet Crimes Against Children: (ICAC) is an inclusive term that includes both proactive and reactive investigations as described above.

Effective: September 2017
Applies to: All MECTF Personnel

7.06.010 Case Management

A. Work Space and Equipment

1. ICAC computers and software shall be reserved for the exclusive use by MECTF designated ICAC personnel. When possible undercover computers, software, and online accounts shall be purchased covertly. No personally owned equipment shall be used in ICAC investigations and all software shall be properly acquired and licensed.
2. Absent exigent or unforeseen circumstances, all ICAC online investigations shall be conducted in government workspace as designated by the MECTF supervisor.

B. Case Predication and Prioritization

1. Case assistance may be initiated by ICAC's requests from the NCMEC Cyber-Tip line, 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.
2. The MECTF supervisor is responsible for determining investigative priorities and selecting cases for investigation. Assuming the information is credible; 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 is based on the

prioritization scale established by ICAC Task Forces. This prioritization scale shall apply to the assignment of cases within MECTF:

a. Priority 1 cases:

- 1) A child is at risk of victimization;
- 2) A child is vulnerable to victimization by a known offender;
- 3) Known suspect is aggressively soliciting a child(ren);
- 4) Traders of images that appear to be home photography with domiciled children;

b. Priority 2 cases:

- 1) Aggressive, high-volume child pornography traders who either are commercial distributors, repeat offenders, or specialized in sadistic images;
- 2) Traders and solicitors involved in high-volume trafficking or belong to an organized child pornography ring that operates as a criminal conspiracy

c. Priority 3 cases:

- 1) Traders in known images;
- 2) Traders in digitally altered images.

C. Record keeping

1. ICAC investigative detectives shall be subject to the existing MECTF incident reporting procedures and case supervision systems. Investigators shall obtain a MECTF case number at the outset of each case and fully document their activities through the case log associated with each MECTF ICAC database entry. The MECTF supervisor shall review completed reports. As with any other type of investigation case management activities shall occur in accordance with existing departmental policies and procedures. Completed investigations shall indicate the manner in which a case has been resolved with copies forwarded to the appropriate prosecutor's office and/or the law enforcement agency continuing the investigation.

D. Undercover Investigations

1. Carefully managed undercover investigations conducted by well-trained detectives are among the most effective techniques available to law enforcement for addressing ICAC offenses. Undercover investigations, when executed and documented properly, collect virtually unassailable evidence regarding a suspect's predilection to sexually exploit children. However, these investigations can trigger serious legal and ethical considerations because of concern that inappropriate government conduct may induce an otherwise innocent citizen into committing a crime.
2. All undercover investigations shall be conducted in a manner consistent with the principles of due process. Investigators shall avoid unlawful inducement of any individual not otherwise disposed to commit the offenses being investigated, and shall not engage in conduct that is shocking or offensive to notions of fundamental fairness as described in case law. See, for example, *Jacobson v U.S.*, 503 U.S. 540 (1992); *U.S. v Archer*, 486 F.2d (2nd Cir.1973).
3. Investigators should always be aware that their actions, in addition to those of the offender, might be at issue in deciding if charges are brought, whether by referrals to other law

enforcement agencies are acted upon, and in determining the guilt or innocence of the offender at trial. Therefore, it is critical that you work closely with local or federal prosecutors when investigating ICAC offenses.

4. Accordingly the following minimum standards apply to all undercover investigations:
 - a. Only sworn, on-duty investigative personnel 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.
 - b. Employees shall not, under any circumstances, upload, transmit, or forward pornographic or sexually explicit images.
 - c. Other than photographs of law enforcement officers who have provided their informed written consent, no human images shall be uploaded, transmitted, or forwarded by MECTF personnel involved in an ICAC investigation.
 - d. Other than authorized above, images considered for uploading shall be approved by a supervisor and reviewed by the MECTF commander. Images uploaded for investigative purposes shall be non-human and encrypted. Sexually suggestive titles shall not be used.
 - e. During online dialogue, undercover officers should allow the investigative target to set the tone, pace, and subject matter of the online conversation. The target shall initiate image uploading.

E. Evidence Procedures

1. All undercover online activity shall be recorded and documented. Any deviation from this policy due to unusual circumstances shall be documented in the investigative case log and reviewed by the MECTF supervisor.
2. The storage, security, and destruction of investigative information shall be consistent with existing evidentiary policy and procedures. Access to investigative files and any evidence collected should be restricted to authorized personnel with a legitimate need to know.
3. The MECTF supervisor shall ensure that qualified personnel who have received specific training in this field conduct forensic examination of computers and related evidence.

Effective: September 2017
Applies to: All MECTF Personnel

7.06.020 Evidence Viewing Room

- A. In order to comply with RCW 9.68A.001 MECTF shall provide a viewing area for examination of property or material that constitutes a depiction of a minor engaged in sexually explicit conduct. Such property or material shall be deemed reasonably available to the prosecution, defense counsel, or any individual sought to be qualified to furnish expert testimony at trial with ample opportunity for inspection, viewing, and examination of the property or material.
- B. MECTF detectives shall work closely with the prosecutor's office to schedule the use of the evidence viewing room.

- C. MECTF has a computer unit with EXAMINATION SOFTWARE. It is the responsibility of the defense or individual sought to be qualified to furnish expert testimony to provide independent licensing access to the EXAMINATION SOFTWARE. The licensing access shall be provided to MECTF and installed by MECTF personnel.
- D. No electronic devices shall be permitted into the viewing room, excluding the devices provided by MECTF for the viewing of the property or materials.

Effective: September 2017
Applies to: All MECTF Personnel

7.06.030 Information Sharing

- A. Conventional boundaries are virtually meaningless in the electronic world of the Internet and the usual constraints of time and distance do not apply. These factors increase the possibility of investigators targeting one another, investigating the same subject, or inadvertently disrupting an ongoing investigation. To foster coordination, collaboration, and communication, investigators are required to contribute basic case information to a common database. Federal Guidelines have been established through the Department of Justice's ICAC Task Force Information Sharing Working group. MECTF has adopted the Federal Guidelines and therefore requires that investigators adhere to the information sharing procedures listed below:
 - 1. Basic case information shall include, but is not limited to:
 - a. Submitting Task Force, (MECTF);
 - b. Investigator submitting information;
 - c. Telephone number for verification purposes;
 - d. Date of submission;
 - e. Brief synopsis of the investigation;
 - f. Offender screen name(s);
 - g. Identifiers (URL, FTP, IP address, newsgroup);
 - h. True name of the suspect (if known);
 - i. Undercover detective screen name(s).
 - 2. The MECTF supervisor shall designate a primary and secondary staff contact for the CPPS. Contact shall be made by telephone and/or the information can be forwarded to CPPS using a data entry form. CPPS staff shall verify each caller's identity through a return telephone call to the investigator.
 - 3. Each detective shall query CPPS prior to opening an active investigation to determine if there are related active investigations being conducted by other law enforcement agencies.
 - 4. Assuming no other investigations are discovered and that reasonable suspicion is present to initiate an investigation, MECTF shall submit case information to CPPS, including an indication that there is no known related investigation underway. Detectives should submit this information within 24 hours if initiating the case or as soon as possible.

5. If any duplication is found, the initiating detective is responsible for contacting the other law enforcement agency. CPPS personnel are not responsible for notifying the parties of duplication beyond alerting the initiating agency to the potential conflict.
6. Additionally, detectives initiating a case should contact the U.S. Customs Cyber Smuggling Center (703-393-8005) to ensure there is no duplication with regard to their ongoing investigations. Similarly, once an offender has been identified and associated with a known address, contact should be made with the U.S. Postal Inspector responsible for child exploitation offenses where the offender resides.

Effective: September 2017
Applies to: All MECTF Personnel

7.06.040 Supervision

- A. Existing agency supervision systems and procedures shall apply, with specific emphasis on observation, documentation, and periodic evaluation of cases assigned to undercover detectives. Given the nature of these investigations, consistent and ongoing supervision of these cases and investigative personnel assigned to the unit is essential.
- B. At a minimum, management or supervisory practices shall include:
 1. Review of daily ICAC investigative reports;
 2. Periodic review of undercover case logs;
 3. Direct participation in formulating undercover investigative plans and establishing investigative priorities;
 4. Development of work schedules including approval of specific overtime expenditures;
 5. Assessment of equipment and training needs;
 6. Review and approval of fiscal matters.

Effective: September 2017
Applies to: All MECTF Personnel

7.06.050 Prevention/Education Activities

- A. Prevention and education activities are a critical component of the MECTF ICAC Program. Consequently MECTF personnel are expected to develop and lead prevention programs to foster awareness and provide practical, relevant guidance to children, parents, educators, librarians, and other individuals concerned about online child safety issues.
- B. Presentations to school staff, parents, and community groups are excellent ways to promote awareness. However, these presentations shall not depict identifiable victims nor shall they use pornographic or sexually explicit images. Presenters shall not discuss **confidential** investigative techniques.

Effective: September 2017
Applies to: All MECTF Personnel