

**ILLINOIS INTERNET CHILD
EXPLOITATION TASK FORCE
MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding is entered into by and between the Office of the Illinois Attorney General and _____.
(Hereinafter referred to as "Agency"). Agency Name

The purpose of the Illinois Internet Child Exploitation Task Force is to investigate, prosecute and deter the distribution of child pornography and the targeting of children for illegal activities via the computer. Where investigations reveal that the safety of a child is at risk, it is of paramount importance that the safety and well-being of the child clearly outweigh any consideration being given to the continued investigation. If necessary, the ongoing investigation should be terminated immediately and steps should be taken to apprehend the offender and provide for the safety of the victim.

I. Task Force Coordinator.

The Task Force Coordinator will be a member of the Illinois Attorney General's High Tech Crimes Bureau/Investigations Division, and will be assigned by the Attorney General's Office. The Task Force Coordinator will be available to assist any member of the Task Force conducting on-line investigations to ensure that online investigations are conducted within the Illinois Attorney General's, ICAC and DOJ guidelines.

II. Record Keeping

A. Reports.

The Attorney General's Office will maintain a centralized repository of reports for all investigations conducted by the Attorney General's Investigators. All investigations will be issued sequential numbers by year the investigation is opened. Member agencies will maintain a similar system using their own numbering system.

B. Screen names.

The Attorney General's Task Force will use the Department of Justice/OJJDP authorized software for registration and deconfliction of screen names, Internet Protocol Addresses, and origination of investigations. Undercover screen names can be reported to either the DOJ/OJJDP authorized deconfliction site or the National Center for Missing and Exploited Children prior to their use in any investigation.

III. Members of Task Force

A. Selection.

Members of the Task Force will be selected from local, state and federal law enforcement agencies within or surrounding the State of Illinois. Task Force members must be sworn police officers, prosecutors or civilian computer forensic examiners in good standing with their agency. Members will be selected by their

parent agency and their names submitted to the Attorney General's Office and recorded as points of contact for the Task Force. Members of the Task Force shall assist with any investigation of child exploitation, child pornography or sexual solicitation of a child, or any case that involves a child in imminent danger that is documented as occurring within their jurisdiction.

B. Training.

All Task Force members must attend an approved training class for online investigations prior to conducting any undercover investigations under the auspices of the Task Force. The Attorney General's Office will be responsible for designating approved classes.

IV. Investigative procedures.

The following investigative procedures will be used when initiating an investigation.

A. Hours.

Regular working hours will be on-duty hours for each member as designated by their home agency. Cases will only be initiated during those time periods. The Task Force coordinator or their designee will review information received via the Cybertip hotline and refer the appropriate tips to the contact person for each jurisdiction.

B. Registration of initiation of investigation.

When an offender has been identified by screen name or internet protocol address, the investigator will register the information within the next 24 hours (business hours) on the approved DOJ/OJJDP deconfliction sites. The investigator will enter the appropriate identifying information and "claim" the investigation on the deconfliction site. A case number will be generated by the reporting person's agency.

C. Follow-up of initial contact.

Once an investigation has been registered and logged in the DOJ/OJJDP deconfliction site, contact with the offender may be made at any time of day or night, as long as it is the investigator's assigned duty hours. Compensation for overtime hours will be at the discretion and under the policies of the parent agency employing the Task Force member.

D. Documentation of contacts with offender.

All contact with an offender, whether by online, fax, telephone, U.S. Mail or in-person, will be documented by written report. Transcripts of online conversations and electronic mail will be made where possible and preserved. Where it is not possible to make a transcript, due to hardware or software complications, the reason for the failure will be documented. Graphic files will be printed out and preserved as evidence.

E. Evidence.

Evidence received by a Task Force member will be documented in a report. Task Force members will follow their agencies' regulations and policies for the handling and preservation of evidence.

F. Image Pool.

Each member agency may create an image pool of child images for use during undercover investigations. The images must not be of any real-current child.

Images of current sworn police department employees when they were of the appropriate age for the child mentioned in the investigation may be used. No images used by member agencies shall be pornographic or sexually suggestive in nature. See attached waiver for the use of undercover images. A waiver will be signed prior to the use of any image.

G. Review of open cases.

The Task Force Coordinator may review any case under investigation by any member of the Task Force at any time to determine the status of the investigation.

H. Meeting with offenders.

No member of the Task Force will meet alone in person with any suspected offender. All meetings will be conducted by two Task Force members or a Task Force Member and another sworn peace officer from their agency. No meetings will be conducted without having been reviewed with and having received the approval of the Task Force Coordinator or appropriate supervisor at the Task Force members' home agency.

V. Prosecution.

All cases investigated by Task Force members may be prosecuted in Federal or State Court. The Attorney General's Office shall be available to assist in any prosecution where requested to do so by the State's Attorney or U.S. Attorney. The Attorney General's office will contact and advise the State's Attorneys in whose county the investigation is conducted, or who may have jurisdiction of the offense(s) upon initiation of the investigation and/or Task Force involvement. The Attorney General's office and the affected State's Attorneys will coordinate the investigation, initiation of charges and prosecution of these cases by agreement.

VI. Release of information to the public.

Public information will be coordinated between the Attorney General's Office, the participating State's Attorneys' offices and the participating agencies. No Task Force member will speak to anyone, including the press, concerning operational matters without the prior express approval of the Task Force coordinator.

VII. Training.

All Task Force members will be required to participate in training, coordinated by the Task Force Coordinator. Members of the Task Force will be given priority for registration to ICAC or DOJ sponsored training. Additionally, the Illinois Attorney General's Task Force will conduct a minimum of two training sessions per year for police officers around the State of Illinois. These sessions, if possible, will be conducted with the assistance of the Mobile Training Units and any authorized contractor identified by the Department of Justice/OJJDP. If the training requires travel, lodging or meals, it will be the responsibility of the member's home agency to meet those costs. The Task Force Coordinator may review such costs and allocate ICAC funds to pay for travel, lodging or meals, if funds are available, and within ICAC standards.

VIII. Software.

All software used by any Task Force member will be purchased with full rights to the software documented in a logbook maintained by the member. No shareware versions will be used past the allotted timeline or shared outside the copyright laws. The logbook of the software in use will be maintained and kept current by each member's agency and subject to review at any time by the Task Force Coordinator or the Coordinator's designee.

IX. Equipment.

All equipment, including software and hardware, used by task force members must be purchased or acquired under standard government purchasing guidelines. The equipment can also be acquired under the member's home agency purchase guidelines, donation guidelines, or by forfeiture.

X. Effective date.

This memorandum of understanding shall take effect when signed by the required parties.

XI. Amendment.

No amendment, modification, variation, addition, or deletion of any provision of this Memorandum of Understanding shall be effective unless memorialized in writing and signed by the parties hereto.

I have read this Memorandum of Understanding and request that my agency participate in the Illinois Internet Child Exploitation Task Force. My agency is committed to abiding by the terms, principles and spirit of the Memorandum. Further, understanding the sensitive nature and subject matter of the investigations conducted by the Task Force, I believe that the investigator(s) listed below possess the appropriate character and judgment to engage in these investigations and I hereby authorize them to participate in the Task Force.

**ATTORNEY GENERAL
LISA MADIGAN**

AGENCY

**BY: Ann M. Spillane
Chief of Staff**

BY:

DATE: _____

DATE: _____

Designated investigator(s)/prosecutor(s) include Name, Rank, Office Telephone number, Cell Phone Number and Email address
