

MEMORANDUM OF UNDERSTANDING

INTERNET CRIMES AGAINST CHILDREN TASK FORCE PARTIES

The Texas Attorney General's Office is the recipient of a United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention (**OJJDP**) grant to enforce laws regarding Internet crimes against children (**ICAC**), and the Texas Attorney General's Office utilizes this grant to administer and operate the ICAC Task Force.

This Memorandum of Understanding (**MOU**) is entered into by the Texas Attorney General's Office and the Tom Green County Sheriff's Department.

OVERVIEW / MISSION STATEMENT

OJJDP has created the ICAC Task Force Program, which is a national network of state and local law enforcement cyber crime units. The national ICAC program assists state and local law enforcement agencies develop an effective response to cyber enticement and child pornography cases. This help encompasses investigative and forensic components, training and technical assistance, victim services, and community education. Due in large part to the technological aspects of these cases, the ICAC Task Force Program promotes a multi-jurisdictional, multi-agency, team approach to investigating and prosecuting ICAC cases.

The mission of the Texas Attorney General's ICAC Task Force therefore is to: (1) properly investigate and prosecute those who sexually exploit children through the use of the Internet and/or computers; (2) provide training and equipment to those involved in investigating and prosecuting ICAC; and (3) provide community education regarding the prevention of ICAC.

PURPOSE

The purpose of this MOU is to formalize the working relationship between the **TOM GREEN COUNTY SHERIFF'S DEPARTMENT** and the Texas Attorney General's ICAC Task Force, as well as to delineate the responsibilities and expectations of the relevant parties. By signing this MOU, **Tom Green County Sheriff's Department** agrees to join the ICAC Task Force for the primary purpose of vigorously and properly investigating ICAC. By joining this Task Force, **Tom Green County Sheriff's Department** will benefit from grant resources, joint operations, and extensive training opportunities. By entering into this MOU, the Office will benefit from the investigative support from **Tom Green County Sheriff's Department**.

INVESTIGATIONS

All ICAC investigations will be conducted only by sworn law enforcement investigators and in a spirit of cooperation with other Texas Attorney General's Office ICAC task force members. Investigations will follow guidelines established by each agency's respective policy manual or guidelines. However, ICAC investigations shall also be governed by the national ICAC program's Operational and Investigative Standards (attached). Violation of the ICAC operational standards is cause for cancellation of this MOU. This MOU is not intended to infringe on the ongoing investigations of any other agency. 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.

TOM GREEN COUNTY SHERIFF'S DEPARTMENT will:

Only sworn **TOM GREEN COUNTY SHERIFF'S DEPARTMENT** law enforcement personnel will conduct undercover ICAC investigations. Each investigator involved with undercover operations **must** receive ICAC training prior to initiating proactive investigations and shall submit reports of all undercover activity to the Texas Attorney General's Office.

Conduct reactive investigations where subjects are associated with **TOM GREEN COUNTY SHERIFF'S DEPARTMENT's** jurisdiction, including investigations of child pornography, CYBERTIP referrals from NCMEC, Internet Service Provider and law enforcement referrals, and other ICAC-related investigations. Additional case initiations may develop from subject interviews, documented public sources, direct observations of suspicious behavior, public complaints, etc.

Record and document all undercover online activity. Any deviations from this policy due to unusual circumstances shall be documented in the relevant case file and reviewed by the ICAC Task Force Program Manager.

Provide agents assigned to the Task Force access to all ICAC investigative files including, without limitation, computer records, in order to ensure compliance with all national ICAC standards.

Locate its ICAC investigators in secured space provided by **TOM GREEN COUNTY SHERIFF'S DEPARTMENT** with controlled access to all equipment, software, and investigative files. At a minimum, information should be maintained in locked cabinets and under control of **TOM GREEN COUNTY SHERIFF'S DEPARTMENT** ICAC Task Force personnel, with restricted access to authorized personnel only.

Conduct education and prevention programs to foster awareness and provide practical, relevant guidance to children, parents, educators, librarians, the business and law enforcement communities, and other individuals concerned about Internet child safety issues. Presenters shall not discuss ongoing investigative techniques and undercover operations utilized by the ICAC Task Force.

SUPERVISION

TOM GREEN COUNTY SHERIFF'S DEPARTMENT will be responsible for the day-to-day operational supervision, administrative control, and personal and professional conduct of its officers and agents assigned to the Task Force. ICAC investigations are a cooperative effort and investigative decisions will be a joint process guided by ICAC standards.

LIABILITY

TOM GREEN COUNTY SHERIFF'S DEPARTMENT is responsible and liable for the acts and omissions of its own officers, agents or employees in connection with the performance of their official duties under this MOU. For tort liability purposes, no participating agency shall be considered the agent of other participating agencies. Each participating agency shall be liable (if at all) only for the torts of its own officers, agents or employees that occur within the scope of their official duties.

REPORTING STATISTICS

Using a form provided by the Texas Attorney General's Office, **TOM GREEN COUNTY SHERIFF'S DEPARTMENT** shall submit monthly statistics to the Office on all ICAC investigations or other investigative work pertaining to the sexual exploitation of children via the Internet. These statistics shall be submitted in the appropriate format by the **10th** day of each month, and shall include data on all related investigations opened or closed during the month, as well as forensic examinations, technical/investigative assistance provided to other agencies, subpoenas and court orders issued, training hours attended and taught, and community outreach provided.

In addition, a breakdown of basic case data shall be included for each sexual exploitation of a minor (child pornography) case, and/or criminal solicitation of a minor (enticement/traveler) case investigated by **TOM GREEN COUNTY SHERIFF'S DEPARTMENT**. The Texas Attorney General's Office will then be responsible for all required reporting to OJJDP.

TRAINING

TOM GREEN COUNTY SHERIFF'S DEPARTMENT shall make investigators designated as Task Force members available for applicable specialized training provided through the national ICAC program and other appropriate training programs. The Texas Attorney General's Office will review training requests and provide funding for ICAC-approved training when appropriate.

CONFIDENTIALITY

It is understood that any confidential information pertaining to investigations of Internet Crimes Against Children will be held in the strictest confidence, and will only be shared with participating Texas Attorney General's Office ICAC Task Force members or other law enforcement agencies where necessary or as otherwise permitted by federal and/or state law.

EFFECTIVE DATE

This agreement shall be effective on _____, 2012 and continue until such time as federal funding for the Grant ends or the agreement is canceled by either party upon written notice delivered to both agencies.

Entered into this 24 day of January, 2012.

Sheriff
Tom Green County Sheriff's Department

Mark Brown 1-24-12
County Judge

Attorney General Greg Abbott or his Designee
Office of the Attorney General – State of Texas