

Resolution No. RS2021-725

A resolution approving an intergovernmental agreement by and between The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Nashville Police Department, and the City of Knoxville, acting by and through the Knoxville Police Department, regarding participation in the Internet Crimes Against Children Task Force.

WHEREAS, the Knoxville Police Department (hereinafter "KPD") is the lead agency which administers and operates the Tennessee Internet Crimes Against Children (hereinafter "ICAC") Task Force; and,

WHEREAS, the agreement allows the Metropolitan Nashville Police Department (hereinafter "MNPDP") to join the ICAC Task Force for the primary purpose of investigating internet crimes against children; and,

WHEREAS, MNPDP will benefit from resources, training, and technical assistance, and KPD will benefit from the investigative support provided by MNPDP pursuant to this intergovernmental agreement; and,

WHEREAS, it is to the benefit of the citizens of The Metropolitan Government of Nashville and Davidson County that this intergovernmental agreement be accepted.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1: That the intergovernmental agreement by and between The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Nashville Police Department, and the City of Knoxville, acting by and through the Knoxville Police Department, regarding participation in the Internet Crimes Against Children Task Force, a copy of which is attached hereto and incorporated herein, is hereby approved.


Section 2: That this resolution shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

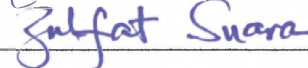
APPROVED AS TO AVAILABILITY OF FUNDS:



Kevin Crumbo, Director
Department of Finance

INTRODUCED BY:





Member(s) of Council

APPROVED AS TO FORM AND LEGALITY:



Assistant Metropolitan Attorney

Memorandum of Understanding
Knoxville Police Department
Internet Crimes Against Children Task Force

The Knoxville Police Department is the recipient of a United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention ("OJJDP") grant and State of Tennessee Office of Criminal Justice Programs ("OCJP") appropriation. The Knoxville Police Department utilizes these funds to administer and operate the Tennessee Internet Crimes Against Children ("ICAC") Task Force, which serves the State of Tennessee.

This Memorandum of Understanding ("MOU") is entered into by the Knoxville Police Department and Metro Nashville Police Department (hereinafter "Affiliate").

Overview/Mission

The ICAC Task Force is a national network of state and local law enforcement cybercrime units that investigate and prosecute child exploitation crimes facilitated via the internet. Through federal and state funding, the ICAC program assists state and local law enforcement agencies in developing an effective response to cyber enticement and child pornography cases. The Tennessee ICAC Task Force program assists affiliate agencies in developing effective ICAC units through training, equipment, and technical assistance. Due to the nature of internet crimes against children, the ICAC program promotes a multi-jurisdictional, multi-agency team approach to investigating and prosecuting offenders.

The mission of Affiliate's ICAC unit is to:

1. Properly investigate and prosecute those who sexually exploit children through the use of the internet and/or computers.
2. Provide law enforcement and the Affiliate's community with education regarding the prevention of child exploitation and internet crimes against children.

Purpose

The purpose of this MOU is to formalize the working relationship between the Knoxville Police Department, the Tennessee ICAC Task Force lead agency, and Affiliate. Additionally, the MOU will delineate the responsibilities and expectations of the relevant parties. By signing this MOU, Affiliate agrees to join the ICAC Task Force for the primary purpose of properly investigating internet crimes against children. Through this MOU, the Affiliate will benefit from grant resources, training and technical assistance and the Knoxville Police Department will benefit from the investigative support from Affiliate.

Responsibilities

The Knoxville Police Department agrees to:

1. Provide the Affiliate agency with the most current required guidelines for the operation of the ICAC unit in accordance with the guidelines that have been approved by the Department of Justice ICAC Program Operational and Investigative Standards.
2. Provide access to the Tennessee ICAC Task Force Commander/point of contact who oversees the Tennessee ICAC Task Force.
3. Provide technical assistance in the handling of forensic evidence and court presentation when necessary.
4. Provide and coordinate training relevant to the investigation of internet crimes against children.
5. Upon approval of the Tennessee ICAC Task Force Commander, will provide computer(s) and other eligible equipment for use in the investigation of internet crimes against children.
6. Conduct monitoring visits to ensure Affiliate success and compliance.

The Affiliate agrees to:

1. Adhere to the most recent Department of Justice ICAC Program Operational and Investigative Standards.
2. Designate a supervisor/contact person for the Affiliate Agency.
3. Notify the Tennessee ICAC Task Force Commander or his designee if there is a change in ICAC unit personnel.
4. Designate a sworn officer/deputy to investigate and prosecute internet crimes against children.
5. Investigate cybertips in its jurisdiction.
6. Allow designated ICAC personnel to attend ICAC training and provide transportation to offsite training.
7. Provide secure/covert internet service to conduct undercover investigations
8. Provide a secure space for the ICAC unit to operate. Any equipment provided by the ICAC Task Force will only be used for the investigation of ICAC cases.

9. Work with the local/federal prosecutors to prosecute ICAC cases when evidence warrants prosecution.
10. Maintain and report statistics on the approved ICAC statistics form(s) by the 10th day of each month. Failure to do so will result in formal review of the agreement and equipment.
11. Return any equipment ceased to be used for ICAC investigations to the Knoxville Police Department.
12. Be subject to monitoring visits by the ICAC lead agency to ensure compliance with operational standards.

This MOU will remain in effect indefinitely unless either party terminates the agreement. Affiliate member agencies may voluntarily withdraw participation at any time by providing written notice of termination to the Tennessee ICAC Commander. Membership may be terminated by written notice of violation of ICAC Operational and Investigative Standards.

Eve M. Thomas
Eve M. Thomas, Chief of Police
Knoxville Police Department

December 15, 2020
Date

Affiliate: I have read and agree to the terms outlined in this Memorandum of Understanding. I have read and agree to adhere to the ICAC Operational and Investigative Standards.

John C. Drake
Affiliate Official Signature

John C. Drake
Type/print Chief/Sheriff Name above
Metro Nashville Police Department
Type/print Agency Name above

12-16-2020
Date

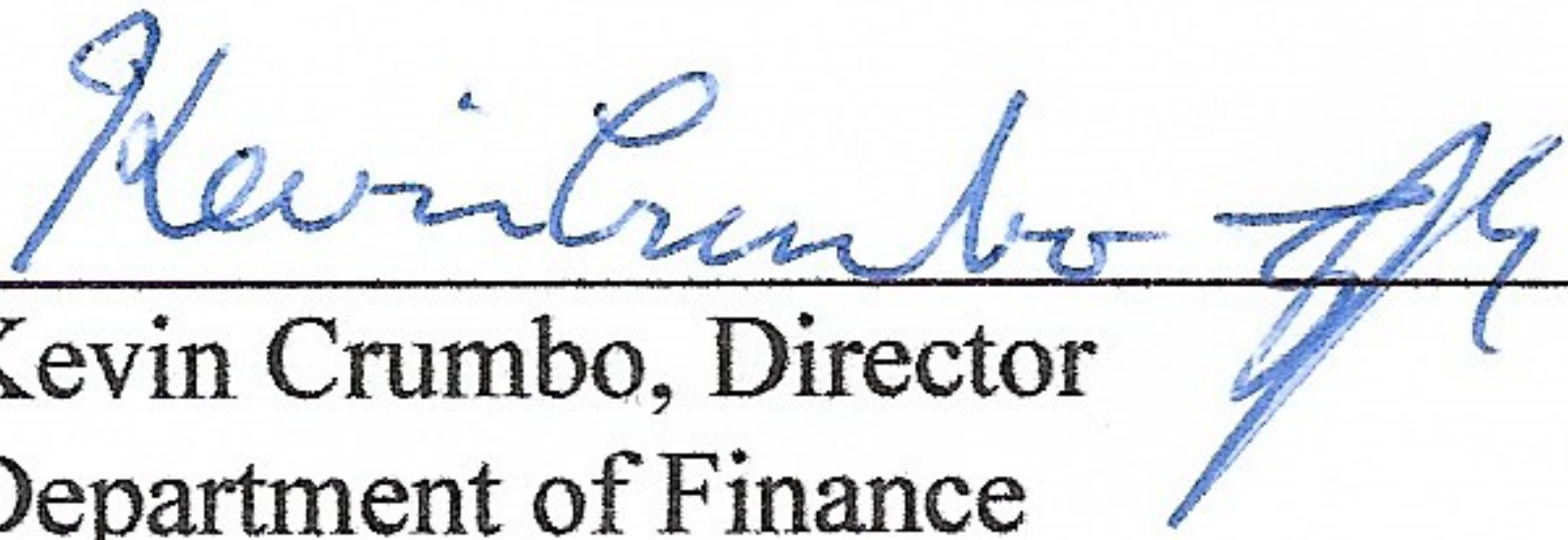
APPROVED AS TO FORM:

CHARLES W. SWANSON
Law Director

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THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
SIGNATURE PAGE

APPROVED AS TO AVAILABILITY OF FUNDS:



Kevin Crumbo, Director
Department of Finance

APPROVED AS TO FORM AND LEGALITY:



Assistant Metropolitan Attorney

FILED IN THE OFFICE OF THE
METROPOLITAN CLERK:

Metropolitan Clerk

Date