

EMERGENCY DISCLOSURE & PRESERVATION REQUESTS

JOINT STRATEGIC AND TACTICAL ANALYSIS COMMAND CENTER

Ms. CAROLYN MONTAGNA, DIRECTOR, JSTACC

LIEUTENANT

INTELLIGENCE BRANCH

METROPOLITAN POLICE DEPARTMENT

WASHINGTON, D.C.



OVERVIEW



- Preservation Requests
 - Definition of "Exigent Circumstances"
 - Emergency Disclosure Requests
 - Social Media
 - Cell Phones
 - Voice over Internet Protocol



Many social media companies will allow for a preservation request for potentially relevant evidence in legal proceedings. The companies will preserve, but not disclose, a temporary snapshot of the relevant account records for a period of time (usually 90 days) pending service of valid legal process.

This page isn't available

The link you followed may be broken, or the page may have been removed.



Go back to the previous page - Go to News Feed - Visit our Help Center

Instagram

Sorry, this page isn't available.

The link you followed may be broken, or the page may have been removed. Go back to Instagram.

Electronic Communications Privacy Act, 18 U.S.C. § 2701, et seq. (ECPA). ECPA mandates that US social media companies disclose certain user information to law enforcement only in response to specific types of legal process, including subpoenas, court orders, and search warrants



 IMPORTANT: It is imperative to preserve social media posts <u>immediately</u> upon discovery. This can be done by taking a screen shot of the post, taking a picture, or capturing it on BWC. A preservation request should also be submitted for legal purposes. If the post is deleted prior to submitting the preservation request, it is gone forever.



Determine if the case involves *exigent circumstances*:

"circumstances that would cause a reasonable person to believe that relevant prompt action is necessary to prevent serious physical harm to the officers or other persons, the destruction of relevant evidence, the escape of the suspect, or some other consequence improperly frustrating legitimate law enforcement efforts"

Examples – suicidal person, kidnapping/abduction victim, person in imminent danger, at-risk missing person (mentally/physically impaired), dangerous fugitive, bomb threat or threat of mass shooting



These four facts are universally applicable for all emergency disclosure requests:

- Describe the emergency and why it poses a risk of *serious physical injury* or *death* to a specific person or group of people?
- When do you expect this emergency to take place and why do you think that it will happen at this particular time?
- What information are you seeking and how will it assist in preventing serious physical injury?
- Have you obtained or tried to obtain legal process to compel the disclosure of this data? If not, please explain why.

SOCIAL MEDIA



- Commonly used social media platforms:
 - Facebook
 - Instagram
 - Twitter
 - YouTube





Facebook and Instagram Emergency Disclosure Requests



SOCIAL MEDIA: FACEBOOK AND INSTAGRAM



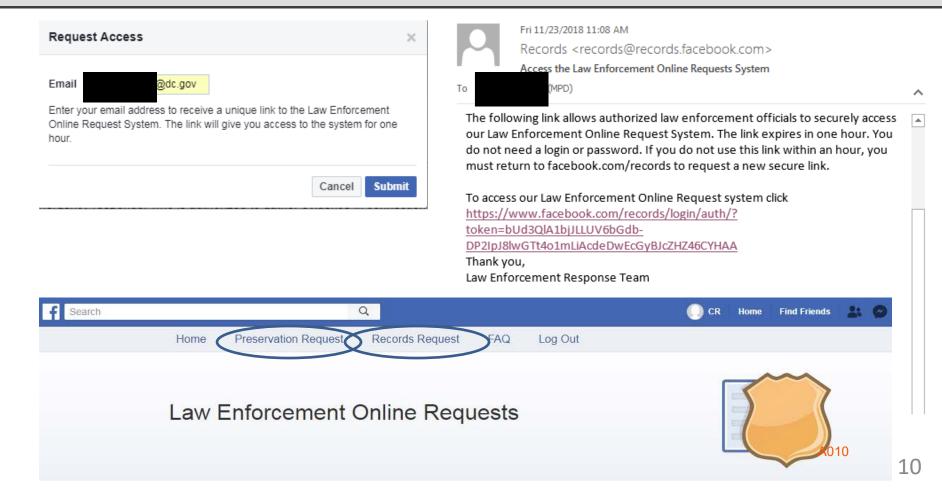
- In 2012, Facebook purchased Instagram
- All requests for FB & IG are completed on the same site
- Account records for both platforms can be submitted during one visit to site

All	News	Shopping	Videos	Images	More	Settings	Тос
About	69,800,000	0 results (0.44 s	seconds)				
https:	-+ 0						
Reque	dance with	Access to the L our terms of se ess to the Law En	ervice and ap	plicable law.			
Reque accord	dance with Secure Acce	our terms of se	ervice and ap	oplicable law. Iline Request Sy	ystem		
Request \$	dance with Secure Acce e account recor	our terms of se ess to the Law En rds solely in accorda ent agent who is auth	forcement On	oplicable law. I line Request Sy is of service and ap	ystem	vestigation, you may request	
Request \$	dance with Secure Acce e account recor law enforceme nrough this sys	our terms of se ess to the Law En rds solely in accorda ent agent who is auth	forcement On forcement On nce with our term orized to gather	pplicable law. Iline Request Sy is of service and a evidence in connect	ystem		

https://www.facebook.com/records/logim/

SOCIAL MEDIA: FACEBOOK AND INSTAGRAM





SOCIAL MEDIA: FACEBOOK AND INSTAGRAM - PRESERVATION REQUEST



Edit

Requestor Information



Preservation Request

Please complete all fields below to request preservation of account records. We will take steps to preserve account records in connection with official criminal investigations for 90 days pending our receipt of formal legal process. Additional information can be found in the Facebook or Instagram Law Enforcement Guidelines.

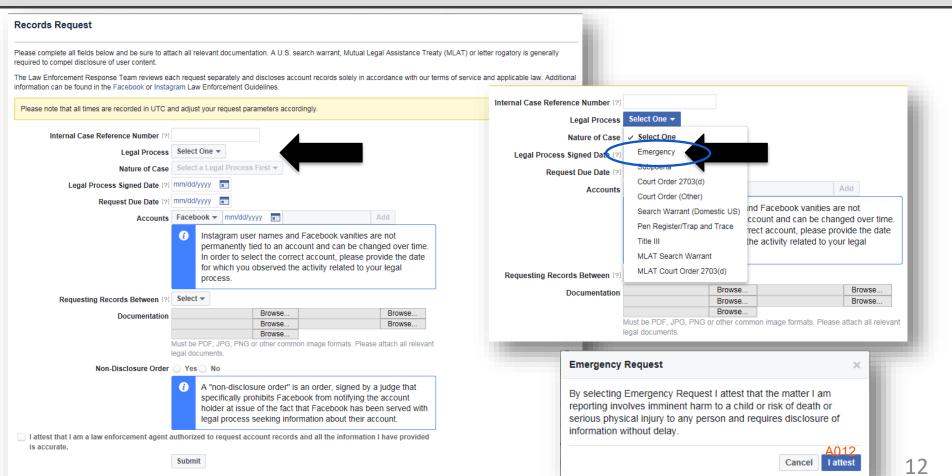


I attest that I am a law enforcement agent authorized to request account records and all the information I have provided is accurate.



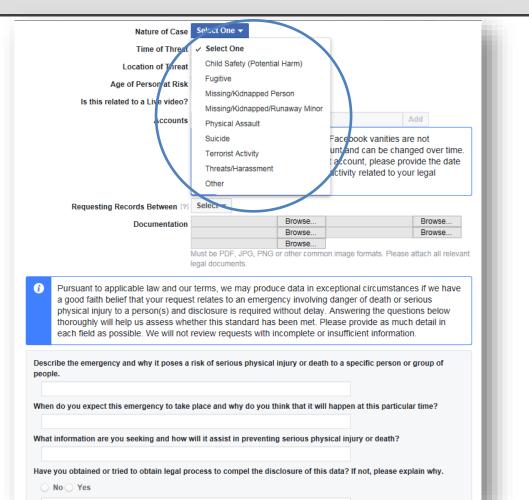
SOCIAL MEDIA: FACEBOOK AND INSTAGRAM - RECORDS REQUEST





SOCIAL MEDIA: FACEBOOK AND INSTAGRAM - RECORDS REQUEST





Social Media: Facebook and Instagram – Records Request

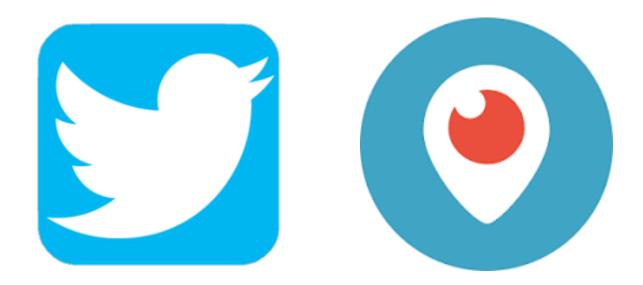


Nature of Case	Select One 🔻
Time of Threat	mm/dd/yyyy
Location of Threat	
Age of Person at Risk	
Is this related to a Live video?	○ Yes ○ No
Accounts	Facebook
	Instagram user names and Facebook vanities are not permanently tied to an account and can be changed over time. In order to select the correct account, please provide the date for which you observed the activity related to your legal process.
Requesting Records Between [?]	Select -
Documentation	Browse Browse Browse
Pursuant to applicable law and our a good faith belief that your reques physical injury to a person(s) and o thoroughly will help us assess whe	Must be PDF, JPG, PNG or other common image formats. Please attach all relevant legal documents. Te terms, we may produce data in exceptional circumstances if we have st relates to an emergency involving danger of death or serious disclosure is required without delay. Answering the questions below ther this standard has been met. Please provide as much detail in review requests with incomplete or insufficient information.
Describe the emergency and why it poses a people.	risk of serious physical injury or death to a specific person or group of
When do you expect this emergency to take	place and why do you think that it will happen at this particular time?
What information are you seeking and how v	will it assist in preventing serious physical injury or death?
lave you obtained or tried to obtain legal pr	ocess to compel the disclosure of this data? If not, please explain why.

14



Twitter and Periscope Emergency Disclosure Requests



15

A015

- This section applies to emergency disclosure and preservation requests for Twitter and Periscope
- In the event of an <u>imminent</u> threat that involves death or seriously bodily injury, law enforcement members can submit an emergency disclosure request through Twitter's Legal Request Submissions site:
 - <u>https://legalrequests.twitter.com/forms/landing_disclaimer</u>
- For additional information regarding law enforcement requests through Twitter:
 - <u>https://help.twitter.com/en/rules-and-policies/twitter-law-enforcement-support#15</u>

A016



SOCIAL MEDIA: TWITTER



-

Legal request submissions Please confirm your identity

Welcome to Twitter's online legal request submission site. You can submit your legal request (e.g., subpoena or court order) for account information or content removal by following the steps below. We also accept emergency disclosure requests from law enforcement through this site. All non-legal requests should be submitted through our Help Center forms.

If you are a law enforcement agent, government official, or other third-party intending to submit a valid legal request, please enter your full name, official email address, and confirm your authority by checking the box below. No other uses of this form are permitted.

More information is available in our Law Enforcement Guidelines, Accessing your Twitter data support article, and Twitter's Privacy Policy.

Full name:*

Official email address:*

dc.gov

An email containing an authorization link to access the site will be sent to this email address.

 \Box I affirm that I have any required legal authority to submit this request and the submission is a permitted use of this system. *



Fri 11/23/2018 11:41 AM no-reply@twitter.com

Access link to Twitter legal request submission system

To Lamond, Shane (MPD)

Hello,

This is an automated response. Please do not reply to this email as it will not be received by our system.

We have received your request to access our online legal request submission system. Please use the following unique link to log into our secure site where you will be able to submit your legal request:

https://legalrequests.twitter.com/forms/access_disclaimer/2g87% 2FBTS7KKGGWDldbWKW154fOMHz6W0TehLIj2MXQJ%3D

Access via this unique link will expire on November 23, 2018 at 5:41PM UTC.

y Legal Requests

Twitter Legal Request Submissions

Please select the type of request you would like to submit.

Emergency disclosure request	Information request			
Submit an emergency disclosure request for account information regarding exigent situations.	Submit a request for Twitter / Periscope account information bas on valid, properly scoped legal process (e.g., subpoena, warran			
Create request	Create request			
Preservation request	Removal request			
Submit a request for the preservation of Twitter / Periscope account information.	Submit a request for Twitter to withhold content based on a valid, property scoped legal request.			

Request Access

SOCIAL MEDIA: TWITTER – EMERGENCY DISCLOSURE REQUESTS



- Name, Title, Organization, Work Email, Phone Number, Address of Work Place
- Authorizing jurisdiction is "United States District of Columbia" (drop down menu)
- Requires internal reference number
 - Whatever helps you remember the case easily
- Can submit numerous accounts at one time
 - Require Twitter account ID(s), username(s), Periscope username(s), email address(es) and phone number(s)
- Matter type, criminal or civil
- Requested information
 - Basic account info
 - Creation date, email address and or phone number
 - Creation IP
 - Phone number
 - IP Session Logs
 - Tweets
 - Direct messages
 - Media
 - Other information
- Requested Dates
- Attach any supporting documents

SOCIAL MEDIA: TWITTER – EMERGENCY DISCLOSURE



Contact Information 3		Subject of the Emerg	ency Investigation
Full name*		Please add the account(s) investigation.	and/or reported posting(s) (e.g., Tweets, Broadcasts) that are the subject of your
Title*	Lieutenant, Intelligence Branch	Reporting*	Please fill out all the relevant sections and leave sections that do not apply blank. For instructions on how to find the Twitter account user ID, please refer to our law enforcement guidelines.
Organization*	Washington, D.C. Metropolitan Police Department		Twitter account ID(s)
E-mail*	Ddc.gov		Reported account IDs of the subject account(s).
Phone*			Twitter username(s)
Fax	202-727-0588		
Street*	300 Indiana Avenue, NW, Room 3116		Reported @usernames of the subject account(s). Please check the username of the account on Twitter prior to reporting and also note that account holders can change their username from time to time.
City*	Washington		Periscope username(s)
Country*	United States		
ZIP code*	20001		Reported @usernames of the subject account(s). Please check the username of the account on Periscope prior to reporting and also note that account holders can change their username from time to time.
State*	District of Columbia		Email address(es) and Phone number(s)
Authorizing jurisdiction*	Select a jurisdiction		Email address or phone number you believe to be asso ging o with a Twitter account.



Determining Twitter Account ID

• <u>http://gettwitterid.com</u>

Get a User's Twitter ID

*Please Enter a Twitter Username

 DCPOICEDEDED
 GET USER ID

 Image: Constraint of the system of th

A020

SOCIAL MEDIA: TWITTER – EMERGENCY DISCLOSURE



• Requires same "reporting" elements as the Preservation

Required Informatio	n
Type of emergency*	Select one type
Requested information*	 □ Basic account information
Why this information is necessary*	Why the requested information is necessary to prevent the emergency.
Please provide any additional details	
	All other available details or context regarding the particular circumstances to help us better understand the situation.
Attachments	
File attachments*	Please attach a screenshot of the reported content (if available). Browse Browse Browse
	Browse Browse We cannot accept individual attachments larger than 20MB.

I affirm that I have any required legal authority to submit this request and the submission is a permitted use of this system.

Select one type

Child sexual exploitation Explicit content (e.g., obscenity) Harassment (e.g., bullying, stalking) Harm to minor (non-CSE) Missing persons / kidnapping National security Suicide/self-harm Threats Violent crime (e.g., homicide, sexual assault) Other

SOCIAL MEDIA: GOOGLE

- Encompasses
 - YouTube
 - Gmail
 - Blogger
 - Chrome
 - Google....Play, Photos, Drive, Maps, Search, Voice
 - AdSense
 - Pixel Phone
 - AdWords
- Google has a LERS which sworn LE members can establish an account and can access this system at any time to submit court orders, preservation requests and/or ED⁻ ~

What kinds of emergency cases?

Sometimes we voluntarily disclose user information to government agencies when we believe that doing so is necessary to prevent death or serious physical harm to someone. The law allows us to make these exceptions, such as in cases involving kidnapping or bomb threats. Emergency requests must contain a description of the emergency and an explanation of how the information requested might prevent the harm. Any information we provide in response to the request is limited to what we believe would help prevent the harm.

A022





- First time users need to set up a Law Enforcement Request System (LERS) account at https://lers.google.com
- Your log in for LERS will be <u>@lers.google</u>
- You will be required to enter a unique code upon logging in if you haven't accessed the account in the last 30 days
 - Have the phone linked to the account available
- Many times will be required to draft a letter stating the nature of the emergency and what information you are requesting
- Emergency Disclosure/Exigent contact number: (650) 417-9011



Preservation Requests

- Signed & dated on MPD letterhead
- Must identify the account attempting to preserve
- Request, once processed, is valid for 90 days

Emergency Requests

- Snapchat "voluntarily discloses information when we believe in good faith that an emergency posing a threat of imminent death or serious bodily injury requires immediate disclosure of this information."
- lawenforcement@snapchat.com

Law Enforcement Emergency Phone: +

Note: This number is <u>only</u> for use by <u>sworn law enforcement</u> <u>officials</u> requiring emergency assistance with a <u>threat of imminent death</u> <u>or bodily injury</u>. All other inquiries from law enforcement must be directed to the email address above.



Dear Custodian of Records:

I request release of records for the Snapchat account associated with _____(username, email address, or phone number) on an emergency basis pursuant to 18 U.S.C. § 2702(b)(8) and § 2702(c)(4).

I have provided below answers to the following questions in enough detail as I am able in order to provide a good-faith basis for releasing records on an emergency basis:

- What is the nature of the emergency and why does it pose a threat of <u>imminent</u> death or serious bodily injury that would justify immediately disclosing the requested information rather than relying on standard legal process?
- Whose death or serious bodily injury is imminently threatened?
- What specific information in our possession related to the emergency are you requesting?

A025



EMERGENCY DISCLOSURE REQUESTS – CELL PHONES





DETERMINE THE TARGET PHONE'S PROVIDER

If you do not have a target number, attempt to get one using Accurint, TLO, or other resources.

- **Accurint/TLO:** (If you do not have access, ask the ISS CRS for assistance)
- **ZetX**: <u>https://zetx.com</u> → Phone Lookup
- Fone Finder: <u>http://www.fonefinder.net/</u>

(Free online site to determine probable wireless provider)

Once you have the probable wireless provider follow the instructions on the provided resource list, determine what information is needed.



WHAT INFORMATION DO YOU NEED?

In the case that you have a "Target Number", you must determine what information do you need from the provider.

- Location of the phone?
 - Current location
 - Past location
 - Continuous location
- Subscriber Information?
 - Name
 - Home address



Sprint/Nextel/Virgin/Boost: Call 1-888-877-7330 press 1

• Call first then email request form, email will be provided by call center at the time of the request.

Verizon Wireless: Call 1-800-451-5242 / press 9 and press 1

• Can only get nearest cell tower which is not very accurate. Lat/Long coordinates sometimes available but is estimated

Verizon Landline: Call 1-800-997-9981 press 9

T-Mobile/MetroPCS: Call 1-866-537-0911 press 1
Call first then Email request form to LER3@T-MOBILE.COM

AT&T/Cingular/Cricket/GoPhone: Call 1-800-635-6840 then press 4

• No forms necessary. Subscriber information will be provided immediately over the phone



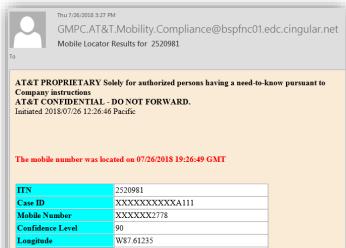
RECEIVING LOCATION INFORMATION

Latitude

Radius

Data Source

- Most wireless provides will be able to send the location either as a one time "ping" or a periodic track received every 10, 15,or 30 minutes.
- Generally, this information can be obtained for 24-48 hours without the need of a warrant.
- **Reminder:** only the member who submits the request can obtain additional location results





Oak Street Beach

If the data source on your email indicates 4G, these results are presented in decimal format. 3G and Historical results are in DMS (Degrees, Minutes, Seconds format).Depending on your mapping system, you may need to convert these results for accurate mapping.

592 meters (Certainty Factor)

N41.88545

4G-GMPC

The results provided are AT&T's best estimate of the location of the target number. Please exercise caution in using these records for investigative purposes as location data is sourced from various databases which may cause location results to be less than exact.

Voice over Internet Protocol (VoIP), is a technology that allows you to make voice calls using a broadband Internet connection instead of a regular phone line.

Because a number is a VoIP number and NOT a cellular telephone number, there is no pingable/GPS or cell site location information native to the number itself. However, the last time the number has been used will likely link back to a specific IP address that may be able to be traced.

Some companies sell VoIP numbers in bulk to other companies. Two common companies are:

- Bandwidth
- Inteliquent/Onvoy











Bandwidth: https://www.bandwidth.com/legal/law-enforcement-guide/

- All exigent requests must be made in writing via email, as Bandwidth does not provide customer of record information based only on a verbal request.
- Send an email to: <u>uslawenforcement@bandwidth.com</u>
- Include the target number, your law enforcement agency name, your contact information, and indicate in the subject line of your email that you have an exigent situation.
- Bandwidth will respond back via reply email with customer of record information promptly after assessing the request.

Inteliquent: https://www.inteliquent.com/contact-legal/contact-for-exigent-circumstances

• Fill out requested information on the above website and then call 800-933-1224, Option 2.

Onvoy: <u>http://www.onvoy.com/legal/law-enforcement-support</u>

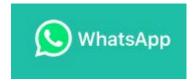
- For after-hours emergency situations, please contact their Network Operation Center ("NOC") at 1-800-933-1224, Option 2. The NOC is able to process and respond to after-hours emergency requests.
- An emergency disclosure form will be emailed to you (use <u>MPDCIC@dc.gov</u>)
- Fill out form and send it back.

Once the information has been received from these companies, you'll likely have to put in an Emergency Disclosure with another company.



Below are some secondary companies that may have IP addresses that belong to Bandwidth or Inteliquent. Many of these companies have "Apps" you can download on your phone.

- WhatsApp: <u>https://faq.whatsapp.com/en/general/26000050</u>
 - Download Emergency Disclosure Form: <u>https://www.whatsapp.com/legal/WhatsApp-</u> <u>Emergency-Disclosure-Request---For-Official-Use-Only.pdf</u>
 - Fill out the form and send to <u>records@whatsapp.com</u> (with the subject line of "Emergency")
- Text Now: <u>https://supportfree.textnow.com/hc/en-us/articles/206318775-Law-Enforcement-Emergency-Disclosure-Process</u>
 - See link for Emergency Disclosure Process: <u>www.textnow.com/lawenforcement</u>
 - Email <u>lawenforcement@textnow.com</u> (with the subject line "Emergency Disclosure Request") ← fastest
 - Call 202-888-4004







Once you receive an IP address, you'll need to find out the Internet Service Provider (ISP):

- https://whatismyipaddress.com
- https://www.ultratools.com/tools/ipWhoisLookup

Some common ISPs:

- **AT&T:** call the National Compliance Center (NCC) at 800-635-6840, Option 4
- Comcast Xfinity: https://www.xfinity.com/~/media/403eeed5ae6f46118ddbc5f8bc436030
- Charter Communications/Time Warner/Spectrum: <u>https://www.spectrum.com/policies/lea.html</u>
- Verizon FIOS: call the Law Enforcement Resource Team (LERT) at 800-451-5242, Option 4 (<u>https://info.publicintelligence.net/VerizonLawEnforcementResourceTeam.pdf</u>)

When in doubt, Google the name of the ISP with either "law enforcement" or "emergency disclosure".

Subscriber Information

- Name
- Home address
- Phone number
- Email address
- Last login

- The following website can be used to obtain contact information to submit Emergency Disclosure Requests and legal process to many social media sites and Internet service providers:
- https://www.search.org/resources/isp-list/

F SEARCH	Home Abo	out Us	Membership	Soluti	ons Resources	Blogs	Get Help
e ISP List is a law enforcement community effort, meaning that while it may reside on our website, it belongs to us all. If you come across newer				> Publications & Templates			
formation than what we have listed here, please let us know and we'll update nd we'll add it.	it. If you discover an ISP that we don't hav	ve in the d	atabase, let us kno	W	> Surveys		
		16			> Podcasts and We	binars	
/e know that getting the information you need from Internet service and other rea, let us know through our Assistance & Training Center. We can answer you					> ISP List		
e results.					> SEARCH Investig	ative and Fo	orensic Toolb
					> Repository QA an	d Cost Anal	ysis Tools
Select an ISP from the drop-down m	enu to access contact information:				> IT Security Self- 8	Risk-Asses	sment Tool
ISP Quick Search	•				> Public Safety Proj	ect Resourc	es
					> High-Tech Crime	nvestigative	Resources
					> Information Sharin	ng Resource	S
					An additional res information is the Directory of Serv	Library of C	Congress'





- Most telephone calls made to 9-1-1 contain Automatic Numbering Information/Automatic Location Information (ANI/ALI)
- Automatic Numbering Information with a 911 area code prefix indicates that the cell phone used to make the 9-1-1 call is not active, and the 7-digit phone number after the area code is seven digits of the phone's Electronic Serial Number (ESN), Mobile Equipment ID (MEID), or International Mobile Equipment Identity (IMEI)
- Deactivated cell phones are usually untraceable as they cannot be "pinged" or called back
- Automatic Location Information may provide GPS location of device in that instant; however, you cannot get updated location information on the phone unless caller places another 9-1-1 call

A036





- Although Emergency Disclosure Requests can be used to obtain information quickly in emergency situations, you should always follow up with proper legal process (subpoena or search warrant)
 - Any EDR information used as evidence in a criminal case without a follow up subpoena or search warrant may be ruled inadmissible, e.g. cell phone content, social media posts
- NOTE: Most social media companies will disclose to the user that a preservation request, emergency disclosure request, or search warrant for subscriber information has been submitted unless a court order requiring nondisclosure is obtained.

QUESTIONS?



METROPOLITAN POLICE DEPARTMENT

300 INDIANA AVENUE NW - WASHINGTON, DC - 20001 - 202.727.9099

WWW.MPDC.DC.GOV

Totals	
Total Crime	276,891
All Violent Crime	41,527
() Homicide	1,140
Sex Abuse	2,217
🖝 Assault w/Dangerous Weapon	16,213
A Robbery	21,957
All Property Crime	235,364
🗈 Burglary	16,842
S Theft f/Auto	85,642
S Theft/Other	111,197
Motor Vehicle Theft	21,567
💿 Arson	116



Criminal Research Specialist – Social Media Use Policy

The Criminal Research Specialists will only utilize social media to seek or retain information that:

- 1. Is based upon a criminal predicate or threat to public safety; or
- 2. Is relevant to the investigation and prosecution of suspected criminal incidents; the resulting justice system response; the enforcement of sanctions, orders, or sentences; or the prevention of crime; or
- 3. Is useful in crime analysis or situational assessment reports for the administration of criminal justice and public safety.

The Criminal Research Specialist staff shall not use their own personal accounts to perform any searches via social media. Instead, they will use the specified CRS accounts to search publicly available information via social media sites. There shall be absolutely no interaction between the CRS personnel and the subject/group. The accounts shall be used solely for monitoring and viewing "open" profiles. The CRS staff will not try to "friend", "follow", "like", "post", etc. on any of the subjects' pages or information. Any violation of this policy is a direct violation of MPD Policy and will result in disciplinary action.

Additionally, the CRS staff will not change or alter the CRS social media accounts in any way unless instructed to do so by the CRS Supervisor. The CRS accounts shall not be used for any purposes that are not work-related.

After a major incident (such as a homicide or shooting), the CRS personnel shall try to obtain information in reference to the victim's or suspect's social media accounts. Any information found in these accounts shall be relayed to the detective in a Preliminary Investigative Report.

The method behind finding any information found via social media must be documented properly in the report. For example:

- The following information was obtained from Accurint's "Virtual Identity Report".
- The following information was obtained by searching the phone number xxx-xxx through the Facebook search function.

Additionally, if an individual is found by searching any of their known associates, the source individual must be noted.

If social media has been found, the website links and relevant screenshots must be sent to the detective. It is ultimately the job of the detective to determine accuracy, validity, and/or authenticity of the information. Information obtained by the CRS via social media may not be submitted as evidence. The detective must subpoen the information for it to be admitted to court. Social media postings should not be disseminated to outside agencies, unless approved by the CRS Supervisor.

Section 1: Minimum social media requirements

Section 2: Taking social media results and searches a step further

Section 3: Negative social media results

- All ISS usernames and passwords for social media searches are saved in the Social Media folder as "CRS Social Media Passwords.doc"
- Access links to various online resources and internet search tools in the document saved as "ISS Online Resources" in the Social Media folder.
- Additional social media search tips are located in the document "Social Media Search Techniques" in the Social Media folder.

Section 1:

At a *minimum*, the following procedures are required to uncover social media profiles:

- 1. Query various name combinations, phone numbers, and email addresses for the subject through the following sites:
 - a. Facebook, Google, and <u>at least two other search engines</u> from the ISS Online Resources document.
- 2. Access Accurint
 - a. Query the subject in Accurint's Virtual Identity Report.
 - i. Click on all URLs provided in the Virtual Identity Report that are associated to the subject.
 - b. If the subject is a juvenile or no information is returned in public records, also search for relatives and/or current address(es) of that subject through Accurint and/or TLO to find a relative that resides at the subject's address.
 - i. If a social media profile is obtained for a relative (mother, father, sibling), thoroughly search the profile (friends list, about section, posts, etc.) in an effort to locate a profile for the individual of interest.
 - 1. The document **"Social Media Search Techniques"** saved in the Social Media folder provides guidance on searching private social media profiles.
 - c. If no profile can be found for the individual of interest, include the relative's social media profile and URL in the report.

Section 2:

If a profile is uncovered, the following procedures are required:

1. If a social media account is uncovered, the URL handle as well as the name/alias provided on the social media account should be searched in **Google, Facebook, Instagram, Twitter, YouTube**, and at least one additional site that has a username search in an effort to uncover additional profiles.

Use the following template to document positive search results. Plug in or take out what parameters were searched in the italicized portion of the template. This information should appear in the beginning of the social media section.

POSITIVE results

I conducted searches based on the parameters available on each site using the [arrestee, person of interest, decedent, etc] name(s), DOB(s), SSN(s), email(s), phone(s) and other various identifiers. The following systems returned results that appear to be relevant: [list websites accessed here]

If profiles are found, the following template should be used in the body of the social media section of the report for every social media site that produced results, as seen below:

- I conducted [website] searches based on [search parameters] and received the following results: Facebook URL: <u>https://www.facebook.com/CRS</u>
 - **Insert screenshots of any relevant timeline, about section, photos, etc.
- I conducted [website] searches based on [search parameters] and received the following results: Instagram URL: <u>https://www.instagram.com/CRS</u>
 - **Insert screenshots of the about section, photos, etc.
- If a photo or video is posted on a social media account where firearms or ammunition is viewable; the account URL, image URL, and screenshot of the image in which a firearm is shown <u>must be emailed</u> to the following GRU and Intel members: Cmdr. John Haines, Lt **Bartensen**, Sgt. **Bartensen**, and Lt. **Bartensen**.

If photos on social media reveal firearms or ammunition; the following template should be used under the website URL:

- The account URL, image URL, and screenshot of the image in which a firearm is shown was sent on [DATE] to GRU and Intel for situational awareness.

Section 3:

If no profile is uncovered, the following procedures are required:

- 1. Access TLO, as TLO tends to provide more phone numbers and email addresses tied to search results. Include or exclude this information in the report based on your judgment as not all information is accurate.
- 2. If searches have been exhausted, and no relevant social media information has been found; see below on how to document negative results.

In the Possible Social Media section, use the following template to document negative search results. Plug in or take out what parameters were searched in the italicized portion of the template. This information should appear after any positive results or in the beginning of the social media section if no results are returned.

NEGATIVE results

- I conducted searches based on the parameters available on each site using the [arrestee, person of interest, decedent, etc] name(s), DOB(s), SSN(s), email(s), phone(s) and other various identifiers. The following systems yielded negative or unrelated results: [list websites accessed here]





SOCIAL MEDIA

INVESTIGATIVE SUPPORT SECTION JOINT STRATEGIC & TACTICAL ANALYSIS COMMAND CENTER

METROPOLITAN POLICE DEPARTMENT

WASHINGTON, D.C.





- Provide insight on how the Investigative Support Section (ISS) provides open source intelligence for investigative purposes
 - Old vs New procedures
- Techniques
- Challenges & Solutions
- Examples/Success stories

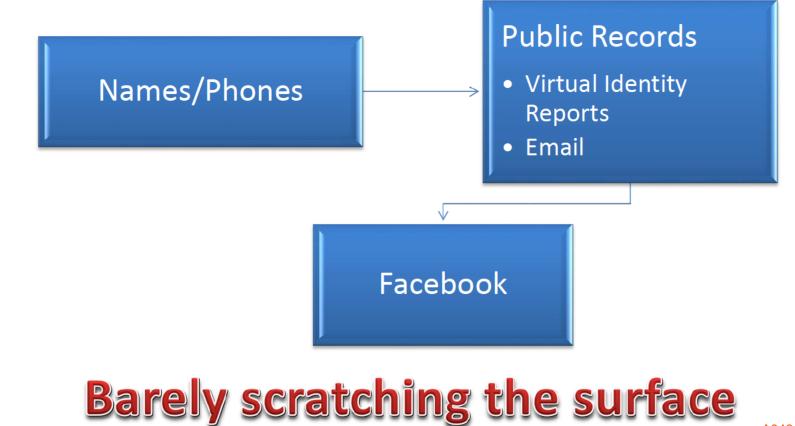




- Gaining actionable intelligence off social media about a subject
 - Weapons, narcotics, active areas, chatter, #hashtags, friends, activities, family members, etc.
- More targeted searches
- Ability to search a variety of social networking sites, but often use the most popular at the present time (Instagram, Twitter, Facebook, Youtube, Google)
- Search public profiles, pictures, blogs, comments, etc.







SOCIAL MEDIA: OLD PROCEDURES



Robbery Arrestee:



Accurint:

Virtual Identity Report



Facebook:



We couldn't find anything fo

Looking for people or posts? Try entering a name, location, or different words.

SOME THINGS THAT ARE TRUE ARE NOT VERY USEFUL

A047

SOCIAL MEDIA: CHALLENGES

• Time

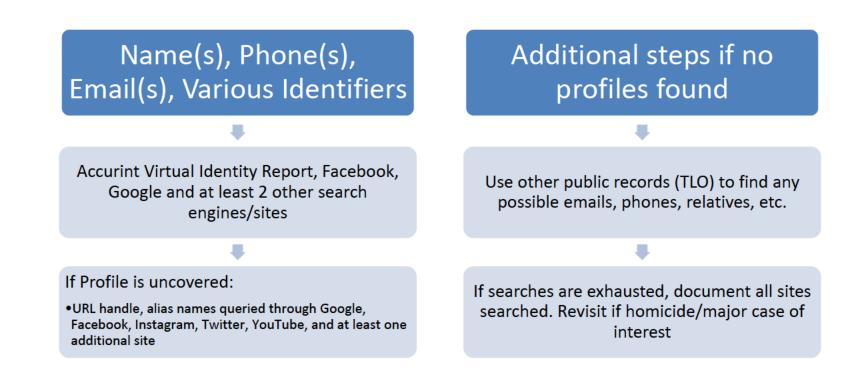
✓ <u>SOLUTION</u>

- New social media protocol
- In-depth searches post major incident
- Changing Usernames
 - ✓ <u>SOLUTION</u>
 - Variations of their previous usernames, check associates profiles for tagged photos
- Private Accounts
 - ✓ <u>SOLUTION</u>
 - Known associates and family members sharing tagged photos
- Getting Blocked
 - ✓ <u>SOLUTION</u>
 - Change username, view profiles publicly
 - Storiesig.com
- Search Restrictions
 - ✓ <u>SOLUTION</u>
 - Specialized search sites (Spokeo, Pipl, Webstagram, Facebook Messenger)



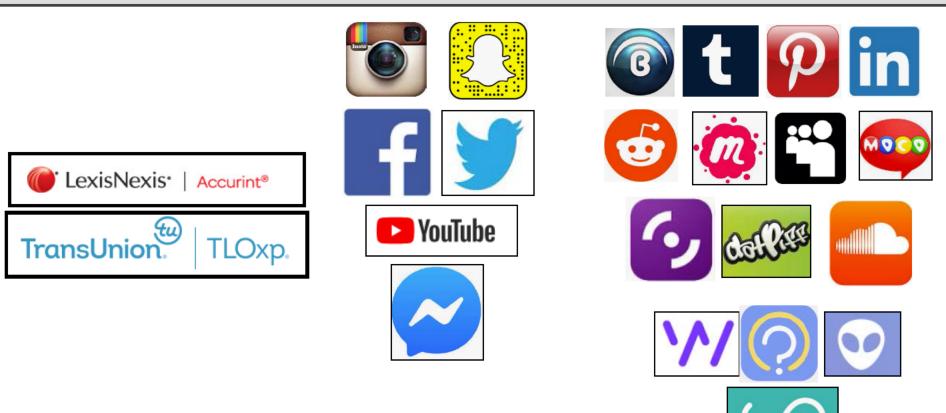






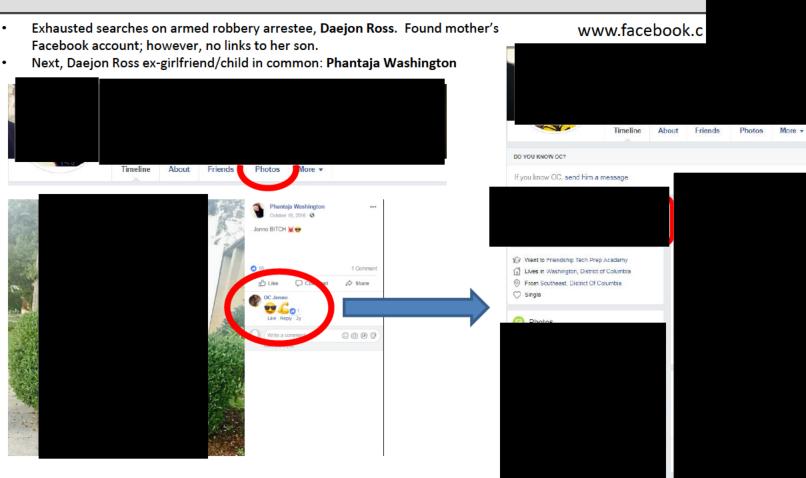
SOCIAL MEDIA: RESOURCES





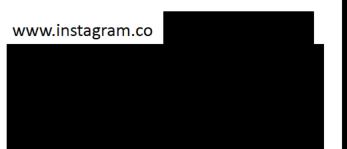
FACEBOOK





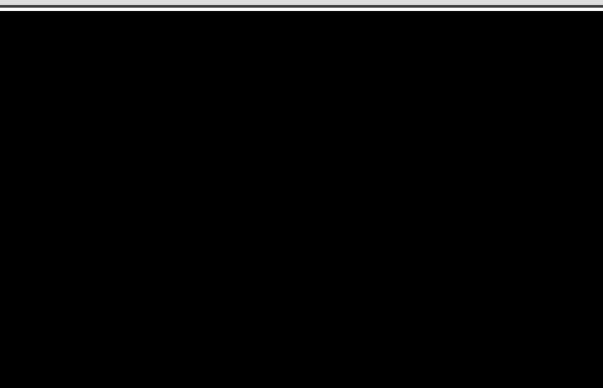
SOCIAL MEDIA: NEW PROTOCOL





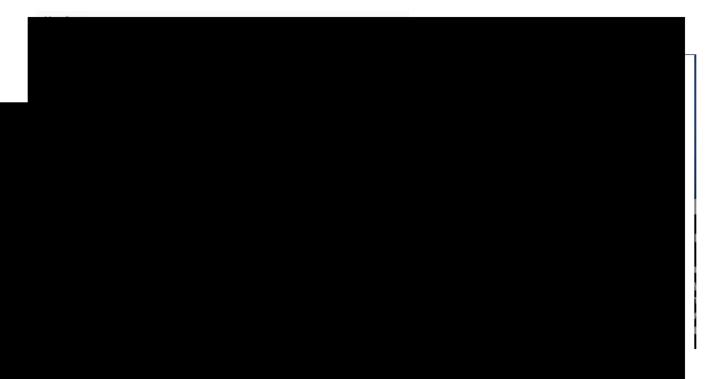
www.instagram.com





INSTAGRAM

Is there a location or crew your subject may be affiliated with?

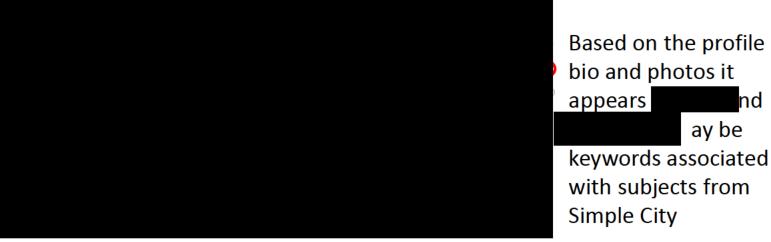




INSTAGRAM CONT'D.

While on this profile look for clues that may help you identify key words and help identify your subject





nd

ay be

INSTAGRAM CONT'D

Based on that information, try searching and see what populates

account is private, how can we combat it?





A055

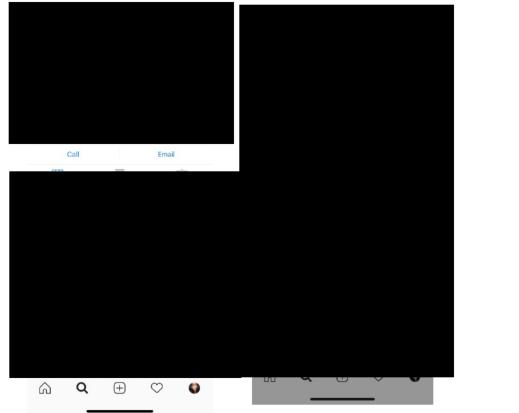
This Account is Private

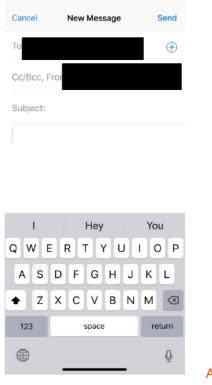
C p a a s

Check

page since its public and he appears to be affiliated with the same area

INSTAGRAM CONT'D



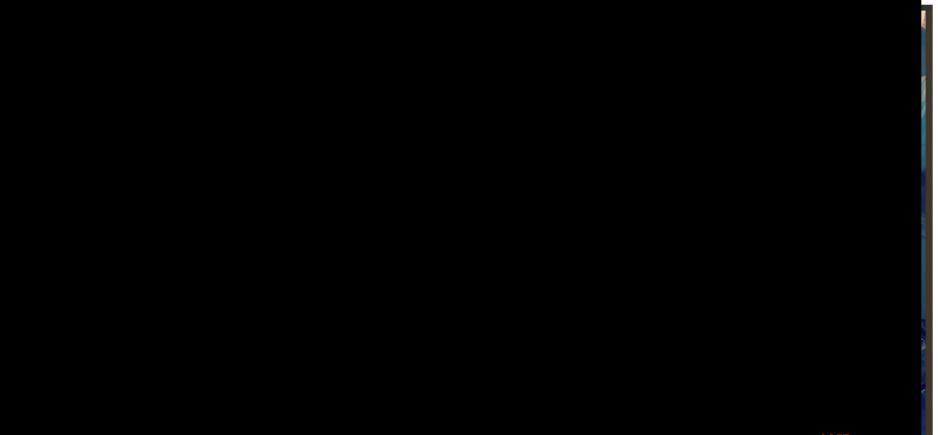


. 1 | 5GE 🔳

22:27

A056

TWITTER

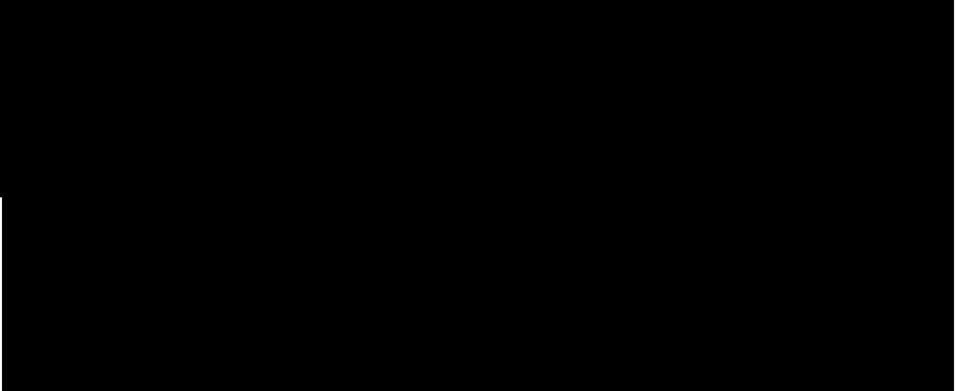


- Social Media drill downs on homicides and high profiles cases/individuals of interest
 - Quick turnaround time for requests
 - Around the clock requests/communication needed between shifts
 - Building out information on hashtags, possible retaliation/crew beefs, relatives/associates
 - Information sharing with Intel, NSID, Districts









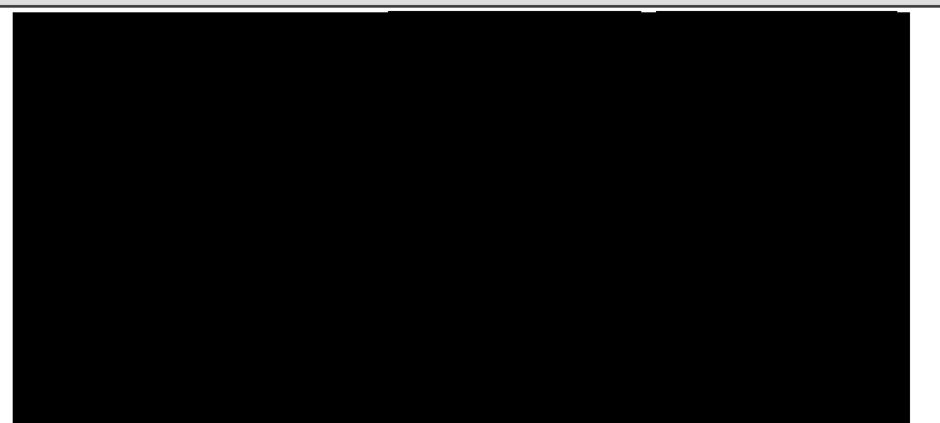
SOCIAL MEDIA: TARGETED SEARCHES - YOUTUBE/INSTAGRAM





SOCIAL MEDIA: TARGETED SEARCHES - YOUTUBE/INSTAGRAM





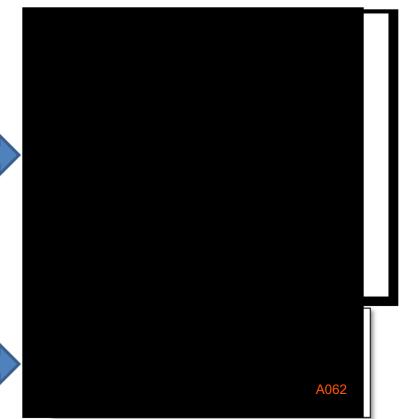
SOCIAL MEDIA: TARGETED SEARCHES - EXAMPLE



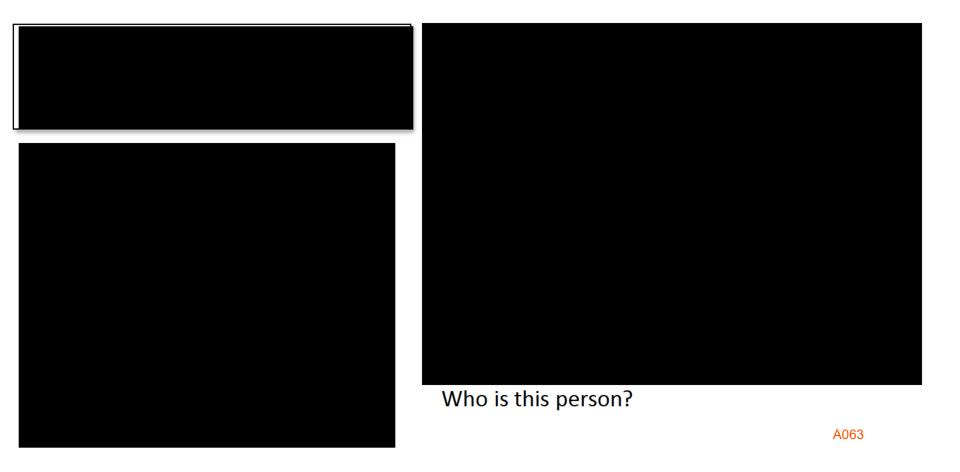
Post homicide follow-up of validated

- Searched through Instagram accounts of known validated members
 - •
 - Posted 4 days after the homicide occurred









TARGETED SEARCHES CONT'

CHALLENGES: SEARCH RESTRICTIONS

		STORIESDOWN	HOMEPAGE BLOG REMOVE CONTENT CONTACT US
		Instagram Story View Best Instagram story viewer! You con watch instagram stories anonym	
		e- Ads by Got	
		Adds by Coo	
	Home Download Stories		
	Start Download View PDF & Download PDF Converter Guru	Enter instogram userno	ne Search
	Instagram Dow	nloader	
	Instagram URL		
INSTADP			

Instadp search profile pictures

Search and download Instagram profile pictures or stories

INSTADP STORIES Search username

CHALLENGES: SEARCH RESTRICTIONS INSTADP

INSTADP	≡	INSTADP	INSTADP	
Instadp search profile pictures Search and download Instagram profile pictures or stories				ze and download it
INSTADP STORIES				5
Q Search usemame				
				1
)
INSTADP	≡			
Instadp search profile pictures Search and download Instagram profile pictures or stories				
INSTADP STORIES				
Q yin tay	×			
yin.toy	>			
yın.tayyy	5			
				A066

CHALLENGES: SEARCH RESTRICTIONS STORIESDOWN



CHALLENGES: SEARCH RESTRICTIONS W3TOYS

Home Download Stories Download Highlig	 A indigencentry/L/L/pilip/ Mexico & Marcos & Marc
Start Download View PDF & Download PDF Converter Guru	
Instagrar	Instagram Downloader Its://www.instagram.com/p/8_Av_YgH1ge/
	A068 26

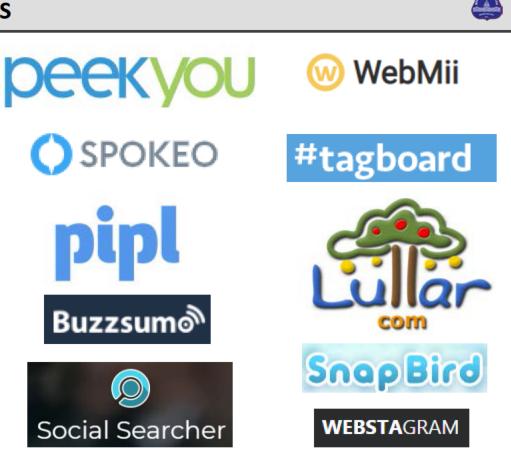
CHALLENGES: SEARCH RESTRICTIONS TWITTER DOWNLOAD

	Twitter Video Downloader
	Download twitter videos & GIF from tweets
÷	Ads by Google
	Stop seeing this ad Why this ad? ▷

SOCIAL MEDIA: ADDITIONAL SEARCHES

- Using specialized sites to search hashtags, telephone numbers, usernames, email addresses, keywords, URLs
- Specialized site searches for Twitter, Instagram, etc.



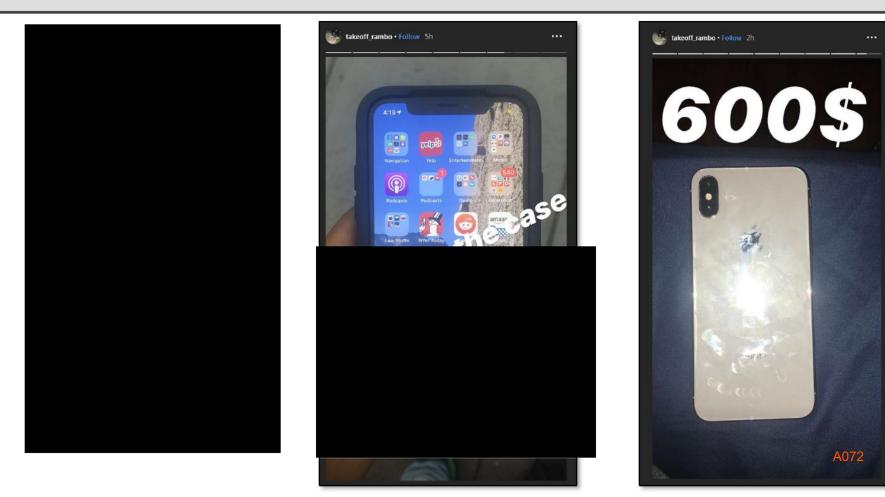




Check-in on known recidivists and gang/crew members with a social media footprint

SOCIAL MEDIA: TARGETED SEARCHES - SUCCESS STORY







01/04/19 0037 - 0234 hours - Robbery (Gun)

On the above listed date and time, the complainant and two others were approached from behind and held at gunpoint by three suspects who instructed them to lie face down then took several items including an **iPhoneX** described in Cobalt as **Aluminum/Silver**. The look out in this incident was for **3 B/M**, **late teens to mid-twenties**.

			W.	. 6	
(
. 7					
C					
21					
1					
1					
CAP.					
0.1					
1.0=1					
De					
1					
18.10					A073
-					AU73

SOCIAL MEDIA: TARGETED SEARCHES - EXAMPLE

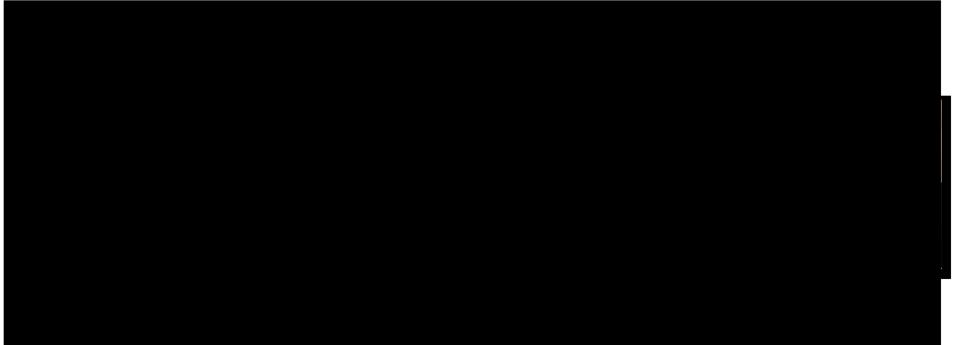
Complainant, owner of the iPhone X stolen in the 01/04/19 incident appears to be a lawyer. The phone has a folder of apps dedicate to "Law Stuffs".



SOCIAL MEDIA: TARGETED SEARCHES - EXAMPLE



Social media was queried for complainant. The following Facebook account was located which matches the complainant based on age and location. Photos show the complainant may have recently visited Asia, possibly China. The background of the phone shown in Logan's Instagram story includes what appear to be Tibetan prayer flags.



SOCIAL MEDIA: TARGETED SEARCHES - OUTCOME





- Stopped at the attempting to sell complainant's phone
 - Placed under arrest for RSP, CPWL, PWID Marijuana
 - Recovered in this incident was a Smith & Wesson 9MM Handgun, 1.8 ounces of marijuana, 2 cell phones

probable cause for arrest for being in possession and

QUESTIONS?



METROPOLITAN POLICE DEPARTMENT

300 INDIANA AVENUE NW - WASHINGTON, DC - 20001 - 202.727.9099

WWW.MPDC.DC.GOV

MEMORANDUM OF UNDERSTANDING

BETWEEN

DISTRICT OF COLUMBIA HOMELAND SECURITY AND EMERGENCY MANAGEMENT AGENCY

AND

DISTRICT OF COLUMBIA METROPOLITAN POLICE DEPARMENT

I. INTRODUCTION

This Memorandum of Understanding ("MOU") is entered into between the District of Columbia Homeland Security and Emergency Management Agency ("HSEMA"), whose address is 2720 Martin Luther King, Jr. Ave, SE, Washington, DC 20032 and the District of Columbia Metropolitan Police Department ("MPD"), whose address is 300 Indiana Ave, NW, Washington, DC 20001, collectively referred to herein as the "Parties."

II. BACKGROUND

The mission of HSEMA is to ensure that the District of Columbia ("District") is prepared to prevent, protect against, respond to, mitigate and recover from all threats and hazards. As part of this mission, HSEMA overseas the National Capital Region Threat Intelligence Consortium ("NTIC"). which is the District's fusion center. The NTIC employs an allcrimes, all-hazards approach and serves as the National Capital Region's ("NCR") only allhazards fusion center. The NTIC, which is based in the District of Columbia's Homeland Security and Emergency Management Agency, works in partnership with fusion centers in Maryland and Virginia, as well as the federal government, to conduct regional analysis and share information on terrorism, crime, and natural hazards.

The NTIC is one component of the national network of fusion centers, which the US Department of Homeland Security has sanctioned as a critical strategic initiative for sharing information across a range of natural and manmade threats.

The MPD is the lead public safety agency in the District of Columbia and it is the mission of the MPD to safeguard the District of Columbia and protect its residents and visitors with the highest regard for the sanctity of human life. MPD strives at all times to accomplish the mission with a focus on service, integrity, and fairness by upholding the city's motto Justitia Omnibus -- Justice for All.

III. PURPOSE

- A. The purpose of this MOU is to set forth the terms by which MPD agrees to commit personnel resources and to contribute information to the NTIC. This effort will ensure increased communication and coordination and assist in developing methods to efficiently analyze relevant information at all levels to maximize the usefulness of the NTIC products and increase its usefulness to MPD and other public safety stakeholders in the National Capital Region (NCR).
- B. This MOU is an agreement among the Parties and is not intended, and should not be construed, to create or confer any other person or entity any right or benefit, substantive or procedural, enforceable at law or otherwise against MPD, NTIC, or any state, locality, or other sponsor under whose auspices a party is participating in the NTIC, or the officers, directors, employees, detailees, agents, representatives, task force members contractors, subcontractors, consultants, advisors, successors, assignees, or other agencies thereof.

IV. RESPONSIBILITIES OF MPD UNDER THIS MOU

- A. MPD agrees to detail one Liaison Officer ("LNO"), at the rank of Captain or above, to the NTIC. The daily schedule and the hours to be worked by the LNO will be determined by the Parties. This LNO is an addition to the MPD LNO who now supports the Joint All-Hazards Operations Center (JAHOC) within HSEMA, which is the District's 24/7 watch center.
- B. Responsibilities for the conduct of the MPD LNO, both personally and professionally, shall remain with MPD. During this detail, the LNO will continue to work under the rules and regulations applicable to MPD employees and will be subject to the same personnel rules, regulations, laws and policies, including ethical standards, applicable to those employees. The LNO will report personnel and administrative matters to the commanding official of the Joint Strategic & Tactical Analysis Command Center within MPD.
- C. The designated MPD LNO will:
 - 1. Be assigned to work within the Analysis Center of the NTIC.
 - 2. Oversee the handling and dissemination of all law enforcement information.
 - 3. Facilitate relevant intelligence to MPD.
 - 4. Review suspicious activity reports and ensure they are appropriately disseminated within a timely manner to the appropriate agency or unit.
 - 5. Serve as the MPD representative to HSEMA for information needs associated with special events and emergency activations.

- 6. Participate in other related matters associated with the HSEMA and NTIC's work with MPD.
- 7. Be available after normal business hours for responses and liaison needs of the NTIC.
- Coordinate access to the appropriate law enforcement databases to only the NTIC intelligence analysts who work directly with and are supervised by the MPD LNO.

V. RESPONSIBILITIES OF HSEMA UNDER THIS MOU

- A. As the primary fusion center for the District of Columbia, the NTIC conducts analysis, facilitates information sharing, and assists law enforcement and homeland security partners in preventing, protecting against, and responding to crime and terrorism.
- **B.** The NTIC shall:
 - 1. Allow the MPD LNO access to the NTIC at all times.
 - 2. Provide the MPD LNO with an identification card or credentials.
 - 3. Provide a standard size work station equipped with a computer and telephone.
 - 4. Provide appropriate training to the MPD LNO.
 - 5. Authorize the MPD LNO to oversee NTIC intelligence analysts in any and all work related to law enforcement information activities within the NTIC.
 - 6. Send any law enforcement related work products (For example: "Daily Officer Awareness Bulletins", "Intelligence Bulletins", "Special Event Threat Assessments", and regional products), prior to publishing, to the MPD LNO for review and approval. The MPD LNO shall have final approval for any analysis, report, or work product developed using MPD data.
 - Research and disseminate Requests for Information (RFI) and Requests for Analysis (RFA) from law enforcement agencies Monday through Friday during normal business hours, excluding holidays. Any questions regarding a RFI or RFA shall be directed to the MPD LNO.
 - Leverage NTIC real-time open source research and analysis (ROSA) tools for the MPD Intelligence Branch and grant access to MPD members for outside normal business hours and during holidays.

- 9. Assist with MPD's Capital Watch and suspicious activity reporting public awareness campaigns
- 10. Monitor social media, open source websites, news outlets, the HSIN-Sit room, and any additional internal and external resources, in an effort to identify events that could affect the operational landscape or MPD operations, and subsequently provide timely and accurate situational awareness and operational intelligence to MPD personnel.
- Share Suspicious Activity Reports, Terrorist Screening Center Reports, and all other analysis work products with MPD, especially when utilizing MPD databases and resources.

VI. DURATION OF THIS MOU

The term of this MOU continues in force until terminated. This MOU may be terminated at will by any Party, as long as written notice is provided to the other Party of not less than sixty (60) days. Upon termination of this MOU, all equipment will be returned to the supplying Party.

VII. FUNDING

.

This MOU is not an obligation or commitment of funds, nor a basis for transfer of funds, but rather is a basic statement of the understanding between the Parties to commit resources to the NTIC. Unless otherwise agreed in writing, each Party shall bear its own costs in relation to this MOU. Expenditures by each Party will be subject to each organization's budgetary processes and to the availability of funds and resources pursuant to applicable laws, regulations, and policies. The parties expressly acknowledge that the above language in no way implies that Congress will appropriate additional funds for such expenditures.

VIII. PRIVACY AND CIVIL LIBERTIES

- A. The Parties agree to comply with all applicable law protecting privacy, civil rights, and civil liberties in the collection, use, analysis, retention, destruction, sharing, and disclosure of information through the NTIC, including, to the extent applicable, the privacy guidelines established for the Information Sharing Environment created by § 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004.
- B. Each Party agrees that the fusion center has now, or will develop, a privacy policy that comports, to the extent practicable, with the Privacy Policy Development Guide published by the Department of Justice as part of the Global Information Sharing Initiative.
- C. This MOU does not alter the Parties' civil and financial liabilities, if any and pursuant to applicable law. MPD shall not be responsible for any civil or financial claim which

does not arise from an act or omission of an employee of MPD committed within the scope of this or her employment.

IX. NOTICE

The Following individuals are the contact points for each Party under this MOU:

Justin Pierce Deputy Chief and Executive Director Homeland Security Division National Capital Region Threat Intelligence Consortium DC Homeland Security and Emergency Management Agency 2720 Martin Luther King, Jr. Avenue, SE Washington, DC 20032 (C) 202-437-2348

Carolyn Montagna Acting Director Joint Strategic & Tactical Analysis Command Center Metropolitan Police Department 300 Indiana Ave NW Washington, DC 20001 (C) 202-489-7859

The Parties may change the contact points at will.

X. MODIFICATIONS

The terms and conditions of this MOU may be modified only upon prior written agreement by the Parties.

XI. MISCELLANEOUS

The Parties shall comply with all applicable laws, rules, and regulations whether now in force or hereafter enacted or promulgated.

IN WITNESS WHEREOF, the parties hereto have executed this MOU as follows:

DISTRICT OF COLUMBIA HOMELAND SECURITY AND EMERGENCY MANAGEMENT AGENCY:

Date: 6/17/19

CHRISTOPHER RODRIGUEZ DIRECTOR, HSEMA

DIS

OLITAN POLICE DEPARTMENT:

JUN 1 4 2019

PETER NEWSHAM CHIEF, MPD