

IDAHO STATE POLICE PROCEDURE

08.05 PEN REGISTER/WIRE/ORAL INTERCEPT

A. General

The Idaho State Police is empowered to conduct interceptions of wire or oral communications pursuant to [I. C Title 18, Chapter 67](#), and by federal law under Title III of the [Omnibus Crime Control and Safe Streets Act of 1968](#), more specifically United States Code, Title 18, Part 1, Chapter 119, § 2510-2520.

B. Approval Procedure

1. All pen registers, wire/oral intercepts and requests for ISP participation in such investigations are approved by the Major/designee through the chain of command. The Major notifies the Deputy Director of the pending action.
2. All requests must include the following:
 - a. a narrative describing the nature of the investigation and its expected goal;
 - b. unique identifiers of the suspect's phone or device;
 - c. the service provider providing telephone and/or data service for the suspect.
3. If the investigation includes a wire/oral interception, the request must also include:
 - a. the number of detectives necessary for the interception and surveillance;
 - b. the location of the intercept site (listening post);
 - c. travel and lodging arrangements for the detectives; and
 - d. estimated per diem expenses for assigned ISP personnel.

C. Case Detective Responsibilities

If the request is approved, the lead or case detective is responsible to:

1. notify the Technical Services Investigative Assistant that an investigation requires a pen register or wire/oral intercept;
2. provide the appropriate prosecuting attorney with the installation number assigned by the case detective's district office;
3. assist the appropriate prosecuting attorney in preparing the Authorization to Request Order, the Intercept Application (affidavit) and Intercept Order;
4. provide the Technical Services Investigative Assistant with two (2) copies of each of the documents listed above;

D. Technical Services Investigative Assistant:

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1. provides the telephone company with the needed documentation to initiate a pen register or an intercept;
2. coordinates directly with the Investigations Lieutenant of the district conducting the investigation;
3. maintains all equipment used in proper working condition and repairs or exchanges equipment as necessary; and

E. Monitoring Unit Supervisor

When a wire/oral intercept is authorized, the case detective designates a detective who is familiar with the investigation as the Monitoring Unit (MU) Supervisor. The supervisor:

1. designates a Shift Supervisor for each shift at the monitoring location;
2. limits access to the intercept site by establishing a Monitor Post Log including the following information:
 - a. who entered the intercept site;
 - b. purpose of entry; and
 - c. length of time inside the site;
3. posts copies of the following within confines of the intercept site:
 - a. [I.C. Title 18 Chapter 67](#);
 - b. [I.C. § 9-203](#);
 - c. The [Omnibus Crime Control and Safe Streets Act of 1968](#);
 - d. the Intercept Application (affidavit); and
 - e. the Intercept Order;
4. in consultation with the case detective, the prosecuting attorney, and the district Investigations Lieutenant, terminates the intercept operation immediately upon attaining the objective stated in the Intercept Order or at the end of the time period granted by the court, whichever is earlier.

F. Monitoring Unit Shift Supervisor

The MU Supervisor assigns MU Shift Supervisors to perform the following tasks during the intercept:

1. coordinate all monitoring activities with the MU Supervisor;
2. oversee the security of the intercept site:
 - a. allow only the presence of persons assigned to the operation; and
 - b. ensure compliance with the Monitor Post Log requirements;

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3. assign work periods of approximately eight (8) hours and distribute work to the members of the MU assigned to the supervisor's shift;
4. prepare a daily summary of call activity and content to aid in the establishment of the daily surveillance goals; and
5. appoint an acting MU Shift Supervisor when the assigned MU Shift Supervisor will be absent and notify the MU Supervisor.

G. Monitoring Unit Detective Responsibilities

1. The case detective assigns detectives and supervisors to participate in the Monitoring Unit (MU) for an investigation when a wire/oral intercept is authorized.
2. All detectives assigned to the MU must read, initial, and become thoroughly familiar with the following documents prior to beginning the interception:
 - a. [I.C. Title 18 Chapter 67](#);
 - b. [I. C. § 9-203](#);
 - c. the [Omnibus Crime Control and Safe Streets Act of 1968](#);
 - d. the Intercept Application (affidavit); and
 - e. the Intercept Order.
3. throughout the investigation, participating detectives must read and stay familiar with the contents of the investigative reports maintained at the intercept site.

H. Post-Intercept Responsibilities

The following takes place immediately upon termination of any intercept operation:

1. the case detective:
 - a. notifies the Technical Services Investigative Assistant and the appropriate prosecuting attorney of the termination;
 - b. delivers and submits the sealed original court recordings to the judge who issued the Intercept Order;
2. the Technical Services Investigative Assistant immediately notifies the appropriate telephone company personnel of the termination;

I. Electronic Collection of Information

The case detective is encouraged to use all approved methods for maintaining and providing the required information. This includes the electronic collection and compilation of information. All care should be taken to ensure any electronically collected material is adequately backed up on a regular basis to avoid the loss of any pertinent information.