

WINONA POLICE DEPARTMENT

NUMBER: 103-09 PAGES: 3

EFFECTIVE DATE: July 27, 2004

SUBJECT: TELEPHONE CALL COMPLAINTS

1.0 PURPOSE:

It is the purpose of this general order to establish policy and procedures for the handling of telephone call complaints reported to the Winona Police Department.

2.0 POLICY:

2.1 It is the policy of this department, in accordance with the policy of the U. S. West Telephone Company, that all nuisance, obscene, or harassing telephone complaints are to be made directly to the telephone company. The telephone company will then instruct the complainant on what to do.

2.2 The only exception to this policy is that in the case of calls involving a life-threatening situation, a tap can be installed or a computer read-out read by the on-call Supervisor at the telephone company. This will be done by the Police Supervisor on duty.

2.3 Phone numbers and PIN numbers other than in 3.1 are for Winona Police Department use only and are not to be given to the public.

3.0 PROCEDURE:

3.1 Complaints as described in section 2.1 of this general order can be made by the complainant directly to the telephone company or by calling 1-800-541-3386. At this stage of the complaint, no CFS will be completed by the Police Department.

3.2 In the event that the telephone company has exhausted all other means to correct the misuse of the telephone, and the customer agrees to prosecute the violator, the complainant will be instructed by the telephone company to contact the Police Department and make a complaint.

3.2.1 At this time, when the person comes to report to the Police Department, a CFS will be made out and referred to CIB.

3.2.2 At the time the complaint is taken, be sure to get the name of the telephone company contact person (from the complainant) that has been handling the complainant's case to date.

3.2.3 At no time is the calling number or the name of the owner of the phone used to make any of the above type calls ever released to the

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complainant, until after a thorough investigation is completed by CIB. If the offender is a juvenile, this information will never be given to the public.

3.3 In life-and-death situations, a tap can be installed immediately, or a computer print-out can be read when the telephone company is closed, by doing the following:

3.3.1 Call the telephone trap-and-trace line (1-800-446-8134) and ask for the on-call supervisor's name and phone number. FAX# is 303-965-5493.

3.3.2 Contact the on-call supervisor, identify yourself as the Police Supervisor, and give the reason for the desired tap or read-out.

3.3.3 The on-duty Police Supervisor is the only person who will be authorized to place this call.

3.3.4 The Police Supervisor authorizing a tap installation or an after-hours read-out must, in all cases, complete a written report that will be sent to the telephone company stating circumstances that required this after-hour request. This report, along with the CFS and all other investigative reports, will then be forwarded to CIB.

4.0 OTHER VIOLATIONS/INVESTIGATIVE AIDS:

4.1 There are other violations regarding telephone company equipment that include the possession or use of toll fraud devices, etc. These investigations will be conducted in accordance with Minnesota State Statutes Section 609.52 subd. 2 (14).

4.2 In the event of a hostage or kidnap situation, a Supervising Police Officer can enlist the aid of the telephone company to cut, reroute, or divert telephone lines, and the authority for this procedure is given in Minnesota State Statutes 609.774.

4.3 If toll records are needed as part of a police investigation, they can only be obtained by a Search Warrant. Certain language must be contained on the Search Warrant or the customer will be notified immediately. Request to withhold from a customer can be for 90 days only. This request must be submitted for additional time or the customer will be notified at the end of the 90-day period.

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4.4 If, during the course of an investigation, you are in possession of a “non-published” phone number, you can obtain an address for that number. If the local business office cannot help you, call 303-896-2519. You must go through security to obtain this information for phone numbers outside the state of Minnesota.

In an emergency situation, if you must reach a person at a “non-published” number, you must go through the operator. The operator will put a call through to the number and request that this party return your call, or obtain permission from the customer to connect your call directly.

4.5 To obtain information about subpoenas, call 303-896-2522 (FAX 303-896-4474).

4.6 For fraud investigation information, call 303-896-0551.

4.7 The Winona Police Department has been issued the following PIN number for security reasons: WPD-PIN #1-62-A72.