

Tip Taking and Protecting Your Tipsters

2019 CS USA Training Conference | Phoenix, AZ | Det. Kevin Boehm, KCPD

Where I'm From...



Remain Anonymous • Receive Cash Rewards

Tips Hotline

816-474-8477

Web Tips

www.KcCrimestoppers.com

Free Mobile App

www.P3Tips.com



Course Objectives

- History
- Suggest “Best Practices” for Coordinators and Staff.
- Ensure ANONYMITY is Your First Priority.
- Possible Consequences to Consider.

History

- Dedicated Phone Line. (No Caller ID, No Voice Message Capability, No Recording of Calls)
- Train Call Takers – One Chance at Information.
- Non law Enforcement Owned Equipment.
- KC – 1st Tips Taken on Notecards.

Ownership (Proprietary Information?)

- Disclaimer
 - The anonymous information contained in this TIP DOES NOT constitute reasonable suspicion or probable cause for arrest and is the exclusive property of the Greater Kansas City Crime Stoppers TIPS Hotline. This information is NOT to be included in any investigative file.
 - This form is the exclusive property of Crime Stoppers of _____. Any disclosure, copying, distribution or use of this document is STRICTLY prohibited. DO NOT include this form in any investigative file.
- Corporate vs. Public Record (Check with Your State)
 - Corporate: **Corporate records** are such **records** that are required by a **corporation** to show that it is functioning according to the rules of the Internal Revenue Service. **Corporate records** usually have a **corporate record** book which includes all the required documents. **Corporate records** can also be kept online or in a file cabinet. ([US Legal, Inc.](#))
 - Public: **Public records** are documents or pieces of information that are not considered confidential and generally pertain to the conduct of government. ([Wikipedia](#))

Relevance (Why is this Important?)

- **Ownership:** A) CrimeStoppers
 - B) Law Enforcement
 - C) Prosecutor,
 - D) Defense Attorney
 - E) All the Above
- **Corporate vs. Public:**
 - State to State Variance
 - Release and Retention defined by State and/or Federal statute
 - Could be both – who took the tip (me vs. staff), where is the tip stored, was tip included in case file, do state specific protections exist?

Inculpatory vs. Exculpatory

- Inculpatory
 - **Inculpatory** means causing blame to be imputed to; to incriminate. For example, **inculpatory** statement is a statement which attribute liability on the person making such statement. It incriminates or places guilt or responsibility on someone. ([US Legal, Inc.](#))
- Exculpatory
 - Exculpatory evidence is evidence favorable to the defendant in a criminal trial that exonerates or tends to exonerate the defendant of guilt. It is the opposite of inculpatory evidence, which tends to present guilt. ([Wikipedia](#))

The Basics

- Protect the Tipster from Themselves
 - Reveal to much
 - Try to “sell” you on the information
 - Gender Neutral
 - Be general when discussing “how” the info. is known
 - Use “they” as opposed to “he” or “she”
 - Edit info. but be careful not to “add” your own commentary
 - Don’t accept e-mail or Social Media tips!

General Example (As received)

- **John Doe is my ex-husband. I have been letting him stay at my house** at 123 Main Street since he was released from jail in 2011. **I left the property two years ago to live with my new husband.** He let Jane Doe move in two months ago. **When I went to collect the rest of my belongings from the house at 123 Main Street , Ms. Doe told me that she and John are doing meth on a daily basis and showed me the meth she had been holding back from John.** John was arrested in 2008 for growing marijuana in the shed in the back of the house. I have good reason to believe he is now cooking meth in that shed as I can think of no other way that they could afford to smoke meth everyday. In addition, Ms. Doe was recently arrested with meth and oxycodone. Finally, **when I asked John if I could see the house and shed he said** the police had already been there following Ms. Doe's arrest. I called to confirm that this morning and was told there have been no deputies called to that address recently. I understand that cooking meth can be very dangerous as explosions can happen and am concerned for my property. **I am currently in the process of having them evicted but that may take a few weeks.** Thank you for your help.

General Example (Upon Review and Edit)

- “John Doe ~~is my ex-husband. I have been letting him stay at my house~~ *is living at* 123 Main Street since he was released from jail in 2011. ~~Left the property two years ago to live with my new husband. He let Jane Doe move in two months ago. When I went to collect the rest of my belongings from the house at 123 Main Street,~~ Ms. Doe told me that she and John are doing meth on a daily basis and ~~showed me I have seen the meth she had been holding back from John.~~ John was arrested in 2008 for growing marijuana in the shed in the back of the house. I have good reason to believe he is now cooking meth in that shed as I can think of no other way that they could afford to smoke meth everyday. In addition, Ms. Doe was recently arrested with meth and oxycodone. I ~~Finally, when I asked John if I could see the house and shed he said the police had already been there following Ms. Doe’s arrest. I called to confirm that this morning and was told there have been no deputies called to that address recently. I understand that cooking meth can be very dangerous as explosions can happen and am concerned for my property. am currently in the process of having them evicted but that may take a few weeks.~~ Thank you for your help.

General Example (Ready to Disseminate)

- “John Doe *is living at* 123 Main Street since he was released from jail in 2011. John and his wife are doing meth on a daily basis and people *have seen the meth*. John was arrested in 2008 for growing marijuana in the shed in the back of the house. There is good reason to believe he is now cooking meth in that shed as I can think of no other way that they could afford to smoke meth everyday. In addition, Ms. Doe was recently arrested with meth and oxycodone. Thank you for your help.

Consequences/Legal Requests

- Retention Policy
 - Specific policy for records retention can save you headaches (60 days, 90 days, 120 days, 1 year, 5 years)
- Prosecutor/Defense Attorney Subpoena
 - Coordinator, Board, Registered Agent, Custodian of Records (Secretary), PD
- Subpoena vs. Subpoena Duces Tecum
 - **Subpoena:** A subpoena or witness summons is a writ issued by a government agency, most often a court, to compel testimony by a witness or production of evidence under a penalty for failure. ([Wikipedia](#))
 - **Subpoena Duces Tecum:** A subpoena duces tecum, or subpoena for production of evidence, is a court summons ordering the recipient to appear before the court and produce documents or other tangible evidence for use at a hearing or trial. ([Wikipedia](#))

Things to Remember

- #1 Priority is to Protect Anonymity of our clients (ie. Tipsters)
 - Failure causes problem for you, program, CrimeStoppers in general and could result in ZERO tips due to lack of trust
- #2 Priority is Assisting our LE Partners
- Records Management and Safe Tip Taking
- Move to Quash Subpoenas and Motions to Compel (CS USA Legal Advisor for Member Programs)
- Ask for case to be dismissed rather than allow for informants identity to be involuntarily disclosed