

<b>JOPLIN POLICE DEPARTMENT</b>	<b>9-06 STANDARD OPERATING GUIDELINE</b>
<b>SUBJECT: Criminal Intelligence Management</b>	<b>REVIEW DATE: Annually – September</b>
<b>EFFECTIVE DATE: March 28, 2014</b>	<b>ACTION DATE:</b>
<b>AMENDS/SUPERSEDES: March 24, 2011</b>	<b>AMEND DATE: March 27, 2014</b>
<b>ACCREDITATION INDEX: 42.1.6 a, b, d, e, f, g, h, i</b>	<b>APPROVED:</b>  <b>Chief of Police</b>

## I. POLICY

The criminal intelligence function of the Investigations Bureau includes providing the department with a intelligence file support system which legitimately meets the needs of the department in carrying out its effort to protect the public through suppression of future criminal activity. All department members are responsible for reporting of intelligence and will receive training on the intelligence function. (42.1.6 A, B, C)

## II. PURPOSE

To establish guidelines for the intelligence function of the department.

## III. PROCEDURE

A. The following procedures for the Investigations Bureau intelligence function have been established to ensure the legality and integrity of its operations:

1. It is the responsibility of the Investigations Bureau to collect, maintain, and analyze select criminal information relating to, and identifying those individuals or groups involved in drug trafficking, street gang membership, terrorism or other organized activities that would present a threat to the citizens of this community. Information collected is limited to criminal conduct. (42.1.6 E)
2. All intelligence information will be gathered and maintained within the constraints of Missouri Sunshine Law and 28CFR23.20. (42.1.6 F)
3. Criminal intelligence information shall assist in decision making, special operations, and preventive measures when responding to certain illicit activities related to the intelligence activity. The types of information that is maintained in the intelligence files are: (42.1.6 E)
  - a. Liquor violations;
  - b. Drug Activity;
  - c. Gang Activity;
  - d. Fraud Activity and Vice;
  - e. Persons or organizations espousing violence or threats to public safety;

- f. Threats to homeland security.
  - 4. Intelligence files shall be reviewed annually for the purpose of identifying information that no longer serves a useful purpose. Those files not to be retained will be destroyed after a record of destruction is completed and initialed by the Investigations Bureau Commander. (42.1.6 H)
  - 5. The Investigations Bureau Commander or his designate has the responsibility of maintaining the intelligence files, and regulate the use of intelligence equipment, monitoring devices, surveillance vehicles, etc.
  - 6. An annual review of procedures and processes in the collection, processing and sharing of suspicious incidents and criminal intelligence relating to criminal and homeland security activities shall be conducted by the investigations bureau commander or his/her designee. (42.1.6 I)
- B. Through the intelligence function, the following essential activities are accomplished that permits the continuous flow of data into a central point from all sources.
- 1. Officers assigned to the Patrol Bureau shall be encouraged to submit criminal information to the Investigations Bureau either verbally or by memorandum. (42.1.6 G)
  - 2. Detectives assigned to the intelligence function shall collect criminal intelligence information from as many sources that can be effectively managed. The following are examples of possible sources. (42.1.6 G)
    - a. Confidential informants;
    - b. Surveillance details;
    - c. Intelligence records;
    - d. Other department members
  - 3. Intelligence data is confidential and will be secured separately from other records. (42.1.6 D)
  - 4. All information must be assessed and verified for reliability by the Bureau Commander or Supervisor.
  - 5. It is the responsibility of the Investigations Bureau, specifically the intelligence officer, to disseminate criminal intelligence information to authorized personnel; of this Department, or other intelligence components of other law enforcement agencies. Dissemination is restricted whenever one or more of the following four (4) criteria are not satisfied: (42.1.6 G)
    - a. Right to Know: The requester is a representative of a law enforcement agency and is officially and statutorily authorized to receive such information.
    - b. Need to Know: The information requested is pertinent and necessary to the requester for investigative reasons.
    - c. Trust: The provider knows, or believes the requester will protect the confidential information from unauthorized use or exposure.

- d. Authority to release: The provider has the authority to release the intelligence information to the requester.
  - 6. No criminal intelligence information will be disseminated to persons of this Department, or other law enforcement agencies, without the express authorization of the Investigations Bureau Commander or his designate. (42.1.6 G)
  - 7. All requests for intelligence information will be made to an Investigations Bureau Supervisor. Such request can be made by phone or written communication. The requesting party must state the reason for such request and the nature of the investigation. The Investigations Bureau Supervisor will record all requests for criminal intelligence information on a dissemination log. Said log, which will be stored with other intelligence files, will contain the following:
    - a. The date of the request;
    - b. To whom the data will be forwarded;
    - c. The nature of the investigation;
    - d. The date the request was honored;
  - 8. Prior to disseminating information from the criminal intelligence files, all of the following factors must be evaluated and analyzed: (42.1.6 G)
    - a. The person or agency requesting the information;
    - b. The nature of the information requested;
    - c. The source of the information requested;
    - d. The reason for the request;
  - 9. Certain information regarding criminal activity can be disseminated by the Investigations Bureau in the following manner: (42.1.6 G)
    - a. Attending roll call sessions.
    - b. Confidential bulletins.
    - c. Attending criminal exchange meetings.
      - 1). At the direction of the Investigations Bureau Commander, detectives may be given the responsibility of participating in the exchange of intelligence, or other criminal information with surrounding law enforcement agencies.
- C. Safeguarding/Secure Storage of Intelligence Information and Records: (42.1.6 D)
- 1. Intelligence information is distributed only to criminal justice agencies and/or personnel on a need-to-know basis. The information is collated and analyzed in a secure environment. The computer system that is used to store intelligence information is accessible only with a pass code. This pass code protects against unauthorized attempts to access, modify, remove, or destroy secured information.

2. The highly sensitive nature of intelligence files requires that they be maintained separately from other agency records to prevent compromise and protect the integrity of the system. The files are stored in secure files located in the Investigations Bureau.

#### **IV. COMPLIANCE**

Violations of this policy, or portions thereof, may result in disciplinary action as described in the City of Joplin's Personnel Rules, or the Joplin Police Department's Rules and Regulations and General Orders. Members of the Joplin Police Department, while assigned to or assisting other agencies, shall comply with this policy.

#### **V. APPLICATION**

This document constitutes department policy, is for internal use only, and does not enlarge an employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in any evidentiary sense, with respect to third party claims insofar as the employee's legal duty as imposed by law. Violations of this policy, if proven, can only inform the basis of a complaint by this department, and then only in a non-judicial administrative setting.