

Truro Police Department

CRIMINAL INTELLIGENCE

Policy Number: OPS 6.20
REFERENCE:

Effective Date: November 30, 2000
Revised Date: April 7, 2008

Accreditation Standards: 42.2.1
Mass. Gen. Law:
Other:

I. General considerations and guidelines

Intelligence is an activity principally concerned with collecting, processing, and disseminating information in specified problem areas. In order to ensure the legality and integrity of this function, this policy, along with related incidents involving the intelligence gathering process will be reviewed by the Lieutenant at least once every three years. *(Revised April 7, 2008)* These areas typically include:

1. Organized criminal activities;
2. Subversive activities;
3. Vice activities;
4. Terrorism;
5. Civil Disorders.

The responsibility for the department's intelligence activities are assigned to the Investigator.

II. Policy

- A. It is the policy of the Truro Police Department that:
 1. Intelligence gathering efforts shall not interfere with the exercise of constitutionally guaranteed rights and privileges; and

2. No intelligence information shall be gathered or retained unless it specifically relates to criminal conduct or to activities that present a threat to the community.

III. Procedures

A. Gathering of Intelligence Information

1. It is the responsibility of all officers to assist in the gathering of information on organized crime, subversive activities, vice activities, terrorism and civil disorders. Officers and other members of the department who obtain this type of information shall inform the Investigator. Officers and members shall obtain as much information about the activities as possible. *[51.1.1(b)]*
2. The Truro Police department will not knowingly collect intelligence data on any individual or group merely on the basis of: *[51.1.1(b)]*
 - a. The individual's or group's support of unpopular causes;
 - b. The individual's or group's race, color, religion, sex, national origin, or political affiliation; or
 - c. The individual's or group's lawful habits and/or predilections.
3. The Investigator shall review intelligence information to ensure that the criminal intelligence collected and maintained is limited to criminal conduct and relates to activities that present a threat to the community. All intelligence information shall meet at least one of the following criteria: *[51.1.1(a)(b)]*
 - a. Arrest, indictment, or outstanding warrant(s);
 - b. Any individual identified as a perpetrator of a crime by a witness or competent evidence;
 - c. Any individual who threatens violence towards people or property;
 - d. Any individual where reasonable suspicion exists to believe the individual has or is engaged in or is conspiring to engage in criminal activity;
 - e. Any information that depicts the extent or scope of organized crime activity;

- f. Any information relating to the identity of a victim, witness, or complainant of organized crime activity;
 - g. Any information relating to organized crime related social, political, business, or professional associations where said information reasonably demonstrates to the Investigator that a potential for future criminal conduct exists; or
 - h. Any information concerning an individual's criminal activity that provides tactical and/or strategic intelligence.
4. Due to the small size of the Truro Police Department, and the fact that our Citizens know the officers, the Investigator may utilize outside agencies and resources for the utilization of intelligence personnel, expertise and techniques. *[51.1.1(d)]*

B. Evaluation of Intelligence Data

1. The Investigator shall evaluate all sources of information as: *[51.1.1(b)]*
- a. Completely Reliable. No question as to authenticity, trustworthiness, or competency. Information supplied by a person proven to be reliable in all instances;
 - b. Usually Reliable. There may be some doubt as to authenticity, trustworthiness, or competency. However, information previously supplied by that source has generally proven to be reliable in a majority of cases;
 - c. Fairly Reliable. There may be some doubt as to authenticity, trustworthiness, or competency. However, information previously supplied by that source has generally proven to be reliable in a moderate number of cases;
 - d. Unknown Reliability. Information supplied by that source cannot be determined by either judged experience or investigation. No way of knowing authenticity, trustworthiness, or competency;
 - e. Not Usually Reliable. There is doubt as to authenticity, trustworthiness, or competency. Information previously supplied by that source has not been reliable although occasional valid reports had been submitted.

2. All intelligence records will indicate the source of information from which the data was obtained. The source will be evaluated as to its accuracy and validity. Attempts should be made to substantiate the information through other sources.

C. Intelligence Records

1. FILES: Because of the highly sensitive nature of these activities, records concerning active intelligence gathering, organized crime and vice investigations shall be maintained separately from central records and investigative records. These records shall be maintained in a locked file and shall be accessed only by the Investigator, and any other officer specifically authorized and assigned to assist in a particular case.
[51.1.2]
2. The Investigator shall monitor the information analysis and storage process to ensure that all information receives appropriate disposition and that only appropriate information is kept. [S]he shall be responsible for the security of all such information.
3. All information retained or disseminated shall be objective, logical and concise. Any assembled data must be rated as to its validity and all data relating to the same subject matter from more than one source and thought to be reliable will be correlated.
4. Information received from preliminary investigations/reports/incidents shall use the assigned incident numbers generated from the in house computer system. If a record has not received an incident number, it will be assigned an incident number.
5. The Investigator is responsible for disseminating intelligence information to appropriate department personnel in order that investigations may be initiated when appropriate.
6. All requests for information concerning vice and organized crime investigations received by members of the department shall be forwarded to the Investigator. [S]he shall be the designated liaison person for joint efforts and information exchange with federal, state and local law enforcement agencies.
 - a. Where applicable, all requests for information shall be processed in accordance with the Criminal Offender Records Information Act. See departmental policies on *Request For Reports, and Media Relations*.

- b. [S]he shall maintain a secured record of all information conveyed to or received from all outside agencies regarding such matters.
[51.1.2]

D. Review and Evaluation of Records *[51.1.1(c)]*

1. All information retained shall be evaluated as to its continued relevancy and importance at least every two years. The Investigator shall conduct a review and audit of all retained information, and shall purge and shred all records which are deemed incorrect, inappropriate, out of date, or no longer applicable.
2. The purpose of this review and audit shall be to determine:
 - a. That no files are being kept which violate the substantive provisions of these procedures;
 - b. That the department is following procedures which ensure that material retained is relevant to the department's mission; and
 - c. That all information that is deemed incorrect, inappropriate, or no longer applicable is purged from the files. File destruction shall be conducted under the direction of the Investigator.