

COVINGTON POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

Subject: CRIMINAL INTELLIGENCE

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I. Purpose

To provide guidelines for the collection, maintenance and dissemination of intelligence data relative to individuals or organizations involved in criminal conduct, and as it relates to activities that present a threat to the community.

II. Statement of Policy

It shall be the policy of the Covington Police Department to collect and maintain intelligence files containing information limited to individuals or members of and/or organizations involved in criminal conduct and as it relates to activities that present a threat to the community. In addition, all members of this department share in the responsibility for collection, processing and sharing of suspicious incidents and criminal intelligence relating to criminal and homeland security activities.

III. Definitions

- A. Criminal Intelligence Information – Data which meets criminal intelligence collection criteria and which has been evaluated and determined to be relevant to the identification of individuals who or organizations which are reasonably suspected of involvement in criminal activity.
- B. Criminal Intelligence File – Consists of stored information on the activities and associations of (1) individuals who are suspected of being involved in the actual or attempted planning, organizing, financing, or commission of criminal acts or are suspected of being involved in criminal activities with known or suspected crime figures; (2) organizations, businesses, and groups that (1) are suspected of being involved in the actual or attempted planning, organizing, financing, or commission of criminal acts or are suspected of being operated, controlled, financed, or infiltrated by known or suspected crime figures for use in an illegal manner.
- C. Need to Know – Specific facts known to an officer requesting intelligence data that indicate that intelligence data is agency files could enhance performance of an official law enforcement function performed by an officer. Need to know will usually be based on the existence of an on-going criminal investigation.

- D. Right to Know – Legality of disclosure/failure to disclose intelligence data. Right to know exists only when (1) state or federal statutes mandate release to the person requesting such data, or (2) mandated by judicial action, specifically by subpoena.

IV. Procedures

- A. All departmental members, regardless of their position within the agency share the responsibility for collecting and transmitting criminal intelligence information to the Criminal Intelligence Officer or his designee.
- B. The Criminal Intelligence Officer shall be responsible for the maintenance of criminal intelligence information. The Criminal Intelligence Officer will work with other elements of the organization and other agencies to prevent criminal acts, and respond appropriately to criminal conduct which has previously occurred and interrupt on-going criminal conspiracies occurring in or impacting the community.
- C. The Criminal Intelligence Officer or his designee will ensure that procedures are in place to safeguard, secure and store criminal intelligence information. In addition, he is responsible for ensuring that all legal and privacy requirements are adhered to.
1. Criminal intelligence data is maintained separate from all other agency data by the Criminal Intelligence Officer.
 2. Criminal intelligence data is stored on encrypted storage devices within a locked office. All data is also kept in a redundant encrypted device.
 3. The Criminal Intelligence Officer is the only person authorized to access the encrypted devices.
- D. Criminal intelligence data will be collected through submissions from internal sources, such as departmental employees, and external sources, such as other law enforcement agencies or private citizens. The Criminal Intelligence Officer will seek or retain information that:
1. Is based upon a criminal predicate or threat to public safety; or
 2. Is based upon reasonable suspicion that an identifiable individual or organization has committed a criminal offense or is involved in or is planning criminal conduct or activity that presents a threat to any individual, the community, or the nation and the information is relevant to the criminal conduct or activity; or
 3. Is relevant to the investigation and prosecution of suspected criminal incidents; the resulting justice system response; the enforcement of sanctions, orders or sentences; or the prevention of crime; or
 4. Is useful in crime analysis or in the administration of criminal justice and public safety; and
 5. Is reliable and verifiable or the limitations on the quality of the information are identified; and
 6. Is collected in a lawful manner.

E. Information Evaluation

Information to be retained in the criminal intelligence file should be evaluated and designated for reliability and content validity prior to filing.

The bulk of the data an intelligence unit receives consists of unverified allegations or information. Evaluating the information's source and content indicates to future users the information's worth and usefulness. Circulating information which may not have been evaluated, where the source reliability is poor or the content validity is doubtful, is detrimental to the department's operations and contrary to the individual's right to privacy. To ensure uniformity with the intelligence community, the following evaluation criteria will be utilized.

Source Reliability

1. Reliable – the reliability of the source is unquestioned or has been well tested in the past.
2. Usually Reliable – the reliability of the source can usually be relied upon as factual. The majority of information provided in the past has proven to be reliable.
3. Unreliable – the reliability of the source has been sporadic in the past.
4. Unknown – the reliability of the source cannot be judged. Its authenticity or trustworthiness has not yet been determined by either experience or investigation.

Content Validity

1. Confirmed – the information has been corroborated by an investigator or another independent, reliable source.
2. Probable – the information is consistent with past accounts.
3. Doubtful – the information is inconsistent with past accounts.
4. Cannot Be Judged – the information cannot be judged. Its authenticity has not yet been determined by either experience or investigation.

F. The Covington Police Department will not seek or retain information about individuals or organizations solely on the basis of their religious, political, social views or activities; their participation in a particular non-criminal organization or lawful event; or on the basis of their race, ethnicity, citizenship, place of origin, age, disability, gender, or sexual orientation.

G. Documentation, reporting and dissemination of criminal intelligence data will be on a need-to-know and/or a right-to-know basis only by the Criminal Intelligence Officer by emails or BOLOs.

H. Retention of Data

All applicable information will be reviewed for record retention on a continual basis to determine if information is misleading, obsolete or otherwise unreliable. If information is deemed to be misleading, obsolete or otherwise unreliable, it will be purged, destroyed, and deleted or returned to the submitting source.

Permission to destroy or return information or records will be presumed if the applicable information is not validated within the specified time period.

- I. All employees will receive awareness training on criminal intelligence explaining their role in criminal intelligence and the sharing of information. The Criminal Intelligence Officer will receive specialized training commensurate with his/her job functions.
- J. On an annual basis, a review will be conducted of the procedures and processes associated with criminal intelligence by the Criminal Intelligence Officer or his designee.

This SOP supersedes any SOP previously issued.

BY ORDER OF THE CHIEF OF POLICE:

Stacey L. Cotton
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Chief of Police