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			Distribution: All
Title: CRIMINAL INTELLIGENCE		Section: Investigations	
Issued: 05/08/2012	Effective: 05/16/2012	Revised: 10/15/2015	
Rescinds: All Previous		Amends:	
CALEA References: 42.1.6, 46.3.2			
Review: Annual	Authority: Chief Michael A. Keller <i>MJK</i>		

I. Purpose

The purpose of this General Order is to provide officers with guidelines and principles for the collection, analysis, and distribution of intelligence information.

II. Policy

Information gathering is a fundamental and essential element in the all-encompassing duties of any law enforcement agency. When acquired, information is used to prevent crime, pursue and apprehend offenders and obtain evidence necessary for conviction. It is the policy of this department to gather information directed toward specific individuals or organizations where there is reasonable suspicion (as defined in 28 CFR, Part 23, Section 23.3c) that said individuals or organizations may be planning or engaging in criminal activity, to gather it with due respect for the rights of those involved, and to disseminate it only to authorized individuals. All members of the department are responsible for reporting information that may help identify criminal conspirators and perpetrators.

III. Definitions

- A. Criminal Intelligence:** Information compiled, analyzed, and/or disseminated in an effort to anticipate, prevent or monitor criminal activity.
- B. Criminal Intelligence Officer:** A member of the Investigations Section appointed by the Operations Commander to store, analyze and disseminate criminal intelligence.
- B. Strategic Intelligence:** Information concerning existing patterns or emerging trends of criminal activity designed to assist in criminal apprehension and crime control strategies, for both short and long term investigative goals.
- C. Tactical Intelligence:** Information regarding a specific criminal event that can be used immediately by operational units to further a criminal investigation, plan tactical operation and provide for officer safety.
- D. Threshold for criminal intelligence:** The threshold for collecting information and producing criminal intelligence shall be the "reasonable suspicion" standard in 28 CFR, Part 23, Section 23.3c.



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IV. Regulations

- A. Information that implicates, suggests implication or complicity of any public official in criminal activity or corruption shall be immediately reported to the Chief of Police or another appropriate agency [B].
- B. Members shall not retain official intelligence documentation for personal reference or other purposes but shall submit such reports and information as directed by this General Order [A].
- C. Criminal intelligence files shall not include information about political, religious or social views, associations, or activities of any individual or any group, organization, business or entity unless such information directly relates to criminal conduct or activity and there is reasonable suspicion that the subject of the information is or may be involved in criminal conduct or activity [C].
- D. Information gathering using confidential informants as well as electronic, photographic, and related surveillance devices shall be performed in a legally accepted manner and in accordance with procedures established for their use by this agency [C].

V. Procedures

A. Mission

It is the mission of the intelligence function to gather information from all sources in a manner consistent with the law and to analyze that information to provide tactical and/or strategic intelligence on the existence, identities, and capabilities of criminal suspects and enterprises generally and, in particular, to further crime prevention and enforcement objectives/priorities identified by the department (42.1.6a).

1. Information gathering in support of the intelligence function is the responsibility of each member of this department. The storage, analysis, and dissemination responsibilities will be the responsibility of the Criminal Intelligence Officer.
2. Information that implicates, suggests implication or complicity of any public official in criminal activity or corruption shall be immediately reported to the Chief of Police or another appropriate agency.

B. Organization

Primary responsibility for the direction of intelligence operations; coordination of personnel; and collection, evaluation, collation, analysis, and dissemination of intelligence information is housed in the department's Investigations Section under direction of the Operations Commander (42.1.6b).

1. The Operations Commander shall conduct an annual review of procedures and processes of the department's intelligence function and provide a report containing the findings of the review to the Chief of Police (42.1.6i).

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2. The Operations Commander shall ensure compliance with the policies, procedures, mission and goals of the agency in order to accomplish the goals of the intelligence function and conduct routine operations in an efficient and effective manner (42.1.6b).

C. Operating Standards

The intelligence function is often confronted with the need to balance information gathering requirements for law enforcement with the rights of individuals. To this end, members of this agency shall adhere to the following (42.1.6f):

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1. Information gathered for intelligence purposes shall be premised on circumstances that provide a reasonable suspicion that specific individuals or organizations may be planning or engaging in definable criminal activity. In order to be included in the intelligence system, the criminal activity must meet one of the following criteria:
 - a. The criminal activity involves a significant degree of permanent criminal organization or is not limited to one jurisdiction;
 - b. The criminal activity is undertaken for the purpose of seeking illegal power or profit, or poses a threat to the life or property of citizens; or
 - c. The criminal activity represents a significant and recognized threat to the population.
2. Investigative techniques employed shall be lawful and only so intrusive as to gather sufficient information to prevent criminal conduct or the planning of criminal conduct.
3. The Criminal Intelligence Officer (CIO) shall ensure that information added to the criminal intelligence file is relevant to a current or on-going investigation and the product of dependable and trustworthy sources of information. Information collected must be related to criminal conduct or to activities that present a potential threat to the City of Andover. A record shall be kept of the source of all information received and maintained in the intelligence file (42.1.6e).

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4. Information gathered and maintained by this department for intelligence purposes may be disseminated only to appropriate law enforcement officers with a need and right to know for legitimate law enforcement purposes in accordance with law and procedures established by this department. All dissemination will be coordinated by the CIO. A record shall be kept regarding the dissemination of all such information to persons within this or another law enforcement agency and shall include what was released and to whom, when and why it was released.

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5. Information that represents an imminent danger to life or property may be released as needed to persons without a need and right to know.



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D. Compiling and Dissemination of Intelligence (42.1.6g)

1. When members encounter information concerning an individual, group, organization or business that they reasonably suspect is involved in criminal conduct or activity, they shall document such information on an Intelligence Report (APD Form 40) and forward it to the Operations Commander who will review the information and forward it to the CIO. This includes information on, but not limited to, vice, drug, organized crime and terrorism.
2. Where possible, information shall be evaluated with respect to reliability of source and validity of content by the CIO and the information labeled accordingly. While evaluation may not be precise, this assessment must be made to the degree possible in order to guide others in using the information. A record shall be kept of the source of all information if known.
 - a. Information received that is doubtful or cannot be judged, and whose source is unreliable or unknown, does not meet the reasonable suspicion standard and should not be maintained in the intelligence system.
 - b. To ensure uniformity with the intelligence system all information stored will be evaluated according to the following validity and reliability assessments:

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CONFIRMED	The information has been corroborated by an investigator or another independent, reliable source.
PROBABLY TRUE	The information is consistent with past accounts.
POSSIBLY TRUE	The information agrees somewhat with the intelligence, but is not yet capable of confirmation.
DOUBTFUL	The information is inconsistent with past accounts. It might be true but is questionable.
CANNOT BE JUDGED	The information cannot be judged. The authenticity has not yet been determined by either experience or investigation.

Validity Assessment Chart

RELIABLE	Source reliability is unquestioned or has been well tested previously.
USUALLY RELIABLE	Sources can usually be relied upon as factual. Majority of information provided in the past has proven to be reliable.
UNRELIABLE	The reliability of the source has been sporadic in the past.



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USUALLY UNRELIABLE	The information supplied in the past, is usually unreliable, although occasionally valid information has been submitted.
UNKNOWN	The reliability of the source cannot be judged. The authenticity or trustworthiness has not been determined by either experience or investigation.

Reliability Assessment Chart

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3. Reports and other investigative material and information received by this agency from another agency shall remain the property of the originating agency, but may be retained by this agency. Such reports and other investigative material and information shall be maintained in confidence, and no access shall be given to another agency except with the consent of the originating agency. When access to information that is property of another agency is given, the access will be recorded in a dissemination log by the CIO and shall contain what information was released, who authorized the release, and to whom, when and why the information was released.
4. Information having relevance to active cases or that requires immediate attention shall be forwarded by the CIO to responsible investigative or other personnel as soon as possible.
5. Analytic material shall be compiled and provided to authorized sources as soon as possible where meaningful trends, patterns, methods, characteristics, or intentions of criminal enterprises or figures emerge.
6. Upon receipt of information related to terrorist activities, the CIO will immediately forward the information to the proper Joint Terrorism Task Force (JTTF) (46.3.2).

E. Classification and Security of Intelligence

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1. Intelligence files will be classified by the CIO in order to protect sources, investigations and individual rights to privacy, as well as to provide a structure that will enable this department to control access to intelligence. These classifications shall be reevaluated whenever new information is added to an existing intelligence file.
 - a. Restricted – “Restricted” intelligence files include those that contain information that could adversely affect an on-going investigation, create safety hazards for officers, informants or others and/or compromise their identities. Restricted intelligence may only be released by approval of the Operations Commander or Chief of Police to authorized law enforcement agencies with a need and right to know.



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- b. Confidential – “Confidential” intelligence is less sensitive than restricted intelligence. It may be released to authorized law enforcement agencies when a need and a right to know have been established by the CIO.
 - c. Unclassified – “Unclassified” intelligence contains information from the news media, public records, and other sources of a topical nature. Access is limited to officers conducting authorized investigations that necessitate this information.
2. All intelligence files shall be stored secured in a location within the Investigations Section and separate from other department records with access limited to the CIO, Operations Commander and the Chief of Police (42.1.6d).
- a. Informant files shall be maintained separately from intelligence files.
 - b. Intelligence files shall be maintained in accordance with State and Federal law (42.1.6f).
 - c. Release of intelligence information in general and electronic surveillance information and photographic intelligence, in particular, to any authorized law enforcement agency shall be made only to persons with a need and right to know and with the stipulation that such intelligence not be duplicated or otherwise disseminated without the approval of the Operations Commander or the Chief of Police.
 - d. The CIO will record any release of intelligence information within or outside the agency in a dissemination log, which will include the content of what was released, who it was released to, why it was released, and when it was released.

F. Auditing and Purging Files (42.1.6h)

1. The CIO is responsible for ensuring that files are maintained in accordance with the goals and objectives of the department and include information that is both timely and relevant. To that end, all intelligence files shall be audited and purged each January. Those items qualifying for purging may include the following items:
 - a. Information older than five years that has not been updated or linked to new criminal activity.
 - b. Information collected for a purpose that no longer exists, can no longer be validated, or that is no longer relevant.
2. When a file has no further informational value and/or meets the criteria of any applicable law, it shall be destroyed by the CIO. A record of purged files shall be maintained by the CIO.

G. Training (42.1.6c)

All personnel designated to participate in the criminal intelligence function shall receive training appropriate to their assigned role.