

SANTA CLARA POLICE DEPARTMENT GENERAL ORDER 51.1

CRIMINAL INTELLIGENCE: ADMINISTRATION AND OPERATIONS

ISSUED APRIL 2006

51.1.1 Intelligence Function

The function of the Santa Clara Police Department's criminal intelligence unit is to collect, evaluate, analyze and disseminate information on groups and individuals who are known or suspected to be involved in the threatening, planning, organizing, or financing of criminal acts or acts of terrorism. The Investigations Sergeant assigned the criminal intelligence function shall provide information to the Chief of Police and appropriate personnel for purposes of effective law enforcement, crime prevention, and decision-making.

Responsibilities of the criminal intelligence function include:

- Acting as a central collection point for the continuous flow of raw data from available sources
- Maintaining a secure records system allowing cross-referencing and rapid retrieval of information
- Analyzing and developing intelligence from available data sources and records system
- Disseminating information to appropriate components
- Liaison with State and Federal law enforcement agencies.

51.1.2 Legality / Integrity of Criminal Intelligence Function

- Confidential Informant files shall be maintained by the Intelligence Sergeant.
- Intelligence information collected shall be limited to information concerning groups or individuals known or suspected of threatening, planning, organizing, financing or committing criminal activities including, but not limited to:
 - Organized crime activity
 - Illegal drug activity
 - Vice activity
 - Terrorism
 - Gang activity
 - Hate crimes
 - Extortion
- Criminal intelligence personnel and equipment shall be used as necessary in the collection of raw data, strategic intelligence, tactical intelligence, and as support for legitimate overt and covert law enforcement operations.

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Intelligence data will not be collected on any individual merely on the basis:

- That such person supports unpopular causes
- Of ethnicity or race
- Of the individual's religious and/or political affiliations.
- Of the individual's sexual orientation

No member of the Intelligence Unit will:

- Engage in any illegal activities in the collection of intelligence data.
 - Employ or direct an individual to engage in the collection of intelligence data by illegal means.
 - Employ or utilize an individual to engage in the collection of intelligence data by illegal means.
 - Employ or utilize an individual as an "Agent Provocateur".
 - Provide confidential information to any person without the express permission of the Investigations Captain or someone so designated by him/her.
 - Use confidential data for political and/or economic purposes.
- Information included in criminal intelligence files shall be rated by source reliability, content validity, and sensitivity.
 - Ratings for source reliability are:
 - Reliable
 - Usually reliable
 - Unreliable
 - Unknown
 - Ratings for content validity are:
 - Confirmed
 - Probably
 - Doubtful
 - Cannot be judged
 - Ratings for sensitivity are:
 - Open to the public
 - Classified
 - Guidelines for Purging Criminal Intelligence Files:

In general, intelligence information shall be purged when it is no longer useful, no longer relevant, invalid, inaccurate, outdated, unverifiable, or inconsistent with the mission of the Department.

- Permanent files shall be purged after five years of no evidence of ongoing criminal activity.
 - Temporary files shall be purged at the end of one year provided sufficient information to upgrade the file to permanent status is not available.
 - Working files shall be purged after 90 days if the information is not verified and upgraded to temporary or permanent status.
 - Incorrect information in files will be purged and/or corrected as soon as possible after discovery of the inaccuracies.
- All purged intelligence files shall be destroyed by shredding or deleting from the computerized database. Files shall be destroyed by the Intelligence Sergeant under the direct supervision of the Investigations Division Captain. Records regarding the destruction of criminal intelligence information shall be maintained by the criminal Intelligence Sergeant and shall include:
 - The date destroyed
 - The name and Department ID number of the officer destroying the information.
 - The name, Department ID number, and signature of the Investigations Captain witnessing the event.

51.1.3 Authority and Responsibility

The criminal intelligence function is performed by the Intelligence Sergeant assigned to the Investigations Division. This position is responsible to the Investigations Captain. The Intelligence Sergeant, however, has the authority and responsibility to report directly to the Office of the Chief of Police as is deemed necessary to properly carry out the intelligence function.

51.1.4 Accounting of Special Funds

The accounting of special funds is provided for in [General Order 42.1.9](#).

51.1.5 Maintenance of Intelligence Records

- Control and security of criminal intelligence records and information shall be the responsibility of the Intelligence Sergeant.
- Access to intelligence records shall be limited to the Intelligence Sergeant, Division Captain, and others as authorized by the Chief of Police.
- All material designated “Top Secret” will be maintained under strict security, and only viewable by employees with that level of clearance.
- All intelligence reports will be under the control of the Intelligence Sergeant, and kept in locked files within the Sergeant’s office. All such files will remain locked unless the Intelligence Sergeant or the Investigations Captain are present.

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51.1.6 Criminal Intelligence Dissemination

- Criminal intelligence information shall be disseminated to Santa Clara Police Department personnel and other criminal justice agencies on a need-to-know and/or right-to-know basis.
- A notation shall be made in the file of a person, whether hard copy or computerized file, as to what information was provided and to whom.
- The release of information to unauthorized persons is strictly prohibited.
- All discarded written material will be shredded.
- Retrieval of data from files will be accomplished by Intelligence Unit personnel only.
- Access to computerized criminal intelligence files is restricted and accessible by user ID and password to intelligence personnel only.

51.1.7 Liaison with Other Agencies

The Santa Clara Police Department Intelligence Sergeant will maintain liaisons with Federal, State, and local agencies having similar responsibilities to facilitate the exchange of information and enhance agency preparedness.

51.1.8 Intelligence Equipment

The Santa Clara Police Department Intelligence Sergeant has access to specialized surveillance and monitoring equipment from resources including:

- The Santa Clara Police Department Specialized Crimes and Action Team (SCAT)
- State of California Department of Justice (DOJ)
- Loan arrangements with other agencies.

INTELLIGENCE TERMS/GLOSSARY

Business Associate:	One who is engaged in a “legitimate” occupation with a member of organized crime
Criminal Associate:	One who interacts on a voluntary basis with a member of an organized crime group in furtherance of illegal interests
Criminal History:	Any arrest record information, non-conviction record information, conviction record information, and correctional and release information
Criminal Informant:	Any individual providing information whose alliances with members and/or associates of organized criminal groups is such that his/her identity must remain confidential

Criminal Intelligence:	Information associated with an identifiable individual, compiled by a criminal justice agency in the course of conducting an investigation of an individual relating to suspected criminal activity of an individual, or relating to the reliability of such information, including information derived from reports of informants, investigators or from any type of surveillance
Final Intelligence Assessment:	A substantive review and analysis of all available data collected through both intelligence and investigative efforts which permits administrators to critically assess the impact of the enforcement action on the problem (as defined in the preliminary assessment)
Information/Data:	Written or oral reports or documents, short or long, telling of an event, or an activity
Intelligence:	Information that has been processed, i.e., collected, evaluated, collated, analyzed and reported
Intelligence Investigation:	The compilation of data wherein the immediate objective is not arrest and prosecution
Interim Intelligence Assessment:	The third stage in the process which incorporates the investigative data being collected by the operational units into a conclusive statement about the criminal network, personality or illicit market
Legitimate Law Enforcement Purpose:	Any situation wherein a bone fide law enforcement agency's objective or intention is to develop criminal information for either tactical or strategic purposes
Mass Media Source:	Any information obtained from sources of public communication
Need-to-know:	Any intelligence, criminal history or criminal investigative data requested by a bona fide law enforcement agency, wherein said data is necessary to initiate, further or complete a criminal investigation
Organized Crime:	A group of persons structured for the purpose of engaging in a continuing course of criminal activity for financial gain
Organized Crime Intelligence System:	Any information system capable of collecting, evaluating, collating, analyzing and disseminating data

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on organized criminal activity (as per definition of organized crime)

Permanent File:	A file containing both confidential and public information relating to the criminal intelligence mission for an extended period
Premonitory Intel Assessment:	An initial statement about a specific criminal network or phenomenon which briefly assesses the need (or lack thereof) for further investigation
Preliminary Intel Assessment:	The second state of the tactical assessment process that provides a description and understanding of a particular criminal network, personality, or illicit market and the desirability of initiating an investigation
Primary Source of Information:	An individual from whom an original, direct or first-hand fact is obtained.
Professional Associate:	Those whose professional services are employed by a member of organized crime on a continuing basis in furtherance of illegal activity.
Prominent Organized Crime Figure:	An individual who is considered a controlling factor within an organized crime group.
Raw Data:	Information from various sources that by itself may not infer criminal activity, but when combined with other information, may make an inference of criminal activity
Relationship:	The manner in which one is dependent upon or relies upon another
Right-to-know:	Any agency and/or individual who, through legislative or court mandate, has been given the authority to obtain any intelligence, criminal history or criminal investigative data
Secondary Source of Information:	Any information derived from a source other than a primary source
Social Associate:	One who interacts on a voluntary basis with a member of an organized crime group

Strategic Intelligence:	Intelligence that indicates significant patterns of activity that may become a major input to the planning and decision levels of the agency
Strategic Intelligence Assessment:	A written report, discursive and conceptual, containing a hypothesis and complementary assumptions that enable the police to make informed decisions
Tactical Intelligence:	Intelligence that is immediately useful to the enforcement element of any agency
Tactical Intelligence Assessment:	A written report assessing a particular criminal network, illicit market or organized criminal, and ultimately recommends a specific operational response
Targeting:	Identification of a suspected criminal enterprise or activity; the purpose by which an intelligence collection effort is focused
Temporary File:	File containing both confidential and public information in which is placed relevant material requiring more identifiers or which lacks sufficient verification
Working File:	Raw material newly received by the criminal intelligence officer that is in a state of review