



Apex Police Department General Order



Title Criminal Intelligence		Order Number 1106-20
Effective Date: December 2, 2020	Amends: 1106-14	
CALEA Standard: 40.2.3	Rescinds:	
Reference:	Pages: 5	
Forms:		

Criminal Intelligence

Purpose

The purpose of this directive is to provide for the gathering, analysis and dissemination of intelligence information, define guidelines for collection of intelligence information, outline methods for maintaining the intelligence files, and provide a statement of responsibility for the security of intelligence records within the intelligence component.

Policy

It is the policy of the Apex Police Department to maintain a viable intelligence network. Intelligence may be collected either to identify crimes or events that would otherwise not be identified (because of their hidden nature) or to predict offenses and events that are likely to occur at a prearranged future time. Under the guidelines of this directive, the intelligence function will support departmental operations and provide for coordination with all federal, state, and local law enforcement agencies.

Definitions

Criminal Intelligence – Information or knowledge about persons or organizations engaged or contemplating engagement in illegal activities. Criminal intelligence may relate to tactical as well as strategic matters.

Strategic Intelligence – Information concerned with anticipating and thwarting major moves on the part of highly mobile, influential interstate criminal organizations.

Criminal Intelligence

Subversive Intelligence – The assembly, analyses, and dissemination of information about those individuals or groups whose interest is the overthrow of the democratic process either by covert subversion or overt revolution and rioting. This includes information on communist and fascist groups, militant organizations of both extreme political right and left, and racial supremacist groups from both the majority and minority.

Procedures

Administration

1. The intelligence function is an activity or process principally concerned with collecting, organizing, interpreting, disseminating, and using information related to criminal activities or events which pose a threat to the community in such areas of concern as organized crime, vice, terrorism, subversive activities, and civil disorders.
2. The department's intelligence gathering and control functions are primarily vested in the Criminal Investigations Division (CID).
3. The CID Commander is responsible for the administration, coordination, planning, and implementation of procedures directed toward intelligence gathering including an annual review of intelligence gathering procedures and processes. (40.2.3 (e))
 - The annual review will be submitted to the Chief of Police through the chain of command by January 31st of the year following the review period.
 - The Chief of Police may extend the date if appropriate.
4. Departmental personnel and equipment will only be used in conjunction with intelligence gathering activity, in full compliance with all laws and with the advance approval of the CID Commander, Deputy Chief of Police, or Chief of Police. Personnel are to take steps to protect the privacy of individuals and avoid indiscriminate, unauthorized, or unlawful collection or distribution of information. (40.2.3 (c))

Duties and Responsibilities

1. To be effective, the intelligence function must be carried out by every member of the department. Accordingly, each officer will fulfill the following responsibilities: (40.2.3 (a))
 - Non-supervisory officers:
 - Know the areas of intelligence interest to the department
 - Collect, document, and forward information to the CID Commander
 - Develop and maintain sources of information
 - Supervisory officers:
 - Review reports and investigations for intelligence information of possible value
 - Forward reports to the CID Commander

Criminal Intelligence

- Command Staff:
 - Maintain liaison with the CID Commander
 - Receive regular briefings and remain current on persons and locations of intelligence interest to the department
 - Forward information to the CID Commander
 - The CID Commander will determine what information is appropriate for dissemination to the Patrol Division and present such information during command meetings, staff meetings, or in some other manner
 - Request information from CID Commander concerning specific investigative needs

Criteria and Limitations Gathering Information

1. Information collected as intelligence will be limited to only that information that relates to criminal conduct or activities that present a potential threat to the Town of Apex. Information will be gathered relative to intelligence and investigative objectives, and will be used only in support of authorized and legitimate law enforcement purposes.
2. No file will be established or maintained except under the following conditions:
 - Information relative to criminal activity to identify crime patterns, conspiracies, criminal associations, or to develop probable cause relative to criminal acts and threats
 - Information on violations of law, events, or conditions occurring in other jurisdictions which may pose a potential threat to life and property within the Town of Apex
3. The department prohibits the gathering of information for intelligence purposes that does not meet established criteria. Specifically, information will not be gathered or retained purely for curiosity or personal interest. Information will not be gathered merely because of any individual's religion, political affiliation, race, ethnicity, and/or support for any unpopular cause.

Intelligence Reporting and Records

1. All department members have the responsibility of appropriately sharing their knowledge of suspicious incidents and criminal intelligence relating to suspicious incidents, criminal activity, and homeland security/terrorism activities by documenting the incident and/or forwarding the information to the CID Commander. All incidents and information should be documented and forwarded pursuant to current directives. (40.2.3 (a))
 - The CID Commander will disseminate the information to the most appropriate unit, function, investigator, or other agency based upon the specifics of the information.
 - If appropriate, the CID Commander will initiate an investigation to follow up on the information received.

Criminal Intelligence

2. Records pertaining to intelligence gathering activities will be maintained by the CID Commander in a secure file, separate from the central records system. (40.2.3 (b))
 - Narcotics information will be stored in the Narcotics Management module of the Records Management System (RMS).
 - **NOTE:** Access to this module is limited to CID personnel and members of the Executive Staff.
 - Homeland security/terrorism information will be forwarded to the department's representative to the North Carolina Fusion Center-Information Sharing and Analysis Center (ISAAC).
 - Information regarding actionable, suspicious incidents or criminal intelligence will be maintained in the RMS (i.e. Information Only report).
3. Access to intelligence information is limited to CID personnel and members of the Command Staff who have a need to know the information. Dissemination of intelligence information to other members of the department or other law enforcement agencies will be on a need-to-know basis. (40.2.3 (c))
4. Intelligence records and files will be reviewed periodically by the CID Commander. Records will be purged in accordance with 28 CFR part 23 – Criminal Intelligence Systems Operating Policies and based on the following: (40.2.3 (d))
 - Continued usefulness of the information
 - Whether information has remained current
 - Reliability of the information
 - Availability of related information
 - Availability of information source
 - Is the information adequate for identification purposes
 - Relevancy of the information to police needs

Exchange of Intelligence Information

1. The department will maintain liaison with federal, state, and local agencies to exchange intelligence information. The CID Commander will be responsible for coordinating efforts between the department and other agencies.
2. The department receives bulletins from ISAAC. These bulletins are received by authorized department personnel and distributed to the appropriate personnel.
3. Intelligence information and bulletins received from other law enforcement agencies or entities, will not be forwarded to persons outside the department and should not be forwarded to non-sworn police personnel without the permission of the Chief of Police, Deputy Chief of Police or CID Commander.

Criminal Intelligence

4. Bulletins received internally will not be further distributed without permission of the Chief of Police, Deputy Chief of Police, or CID Commander.

Specialized Equipment

1. The department will make available specialized equipment to support the intelligence gathering function. This equipment may include audiovisual monitoring equipment and camera equipment.
2. The CID Commander or his/her designee will be responsible for controlling surveillance and undercover equipment owned or used by the department.

Training

1. Department personnel will be trained regarding the collection and sharing of intelligence relating to vice, drugs, suspicious incidents, and criminal and homeland security activities. The level of training will be commensurate with their position or duties. Personnel should be knowledgeable of reporting procedures, criteria for collecting intelligence, and restrictions on dissemination.

Text in "Green" denotes a significant change in policy

BY ORDER OF:



John W. Letteney
Chief of Police