

CRIMINAL INTELLIGENCE

STANDARD NO(S):

NYSLEAP#: 50.7

DATE:

12/21/2015

REVIEWED 03/15/2017

REVISED 12/18/2018

REFER TO:

Tim Thompson

I. OBJECTIVE:

To establish policy and guidelines regarding the collecting, processing and disseminating of intelligence information.

II. POLICY:

It is the policy of the SCSO to collect, maintain and disseminate criminal intelligence information in accordance with all applicable federal and state law.

III. DETAILS:

- A. As noted in the section entitled "Criminal Investigations", of the Seneca County Sheriff's Office standard operating procedures, all members of the SCSO, upon becoming aware of a criminal activity, or suspecting a criminal activity, are required to take action. Depending upon the member's training and/or job assignment, that action may be merely the passing along of pertinent intelligence information to appropriate personnel within the SCSO. There is a continuous commitment to gathering intelligence information by SCSO members, including all pertinent information received from other law enforcement agencies. There is a further obligation on the part of the SCSO to insure that such information is disseminated within the law enforcement community, unless there is a compelling reason not to do so.
- B. The current workload of the SCSO does not justify a full-time intelligence component; however, all such information obtained is to be forwarded to the Lieutenant in charge of the Criminal Investigation Division (CID) or his designee. This officer shall have the responsibility for:
 - 1. Analyzing the raw data to insure that an informant's identity is protected, that members are in compliance with applicable New York State Laws and the information developed is reliable.
 - a. The information is evaluated as to its quality and reliability.

2. Maintaining a secure records system separate from the Records Division with access available only through the Lieutenant in charge of CID or the narcotics officer. Once evaluated, intelligence relating to narcotics activity, will be placed in a secured file which is maintained in the narcotics office. Other criminal intelligence, non-narcotic related, will be maintained in a secure file in the CID Lieutenant's office.
3. Regulating the dissemination of intelligence information to components within the SCSO or to outside agencies as appropriate. All documents containing intelligence information will carry the designation "CONFIDENTIAL – For Police Use Only".
 - a. A MOU will be completed and kept on file prior to allowing access to the Intelligence File by any outside agency. At the present time no outside agencies have access to the Intelligence File.

The lieutenant in charge of CID shall be responsible for regularly purging the intelligence file of uncorroborated or outdated information by shredding or otherwise destroying intelligence information which pertains to non-criminal conduct. For purposes of this directive "outdated" shall mean:

- a. Information which has been superseded by a later reference;
 - b. Information about a criminal activity for which the statute of limitations (CPL 30.10) has expired;
 - c. Information which is deemed to be of limited or no use as evidence or to provide investigative leads; and
 - d. Information which has been passed on to another police agency having appropriate jurisdiction and which serves no further use to the SCSO.
4. Incorporating relevant intelligence information into an active file when an investigation is undertaken based on such intelligence information or as a result of its being correlated with an investigation in progress. Any incorporate material will no longer be retained in the Intelligence File .
- C.** Certain administrative records pertaining to the acquisition of intelligence information will not be purged. These are:
1. Records of cash transactions for the purpose of paying an informant for expenses or services;
 2. Records relating to the purchase of equipment to be used for intelligence gathering;

3. Records of any extraordinary expenses incurred in an intelligence gathering operation;
 4. The annual audit report pertaining to expenditures from the Investigative Expense Fund used for intelligence purposes;
 5. Specialize Sign-out Equipment Log entries; and
 6. Copies of Eavesdropping Warrants issued under the provisions of Article 700 of the CPL, and any surveillance notes generated as a result thereof;
 7. Surveillance Logs and any notes generated as a result thereof..
- D.** When it becomes necessary to use specialized equipment or vehicles for intelligence gathering purposes, such equipment, whether owned by the SCSO or an outside agency, shall be used only with the approval and authority of the Lieutenant in charge of CID. The term “specialized equipment” includes, but is not limited to audio and/or visual monitoring equipment, night vision equipment and specially outfitted surveillance vehicles.
- E.** Intelligence information, either received or developed, will be shared with other law enforcement agencies, including the FBI, US Secret Service, DEA, ATF, the US Attorney for the Western District of New York, or any other local, state or Federal agency who has a legitimate interest in criminal activity.
- F.** Within the SCSO, intelligence information from any source should be furnished immediately to the Lieutenant in charge of CID in memorandum form via a written or electronic communication such as E-mail..
- G.** All intelligence information received by CID affecting a known or suspected criminal enterprise in a patrol area, may be relayed to the Shift Supervisors and road patrol members in order to increase their effectiveness in deterring crime. Written notices which contain intelligence information will be marked “CONFIDENTIAL-For Police Use Only”.
- H.** All intelligence information will be formulated into an Incident Report. Following the completion of the Incident Report, the Report will be electronically partitioned. This partition conceals the Report and only allows access to select members.