



INTELLIGENCE

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I. POLICY

The department will diligently seek to identify the existence, nature, and scope of criminal activity by any person, group, or organization operating within Anne Arundel County. Intelligence information gathered by the department will be crime-related, mission-related and subject to the strictest standards of verification. The process of gathering, reporting and storing criminal intelligence will be accomplished in accordance with all applicable state and federal privacy laws.

II. PURPOSE

The purpose of this directive is to establish the duties and responsibilities of the Intelligence Unit pertaining to the criminal intelligence function and to establish guidelines for intelligence gathering for the entire department.

III. AUTHORITY & RESPONSIBILITY

A. The Intelligence Unit is the departmental component responsible for gathering, analyzing, disseminating, and storing criminal intelligence.

The Unit will:

- 1. Develop strategic and tactical intelligence assessments which identify the existence, nature and scope of criminal activity within the County;
 - 2. Provide recommendations designed to combat criminal activity;
 - 3. Provide operational units with accurate intelligence information;
 - 4. Analyze the major organized crime problems within the County.
- B. Intelligence data will be collected on the following criminal activities:
- Bribery
 - Extortion
 - Gambling and loan sharking
 - Labor racketeering
 - Arson

- Trafficking in stolen goods
- Government corruption
- Hate/violence acts associated with extremist groups
- Money laundering
- Domestic terrorism
- Predatory crimes perpetrated by criminal groups
- Cults/deviate movements associated with criminal acts
- Homeland Security matters

C. Administrative responsibility for the intelligence function with respect to organized crime control resides with the Commander, Homeland Security Section.

IV. DUTIES & RESPONSIBILITIES OF THE UNIT

The primary responsibility for the intelligence function will reside with the Intelligence Unit. This unit will perform the following duties with respect to executing its intelligence responsibilities:

- Initiate inquiries and conduct investigations to obtain criminal intelligence data;
- Maintain a system for the collection, review, analysis, dissemination, storage, and retrieval of criminal intelligence data;
- Maintain the integrity and security of all classified intelligence data;
- Establish liaison with federal, state, and local enforcement agencies for the purpose of collecting information and thwarting organized criminal activities;
- Participate in joint programs with federal, state and local law enforcement agencies for the purpose of information-sharing designed to combat organized criminal activities; and
- Develop methods for self-evaluation of the Unit to ensure it is operating within established guidelines, accomplishing objectives, and safeguarding the information contained within its files.
- Ensure terrorism related matters are documented and forwarded to the Maryland Joint Terrorism Task Force (MJTTF).
- Coordinate illegal immigration investigations with appropriate authorities, such as Immigration and Customs Enforcement (ICE).
- Provide entry-level and refresher training to department personnel on Homeland Security/Terrorism matters and other topics related to criminal intelligence.
- Disseminate information that is relevant to our agency that is provided by the Maryland Coordination and Analysis Center (MCAC) and other sources.

V. DISSEMINATION OF INTELLIGENCE

Intelligence information will be disseminated under the following guidelines:

A. Intelligence information will be proactively disseminated to a unit when it is determined by the Intelligence Unit supervisor that the information is relevant to that unit's mission.

B. Requests for dissemination of classified intelligence information will be complied with according to the following criteria:

- Requestor's need and right to know;
- Whether the accuracy and reliability of the information have been established;
- Whether dissemination would compromise the identity of a confidential source; and
- Agreement that the intelligence information will not be further disseminated to a third party.

C. Supervisors and crime analysts shall review reports and investigative files for intelligence information. Command level officers will maintain liaison with the Intelligence Unit for briefings, information exchange, and to receive special reports (threat assessments, protective details, etc.)

VI. CRITERIA FOR DATA COLLECTION & PROHIBITIONS

A. The department recognizes the need to preserve the delicate balance between the constitutional rights afforded to each citizen and the legitimate needs of law enforcement. Based on the paramount need to protect these rights, intelligence gathering will be confined to those situations which require a legitimate law enforcement response to a criminal threat or potential for the well-being of the citizens of Anne Arundel County. To ensure that the democratic process is not subverted, the department will comply with the U.S. Code of Federal Regulation Guidelines found in 28CFR23.

Intelligence data will not be collected on:

- Any individual on the basis that such person(s) supports unpopular causes;
- Person(s) merely on the basis of ethnicity or race;
- Any person(s) merely on the basis of religious and/or political affiliations;
- Any person(s) merely on the basis of noncriminal personal habits.

No members of the department will:

- Engage in any illegal activities in the collection or dissemination of intelligence data;
- Employ or direct an individual to engage in illegal activities in order to obtain intelligence data;
- Use confidential data for political and/or economic purposes or for personal gain;
- Provide confidential data to any person(s) outside the law enforcement community without the expressed permission of their Bureau Chief.

B. The Department will not use intelligence data derived through illegal means, unless such data was voluntarily provided during lawful interviews and interrogations of arrested persons. The use of such information must be lawful under current court decisions.

C. Intelligence data will be limited to persons or organizations which are involved, or suspected of being involved, in criminal activity or who present a threat to the community. The following criteria are established to regulate the type of information to be contained in intelligence files:

- Any information concerning the arrest, indictment or outstanding warrants for arrest of an individual;
- Any data with reference made to the general criminal history of a subject;
- Information on any individual who has been identified as a perpetrator of a crime by a witness or by competent evidence;
- Information on any individual who threatens violent conduct affecting a person and/or property;
- Information on any individual wherein reasonable suspicion exists to believe the individual is engaged in or conspiring to engage in criminal activity;
- Any information concerning an individual's criminal activities that when properly analyzed would provide tactical and/or strategic intelligence.

VII. RESPONSIBILITIES OF DEPARTMENT PERSONNEL

A. The intelligence process begins with the collection of information from a variety of sources. Patrol officers and investigators often are a valuable source of information due to frequent contacts in the community and awareness of criminal activities and perpetrators. All officers should document criminal intelligence information coming to their attention, whether pertaining to persons or groups, and forward it to the Intelligence Unit.

B. The department recognizes the need for certain other specialized units to maintain intelligence files to enhance their mission (Major Crimes Section, Special Enforcement Section, etc.). Commanding officers of these units will maintain liaison with the Intelligence Unit Supervisor to determine the need to share information and prevent duplication of data. These units will strictly adhere to the guidelines set forth in this directive.

VIII. REPORTING PROCEDURES FOR HOMELAND SECURITY/TERRORISM RELATED MATTERS & SUSPICIOUS ACTIVITY

The Anne Arundel County Police Department, in conjunction with other Maryland law enforcement agencies, has joined the federal government in forming the Maryland Joint Terrorism Task Force (MJTTF). The MJTTF is comprised of local, state, and federal agencies that work jointly to investigate terrorism matters throughout Maryland. The MJTTF constitutes one statewide central investigating and coordinating entity whose purpose is to prevent terrorism.

A. Homeland Security/terrorism matters, information and suspicious activity will be documented on an Incident Report and forwarded to the department member assigned to the MJTTF. The task force member should be contacted immediately and made aware of the information. The Communications Section will maintain the task force member's contact information. The Intelligence Unit supervisor will be contacted in the event the task force member is not available.

B. After notifying the department member assigned to the MJTTF, contact the Maryland Coordination and Analysis Center (MCAC) at 443-436-8800 or 1-800-492-TIPS (8477). A copy of the Incident Report will be faxed to MCAC at 443-436-8825 and to the Intelligence Unit.

IX. REVIEW OF DEPARTMENT/OFFICER FILES

All intelligence information/files within the department, or those individually maintained, will be reviewed immediately to eliminate improper materials or documents obtained in violation of the standards imposed in these guidelines. Supervisors will periodically review all future intelligence information/files of units under their command to ensure these guidelines are maintained.

X. ANNUAL REVIEW OF PROCEDURES AND PROCESSES

The Intelligence Unit Supervisor will conduct an annual review of all directives and standard operating procedures that are applicable to criminal intelligence and Homeland Security/terrorism related matters to ensure that all procedures and processes are being accomplished in accordance with all applicable state and federal laws.

XI. PROPONENT UNIT: Homeland Security Section.

XII. CANCELLATION: This directive cancels Index Code 605, dated 12-03-09.