



BRAINTREE POLICE DEPARTMENT

Policy and Procedure

CRIMINAL INTELLIGENCE

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Chief Mark W. Dubois

Certification Standards:

Accreditation Standards: **42.1.6 a-h**

Optional Accreditation Standards: **82.3.5**

I. Purpose

Intelligence is an activity principally concerned with the collecting, processing, and sharing of suspicious incidents and criminal intelligence relating to both criminal and homeland security activities. **[42.1.6 a]**

Intelligence is defined as information regarding people, groups, etc. who are either:

- Suspected of actual or attempted planning, organizing, financing or commission of criminal acts; or
- Are suspected of being associated with criminal activity or with known or suspected criminals.

It is imperative to ensure the legality and integrity of the collection, handling and sharing process. Legal and privacy requirements prohibit collection and sharing of information by law enforcement if it does not meet the criminal activity or potential threat standard. **[42.1.6 f]**

II. Policy

It is the policy of the Braintree Police Department (BPD) that personnel will not knowingly collect intelligence data on any individual or group merely on the basis of:

- The individual's or group's support of unpopular causes;
- The individual's or group's race, color, religion, sex, national origin, or political affiliation; or
- The individual's or group's lawful habits and/or predispositions. **[42.1.6 e]**

Intelligence gathering shall not interfere with the exercise of constitutionally guaranteed legal rights, privileges and privacy requirements. **[42.1.6 f]**

No intelligence information shall be gathered or retained unless it relates to criminal conduct or activities that present a potential threat to the community. **[42.1.6 e]**

III. Procedures

Intelligence gathering activities and the need to develop and share information and criminal intelligence across all levels of government is imperative. Each agency has a stake in the development and exchange of suspicious incidents, information and criminal intelligence. Therefore, it is the responsibility of all department personnel to assist in gathering of criminal intelligence information. **[42.1.6 b]**

A. Responsibility for Maintaining Intelligence Information

Under the supervision of the Bureau of Criminal Investigation's (BCI) Detective Supervisors, BCI Detectives shall be responsible for the following intelligence based tasks:

- i.* Gather and organize intelligence information the Department receives through the use of field interview reports, informants/confidential sources, standard reporting procedures, investigation techniques, risk assessments and other sources. **[42.1.6 g]**
- ii.* The BCI Supervisor or his/her designee shall monitor the data gathering, local analysis, and storage processes to ensure that all information receives appropriate disposition and that only appropriate information is retained. **[42.1.6 g]**
- iii.* The BCI Supervisor or his/her designee shall be responsible for documentation, reporting, and disseminating criminal intelligence information to appropriate department personnel so that investigations may be initiated when appropriate. **[42.1.6 g]**

B. Storing and Safeguarding Criminal Intelligence Information

Criminal intelligence is considered Law Enforcement Sensitive. Officers may access intelligence information when there is a legitimate Law Enforcement purpose for doing so (i.e ongoing investigation, in support of a prosecution). All internal requests shall be submitted to the BCI Supervisor. All court ordered, defense, or public requests for production of intelligence information should be directed to the Town Solicitor's Office. **[42.1.6 g]**

Intelligence information shall be documented in a memo, field interview or incident report and forwarded through the chain of command to the BCI Supervisor. Documented criminal intelligence information shall be assigned an incident number and be retrievable by name, address and/or incident number. **[42.1.6 g]**

The BCI Supervisor will assign any follow up investigation and inform affected department personnel or outside agencies of the information as appropriate and necessary. **[42.1.6 g]**

Because of the highly sensitive nature of intelligence information, files concerning active intelligence gathering and intelligence records shall be maintained separately from central records and investigative records. These records should be maintained in a locked file cabinet in the BCI and should only be accessed by the officer in charge of the

investigation, the BCI Supervisor, the Chief of Police and other specifically designated authorized personnel. Computer files pertaining to intelligence should be secured by restrictions or a secure code for entry or retrieval of information to limit access to authorized personnel only. [42.1.6 d][46.1.6 b] [82.3.5]

C. Processing Intelligence Data

Intelligence information received from any source shall be subjected to review and analysis to ensure that it is limited to criminal conduct and relates to activities that present a potential threat to the community. [42.1.6 e]

D. Retention of Intelligence Information

All criminal intelligence information retained will be reviewed for record retention (validation or purge) by the BCI Supervisor at least every five (5) years. When information has no further value or meets the criteria for removal it will be purged, destroyed and deleted. The BCI Supervisor or his/her designee will establish procedures for reviewing, auditing, and purging criminal intelligence. [42.1.6 h, i] The purpose of the review and audit shall be used to ensure that:

- No files are being kept that violate individual or group rights; [42.1.6 f]
- The department is following procedures and processes which ensure that material retained is relevant to the department's mission; [42.1.6 i] and
- All outdated or incorrect information is purged from the files. [42.1.6 h]

File destruction shall be conducted under the direction of the BCI Supervisor or his/her designee in compliance with the records retention schedule, if applicable.

E. Utilization of Intelligence Personnel

Local analysis of criminal intelligence information will be supervised by the BCI Supervisor. Where necessary, the analysis of data can be accomplished by trained professional analysts, which may include:

- o Massachusetts Fusion Center: 978-451-3700;
- o New England State Police Intelligence Network (NESPIN): 508-528-8200;
- o Boston Regional Intelligence Center 617-343-4238 Fax# 617-343-5222
BRIC@pd.boston.gov
- o FBI Boston (617) 742-5533 Fax# (617) 742-5533
- o Immigration Customs Enforcement (ICE) Boston Field Office (617) 359-7500

If our agency needs intelligence data analyzed the BCI Supervisor, or the Intelligence Liaison Officer, in the case of the JTTF, will make initial contact with these agencies.

F. Training

All department personnel shall be trained in security awareness, including emphasis that all personnel, regardless of their jobs, have a role in criminal intelligence and the sharing of information. [42.1.6 c]