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**CSU FULLERTON POLICE DEPARTMENT
GENERAL ORDER NUMBER 6-6**

**INVESTIGATION OF
CRIMINAL INTELLIGENCE ACTIVITIES**

- SUBJECT:** Procedures for handling vice, narcotics and organized crime cases and criminal intelligence.
- PURPOSE:** To establish guidelines for investigating cases involving vice, narcotics and organized crime and for handling criminal intelligence activities.
- POLICY:** While this Department has limited exposure to high profile cases, it is the policy of this Department to effectively identify, analyze, disseminate and utilize criminal intelligence information related to criminal activity and to make every effort to suppress and control organized crime, vice and narcotics activities.
- PROCEDURE:**
- I. The collection, processing, and sharing of suspicious incidents and criminal intelligence relating to criminal and homeland security activities with appropriate entities.
 - A. Description of Function [CALEA 42.1.6a]
 1. Intelligence-gathering activities are important in all agencies. All agencies, regardless of size, must have a criminal intelligence function. The need to develop and share information and criminal intelligence across all levels of government is imperative. Our agency has a stake in the development and exchange of suspicious incidents, information, and criminal intelligence.
 2. Criminal Intelligence function includes all data which has been evaluated to determine that it:
 - a. Is relevant to the identification of and the criminal activity engaged in by an individual who or organization which is reasonably suspected of involvement in criminal activity; and
 - b. Meets criminal intelligence system submission criteria.
 3. All criminal intelligence activities of this agency will be conducted in accordance with Code of Federal Regulations, Title 28, Chapter 1, Part 23, Criminal Intelligence Systems Operating Procedures.
 - B. Responsibilities of Agency Personnel [CALEA 42.1.6b]
 1. Intelligence information may be received from several sources such as,

- anonymous tips, private citizens' observations or knowledge, officer's observation, media sources, electronic information, etc. [CALEA 43.1.1a]
2. Upon receipt of information of a criminal nature occurring within the jurisdiction of this Department concerning organized crime, gang, vice, narcotics, and Homeland Security activities, Department employees will complete a memorandum detailing the information received and forward the memorandum to the Investigations Unit. [CALEA 43.1.1a]
 3. Information received from other law enforcement agencies will be documented and forwarded in the same manner. [CALEA 43.1.1c]
 4. Any information that is received regarding an actual offense that occurs in this jurisdiction will be documented on a crime/incident report form, and will be assigned to Investigations for follow-up. [CALEA 43.1.1a]
- C. Training of Personnel [CALEA 42.1.6c]
1. Law enforcement personnel shall be trained in the content of this written directive and encouraged to document information gleaned from a variety of sources.
 2. Training shall emphasize that all personnel, regardless of their jobs, have a role in criminal intelligence and the sharing of information.
 3. Training can range from roll-call to more advanced training as appropriate.
- D. Procedures for safeguarding, securing, and storing information [CALEA 42.1.6d]
1. Any information received that relates to activities in other jurisdictions will be forwarded to that jurisdiction for assessment and follow-up, and a copy of information that was forwarded will be maintained on file. [CALEA 43.1.1b,c]
 2. The Investigative Sergeant will maintain a secure file on all intelligence information received in relation to vice, gang, organized crime and narcotics complaints. [CALEA 43.1.1b, 43.1.2]
 - a. This file will include memorandums forwarded from Department personnel, as well as documented information received from other agencies.
 - b. Also included in the file will be information from any source that has been validated and relates to organized crime activities, gang activities, vice activities, narcotics activities or other subversive activities occurring within the Department's jurisdiction.
 - c. All active investigations will be assigned a DR number, but the file on the on-going investigation will be maintained by the Investigative Sergeant rather than in Records to ensure that the investigation does not become compromised. Access to this file will be restricted to the Investigators and Command Staff.

3. The Investigative Sergeant will personally advise the Command Staff of any information that is received on vice, drug, organized crime and gang activities, and will personally provide updates on any on-going investigations. The Command Staff meets with the Chief daily to update him on any investigations and all Department issues. [CALEA 43.1.1d]
- E. Procedures for ensuring that information collected is limited to criminal conduct or relates to activities that present a potential threat [CALEA 42.1.6e]
1. Upon receipt of criminal and/or homeland security information, the Investigative Sergeant will assess the veracity of the information and ensure the information received is limited to criminal conduct and relates to an activity that presents a threat or potential threat to the community. [CALEA 43.1.1a]
 2. Criminal intelligence information shall only be collected and maintained concerning an individual if there is reasonable suspicion that the individual is involved in criminal conduct or activity.
 3. The agency shall not collect or maintain criminal intelligence information about the political, religious, or social views, associations, or activities of any individual or group, unless such information relates directly to criminal conduct or activity.
 4. Reasonable suspicion or criminal conduct is established when information exists that establishes sufficient facts to give a trained law enforcement officer a basis to believe that there is a reasonable possibility that an individual or organization is involved in a definable criminal activity or enterprise.
- F. Legal/Privacy Requirements and Documentation, Reporting and Dissemination of Information [CALEA 42.1.6f,g]
1. This agency shall disseminate criminal intelligence information only where there is a need to know and a right to know the information in the performance of a law enforcement activity.
 2. Information developed can be disseminated to a government official or any other individual when necessary to avoid imminent danger to life of property.
 3. A record indicating who has been given information, the reason for the release of the information and the date of each dissemination shall be kept.
- G. Purging Out-of-Date or Incorrect Information [CALEA 42.1.6g]
1. Intelligence information will be purged from the file when it is no longer considered criminal and/or homeland security intelligence, i.e., it is no longer valid, an arrest has been made, or it is determined to be false.

2. The purging of out-of-date information or invalid data shall be an ongoing process.
- H. Annual Review of Procedures and Processes [CALEA 42.1.6i]
1. An annual review shall be conducted of this written procedure to ensure compliance with Department of Justice regulations.
 2. The review will also assess Department related training needs and accomplishments.
- II. Utilization of Intelligence Personnel and Techniques [CALEA 43.1.5]
- A. Personnel Resources
1. This Department will on occasion conduct covert surveillance operations when the operation does not require extensive manpower.
 2. This Department does not have the personnel resources to conduct an extended, in-depth organized crime, vice or narcotics investigation. If it is determined that an investigation is beyond the capabilities of our limited resources, the Command Staff will be notified.
 - a. The Command Staff will evaluate the case and investigation, and if deemed necessary, will request that the case be forwarded to the appropriate outside law enforcement agency for follow-up.
 - b. In such cases, the Command Staff will designate an Investigator to serve as liaison with the agency.
 3. On occasion, officers from this Department may be assigned to work with outside agencies in undercover, decoy, or intelligence operations.
 - a. Officers assigned in this status will be under the supervision of the commander of the unit where they are assigned.
 - b. These officers will maintain contact with this Department as arranged at the time of the assignment, to provide updates on their status.
- B. Surveillance Procedures [CALEA 43.1.4]
1. All surveillance operations will be conducted in such a manner so that no infringement occurs upon the statutory and constitutional rights of the individual being observed.
 2. Surveillance, for the purpose of this directive, is defined as the continuous or periodic watching of persons, vehicles, places, or objects. The routine observation of individuals or groups acting in a suspicious manner, the photographing and visual monitoring of events for safety, historical, or training purposes does not constitute surveillance, as defined by this manual.

3. The objectives of surveillance are:
 - a. To determine whether a violation of law exists or will exist.
 - b. To obtain evidence of a crime.
 - c. To protect undercover officers or corroborate their testimony
 - d. To determine the reliability of informants.
 - e. To determine identities of involved persons.
 - f. To determine “methods of operation”.
 - g. To obtain probable cause for obtaining search warrants.
 - h. To prevent the commission of a crime or to apprehend a suspect in the commission of a crime.

4. Criteria for establishing surveillances
 - a. Surveillance data will only be used for legitimate law enforcement purposes.
 - b. Photographic surveillance may be conducted on any individual, location, organization, or event that meets the criteria for surveillances are:
 - 1) A legitimate and reasonable cause exists to believe that an individual or organization is engaged in or has demonstrated the propensity to engage in illegal activity.
 - 2) A legitimate and reasonable cause exists to believe that an event may provoke community disorder.
 - 3) To ensure that the exercise of constitutional rights is protected.
 - 4) Operational Procedures
 - 5) The Investigations Unit supervisor will be responsible for the execution of the surveillance and the coordination of the efforts of each surveillance officer.
 - 6) Prior to initiating surveillances, particularly long-term ones, the supervisor of the operation shall ensure that the officers involved are knowledgeable of the scope and extent of the offenses and type of victims associated with the target of the surveillance.
 - 7) All information should be gathered concerning the premises, suspects and vehicles involved. This information will be evaluated and distributed to the participating personnel.
 - 8) A physical reconnaissance should be made to study the area where the surveillance will take place to identify vantage points that are suitable for the officers.
 - 9) Similarly, traffic conditions should be observed and the officers should become familiar with the names and locations of streets in the area.
 - 10) The supervisor will be responsible for selecting the hours or period of surveillance. The number of personnel available and the circumstances of the suspected violations will govern their decision.

- 11) When a number of officers are involved in the operation, a plan specifying procedures for observation, arrest and following the subject should be made by the surveillance supervisor. Additionally, the supervisor shall make plans for providing suitable relief for the officers involved in the operation.
- 12) The supervisor will be responsible for selecting the type of surveillance equipment necessary for the operation. This will depend upon the nature and extent of the surveillance and the equipment available. When the equipment is selected, each piece will be examined or tested to ensure it is in satisfactory operating condition.
- 13) All surveillance officers will have ready access to radio communications. It will be the responsibility of the surveillance supervisor to select one primary radio frequency to be used for the operation and to inform the involved personnel of the selected frequency and any changes.
- 14) Vehicles used during surveillance operations should be inconspicuous. Surveillance vehicles should fit the setting in which they are to be used as best as possible.
- 15) When necessary, a Department purchase card should be supplied to the officers to cover their expenses. Surveillance officers expending personal monies during the course of an operation shall provide the Department a receipt for expense. The Chief of Police will determine if the expense was a reimbursable expense.

C. Undercover Operations

1. When there is a need for an undercover investigation, the investigator will gather sufficient background and intelligence information to identify the suspect or suspects and analyze their involvement in the criminal activity.
2. The investigations sergeant will review the case and deny the request or obtain approval from the Command Staff to initiate the operation.
3. The investigator will resolve any legal questions surrounding the use of a covert operative with the District Attorney's office prior to implementing such a program.
4. The investigations sergeant is responsible for selecting the operative, subject to supervisory approval, and will ensure that the operative is adequately trained and briefed prior to the placement. He/she will formulate a plan to place the operative, give instructions on making contact with the target, ensure that the operative is properly equipped, and will provide overall responsibility for the undercover operation.

5. All specialized equipment will be tested prior to the undercover operation begins. The investigator will ensure that all officers using such specialized equipment are properly instructed in its use and care. If funds or false identification/credentials are needed the investigations sergeant will contact the Orange County District Attorney's, Bureau of Investigation and request assistance.
6. Prior to actually engaging in an undercover operation, investigations will conduct a survey of the target area to determine surveillance location, potential escape routes, etc. This intelligence information will be provided to all persons involved in the operation.
7. The investigator will establish a means of routine and emergency communication with the operative. Depending on the nature of the covert operation, he/she will attempt to provide back-up security for the operative at all times.
8. The timing of any arrests and termination of the covert action will primarily be the responsibility of investigations, but the operative may terminate the operation if it appears unsafe to continue.
9. Once the operation terminates, investigations will debrief the operative and the investigations sergeant will debrief the Command Staff of the outcome of the operation. He/she will complete any required paperwork. Officers will follow established Department policy and procedure regarding the use of force, arrest and booking of detainees and in completing required reports.

D. Decoy Operations

1. We do not initiate and conduct decoy operations. We may participate with outside agencies in decoy operations.
2. We will only participate in decoy operations with an outside agency that has a written procedure for conducting decoy operations and the operations lieutenant has reviewed the written procedure.
3. Our officers participating in the decoy operation will then follow the outside agencies written procedure.

E. Use of surveillance and undercover equipment

1. This Department has limited specialized equipment for surveillance and undercover operations.
2. Use of the Department's covert camera system is covered in General Order 6-1. Only officers specifically trained in its use may utilize this equipment.

3. If additional equipment is needed for surveillance or intelligence operations, the Command Staff will be notified and a request will be made to utilize equipment from neighboring police agencies. Any equipment utilized will be immediately returned after the completion of the operation.

III. Operational Plans

- A. If the Department does become involved in an in-depth organized crime, vice, or narcotics investigation, a written operational plan will be completed by the assigned supervisor. The plan will include:

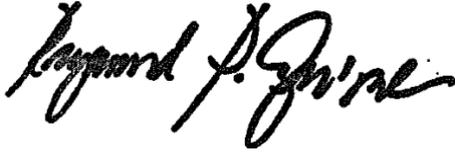
1. All written police reports and intelligence information;
2. Suspect(s) list including name, description, vehicle description, place of residence, known associates, criminal history and recent photographs;
3. A list of officers involved in the operation listing their assignment, type of equipment being used by the officer, the weapons each officer is carrying, and vehicle assignment;
4. A detailed accounting of the planned action.

- B. Prior to execution of any surveillance, undercover, decoy or warrant operations the supervisor in charge of the detail will plan for all the following that are applicable, and brief all persons involved:

1. Analyzing the crime(s), victims, suspect and others involved;
2. Determining legal ramifications;
3. Familiarizing officers with the objectives of the operation, the target area and surrounding area;
4. Determining operational procedures for observation, arrests, surveillance and high-risk situations;
5. Supplying officers with needed equipment;
6. Establishing routes of approach and alternate routes;
7. Establishing routine and emergency communications;
8. Providing relief, backup security and perimeter protection;
9. Providing for false identification documents, disguises and necessary credentials;
10. Maintaining confidentiality and cover;
11. Establishing authorization for the detail and use of force measures;
12. Designating a single person as supervisor and coordinator;
13. Providing close supervision;
14. Making contact with suspects;
15. Searching and seizing evidence and contraband;
16. Requesting medical assistance and establishing routes to medical facilities;
17. Coordinating and obtaining assistance from outside agencies, if needed;
18. Selecting equipment and vehicles and assigning personnel based on expertise.

REVIEWED BY:
P. Launi

APPROVED:

A handwritten signature in black ink, appearing to read "Raymund P. Aguirre". The signature is written in a cursive style with a large initial 'R' and 'A'.

Raymund Aguirre
Chief of Police