



INTELLIGENCE GATHERING AND SHARING

✓ new: rescinds: amends:		cross-reference:
		accreditation standards: NYSLEAP Standard(s): 50.7
effective date: July, 2021	amend date:	

I. PURPOSE

The purpose of this General Order is to establish and describe policies and procedures that govern the collection, use, dissemination and retention of criminal intelligence. This policy shall comply with all state, federal and local laws.

II. POLICY

It is the policy of the Tompkins County Sheriff's Office:

1. To record all complaints received of unlawful drug, vice, organized crime or other sensitive criminal activity; and to appropriately share the information through interagency cooperation.
2. To investigate such complaints to the fullest extent possible and/or refer them to other law enforcement agencies having jurisdiction when necessary. The intelligence process (or cycle) is the means of developing raw information into finished intelligence products for use in decision making and formulating policies/actions.

III. DEFINITIONS

Drug Activity: Illegal activity related to the possession, use, or trafficking of controlled substances.

Intelligence: The product of systematic gathering, evaluation, and synthesis of raw data on individuals or activities suspected of being, or known to be, criminal in nature. Intelligence is information that has been analyzed to determine its meaning and relevance. Information is compiled, analyzed, and/or disseminated in an effort to anticipate, prevent, or monitor criminal activity.

Need to Know: Indicates that an individual requesting access to criminal intelligence data has the need to obtain the data in order to execute official responsibilities.

Organized Crime: Unlawful activities by members of an organized group or association. Examples of unlawful activities include but are not limited to extortion, theft, fencing, loan sharking, labor

racketeering, or other crimes for profit; supplying illegal goods or services (i.e., drugs, prostitution, liquor, weapons); bias-related or hate crimes; terrorism; or other unlawful conduct that may include intimidation or corruption.

Vice Activity: Unlawful activity involving prostitution, gambling, or the organized distribution of pornographic or obscene materials.

IV. **COLLECTION, STORAGE AND PROCESSING COMPLAINTS**

- A. All members of the Tompkins County Sheriff's Office are responsible for the collection of intelligence information and forwarding that information to the Criminal Investigations Division for processing.
- B. Personnel receiving complaints involving unlawful drug, vice, organized crime or other potentially sensitive criminal activity, will document them in accordance with standard office reporting procedures. This includes complaints and information received from other law enforcement agencies.
- C. It shall be the responsibility of the Criminal Investigations Division to collect, process and disseminate criminal intelligence information. These duties fall primarily upon the Investigator designated as the Field Intelligence Officer (FIO) to the Counter Terrorism Zone 4 for the Tompkins County Sheriff's Office. It is the mission of the intelligence function to gather information from all sources in a manner consistent with the law and to analyze that information to provide tactical and/or strategic intelligence on the existence, identities, and capabilities of criminal suspects and enterprises generally and, in particular, to further crime prevention and enforcement objectives/priorities identified by this agency.
 1. The Criminal Investigations Division shall be responsible for the management of the following types of criminal information collected, processed and disseminated and shall keep the Sheriff and Undersheriff informed of all intelligence gathering activities and information. The types of criminal intelligence information collected shall include, but not limited to, the following:
 - Organized Crime
 - Vice
 - Narcotics
 - Subversive Activities
 - Terrorism Related Activities
 - Civil Disorders
 2. The Investigator serving as the office's Field Intelligence Officer (FIO) for terrorism information will be the liaison to the New York State Intelligence Center (NYSIC). They will be responsible for distributing pertinent terrorism related intelligence, alerts and bulletins to members of the office. The Criminal Investigations Division shall maintain a bilateral relationship with other governmental agencies having similar responsibilities to include, but not limited to the following:
 - The New York State Intelligence Center (NYSIC)
 - The New York State IAJB E-Justice Portal

- The New York State Police Troop C Counter Terrorism Intelligence Unit
- The New York State Counter Terrorism Unit, Zone 4.
- Federal Bureau of Investigations, New York Region
- Drug Enforcement Agency
- Bureau of Alcohol, Tobacco and Firearms
- New York State Organized Crime Task Force

D. Intelligence information shall be collated and analyzed in a secure environment protected from inadvertent disclosure of information.

E. The Lieutenant of the Criminal Investigations Division will brief the Lieutenant of the Road Patrol on all credible criminal intelligence that is received. The CID Lieutenant shall ensure that officer safety information is disseminated within the office and to other agencies as appropriate.

F. A Memorandum of Understanding (MOU) will be composed with all agencies that are provided access to intelligence maintained by the Sheriff's Office.

V. **RECORDS MAINTENANCE**

A. All criminal intelligence reports and records will be maintained securely by the CID Lieutenant, in a locked cabinet and/or within a Spillman Flex partition. Access to the criminal intelligence files shall be limited to the following personnel:

- Sheriff
- Undersheriff
- CID Lieutenant
- Investigators
- Lieutenants from other Office Divisions on a "need to know" basis.
- Individuals from other law enforcement agencies on a "need to know" basis. Files shall be viewed in the presence of a member of the Criminal Investigations Division only after authorization is granted from the CID Lieutenant.

B. These case files will be retained for the same duration, in a secure manner, as all other investigation files.

C. Investigators shall review all records and/or reports before they are shared with other agencies and shall redact any information to protect the rights and privacy of any individual involved in accordance with State and Federal laws, if necessary. The CID Lieutenant shall be the person responsible for decisions regarding the dissemination/ access of information.

D. No person will be given access to information, records, or reports relating to criminal intelligence unless they are assigned investigative or supervisory responsibility for the matter, or there is otherwise a need to have such access.

VI. **STATUS REPORTS**

A. Intelligence files status will be classified as either "active" or "closed," in accordance with the following:

1. Active: Intelligence files that are actively being worked will be designated as “active.” In order to remain open, officers working such cases must complete a supplemental report covering case developments at least every 90 days.
2. Closed: “Closed” intelligence files are those in which investigations have been completed, where all logical leads have been exhausted, or where no legitimate law enforcement interest is served. All closed files must include a final case summary narrative prepared by or with the authorization of the lead investigator.

B. Intelligence files shall be reviewed at least once every two years by the Undersheriff.

VII. USE OF INFORMANTS

- A. The use, handling and methods used to protect the identity of informants shall be in accordance with *G.O. 1005 Use of Confidential Informants*.

VII. SURVEILLANCE AND INTELLIGENCE EQUIPMENT

- A. The CID Lieutenant is responsible for the storage, maintenance, distribution, and use of office surveillance and intelligence equipment.
- B. Equipment shall be kept in an active state of readiness and shall be utilized only in accordance with State and Federal Laws.
- C. Surveillance and/or intelligence equipment shall only be used with the approval of the CID Lieutenant or higher authority.
- D. Personnel utilizing surveillance and/or intelligence equipment shall be given additional orientation as to the sensitivity of their duties and the importance of meeting privacy, confidentiality and public disclosure laws.

By Order Of



Derek Osborne
Sheriff