



BETHLEHEM POLICE DEPARTMENT

Criminal Intelligence Information	Related Policies:
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only for the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable New Hampshire Statutes: 28 CFR-Part 23, RSA 651-F	
CALEA Standard:	
Date Implemented: 04/16/2012	Review Date:

- I. **Purpose:** The purpose of this policy is to outline the manner in which criminal information / intelligence is utilized in conformance with the privacy and constitutional rights of individuals.
- II. **Policy:** The policy of this department is to respect the rights of all persons who officers come into contact with during any law enforcement operation. We recognize the necessity of maintaining the delicate balance between government interests and individual rights in a free society. To simultaneously address these needs and rights requires the adherence of all members of the Department to the following guidelines. This will ensure that society and the citizens served by the Department will be legally and morally best served.
- III. **Definitions:**
 - A. **Information:** Is raw data. It is knowledge derived from study, experience, or instruction. It is knowledge of a specific event or situation; news; word.
 - B. **Criminal Information:** Is the above as it pertains to criminal conduct and or activity.
 - C. **Criminal Intelligence:** Information collected and analysis process conducted to support the anticipated need for decision making and action.
 - D. **Reasonable Suspicion:** Is established when information exists which establishes sufficient facts to give a trained law enforcement or criminal investigative agency officer, investigator, or employee a basis to believe that there is a reasonable possibility that an individual or organization is involved in a definable criminal activity or enterprise.
 - E. **Need to Know:** The requirement that the information requested is both pertinent and necessary for the requesting individual or agency to initiate, further or complete an assigned law enforcement task.
 - F. **Strategic Intelligence:** That intelligence material that tends to support long-range planning.



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G. Tactical Intelligence: That intelligence material that tends to assist immediate law enforcement needs and support short-range planning.

IV. Procedure: Officers should use caution as to the manner in which they collect, store and disseminate criminal information:

- A.** Criminal intelligence information concerning an individual or organization shall be collected and maintained by the Department only if there is reasonable suspicion that the individual or organization is involved in criminal conduct or activity and that the information is relevant to the criminal conduct or activity.
- B.** No information will be submitted to, accepted by, or maintained knowingly in the Department's files concerning political, religious, or social views, associations or activities of any individual, group association, corporation, business, partnership, or other organization unless such information directly relates to an investigation of criminal conduct or activity, and there is reasonable suspicion that the subject of the information is or may be involved in criminal conduct or activity.
- C.** Department personnel will not knowingly disseminate criminal information or intelligence unless authorized by statute law.
- D.** No information which has been obtained in violation of any applicable federal, state, or local law or ordinance shall be included in the Department's files.
- E.** Criminal intelligence information acquired by the Department shall be disseminated only where there is a need to know and right to know the information in the performance of a law enforcement activity.
- F.** Dissemination of Criminal Intelligence Information:
 - 1.** Except as noted in F.2 of this section, intelligence information shall be disseminated only to law enforcement authorities and those agencies who have federal or state statutory authority to conduct a criminal investigation and those requests that come under applicable federal or state statute and they shall agree to follow procedures regarding information receipt, maintenance, security, and dissemination which are consistent with these principles.
 - 2.** Subsection F.1. of this section shall not limit the dissemination of an assessment of criminal intelligence information to a government official or to any other individual, when necessary, to avoid imminent danger to life or property.
- G.** Concerning criminal intelligence information the Department shall adopt administrative, technical, and physical safeguards (including audit trails) to insure against unauthorized access and against intentional or unintentional damage to this information.
- H.** The Department will have purge criteria to purge information from the files which has no relevance or importance.



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- I. The Department will have sanctions to control unauthorized access, utilization or disclosure of information from the files.
- J. The Department will utilize all legal means available to protect criminal intelligence and criminal intelligence information obtained from outside agencies.
- K. The Department recognizes that individuals and/or organizations will commit crimes against society. The Department is obligated to investigate crimes against society, and bring the investigation to a successful conclusion by bringing the perpetrator(s), organization(s) before a court of competent jurisdiction and end in a conviction. Criminals are more sophisticated, cunning and organized thus making it more difficult for law enforcement to conduct a successful investigation.
- L. The Department recognizes that it must collect information and process that information into a product that will meet the Departments needs in its endeavors to be proactive in the process of carrying out the Department's mandate to protect society, and manage and direct the Department's resources to its best advantage in combating crime.