

## MAJOR CRIMES DIVISION

DIVISIONAL ORDER NO. 1  
15.1

February 6, 2012

**TO:** Concerned Personnel

**FROM:** Commanding Officer, Major Crimes Division

**SUBJECT:** INTELLIGENCE REPORTING PROCEDURES FOR ANTI-TERRORISM  
INTELLIGENCE SECTION

This directive will assist personnel by providing standardized reporting procedures for completing intelligence reports within Major Crimes Division's (MCD) automated reporting system (Memex). It will also assist personnel in differentiating between and understanding the responsibilities associated with ATIS Intelligence Investigations.

This Directive replaces the following Divisional Orders:

Divisional Order No. 1 – Dated April 12, 2006 (Intelligence Reporting Procedures for Anti-Terrorism Intelligence Section Functions)

Divisional Order No. 10 – Dated November 20, 2006 (Initial Lead and Preliminary Investigation Time Limits)

Divisional Order No. 13 – Dated February 18, 2009 (Follow-up Intelligence Reports)

### Open Intelligence Investigations

**Employee's Responsibility.** Open Intelligence Investigation Reports shall be reported in the MCD automated reporting system (Memex) as an "Activity Report" under a "Case File". The "Intelligence Report" box on all Open Intelligence Investigation Reports shall be checked.

NOTE: All Intelligence Reports and the Investigator's Working Folder entries are placed into the "Case File" using an "Activity Report." Investigators are reminded not to check the "Intelligence Report" box on an "Activity Report" if it is being created as an Investigative Working Folder document.

A follow-Up Intelligence Report shall be submitted twice a year during the months of January and July. Additional intelligence reports may be submitted during the year at the investigator's discretion.

In regards to an Opening Intelligence Report, the date that the Commanding Officer, MCD, approves the report shall serve as the date the case was opened. As for Follow-Up Intelligence Reports, the date that the report was submitted for approval by the investigating officer shall be recorded as the date of compliance to this Divisional Order.

NOTE: Effective immediately, follow-up intelligence reports due on or before June 30, 2012, are now due in the July 2012 reporting period.

**Report Narrative.** The report narrative will be completed under the "Report Narrative" tab of the "Activity Report." The following headings are required in an Intelligence Report:

- 1) Report Type - Opening Intelligence Report or Follow-Up Intelligence Report
- 2) Individual: Name of subject(s) under investigation & corresponding case number; or N/A (Not Applicable).
- 3) Organization: Name of organization under investigation & corresponding case number; or N/A (Not Applicable).
- 4) Case Summary: The "Case Summary" heading for the Opening Intelligence Report shall provide a brief synopsis or executive summary of the case. A Follow-Up Intelligence Report shall provide a short brief of the case and what predicated the opening of the investigation.
- 5) Details of Report: The investigator must fully articulate reasonable suspicion and the reliability of the information. Articulate the reasonable suspicion that the individual or organization may be involved in terrorist activity. This would include all known facts that support reasonable suspicion.

Reasonable suspicion is defined in the Standards and Procedures for Anti-Terrorist Division (March 2003) as, "an honest belief based on known articulable circumstances which would cause a reasonable and trained law enforcement officer to believe that some activity relating to definable criminal activity or enterprise may be occurring or has a potential to occur."

Articulate the source of the information and how it is trustworthy of confidence (i.e. corroborated information, tested sources, other law enforcement agency, non-criminal community sources, and reliable informants).

In Follow-up Intelligence Reports this heading will also be used to document subject or organization activities since the last Intelligence Report. All additional facts that support continued reasonable suspicion should be included at this time. If no information was developed during this time period the investigator shall use this heading to articulate that due diligence was accomplished since the last report. The articulation of due diligence should not reveal sensitive sources and sensitive investigative methods.

Note: It is possible that no investigative steps were taken on a particular case during a six month time period. This might occur if the subject left the country for an extended period of time, he/she was incarcerated, or there is a significant event requiring all investigative resources to be expended on the significant event (i.e. September 11 terrorist attacks which required all investigators to focus on investigations related to that event). In this case the Follow-Up Report shall document these facts and evaluate the viability of the investigation.

- 6) Additional Information: The investigator should use this section to articulate the desire to open, continue or close an investigation. This heading can be used to document analytical findings, investigator's insight or to explain further the significance of information contained in the "Details of Report" heading.
- 7) Concerned Investigators/Analysts name and serial number

### **Preliminary Investigations**

The Preliminary Investigation should be undertaken when there is information or an allegation, which indicates that possibility of terrorist activity. Preliminary Investigations are based on reasonable suspicion only and are for the purpose of determining whether or not the information or allegation can be developed to the point of reliability. The narrative shall contain information detailing the reasonable suspicion and how the information came to the Investigator's attention. The report shall contain the heading "reasonable suspicion" and include a narrative clearly articulating the details of that reasonable suspicion.

The Preliminary Investigation (PI) shall be processed and submitted within the MCD automated reporting system (Memex) as an activity report and submitted for approval following the same procedures as well. When a case file within Memex is created, "Preliminary Investigation" shall be noted in the "Case Type" box on the "Main" tab of the Memex case file. The PI shall not exceed 120 days.

### **Victim Files**

Victim files may be initiated when a person or location, not the official position or office, is a victim of a terrorist act or threat. The information shall be reported using the MCD automated reporting system (Memex). Reporting procedures shall follow the same format as used for Open Intelligence Investigations (i.e. report format and report due dates.)

### **Initial Lead Investigations**

Initial Lead investigations shall be initiated on a Terrorism Lead Sheet. Subsequent investigative reporting shall be done within the MCD automated reporting system (Memex). The Initial Leads will be completed in the Suspicious Activity Reports (SARs) section of Memex in order to separate the Initial Leads information from intelligence information. Initial Lead Investigations shall be completed within 60 days from the date of receipt of the specific lead. Specifically, the 60 day time frame begins when ATIS personnel receive the lead from the JRIC, MCD SAR Unit, or the FBI Joint Terrorism Task Force (CT-6). In the rare instance when a SAR is not processed through one of the above listed entities the 60 day time limit begins upon receipt of the information.