

MAJOR CRIMES DIVISION

DIVISIONAL ORDER NO. 2  
15.1

Date: April 12, 2006

**TO:** Concerned Personnel

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

**SUBJECT:** INVESTIGATOR'S WORKING FOLDER FOR THE ANTI-TERRORISM INTELLIGENCE SECTION FUNCTION

This directive will assist personnel in their responsibilities related to the Investigator's Working Folder.

- Working folder defined
- Type of work product permitted for storage
- Identification of documents
- Removal of non material information

**Investigator's Working Folder**

The Investigator's Working Folder is retained by the assigned investigator and is specifically designated to contain the investigative materials gathered, received, and developed for the specific purpose of updating an approved ongoing Open Intelligence Investigation. The Working Folder shall not be part of the Open Intelligence File.

**Type of Work Product Permitted for Storage**

The Investigators Working Folder may contain a variety of documents, working notes, photographs, etc., which are either material to the investigation, or information in which the materiality has not yet been determined.

**Employee Responsibility.** The documents, etc., contained in the Investigator's Working Folder shall be kept in a clearly marked folder/binder, etc., and stored in file cabinets designated for storage. The folder may be temporarily stored in a locked work place file cabinet or drawer when in use.

The employee shall make reasonable ongoing efforts to establish materiality on all documents contained in the Investigator's Working Folder.

## Identification of Documents

**Employee Responsibility.** Each document in the Investigators Working Folder shall have a I/O Note Stamp completed by the concerned investigator that identifies the following:

- Nature of the document or item (DMV print out, photograph)
- How the information is material to investigation or materiality yet to be determined (Photo of subject, etc)
- Date the document or item was obtained.

**Note:** Multiple page documents can use one stamp on the first page indicating the number of pages such as: 1 of 20, etc.

## Purge of Non-Material Information

One element of the intelligence process is the purging of information and/or documents that are no longer material to the investigation. Generally, the law requires that information in which materiality cannot be determined within five years, shall be removed. Non material information shall be removed from the concerned file and purged (destroyed).

**Employee Responsibility.** When information is determined to be not material to the investigation, it shall be immediately removed from the working folder and destroyed.

**Supervisor Responsibility.** Supervisors shall audit the Investigator's Working Folder at **least three times a year** to ensure that only appropriate information is stored and that the work folder is being appropriately maintained. The supervisor shall document those inspections on the Investigator's work folder and initial, date and record his/her serial number.

**Note:** When initiating an Open Intelligence Investigation on an individual or organization that was previously *closed*, the notes from the closed Investigator's Working Folder shall not necessarily become part of the new file. Information or documents from the previously closed folder may be incorporated into the new folder only if it is material to the newly initiated investigation.