

MAJOR CRIMES DIVISION

February 6, 2012

DIVISIONAL ORDER NO. 2
15.1

TO: Concerned Personnel

FROM: Commanding Officer, Major Crimes Division

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

This directive will assist personnel in their responsibilities related to the Investigator's Working Folder (IWF). Significant changes to the procedures related to the IWF have occurred due to the implementation of the automated reporting system (Memex).

- IWF Defined
- Type of work product permitted for storage
- Identification of documents
- Removal of non-material information

This Directive replaces the following Divisional Orders:
Divisional Order No. 2 – Dated April 12, 2006 (IWF for the Anti-Terrorism Intelligence Section Functions)
Divisional Order No. 11 – Dated March 16, 2007 (IWF Amendments)

Investigator's Working Folder (IWF)

The IWF is created 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 IWF is not part of the Open Intelligence File.

Employee Responsibility. The primary IWF shall be maintained in the Anti-Terrorism Intelligence Section's automated reporting system (Memex) under the Case File of an approved investigation. Investigators should make every attempt to maintain all records within the automated Memex system so that it is searchable and available for analysis and audit purposes. It is understood that not all information collected can be put into the Memex system. If it is necessary to maintain a hard copy IWF, the IWF shall be stored in an approved location within MCD. The existence of a hard copy IWF shall be noted in the "Case File" of the associated investigation.

The IWF 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.

The documents, etc., contained in the IWF shall be entered into the MCD automated reporting system (Memex) as an "Activity Report" under the "Case File" of an approved investigation.

NOTE: Do not check the "Intelligence Report" box on the "Main" tab of the "Activity Report." This box is only checked if the entry is an Opening or Follow-Up Intelligence Report.

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

Supervisor Responsibility. ATIS supervisors and Officer-in-Charge are responsible for periodically auditing all IWF's to insure compliance with these Divisional Orders and the Police Commission Standards and Procedures. (Review Divisional Order No. 14 for IWF Audit procedures and schedules.)

Identification of Documents

Each document entered in the IWF shall have the following information noted:

- Nature of the document, item, or information (DMV Print out, Photograph, etc...)
- How the information is material to the investigation or materiality is yet to be determined
- Date the document or item was obtained
- Source of information, document or Item.

If the information is entered into a hard copy IWF, an I/O note stamp must be completed and affixed to the document or set of documents.

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).

Investigator Responsibility. When information is determined to be not material to the investigation, it shall be immediately removed from the IWF and destroyed.

Supervisor Responsibility. Supervisors shall audit the IWF's as directed by Divisional Order No. 14, to ensure that only appropriate information is stored and that the IWF is being properly maintained. The supervisor shall document those inspections as directed by Divisional order No. 14.

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

A handwritten signature in black ink, appearing to read 'SSM', written in a cursive style.

STEVEN S. SAMBAR, Captain
Commanding Officer
Major Crimes Division