

MAJOR CRIMES DIVISION

DIVISIONAL ORDER NO. 3
15.1

Date: April 12, 2006

TO: Concerned Personnel

FROM: Commanding Officer, Major Crimes Division

SUBJECT: SECURITY OF INTELLIGENCE FILES FOR THE ANTI TERRORISM
INTELLIGENCE SECTION FUNCTION

This directive will assist personnel in properly conducting the following activities:

- Procedure for reviewing Open Intelligence Files
- Possessing intelligence information outside the workplace
- Procedure for reviewing Closed Files

Procedures for Reviewing Open Intelligence Files

Anti Terrorism Intelligence Section (ATIS) Intelligence Files are maintained and secured in the MCD Administrative Section under the control of the Custodian of Records.

Employee Responsibility. Personnel requesting to review Intelligence Files shall comply with the following procedures:

- Possess a need to know and a right to know the requested information
- Articulate the need and right to know to the Custodian of Records or his designee and complete the Sign Out Card within the file
- Review the material within the confines of the Administrative/ATIS area
- Do not make a photocopy of any Intelligence File without the approval of the Commanding Officer MCD, or his designee.

Possessing Intelligence Information Outside of the Workplace

Personnel assigned to the Anti-Terrorism Intelligence Section (ATIS) shall comply with the *Standards and Procedures for Anti-Terrorist Division, approved March 18, 2003*, which mandates that section personnel not maintain or utilize the division's intelligence materials outside of their official work location without the written approval of the Commanding Officer. Employees shall only use intelligence materials for official business.

Note: Intelligence related work product materials other than intelligence files, such as surveillance work sheets and DMV printouts, including materials in **electronic format**, may be possessed outside the workplace for specific duty related activity after obtaining verbal approval from the employee's immediate supervisor.

Information contained in an electronic format shall be safeguarded in the same manner as any other ATIS work product paper document. Intelligence Files may not be possessed in any format outside the MCD office without the approval of the Commanding Officer, MCD. Personnel assigned to the Joint Terrorism Task Force shall comply with applicable federal guidelines regarding classified or non-classified United States Government information.

Supervisor's Responsibility. Supervisors shall ensure that employees have a need to possess work-related materials outside the workplace.

Procedures for Reviewing Closed (Not Purged) Intelligence Files

Closed intelligence files may be reviewed after completing the Request for Review of Closed Files form (see attachment) and obtaining approval from the Commanding Officer, Major Crimes Division. One of the following criteria shall be met prior to reviewing the closed files:

- Analytic Work Product (terrorist trend analysis, etc.)
- New reasonable suspicion is acquired to initiate a Preliminary or Open Investigation on an Individual/Organization listed in the closed intelligence files.
- Police Commission Directed (audit or review)
- Other justified reasons approved by the Commanding Officer, i.e. criminal case, etc.

Note: When initiating an Open Intelligence Investigation on an individual or organization that was previously *closed*, only the information from the closed file deemed material to the new investigation, shall be incorporated into the new I.89.

Note: Closed files within the five year limit required by California State guidelines and 28 CFR, Part 23, may be stored at MCD. All closed files over the five-year limit shall be purged from MCD files per City Attorney guidelines and Los Angeles City records retention policies. They essentially, no longer exist.

REQUEST FOR REVIEW OF CLOSED FILES

INSTRUCTIONS

Print or type in space provided. If additional space is required, use plain paper continuation sheets. This form is completed by an Investigating Officer assigned to Major Crimes Division or, when directed by the Police Commission, by other individuals.

Requestor's Name (Please Print)	Class Title	Date of Request
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Agency/Assignment	Dissemination Justified by: <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; border: none; padding: 2px;">Reasonable Suspicion (Independent of Closed Case)</td> <td style="width: 33%; border: none; padding: 2px;">Analytical Work Product (Needed for an Analytical work Product)</td> <td style="width: 33%; border: none; padding: 2px;">Other (Police Commission Directed)</td> </tr> </table>	Reasonable Suspicion (Independent of Closed Case)	Analytical Work Product (Needed for an Analytical work Product)	Other (Police Commission Directed)
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Justification (Articulate the Reasonable Suspicion which must be independent of information in the closed file. Articulate the analytical work product to be completed, such as patterns and trends. Articulate the specific direction received from the Police Commission or the chain of command above MCD.)

Type of Information Requested

Requestor's Printed Name and Signature	Date				
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">REVIEW</td> <td style="width: 50%; border: none;">RECOMMENDED</td> </tr> <tr> <td style="border: none; text-align: center;">YES</td> <td style="border: none; text-align: center;">NO</td> </tr> </table>	REVIEW	RECOMMENDED	YES	NO	Date
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REVIEW	AUTHORIZED				
YES	NO				

Access to file supervised by (Printed Name and Signature) _____ Date _____

RESULTS OF REVIEW: