

MAJOR CRIMES DIVISION

D I V I S I O N A L O R D E R NO. 9  
15.1

Date: April 12, 2006

**TO:** Major Crimes Division Personnel

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

**SUBJECT:** USE OF LACLEAR FOR ALL INVESTIGATIONS

This directive will assist personnel in understanding and properly:

- Accessing the Los Angeles County Regional Criminal Information Clearinghouse (LACLEAR)
- Initial Lead Inquiry (Not Stored)
- Making an LACLEAR Inquiry (Stored)

**Procedure for Accessing LACLEAR**

The primary purpose of LACLEAR is deconfliction of events in order to avoid tactical confrontations between agencies and to connect investigators together to confer on concurrent investigative interests.

**Employee Responsibility.** The Investigating Officer of the particular case shall be responsible for checking the LACLEAR database and making a notation of the date on the chronological record. All LACLEAR inquiries require a completion of the LACLEAR Control Form, which shall be stored in the working folder. Personnel shall telephonically contact the LACLEAR region office at 1-800-LACLEAR.

**Note:** Information deemed proprietary by another agency such as the Joint Terrorism Task Force (JTTF) shall not be checked without the express permission of the concerned agency.

**Making an Inquiry (Not Stored)**

Initial Lead information that does not meet the reasonable suspicion standard of 28 CFR shall be checked with LACLEAR, however it will NOT BE STORED.

Only information meeting the 28 CFR standard can be stored in the LACLEAR database. This information will be stored for a period of five years.

**Note:** 28 CFR is the federal law controlling the storage of intelligence information in governmental databases. This law requires that there is *reasonable suspicion* that the subject of the information is or may be involved in criminal conduct or activity.

### **Making an Inquiry (Storing Information)**

Identifying information, such as name, DOB, address, telephone and license plate number(s) shall be entered into LACLEAR on all criminal cases, preliminary and open intelligence investigations. Since these investigations meet the reasonable suspicion standard of 28 CFR, this information shall be designated as **stored**.

Participation in the system does not require summaries or investigative information other than the type of suspected criminal activity the subject may be involved.

There are three (3) levels of confidentiality: Open, Limited, and Restricted. Generally, investigating officers should designate the confidentiality level as "**limited**." In this category, a "hit" on the limited information will result in an immediate notification to the Investigator. The agency member initiating the query will receive from LACLEAR only the investigating officer's name and phone number. The assigned investigator will then make a decision on what if anything will be shared with the other agency making the query. Dissemination of both criminal and intelligence information shall be based on a need and right to know.