



TIVERTON POLICE DEPARTMENT GENERAL ORDERS

Subject: Criminal Intelligence (Vice, Organized Crime, Informants)		General Order Number: 340.10	
Section: 300- Law Enforcement Operations		Subsection: 40- Investigations	
Amends/Supersedes:			
Effective Date: 09/05/2019		Revised Date:	Review Date: As Needed
Per Order Of: Patrick W. Jones, Chief of Police			
RIPAC: 7.11, 8.2, 8.4			
Distribution: Sworn Department Members			

NOTE: This written directive is for the internal governance of the Tiverton Police Department, and is not intended and should not be interpreted to establish a higher standard of care in any civil or criminal action than would otherwise be applicable under existing law.

I. PURPOSE:

To establish and maintain guidelines for Department members regarding criminal intelligence information, vice, narcotics, and organized crime investigations.

II. POLICY:

Law enforcement agencies must continuously gather intelligence information related to specific individuals, groups, or organizations suspected of engaging in criminal activity-- particularly crimes involving vice, narcotics, and organized crime. Intelligence information should then be used to develop crime prevention strategies to pursue and prosecute offenders. The collection of intelligence information should always be executed with due regard for the rights of those involved and disseminated only to other law enforcement agencies. While the collection, processing and dissemination of intelligence information is primarily the responsibility of the Detective Lieutenant and Detectives, all sworn Department members are expected to report information that may identify, and ultimately lead to the apprehension of, criminal perpetrators and conspirators.

III. DEFINITIONS:

A. CRIMINAL INTELLIGENCE – The end product of a process that converts individual items of information either into evidence or, more often, into insights, conclusions, or assessments, that can form the basis for the development of law enforcement strategies, priorities, policies, or investigative tactics regarding a specific crime, suspect, criminal organization, etc.

- B. INFORMANT - One who informs against others, provides information of a criminal nature to a law enforcement officer.
- C. NARCOTICS CONTROL – Includes investigations related to the distribution and/or sale of illegal and controlled substances.
- D. ORGANIZED CRIME CONTROL – Includes investigations related to unlawful activities by members of organized groups or associations engaged in or promoting extortion, theft, fencing, loan sharking, labor racketeering, or other offenses for profit, or engaged in supplying illegal goods and services, prostitution, drugs, liquor, weapons, or other unlawful conduct that may include intimidation or corruption.
- E. VICE CONTROL – Includes investigations related to prostitution, illegal use and/or sale of alcoholic beverages, and the distribution and/or sale of obscene and pornographic materials.

IV. RECEIVING, PROCESSING AND INVESTIGATING COMPLAINTS

- A. The Detective Division shall have the primary responsibility of conducting vice, narcotics, and organized crime investigations which shall include, but are not limited to:
 - 1. Gambling;
 - 2. Prostitution;
 - 3. Unlawful drug sales or distribution, and;
 - 4. Other offenses committed by organized groups.
- B. This general order does not preclude members of the Uniform Division assisting in or conducting vice, narcotics and organized crime investigations at the direction of the Chief of Police or his/her designee.
- C. Department members receiving complaints or information from private citizens or outside law enforcement agencies involving such crimes shall complete an offense report (OF) in the departments Records Management System (RMS) unless directed otherwise by the Chief of Police, the Uniform Division Commander (Captain) or the Detective Lieutenant.
 - 1. The report will be marked “Sensitive case on dispatch log”.
 - 2. The report will be forwarded for approval to a supervisor for approval.
 - 3. The approving supervisor will ensure the report is forwarded to the Detective Division Inbox within forty eight (48) hours.
- D. If the Patrol Shift Officer in Charge (OIC) or a supervisor deems that the information is of an urgent matter he/she shall immediately contact the Captain and the Detective Lieutenant.
- E. A record of incident reports involving vice, narcotics, organized crime, and other criminal investigations shall be maintained in the Department’s Records Management System (RMS).
- F. Detective Lieutenant roles and responsibilities:
 - 1. The Detective Lieutenant shall ensure that the credibility, validity, and relevance of such information to active investigations are appropriately evaluated by Detectives and documented in the Department’s Investigative records system.
 - 2. The Detective Lieutenant, or his/her designee, shall ensure that access to the Department’s Investigative records system is restricted to those Detectives assigned to investigate vice, narcotics, and organized crime, or other crimes deemed appropriate by him/her.

3. The Detective Lieutenant, or his/her designee, shall ensure that the Department's Investigative Records Management System is maintained securely and separately from its central records system.
 4. The Detective Lieutenant, or his/her designee, shall continuously monitor the status of investigations originated by complaints or information received from outside law enforcement agencies to determine if further investigation is necessary.
 5. The Detective Lieutenant, or his/her designee, shall keep the Police Chief informed about vice, narcotics, and organized crime activities within the town, to include advising him of the progress of investigations aimed at combating these activities.
- F. Detectives' roles and responsibilities:
1. Detectives, after conducting appropriate investigations, shall enter new, credible and valid information related to vice, narcotics, organized crime, or other crimes determined by the Detective Lieutenant into the Department's Investigative Records System.
 2. Detectives shall supplement their Investigative records system reports with information relevant to active investigations, to include information conveyed to and received from outside law enforcement agencies.
 3. Detectives shall ensure that printed copies of Investigative records system reports are securely filed in locked desks or cabinets at all times while being stored.
 4. Detectives shall only disseminate Investigative records system information to other Department members or outside law enforcement agencies, after obtaining the Detective Lieutenant's approval.

V. CRIMINAL INTELLIGENCE INFORMATION:

- A. Sworn Members' roles and responsibilities:
1. Sworn department members are responsible for collecting intelligence information to be used in developing crime prevention strategies, and pursuing and prosecuting offenders.
 2. Sworn department members shall forward intelligence information to the Detective Lieutenant by completing an inter-departmental memorandum.
 3. Sworn department members engaged in intelligence gathering shall take every reasonable precaution to ensure that their methods and techniques do not compromise their personal safety or the safety of others.
- B. Detective Lieutenant's roles and responsibilities:
1. The Detective Lieutenant, or his/her designee, shall review intelligence information to ensure that information received and subsequently entered into the Department's Investigative Records System is limited to criminal conduct and relates to activities that present a threat to the community.
 2. The Detective Lieutenant, or his/her designee, shall ensure the appropriate security, administration, dissemination, and investigation of intelligence information.
 - a. All intelligence and informant files shall be kept in a locked file cabinet located inside the Detective Division.
 3. The Detective Lieutenant, or his/her designee, shall continuously monitor the status of vice, narcotics, organized crime, and other criminal

investigations originated by intelligence information to determine if further investigation is necessary.

4. The Detective Lieutenant, or his/her designee, shall ensure that access to the Investigative records system is restricted to those Detectives assigned to investigate and gather information on vice, narcotics, and organized crime, or other crimes deemed appropriate by him/her.
 5. The Detective Lieutenant, or his/her designee, shall ensure that printed copies of Investigative records system reports and other intelligence information are locked in the Detective Division at all times, unless such intelligence information has been turned over to a Detective.
 6. The Detective Lieutenant, or his/her designee, shall periodically review the Department's intelligence files and purge out-of-date or incorrect information.
 - a. Computerized intelligence information shall be electronically purged and rendered irretrievable.
 - b. Intelligence information in printed form, (i.e.: memos, correspondences, logs, etc.), shall be shredded.
 7. The Detective Lieutenant, or his/her designee, after obtaining authority from the Police Chief, may initiate requests for assistance from outside law enforcement agencies or support services regarding intelligence personnel and techniques.
 8. The Detective Lieutenant, or his/her designee, shall be responsible for maintaining cooperative relationships with outside law enforcement agencies or support services capable of providing intelligence personnel and techniques.
 9. The Detective Lieutenant, or his/her designee, shall keep the Police Chief informed about criminal intelligence information related to vice, narcotics, and organized crime activities within the town, to include advising him of investigations aimed at combating these activities.
 10. The Detective Lieutenant, or his/her designee, shall conduct an annual review of criminal intelligence procedures and processes. The review shall be documented in an interdepartmental memorandum and forwarded to the Police Chief.
- C. Detectives' roles and responsibilities:
1. Detectives shall securely file and maintain new, credible and valid intelligence information related to vice, narcotics, and organized crime, or other crimes deemed appropriate by the Detective Lieutenant in the Investigative records system.
 2. Detectives shall supplement their Investigative Records System reports with intelligence information relevant to active investigations.
 3. Detectives shall ensure that printed copies of Investigative records system reports and other intelligence information are securely filed in locked cabinets or desks at all times.
 4. Detectives shall only disseminate intelligence information to other Department members or outside law enforcement agencies, after obtaining the Detective Lieutenant's approval.
- D. Training:
1. All Department members shall be trained on the documentation, reporting, and dissemination of criminal intelligence. Training shall

emphasize that all personnel, regardless their assignment, has a role in criminal intelligence and the sharing of information.

VI. INFORMANTS:

A. Informant Suitability:

1. Initial Suitability Determination- Prior to utilizing a person as an informant, a case officer shall complete and sign a written request to the Detective Lieutenant for his/her written approval. In completing the request, the Sworn Department member must address the following factors (or indicate that a particular factor is not applicable):
 - a. The person's age;
 - b. The person's alien status;
 - c. Whether the person is a public official, law enforcement officer, union official, employee of a financial institution or school, member of the military services, a representative or affiliate of the media, or a party to, or in a position to be a party to, privileged communications (e.g., a member of the clergy, a physician, or a lawyer);
 - d. The extent to which the person would make use of his or her affiliations with legitimate organizations in order to provide information or assistance to the Department, and the ability of the Department to ensure that the person's information or assistance is limited to criminal matters;
 - e. The extent to which the person's information or assistance would be relevant to a present or potential investigation or prosecution and the importance of such investigation or prosecution;
 - f. The nature of any relationship between the informant and the subject or target of an existing or potential investigation or prosecution, including but not limited to a current or former spousal relationship or other family tie, and any current or former employment or financial relationship;
 - g. The person's motivation in providing information or assistance, including any consideration sought from the government for this assistance;
 - h. The risk that the person might adversely affect a present or potential investigation or prosecution;
 - i. The extent to which the person's information or assistance can be corroborated;
 - j. The person's reliability and truthfulness;
 - k. The person's prior record as a witness in any proceeding;
 - l. Whether the person has a criminal history, is reasonably believed to be the subject or target of a pending criminal investigation, is under arrest, or has been charged in a pending prosecution;
 - m. Whether the person is reasonably believed to pose a danger to the public or other criminal threat, or is reasonably believed to pose a risk of flight;
 - n. Whether the person is a substance abuser or has a history of substance abuse;

- o. Whether the person is a relative of an employee of any law enforcement agency;
 - p. The risk of physical harm that may occur to the person or his or her immediate family or close associates as a result of providing information or assistance to the Department; and
 - q. The record of the Department and the record of any other law enforcement agency (if available to the Department) regarding the person's prior or current service as an informant, Cooperating Defendant/Witness, or Source of Information, including, but not limited to, any information regarding whether the person was at any time terminated for cause.
- B. The Detective Lieutenant shall ensure that each informant is assigned to one (1) sworn department member (case officer).
- C. The case officer shall ensure that fingerprints and a criminal history are completed for an informant.
- D. The case officer shall ensure that the informant completes and signs a “*Tiverton Police Department Confidential Informant Agreement*”.
- E. Investigative Records Management System:
- 1. The case officer shall ensure that the informant is entered in the Investigative Records Management System in the Informant Section.
 - 2. The case officer shall ensure that each informant is assigned a unique number assigned in the Investigative RMS.
 - 3. The case officer shall ensure that the Investigative RMS includes:
 - a. Names, dates of birth, addresses, and telephone numbers;
 - b. Code names or numbers.
 - 4. The case officer shall document in the narrative section of the Investigative Records Management System all contact with the informant.
 - 5. The case officer shall ensure that all payments to an informant are documented in the Investigative RMS.
 - 6. The Detective Lieutenant shall ensure that access to the Informant Section of the Investigative RMS is accessible to authorized personnel only.
- F. Informant Confidentiality:
- 1. All informant information, including identity, is considered highly confidential.
 - 2. Identity of informants shall be given on a need to know basis.
 - 3. Officers shall not identify informants without the permission of the Chief of Police, the Detective Lieutenant or by court order.
- G. Continuing suitability review:
- 1. Each active informant shall be reviewed by the case officer at least annually. The case officer shall complete and sign a written request to the Detective Lieutenant requesting that the informant remain active for his/her written approval. In determining continued suitability, the case officer must address the factors set forth above (or indicate that a particular factor is not applicable).
- H. Detective Lieutenant’s roles and responsibilities:
- 1. The Detective Lieutenant, or his/her designee, shall maintain a master file of informants, accessible to authorized personnel only.

2. The Detective Lieutenant, or his/her designee, shall ensure that the master file includes the following informant information:
 - a. Fingerprints;
 - b. Criminal histories;
 - c. Code names or numbers;
 - d. A signed Confidential Informant Agreement;
 - e. Record of payments, if applicable.
- I. Sworn Members' roles and responsibilities:
1. Sworn members shall ensure that only officers directly involved in an investigation in which informants are involved, as determined by the Detective Lieutenant, are notified of informants' names or other identifying characteristics.
 2. Sworn members shall only identify informants by their unique number assigned by the Investigative RMS in all reports, narratives and department forms.
 3. Sworn members shall take the utmost care to avoid conveying any confidential investigative information to an informant (e.g., information relating to electronic surveillance, search warrants, or the identity of other actual or potential informants), other than what is necessary and appropriate for operational reasons.
 4. Sworn members shall only meet with informants when accompanied by another sworn officer, whenever possible.
 5. Sworn members shall not engage in social relationships with informants.
 6. Sworn members shall not authorize or allow informants to make arrests or engage in search and seizure activities.
 7. Sworn members shall not authorize or allow informants to carry weapons.
 8. Sworn members shall not:
 - a. exchange gifts with an informant;
 - b. provide the informant with anything of more than nominal value;
 - c. receive any thing of more than nominal value from an informant;
 - d. engage in any business or financial transactions with an informant.
 Any exception to this provision requires the written approval of the Detective Lieutenant, in advance whenever possible, based on a finding by the Detective Lieutenant that the event or transaction in question is necessary and appropriate for operational reasons. This written approval shall be maintained in the informant's master file.
 9. Sworn members shall not interfere with or impede any criminal investigation or arrest of an informant.
 10. No sworn member shall reveal to an informant any information relating to an investigation of the informant. A sworn member shall not confirm or deny the existence of any investigation of the informant, unless authorized to do so by the Detective Lieutenant; nor shall a sworn member agree to a request from an informant to determine whether the informant is the subject of any investigation.
 9. Sworn members shall not use juveniles as informants. This does not preclude members from obtaining information or statements from juveniles who have witnessed crimes.
- J. Patrol Division roles and responsibilities:

1. Patrol Division members are encouraged to use informants and shall notify their supervisors of their activities, without compromising informant confidentiality.
2. Patrol Division members shall coordinate investigations involving informants with the Detective Lieutenant.

VII. CONFIDENTIAL FUNDS:

- A. The Police Chief shall ensure that confidential funds are available to support operations involving, but not limited to, vice, narcotics, and organized crime, subject to the following guidelines:
 1. The Police Chief must authorize the use of confidential funds.
 2. Requests for confidential funds shall be made to the Detective Lieutenant, who shall forward justified requests to the Police Chief.
 3. The Detective Lieutenant, or his/her designee, shall apply the following criteria in determining if confidential funds should be used to pay informants:
 - a. Informants have proven their credibility and reliability;
 - b. Paying informants will enhance previous investigative efforts, and;
 - c. Paying informants will increase the likelihood of solving crimes or apprehending suspects.
 4. The Detective Lieutenant, or his/her designee, shall maintain an accounting of confidential fund transactions, which shall include:
 - a. Amounts disbursed;
 - b. Disbursement dates;
 - c. Receipts for equipment/supplies purchases, and;
 - d. Receipts for payments made to informants.
 5. The Police Chief, or his/her designee, and Detective Lieutenant shall meet, at least quarterly, for an accounting of confidential fund activities.

VIII. SURVEILLANCE AND UNDERCOVER EQUIPMENT:

- A. The Detective Division, or his/her designee, shall maintain surveillance and undercover equipment used for vice, narcotics, organized crime, and other investigations.
- B. Department members shall forward requests for surveillance and undercover equipment to the Detective Lieutenant or his/her designee.
- C. The Detective Lieutenant, or his/her designee, shall maintain a surveillance and undercover equipment log, which shall be signed by the Department member approved to use such equipment.
- D. Department members assigned surveillance and undercover equipment shall use care in operating such equipment and immediately report lost, damaged, or malfunctioning equipment to the Detective Lieutenant or his/her designee.
- E. Department members shall use surveillance and undercover equipment consistent with state and federal laws, and surveillance procedures enumerated in the Department's Criminal Investigation policy.

IX. UNDERCOVER AND DECOY OPERATIONS:

- A. Only sworn department members shall engage in undercover and/or decoy operations. Sworn department members engaged in undercover and decoy operations shall keep the Detective Lieutenant informed of their daily activities,

unless providing such information with such frequency would jeopardize the investigation or safety of the member involved.

- B. Prior to commencing undercover and decoy operations, the Detective Lieutenant and participating officers shall identify targets and establish investigative goals and objectives.
- C. Prior to commencing undercover and decoy operations, the Detective Lieutenant shall ensure that provisions for the following have been made:
 - 1. False identification for participating members;
 - 2. Routine and emergency communications methods;
 - 3. Equipment and confidential funds, and;
 - 4. Safety methods.

X. RAIDS AND HIGH-RISK ENTRIES:

- A. Raids and high-risk entries shall be conducted with the utmost precautions, keeping in mind the safety of participating officers, suspects, innocent bystanders, and the security of any evidence to be seized.
- B. With the exception of emergency or exigent circumstances, an officer with the rank of lieutenant or higher shall be assigned as the officer in charge (OIC) of all raids and high risk entries.
- C. With the exception of emergency or exigent circumstances, the Officer in Charge (OIC) of the raid or high risk entry shall:
 - 1. Prepare a *Tiverton Police Department Special Operations Plan*.
 - 2. Have the Tiverton police department Special Operation Plan reviewed and approved by the Chief of Police or his/her designee.
 - 3. Ensure that participating officers are briefed, prior to raids and high-risk entries.
 - 4. Ensure that sufficient law enforcement personnel and equipment are available for the overall success and safety of the operation.
 - 5. After consulting with the Police Chief or his/her designee, contact the following law enforcement agencies to assist in raids and high-risk entries when such operations transcend the capabilities of the Department:
 - a. Federal Bureau of Investigation (FBI);
 - b. Bureau of Alcohol, Tobacco, and Firearms (ATF);
 - c. Drug Enforcement Administration (DEA);
 - c. Rhode Island State Police;
 - d. Other law enforcement agencies with specialized training and/or equipment.
 - 6. Ensure that participating officers are aware of the identity of suspects and their descriptions, if known.
 - 7. Ensure that participating officers are aware of known hazards, (i.e.: weapons, chemicals, children, etc.).
 - 8. Ensure that participating officers are familiar with the operation's geographical area, to include target location and potential avenues of escape.
 - 9. Ensure that participating officers are aware of their individual roles, (i.e.: perimeter control, prisoner control, search and seizure, etc.), during such operations.

10. Ensure that participating officers are equipped with appropriate communication devices, and that only essential communications are transmitted during such operations.
11. Ensure that emergency medical assistance has been placed on stand-by, if appropriate.
12. Ensure that only necessary law enforcement personnel are notified of such operations, so as to maintain their integrity and safety.
13. At the conclusion of the operation, ensure that all participating officers are debriefed and appropriate reports are submitted.

XI. PROVISION:

All surveillance and intelligence gathering operations, raids, and high-risk entries conducted by Department members shall be consistent with state and federal laws.