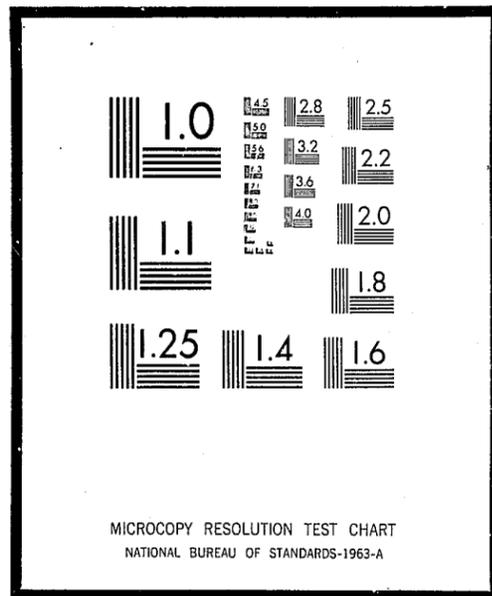


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U.S. DEPARTMENT OF JUSTICE
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PROCEDURE
PUBLIC SECURITY ACTIVITIES
OF THE
INTELLIGENCE DIVISION

Procedures
Public Security Activities
of the
Intelligence Division
New York City Police Department

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I. Mission

The Public Security function of the Intelligence Division can most simply be stated as follows: to provide the police department with the intelligence necessary to the discharge of its duties to maintain the public order, protect life and property, and insure the orderly functioning of the city and its public agencies.

II. Events or Situations Related to the Public Security Mission

A. Information will be gathered concerning those events or situations which, after a reasonable exercise of police judgement, it is concluded that there is a substantial possibility that they will or tend to:

- 1. Have a potential for violence or disorder
- 2. Adversely affect the availability of important foods and services to the public
- 3. Create traffic, crowd control, or noise problems or otherwise require the deployment of police personnel and/or equipment, in order to secure the free movement of vehicular and pedestrian traffic
- 4. Require notification to, or coordination with, other state, city or federal agencies, in order to assist them in the performance of their duties
- 5. Have serious national and/or international ramifications, in the event violence or disorder should ensue

6. Involve deliberate and concerted illegal behavior as a form of protest
 7. Foment intergroup hostilities, counter-demonstrations, assaults, destruction of property, etc.
 8. Involve groups or individuals advocating:
 - a. violence and/or violent attacks on governmental operations or on police officers or other public officials
 - b. racial, religious or ethnic conflict between religious and ethnic groups
 - c. achievement of goals by unlawful means.
- B. Examples:
1. Strikes - "job actions" - work stoppages, labor disputes
 2. Disturbances, civil disorders, riots, intergroup hostilities, police-community confrontations, etc.
 3. Youth gang problems - tensions, gang fights, etc.
 4. Marches, meetings, parades, demonstrations, etc. which could or will involve one or more of the events or situations enumerated in sub-section II-A (above)
 5. Security escorts of persons in public life who may be the potential objects of assault, assassination, or other untoward incidents, including events and situations involving the United Nations, various missions to the United Nations, consulates, embassies, foreign tourist

offices, etc.

6. Disasters.
 - a. natural - floods, snowstorms, hurricanes, etc.
 - b. accidental - plane crashes, explosions, building collapses, etc.
 - c. sabotage - explosions, arsons, destruction or interference with public buildings, accommodations, thoroughfares, etc.

III. Procedures

Statement of Intent:

In conducting public security activities, Intelligence Division personnel must be responsible to the legal principles and public policies that are developing with respect to the collection, storage, and dissemination of domestic intelligence data. In few other areas of professional police responsibilities is it as important to be especially sensitive to constitutional rights, societal interests and community values as in the operation of an intelligence system. "The impact of an intelligence system upon the constitutional rights of those about whom it collects information ultimately depends upon the whole of the system's operations: the categories of individuals included in its files, the persons and agencies to which it disseminates information, the provisions it

makes for verification and purging, the adequacy of its security arrangements, and so on." *

As law enforcement officers, members of the Intelligence Division performing Public Security Activities must, of necessity, pursue the goals stated in Section I in a legitimate manner, i. e., by lawful means. Furthermore, as law enforcement officers, members so assigned should recognize that the source and object of police authority and responsibility is the goal of justice under law. The law must be enforced and order maintained only in accordance with the methods considered proper by society, speaking through legislature and the courts.

Procedures, priorities, and attitudes which in the past were publicly acceptable are now being re-examined and re-defined by society at large, as well as by its governmental agencies, and will in a free society continuously be redefined. Law enforcement must strive to keep pace with these developments and to ensure that police activities reflect them. In the operation of an intelligence system, there must be special care to avoid interference with constitutionally protected rights of freedom to speak and dissent, to write and publish, and to associate for peaceful purposes, while developing the intelligence necessary for public officials to safeguard life and property.

*Basic Elements of Intelligence - A Manual of Theory, Structure and Procedures for Use by Law Enforcement Agencies Against Organized Crime. E. Drexel Godfrey and Don R. Harris, November 1971, p. 253f. Published by: Technical Assistance Division, Office of Criminal Justice, Law Enforcement Assistance Administration, Department of Justice.

Care must also be taken to avoid unduly interfering with the privacy of citizens.

Accordingly, the following procedures are set forth to govern Intelligence Division personnel engaged in Public Security Activities. Because of the constitutional sensitivity of the areas involved, these rules and standards must be scrupulously observed.

A. General Procedures

1. The intelligence process in which Public Security is engaged includes the following steps:
 - a. gathering of information
 - b. evaluation of this information
 - c. analysis of the evaluated information
 - d. reporting of the results of the analysis
 - e. recording and storage of information
 - f. dissemination of information in Public Safety files.

This entire Public Security intelligence process should be thought of as one of critical refinement, with significant amounts of information initially gathered, but with only the most reliable, useful and important information recorded or disseminated.

Quantities of raw information are collected. This information is evaluated, whereupon some of it is rejected or discarded as irrelevant, inaccurate, or improper. Thereafter, this evaluated information is analyzed and certain predictions or projections are

arrived at. This product of the analytical process is then reported to the appropriate members of this department. Some of this information is culled from reports and recorded and stored on index cards for ready reference.

Although these procedures for the conduct of each of the steps in Public Security intelligence process must, of necessity, be strict, it is in the recording and dissemination processes that the procedures and the adherence to them must be particularly stringent.

2. Public Security Activities are to be conducted in such a manner that no infringement upon the statutory and constitutional rights of any individual, group or organization is occasioned.

In particular, any collection of information is to be done with discretion so as to minimize the possibility that citizens will be deterred from exercising their lawful rights. Similarly, information will be collected, recorded, and disseminated only on a strict "need to know" basis in accordance with the guidelines listed in sub-paragraphs III-B, E and F below.

3. The Intelligence Division Legal Officer, an attorney, member of this department, has the responsibility for continuously reviewing and re-evaluating these procedures to ensure that they accurately reflect current legislative and

judicial decisions. The Legal Officer will advise the Commanding Officer, Intelligence Division, of any and all developments in the relevant areas of law which could require revision of these procedures. This review by the Legal Officer shall not be construed as preventing the Deputy Commissioner for Legal Matters, the Special Counsel to the Police Commissioner, or the Corporation Counsel City of New York from conducting a similar review and evaluation of these guidelines.

4. Public Security activities shall be subject to review by the Commanding Officer, Intelligence Division, the First Deputy Commissioner, or his representative to ensure compliance with these procedures.
5. All members, including undercover agents, of the Intelligence Division, will receive intensive training in relevant constitutional principles, especially those embodied in the First, Fourth and Fourteenth Amendments to the United States Constitution, upon initial assignment to the Section and periodically thereafter.
6. The following procedures relate to specific Public Security functions:

B. Information Collection Procedures

1. Only the Police Commissioner, First Deputy Commissioner, Chief of Inspectional Services, or the Commanding Officer, Intelligence Division, can direct the initiation of an investi-

gation concerning any event, situation, person, group or organization. When directing the initiation of an investigation under this section, the person so directing shall specify the purpose or object of the investigation.

2. Public Security personnel shall not gather data on any individual, group, organization, publication, event or situation except to the extent that after a reasonable exercise of police judgement it is concluded that there is substantial possibility that this information will aid the police department in attaining its goal as defined in Section I. In part, this requires that the department be kept abreast of information concerning groups and individuals whose conduct or rhetoric indicates a substantial possibility that they will be involved in one of the situations described in Section II above, as, for example, the disruption of governmental operations or public activities. Care will be taken not to interfere with the exercise of legitimate rights.
 - a. Some examples may make the foregoing procedures more specific:
 - (1) the political beliefs or preferences of any individual, group or organization are not, per se, of concern to the Public Security function. However, the

activities of various groups and individuals are of legitimate interest for the Public Security function when there is a substantial possibility that they will result in personal injury, property damage, crowd control problems, or disruption of vital municipal functions.

- (2) Public Security is not, per se, interested in or involved in collecting data concerning the personal habits, predilections and associates of any person, acting either individually or through a group or organization. Such matters of interest only when they are directly related to the mission of Public Security as stated above, and will lead to the substantial possibility of making contributions to attaining goals as defined in Section I.
- (3) In gathering information about any individual or group, the activities of Public Security personnel must be strictly limited to the degree that it is absolutely necessary to achieve legitimate law enforcement objectives.
- (4) Electronic surveillance will be conducted only in the strictest conformity with court authorized warrants and with the provisions of the Rules and

Procedures of this department.

- (5) Photographic surveillance will not be conducted without the prior authorization of one of the following: the Commanding Officer, Intelligence Division, or when directed by the First Deputy Commissioner or Chief of the Inspectional Services Bureau. Such authorization will be given when deemed to be necessary to accomplish the Public Security mission, as defined in Section I. Photographic surveillance will be approved in the following instances:
- (a) to identify persons who, either as individuals or as members of associates of groups or organizations, are involved in acts of violence or other violations of law; or
 - (b) to provide evidence of such violations of law; or
 - (c) to identify individuals or groups who may pose a threat to the safety of persons who hold (or are candidates for) public office and to the safety of other persons in public life for whom this department may be called upon to provide personal security escorts.

6. The use of an undercover agent (infiltrator) will be permitted only after approval by the First Deputy Commissioner or his special designee. Such approval will be given only upon the determination that there is a reasonable need to develop information about the activities of the group or organization that is the object of the proposed operation, and that the intelligence activity proposed is reasonably related to the gathering of such information. After the officer recommended for the undercover assignment has received adequate training in the appropriate conduct of such an operation, the First Deputy Commissioner, or his special designee, will give final approval to the actual inception of the undercover investigation. The First Deputy Commissioner, or his special designee, will be regularly apprised of the activities of any undercover agent.
7. To enable the Analysis Section of the Intelligence Division to perform its function properly, and to give appropriate weight to the information being submitted, Public Security members submitting

information are to report its source by notations such as "personal observation," "publication," "public announcement," "newspaper," "magazine," "radio or television program,"

etc.. (When an informant is the source of the information, a statement regarding the informant's reliability shall be included and the basis for such judgement concerning his reliability.)

C. Analysis Guidelines

1. All raw intelligence information received by Public Security Personnel will be formally evaluated by the Analysis Section prior to any reporting, recording/filing, or dissemination.
2. Only information which bears a substantial relevance to the Public Security goal of providing necessary intelligence to this department will be reported, recorded/filed or disseminated. If the information is not substantially relevant, it will be discarded for purposes of analysis and the report destroyed with concurrence of Chief Analyst or Commanding Officer, Intelligence Division.
3. After formal evaluation of the information, the following classification system will be employed, where applicable:

Importance (Seriousness of Subject Matter)

A-Major e.g., large disorders; major strikes; large demonstrations; major parades; visits to New York City by highly contro-

versial persons; incidents involving use of weapons/deadly devices, or crimes against persons, or serious property damage; etc.

B-Intermediate e.g., less serious strikes; smaller parades; local disturbances; incidents involving less serious property damage, less serious disruption of the peace, or interference with governmental processes, etc.

C-Minor e.g., small demonstrations, visits to New York City by minor foreign dignitaries, etc.

Time Priority (Urgency with which police action or attention must be addressed to this matter.)

1. = Very High Time Priority - within 24 hours
2. = High Time Priority - within 24-72 hours
3. = Medium Time Priority - within 3-7 days
4. = Low Time Priority - more than 7 days
5. = For information only - requires no further action

Source

- H = Highly Reliable
- R = Reliable
- U = Unknown Reliability

Content

S = Substantiated

N = Not Substantiated

4. If the nature and source of the information being evaluated is such that further investigation by Public Security personnel or by other investigative units of this department is warranted, the Commanding Officer, Intelligence Division, subject to the review of the Police Commissioner or the First Deputy Commissioner is responsible for:
 - a. Deciding such additional investigation is required
 - b. Directing the information to the appropriate unit of this department for investigation.
5. Once the information has been evaluated, the Analysis Section must assemble the available data, concerning the subject under investigation. From these facts, the unit must attempt to develop an assessment of the causes and significance of a past event or to project future developments of interest to units of the department. This analysis will thereupon be reviewed by the Commanding Officer, Intelligence Division who has three (3) alternatives. He can decide that:
 - a. The analysis is correct.

- b. The analysis is incorrect and/or incomplete and should be revised.
- c. The event or situation requires further investigation.

D. Reporting Guidelines

1. Public Security Section reports and communications must be:
 - a. Objective - the presentation must be as objective as possible to encourage decisions which are based on accurate information and sound analysis.
 - b. Discriminating - the report must distinguish between positive, verified information and hypotheses or inferences.
 - c. Logical - the findings must be presented in a logical manner.
 - d. Concise - the report should be as brief as possible, consistent with the requirements of accuracy and objectivity.
 - e. Recipient-oriented - the format and content of the report should be consistent with the identity, interests and needs of the intended recipient.
2. Public Security reports and communications are of three (3) general types:

- a. Strategic/indicative - the result of analysis of certain data indicating general background information, trends, patterns, forecasts or possible courses of action. These are routed through the office of the Commanding Officer, Intelligence Division.
 - b. Tactical/evidential - information which pertains to a specific event or situation and which requires immediate or future action by this department. These are routed through the appropriate operational command.
 - c. Informational/for file only - information which is not to be forwarded at this time, but which is to be retained in Public Security files for future reference.
3. All written reports emanating from Public Security shall be subject to the final approval of the Commanding Officer, Intelligence Division or, in his absence, the Executive Officer.
 4. Reports determined by the Commanding Officer, Intelligence Division to be of an unusually sensitive nature shall be prominently marked "Restricted--Authorized Access Only." File copies thereof are to be stored in locked cabinets, separate and apart from other reports maintained at the Records Section. Access to these "Restricted--Authorized Access Only" files shall be limited to the Commanding Officer, Intelligence Division, the Executive Officer, Public Security Coordinator,

and to designated members of this command on a strict "need to know" basis, and those assigned to the necessary clerical tasks connected with this file. Strict security procedures will be followed.

E. Procedures for the Recording and Storage of Information in the Public Security Card Files

1. Prior to recording and storage in the Public Security card files, all information must be reviewed by the Analysis Section.
2. Such information must be evaluated as bearing a substantial possibility of making a contribution to the goals of the Intelligence Division set forth in Section I, to provide necessary intelligence to enable this department to perform its legitimate police service functions. All information not meeting this criteria must be rejected and will not be stored in the Public Security card file.
3. Information which merely reflects the political preferences, personal habits, predilections, associations, or activities of any person, group or organization and which is not substantially relevant to legitimate police service purposes will not be stored in the Public Security files, but will be destroyed.
4. Information evaluated as being appropriate for storage

in Public Security card file shall be capsulized on color-coded 4 x 6 index cards. A different specified color will be utilized yearly to indicate the year in which the information was included in Public Security files. This color-coded card system facilitates periodic review and re-evaluation of all information in the Public Security files.

5. Information to be stored in Public Security files must:
 - a. be concise, yet accurate
 - b. not lead to erroneous impressions
 - c. be objective, i. e. - not biased or slanted
 - d. not be repetitive or trivial.
6. The card on which the information is recorded must indicate the following:
 - a. original source of the information - e. g., personal observation, informant, leaflet, newspaper/magazine account, radio - T. V. program, etc. If the information was received from an informant, an evaluation must be made of the reliability of the informant, and the basis for such a judgement.
 - b. Intelligence Division report or communication from which the information has been culled
 - c. where applicable, the classification assigned to the information - viz:

H = Highly reliable S = Substantiated
R = Reliable N = Not substantiated
U = Unknown reliability

F. Public Security Activities Procedures for Dissemination of Information

Patrol Guide 116-22, page 1, provides that "A member of this department shall treat as confidential the official business of the department" and lists the types of departmental information which can be disclosed and to whom and under what circumstances it may be disseminated. In addition to this provision of the Patrol Guide, it must be kept in mind that some of the information stored in the Public Security files is of a particularly sensitive nature. Therefore, the following procedures must be observed.

1. Intra-departmental dissemination

- a. The only information which is to be disseminated by Public Security to other members and units of this department is that which would further the goal of providing this department with the necessary intelligence to perform its legitimate police service functions.

- b. Dissemination of such information must be approved by the Commanding Officer, Intelligence Division or his designated representative.
- c. Such members of the department seeking information contained in Public Security files must comply with the procedures of S.O.P. 2, 1971, Section IV-D-1-c. In passing upon such requests, all of the following factors must be considered:
- (1) nature of the information (if any) available at the Public Security Files - e.g., criminal record information; general intelligence information, etc.
 - (2) source of this information - undercover agent, informant, leaflet, newspaper/magazine article, radio, T.V. program, other law enforcement agency etc.
 - (3) classification of this information - highly reliable, reliable, unknown reliability, substantiated, not substantiated
 - (4) rank, assignment and identity of the members of the service requesting the information
 - (5) reason for the request - i.e., the nature of the

investigation being conducted by the requesting member of the service - e.g., homicide, explosion, arson, narcotics, gambling, etc.

These and all other relevant factors must be considered in arriving at a determination concerning possible dissemination of information in the public Security files and the type and amount of such information to be disseminated. The evaluation of all these factors will determine the propriety of honoring the request and will test the "need to know" of the person or unit requesting information from the Public Security files.

Almost all such requests are received during normal business hours when determination concerning this "need to know" is made by the superior officer in charge of the Records Section, a superior officer who has extensive experience in police intelligence and intensive training concerning all aspects of these procedures.

Emergency requests (during other than normal business hours) for information in Public Security files are received by the Officer-in-Charge, at the Records Section, as per S.O.P. 2, s. 1971, each of whom shall have been instructed in these duties and will have been thoroughly trained concerning these procedures.

In all cases where any doubt exists in the mind of the Officer-in Charge at the time of the receipt of such a request, he must contact

the Executive Officer, Intelligence Division or the Public Security Coordinator.

2. Extra-Departmental Dissemination

- a. Under no circumstances will Public Security information ever be disseminated formally or informally to non-governmental individuals or agencies.
- b. Public Security information will be disseminated only to specifically designated representatives of bona fide law enforcement agencies and of certain specified state, federal, municipal and local governmental agencies. Information which does not bear a substantial relationship to the legitimate responsibilities of the requesting agency will in no instance be disseminated from the Public Security files.
- c. Prior to dissemination of information in the Public Security files, all of the following factors must be evaluated and analyzed:
 - (1) nature of the information -- criminal record, raw intelligence, etc.
 - (2) source of the information
 - (3) classification of the information
 - (4) agency requesting the information

- (5) reason for the request - i. e., the use which the requesting agency will make of the information, if disseminated - e. g., investigation, prosecution of serious criminal nature, security clearance for employment in sensitive governmental agency, etc. Once again, these and all other relevant factors must be considered in arriving at a determination concerning possible dissemination of information in the Public Security files and the type and amount of such information to be disseminated. The evaluation of these factors will determine the requesting agency's "need to know."
- d. Information contained in the Public Security files will be transmitted in writing to governmental and law enforcement agencies only over the signature of the Commanding Officer, Intelligence Division.
 - e. When time demands preclude written requests for information from Public Security files or written replies thereto, telephone requests for such information will be honored if made by properly authorized representatives of the agencies listed in Section IV-D-2.

To ensure the legitimacy of the request and to preclude unauthorized dissemination of Public Security information, the following procedures are to be followed:

- (1) telephone call will be made by the recipient of the request to the requesting agency to verify the authenticity of the caller and of the request.
- (2) if during normal business hours, the Records Section superior officer will evaluate the request and approve same if appropriate. During other hours, a superior officer will be conferred with concerning approval of the telephonic request.
- (3) record of the request and of the information disseminated (if any) will be made in the Intelligence Log and Public Security card file.
- (4) in all cases, the Supervisor, Analysis Section, and the Commanding Officer, Intelligence Division, are to be notified of the request and disposition.

3. Dissemination of Surveillance Photos

Surveillance photos - much more so than criminal identification photos - are of a particularly sensitive nature. Accordingly, their dissemination must be

strictly limited to instances involving the most compelling, legitimate law enforcement purposes; such as investigations of homicides, bombings, kidnappings, and similar extremely serious matters. Only the Commanding Officer, Intelligence Division, will approve dissemination of the surveillance photographs. In emergencies, the Public Security Coordinator, or Executive Officer, Intelligence Division, may make this dissemination.

Only the Commanding Officer, Intelligence Division can authorize the extra-departmental dissemination of surveillance photos. He will do so only to bona fide enforcement agencies for such legitimate law enforcement purposes as identification of persons being sought for homicides, bombings, kidnappings or similar extremely serious matters. In emergencies, the Public Security Coordinator, or Executive Officer, Intelligence Division, may make this dissemination.

G. Re-Evaluation Process

1. The Commanding Officer, Intelligence Division and the Public Security Coordinator must continuously review and re-evaluate Public Security operations.
2. Procedures concerning Public Security operations are to be continuously reviewed and re-evaluated, at least

annually, by the Intelligence Division Legal Officer, to ensure that they still accurately reflect statutory developments and relevant decisions in the area of constitutional law. The results of such review shall be reported, in writing, to the Commanding Officer, Intelligence Division, the First Deputy Commissioner, and to the Chief of the Inspectional Services Bureau. This review by the Intelligence Division Legal Officer shall not be construed as preventing those named in paragraph III-A-3 from a similar review and evaluation of these guidelines.

3. The events, situations, individuals, groups and organizations about which information is collected, recorded, or disseminated from the Public Security files will be frequently reviewed by the Commanding Officer, Intelligence Division, Public Security Coordinator, Intelligence Division Legal Officer and Chief Analyst, to determine the degree to which such information continues to have a substantial possibility of making a contribution to the goal of providing this department with the intelligence required to perform its legitimate police service functions. If that relationship no longer exists, processing of such information will be terminated without delay and the files purged.

4. The color-coded index cards maintained in the Public Security files should be reviewed frequently to determine whether the information on the card still relates to a legitimate Public Security function. Every card in the file will be reviewed and re-evaluated at least once within two (2) years of its initial filing. This review will be performed by the Analysis Section. In reviewing a card, one of the following three (3) dispositions must be made:

- a. Maintain in active file - still of current interest to Public Security
- b. Purged - the information on the card no longer serves a legitimate police service intelligence purpose. Cards that are purged from the file will be promptly destroyed. Although there is a danger that some potentially valuable intelligence information will be lost in the purging process, it is deemed imperative, in the interests of accuracy, of relevancy, and of constitutionally sound law enforcement practice, that this re-evaluation and purging process be conducted on a continuing basis.

- c. Placed in "dormant file" : no recent additional information re: subject, but information is of such nature that it will probably be required in the future. The cards in the dormant file must again be re-evaluated at the end of two (2) additional years.
5. All surveillance photos must, within 90 days after having been taken, be evaluated by the Analysis Section to ensure conformity with these procedures. If evaluated as not conforming to these procedures (i. e., no violations of law were involved, not required as evidence, etc.) all negatives and all prints thereof will be destroyed. If found to conform to the Public Security procedures and to be of further legitimate concern to this department, these photographs will thereafter be re-evaluated at least once in each two (2) year period in a re-evaluation system that parallels that for the color-coded index cards. In reviewing such photographs, one of three (3) possible dispositions required in connection with review of index cards must be made; specifically, maintain in active file, purge, or place in dormant file.
6. The list of law enforcement and other governmental agencies to which Public Security personnel are authorized to disseminate information consonant with these procedures

will be reviewed and re-evaluated each year by the Commanding Officer, Intelligence Division, to determine if any of them ought to be deleted from this list or if others should be added.*

7. Reports marked "Restricted--Authorized Access Only" shall be declassified as soon as the subject matter no longer necessitates its inclusion in the "Restricted--Authorized Access Only" files as determined by the Commanding Officer, Intelligence Division. Periodic review, at least annually, as determined by the Commanding Officer, Intelligence Division, of "Restricted--Authorized Access Only" reports will be made for this purpose.

IV. Methods of Gathering, Analysis, Recording and Dissemination of Information:

A. Gathering of Information

1. Sources:

a. Overt sources

- (1) assigned personnel, Public Security
- (2) other police department personnel (patrol service, detective bureau, etc.)

Those agencies marked () in Section IV-D-2 are being re-evaluated in this way.

- (3) other governmental agencies
 - (a) law enforcement agencies, e. g.
F. B. I., New York State Police,
United States Treasury Department,
Alcohol, Tax, Firearms, and others
 - (b) non-law enforcement agencies, e. g.,
United States State Department, etc.
- (4) general public
- (5) Police Department records
- (6) public records and documents
- (7) mass media--radio, television, various
newspapers, magazines, etc.
- (8) leaflets, underground press, publications
of various groups
- (9) public libraries
- (10) intra- and extra-departmental conferences
- b. Covert sources
 - (1) undercover agents (police personnel)
 - (2) informants
 - (3) court authorized electronic surveillance
 - (4) physical surveillance, including photo-
graphic surveillance

B. Analysis - Prediction/Projection - Report

1. Analysis

The Analysis Section, Intelligence Division, performs the following functions:

- a. All available information from the aforementioned sources--overt and covert--is assembled in a logical manner
- b. Informational gaps will be identified
- c. Attempts will be made to secure the additional data and, if obtained, it will be integrated with that which has been previously assembled
- d. The reliability and weight of the various items of information will be assessed
- e. The various items of information, the inter-relationships between these items, and the possible significance of the particular event or situation are to be considered and evaluated.

2. Prediction/Projection

Based upon this evaluation and analysis, the Analysis Section will make a prediction or projection concerning the particular event or situation. This projection/prediction may include one or more of the following:

- a. Purpose, reason or cause of the event
- b. Nature of the situation
- c. Groups and/or individuals involved
- d. Number of persons expected
- e. Locations affected
- f. Time and/or duration of the event or situation
- g. Potential for disorder
- h. Effect upon the city, the department, visiting dignitaries, other individuals, etc.
- i. Significance of the event or situation
- j. Evolving patterns and trends
- k. Recommendations for consideration by the Commanding Officers of various units concerning possible police action to be taken.

3. Reports:

Written and oral reports, encompassing these predictions/projections and other salient information, will be prepared by the Analysis Section for the Commanding Officer, Intelligence Division who will forward them to other appropriate departmental officials. In this manner, intelligence will be transmitted which will aid in the effective deployment of police personnel

and equipment, for the particular event or situation:

C. Recording of Information at Public Security, Intelligence

Division

1. Log - Information telephoned in by Public Security members in the field and by other departmental sources will be recorded in the "log" as it is received. The type of information thus recorded involves ongoing situations, scheduled future events, notifications, requests, etc.
2. Written Reports and Communications - Written reports and communications, whether originating with Public Security personnel or others, will be serially numbered and filed by year of preparation. Where applicable, one of the following letters is appended to the control number of the report:
 - I = Investigative
 - L = Liaison
 - A = Analysis
 - X = Administration
3. Diary - Future events or situations of the type listed in paragraph II-A (above) are to be listed in the "diary" according to the date on which they reportedly will occur. Thus, the "diary" will provide a ready reference concerning events scheduled for any given day.

4. Card File - After evaluation, information deemed appropriate for retention consonant with Public Security procedures (Section III, above), will be capsulized on 4 x 6 index cards, which are to be color-coded to indicate the year of inclusion into Public Security files and to facilitate periodic review and re-evaluation.
5. Photo File
 - a. By event
 - b. By sphere of interest or activity
 - c. By name

D. Dissemination of Information by Public Security Personnel

1. Intra-Departmental

a. Disseminated on Public Security Initiative:

- (1) Tactical Information - i. e., information requiring immediate or future deployment of police personnel and/or equipment. Such information is transmitted by written report or by telephone to the appropriate departmental official. The Commanding Officer, Intelligence Division, is also apprised thereof for his information.
- (2) Strategic Information - (i. e., information indicating evolving trends and patterns and/or which may

have a bearing on the formation of departmental policies and responses, etc.) Such information is transmitted by written report or by telephone to the Commanding Officer, Intelligence Division, who thereupon disseminates it to the appropriate department officials.

b. Requested by Field Units:

(1) Records Section

This intra-departmental dissemination of intelligence from Public Security files to field units will be controlled by the Records Section. The authority and responsibility for this dissemination is delegated to the Records Section superior. He and his staff are thoroughly instructed in the legal and administrative regulations governing the dissemination of intelligence information. They are to be assigned to these positions on a steady, long-term basis, to ensure that they will continue to possess the necessary expertise to perform this function properly. In all instances involving intelligence information, the Commanding Officer, Intelligence Division, Executive Officer, or Public Security Coordinator is con-

sulted by the Records Section, prior to any dissemination.

c. Procedures for Requests from Field Units

On April 7, 1971, this department promulgated S.O.P. 2, s. 1971, entitled: "Procedures to Encourage flow of information to the Intelligence Division from Field Units and the Obtaining of Information from Records Maintained at the Major Crime and Public Security files of the Intelligence Division." The relevant sections thereof read as follows: "Members of this Department requesting information concerning the identity of persons or leaders of groups who have violated sections of the law while engaged in the disruption of governmental activities or the peace and harmony of the community shall telephone the Operations Desk (577-7285).

"When it is determined that information in the files of the Intelligence Division is useful to the requesting member, the commanding officer of such member shall prepare a request in duplicate, on official department letterhead, that access to the files be granted. The request shall contain:

- (1) the rank, name, shield number and command of the members of the department conducting the investigation.
- (2) available information on the subject being investigated - e.g., name, addresses, known places of employment, affiliations, etc.
- (3) Reason for request including control number--e.g., Complaint Report - PD 313-152, case number, etc. "The designated member will deliver the official letterhead (PD 158-151) to the Records Section at the time he appears to receive the intelligence report.

A log will be maintained...to record the receipt of these requests.

Records should ordinarily be viewed during regular office hours - i.e., 0900-1700 hours, Monday through Friday. However, in IMPORTANT cases where time may be a factor and some useful information is available, the superior officer in charge of the Records Section may give the information by telephone to a properly identified member of the department. Confirmation of the request and receipt of the information must be acknowledged within 48 hours by the sub-

mission of an official letterhead (PD 158-151) as indicated above. It should be noted that the Intelligence Division is in operation 24 hours each day and will furnish available information in emergency situations.

Commanding Officers of requesting commands shall evaluate the necessity of viewing records contained in the Public Security files before forwarding requests.

The person designated to view records should be knowledgeable in the subject matter of the investigation so that there will be a proper evaluation of the material furnished.

Upon completion of an investigation in which information was requested from the Intelligence Division, Records Section, a report of the results of the investigation shall be forwarded to the Records Section of the Intelligence Division from which the information was received. It should include any new information obtained by the investigator. It will be evaluated with the object of adding to, correcting, and expanding the intelligence information currently on file."

2. Extra-Departmental

Requests for information contained in Public Security files, if received on official letterhead, signed by the Commanding Officer/Director, or the specifically designated liaison officer of the following governmental agencies, will be honored, consonant with the Dissemination Procedures set forth in subsection III-F above:

a. Federal Agencies

- *(1) Civil Service Commission - Investigations Division
- *(2) Department of the Air Force - Office of Special Investigations (OSI)
- *(3) Department of the Army - Intelligence - 109th MI Group
- (4) Department of Defense - Security Division
- (5) Department of Justice - Federal Bureau of Investigation
- (6) Department of Justice - Immigration and Naturalization Service (USINS)
- *(7) Department of Navy - Navy Investigation Service - Intelligence Recruiting
- (8) Any duly constituted judicial, legislative, regulatory, or administrative body having subpoena powers.

- * (9) National Security Agency (NSA)
- (10) State Department - Office of Security
- (11) Treasury Department - Alcohol, Tax, Firearms (ATF)
- (12) Treasury Department - Bureau of Customs
- (13) Treasury Department - Bureau of Narcotics and Dangerous Drugs
- (14) Treasury Department - Internal Revenue Service (IRS)
- (15) Treasury Department - U.S. Secret Service (USSS)
- (16) United States Coast Guard - Intelligence
- (17) United States Postal Service (Postal Inspection Service)

b. State Agencies

- (1) Department of Correctional Services - Bureau of Special Services
- (2) New York State Identification and Intelligence System (NYSIIS)
- (3) State Police - Special Services Division
- (4) Waterfront Commissioner, New York Harbor
- (5) Port of New York Authority (Police)

*-See Sub-section III-G-6 above.

c. Municipal Agencies

- (1) Department of Correction, City of New York
- (2) Department of Investigation
- (3) Department of Personnel
- (4) Fire Department - Examining Unit - Fire Marshal
- (5) New York City Housing Authority - Police Department.
- (6) New York City Transit Police Department
- (7) District Attorney Office Squads
- (8) All New York Police Department Units

d. Police Department Intelligence Units Throughout the United States.

3. Processing of Extra-Departmental Requests for Information in Public Security Files:

a. Name Checks - (Forwarded by the above agencies to Public Security on a routine basis).

- (1) If no information in the Public Security files, the name check requests are stamped "No Record" by Public Security Personnel searching

*-See Sub-section III-G-6 above.

the files. These forms are then mailed to the requesting agency by the Records Section (see sub-paragraph IV-D-1-b above).

- (2) If Public Security files do reflect relevant information, the Records Section detective searching the files will attach to the name check request all 4 x 6 cards possibly relating to the subject of the inquiry and will be delivered to the Records Section. Here the information is evaluated as to relevancy and as to the propriety of the dissemination thereof, based upon the Dissemination Procedures. Prior to actual dissemination of any such information, the Commanding Officer, Executive Officer, Intelligence Division, or Supervisor, Analysis Section, will be consulted for a final decision.

b. Communications - (i. e., letters from the specified governmental agencies enumerated in sub-paragraph IV-D-2 above or from bona fide law enforcement agencies requesting information from the Public Security Files are to be processed as follows, again, consistent with the Dissemination Procedures

set forth in section III-F' above.

- (1) logged into the Public Security Communication Book and serially numbered each year by Information Control.
- (2) assigned to Liaison Section detective
- (3) Liaison Section detective will confer with Analysis Section to determine information required
- (4) draft of reply will then be reviewed by Analysis Section
- (5) draft reply is then reviewed by Supervisor, Liaison Section
- (6) Approved draft will then be prepared for signature of Commanding Officer, Intelligence Division for final review
- (7) reply will then be sent to requesting agency if approved by Commanding Officer, Intelligence Division
- (8) all information disseminated pursuant to these guidelines, whether verbal or written, will be with the understanding that the requesting agency agrees to strictly conform with the provisions of these procedures as set forth in III F 2-3 and IV D 2-3. These relevant sections will be furnished to these

agencies who have not previously received the
aforementioned provisions of these Procedures at
the time of their initial request.

- (9) information disseminated under these Procedures
will have the following restrictive statement,
prominently stamped on the cover letter or read
to the requesting party in those cases arising
under III F (2) (e)

"THE INFORMATION FURNISHED IS DISSEMINATED
PURSUANT TO THE INTELLIGENCE DIVISION
PROCEDURES OF THE NEW YORK CITY POLICE
DEPARTMENT AND IS THE PROPERTY OF THAT
DEPARTMENT. IT SHOULD NOT BE DISCLOSED
TO ANY PERSON OR ORGANIZATION EXCEPT
IN ACCORDANCE WITH SECTIONS III F (2) (3)
AND SECTIONS IV D (2) (3) OF THE AFORESAID
PROCEDURES.

END