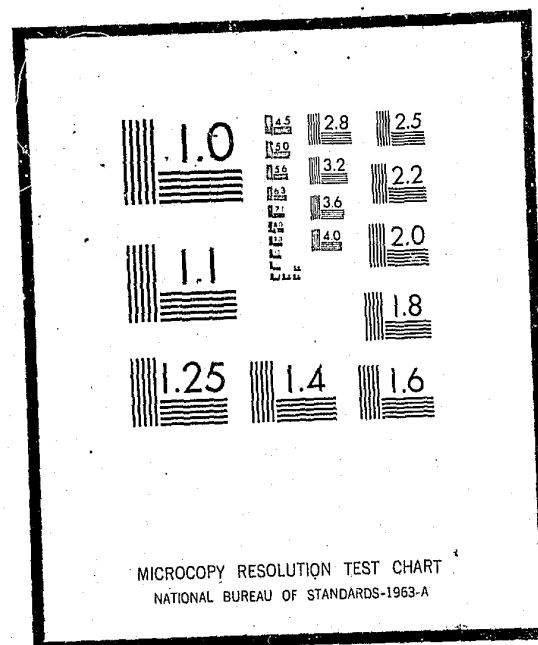


# NCJRS

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U.S. DEPARTMENT OF JUSTICE  
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION  
NATIONAL CRIMINAL JUSTICE REFERENCE SERVICE  
WASHINGTON, D.C. 20531

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Date filmed

STATE OF NEW MEXICO —  
GOVERNOR'S ORGANIZED CRIME PREVENTION COMMISSION  
STATEWIDE ORGANIZED CRIME INTELLIGENCE SYSTEM  
DISCRETIONARY GRANT NO. 73-DF-06-0017

SECURITY AND PRIVACY PROCEDURES

This memorandum, which is submitted in compliance with the special conditions applicable to this grant, will describe the procedures which are employed to insure the security and privacy of information in the intelligence system. The special conditions state that the Project Search Technical Report No. 2 "Security and Privacy Considerations in Criminal Information Systems" shall be used as a guide. However, that report addresses itself solely to systems for the electronic analysis and retrieval of criminal histories and specifically excludes intelligence data (page 17 of report) such as that contained in this intelligence system. Accordingly, the Project Search Report will be used only as a general guide since many of the policies and controls are not applicable.

The Governor's Organized Crime Prevention Commission was established, by statute, with the power to hold public and private hearings, conduct investigations regarding the effective enforcement of law and the conduct of public officers and employees in matters connected with organized crime, use investigators who have the power of peace officers, issue subpoenas and to grant immunity to witnesses. The Commission also is granted the power and duty to assess and evaluate organized crime,

29062

develop a comprehensive plan for its suppression and control, examine matters relating to organized crime in cooperation with agencies of other states and the Federal Government and to make an annual report to the Governor and the Legislature. The enabling legislation also exempts the records, reports and files of the Commission from the Public Records and Public Meetings Acts and does not make these records and files subject to subpoena except by order of the New Mexico Supreme Court. The statute specifies that any person, except the Governor or the Commission, who discloses information in the files of the Commission shall be guilty of a misdemeanor.

As noted in the foregoing, the security and privacy of the data in the records, reports and files of the Commission are protected by the imposition of criminal penalties for disclosure with the consent of the Governor or the Commission.

Within the Commission, the Organized Crime Intelligence Unit has been established which is covered by the same statutory confidentiality provisions. In order to insure this confidentiality, security and privacy of the data in the files of that unit, the following procedures have been implemented:

#### Personnel Security

1. All of the investigative personnel have had long careers in local, state or federal law enforcement and have been the subjects of intensive background investigations and the normal ongoing monitoring of their activities and behavior by their various agencies.

2. All personnel, both investigative and support, have been checked with local and state police and with federal agencies.

3. All personnel have submitted applications, been interviewed and background inquiries have been made.

4. In view of the small size of the Unit, there is a continuous communication and assessment between the Executive Director and Assistant Director and all employees of the Unit.

5. Policies and regulations have been established to prohibit the discussion of Commission business or activities outside the Commission or to disseminate information without approval.

#### Physical Security

1. The entire Commission premises are protected by a burglar alarm system in contact with the Police Department.

2. Special locks have been installed on the entry doors to the premises and the distribution of keys has been restricted to four employees. These keys cannot be duplicated outside the factory of origin.

3. All intelligence unit files are maintained in fire retardant combination lock file cabinets. The combinations to these cabinets are also tightly restricted.

4. Files are compartmentalized to separate highly sensitive material.

5. Access to files and indices is controlled and limited to index and file personnel.

6. Periodic inspections and test checks of the security of the premises and files are conducted.

7. Security rules and procedures have been established.

8. Weekly staff conferences covering security and privacy matters, along with other matters, are held.

9. All files and the premises are locked and secured at night.

10. No administrative files are taken from the office.

#### Dissemination

1. No dissemination is made without the approval of the Executive Director or Assistant Director.

2. No dissemination except to agencies authorized by statute.

3. No dissemination without sanitizing the files to avoid compromising sources.

4. No dissemination of other agency information without that agency's approval.

5. Information disseminated contains evaluation as to validity and reliability.

6. Information is restricted to law enforcement agencies for law enforcement purposes only.

7. Annual report and other public reports contain analyses without identification of individuals unless names are in public documents or sources.

#### Members of the Commission

1. Appointed by the Governor with the consent of the Senate.

2. Security guidance and briefing furnished to the Commissioners by the staff.

3. By Commission policy, no outside discussion of Commission business is permitted.

4. Any situations which might even appear to present conflict of interest by Commissioners are presented to entire Commission.

5. Monthly Commission meetings are held to set policy, discuss progress and developing situations and to brief on overall objectives and targets.

6. Commissioners do not examine operational files.

It is felt that the foregoing procedures provide every assurance that the integrity of the system will be maintained and that the security and privacy of the data will be controlled.