

DENVER POLICE DEPARTMENT
INTER-DEPARTMENT
CORRESPONDENCE

TO Chief of Police Thomas E. Coogan
FROM Lt. R. C. Cantwell, Commander, Intelligence Bureau
SUBJECT Standards and Procedures - Special Interest Activity

DATE June 18, 198

Sir: Please find the following concerning the Standards and Procedures DPD Intelligence Bureau Personnel operate under when/if monitoring Anti-Terrorist activity. Also, for your information only attached is a list of those groups we monitor.

Introduction

Recognizing that special care and precautions must be taken to avoid interfering with the constitutional rights of citizens, while at the same time providing community peace, written guidelines were implemented in October, 1983. These guidelines govern the collection, maintenance and dissemination of intelligence information.

Definition

Special interest activity is defined as those actions by individuals and/or groups that are monitored to ensure the safety of life and property and to obtain information to assist the Denver Police Department in decision making.

Policy

1. The use of illegal or unauthorized methods of collecting information is absolutely prohibited.
2. Information will only be gathered on those organizations and/or persons that advocate criminal conduct, threatened, attempted or performed criminal acts on life or property.
3. The following practices are prohibited:
 1. Intelligence data will not be collected by members of the Intelligence Bureau on any individual merely on the basis that such person supports unpopular causes.
 2. Intelligence data will not be collected by any member of the Intelligence Bureau on persons(s) merely on the basis of ethnicity or race.
 3. Intelligence data will not be collected by members of the Intelligence Bureau on any individual merely on the basis of the individual's religious and/or political affiliations.
 4. No member of the Intelligence Bureau will engage in any illegal activities in the collection of intelligence data.

5. No member of the Intelligence Bureau will employ or direct an individual to engage in the collection of intelligence data via illegal means.
 6. No member of the Intelligence Bureau will employ or utilize an individual as an "agent provocateur".
 7. No member of the Intelligence Bureau will be used to collect intelligence data relating to the personal habits and/or predilections of any individual.
 8. No member of the Intelligence Bureau will provide confidential information to any person without the expressed permission of the Bureau Chief.
 9. No member of the Intelligence Bureau will use confidential intelligence data for political and/or economic purposes.
4. The guidelines shall be distributed to all personnel in the Intelligence Bureau.

Procedure

Special Interest Activity form will be completed and submitted to the Intelligence Bureau Commander prior to monitoring any activity.

An After-Action report will follow each activity attended.

Collection

The Intelligence Bureau may collect and maintain intelligence on national and international terrorist trends that can reasonably be expected to affect the City and County of Denver and environs. The Intelligence Bureau shall examine terrorist tactics, develop terrorist profiles, assess terrorist threats, and develop techniques to protect potential targets with the approval of and under the supervision of the Commanding officer. The Intelligence Bureau shall not utilize undercover operations, plainclothes surveillance, electronic surveillance or any other intrusive method of investigation in the collection of such information unless same have been legally approved.

The Intelligence Bureau shall collect and maintain news clippings, books, pamphlets, brochures and other library materials as general background information regarding the overall Intelligence Bureau task.

Dissemination

Dissemination of intelligence and investigative information is limited to legitimate situations only. Therefore, requestors must (1) provide assurances that their "Nature of Inquiry" is valid and gives facts that record subject committed, or is suspected of committing a crime, and (2) provide assurance that a valid investigation exists and the information is relevant to that investigation.

Dessemination log will be maintained on both oral and non-oral requests in two ways: First, Request for Information Form will be completed on every inquiry and filed chronologically by date of inquiry. Second, entry will be made on subject's index card reflecting an inquiry and by whom.

No copies of files, including index cards, will be made unless authorized by the Commander of the unit.

Material disseminated will have noted the following notice:

NOTICE
ANY DOCUMENTS OR INFORMATION PROVIDED TO YOU BY THE FBI NEITHER RECOMMENDING
NOR CONCLUSIONS OF THE FEDERAL BUREAU OF INVESTIGATION. THIS INFORMATION IS THE
PROPERTY OF THE FEDERAL BUREAU OF INVESTIGATION AND IS LOANED TO YOUR AGENCY. THIS
INFORMATION IS PROVIDED FOR YOUR AGENCY'S USE ONLY, AND IS NOT TO BE
COPIED, NOR DISTRIBUTED OUTSIDE YOUR AGENCY.
USE OF THIS INFORMATION IS REGULATED BY LAW

To the greatest extent possible, requests for information should be handled by the Intelligence Bureau Analyst.

Purging

Intelligence Bureau Analyst and Unit Clerk are designated to purge files. Data will be purged when the following criteria exists:

- A. The information is no longer relevant or necessary to the goals and objectives of the Bureau.
- B. Reasonable grounds no longer exist to retain file (e.g. statute of limitations on offense has passed without a new entry; five years have passed without a new entry, or reasonable grounds to maintain data).
- C. Utility of updating data would be worthless.
- D. Information can not be utilized for any present and/or future strategic or tactical intelligence studies.

Commanding officer or official designee will review data purged and determine if it should be eliminated.

Data determined to be eliminated will be logged by Unit Clerk and kept by the Commanding Officer in the Purged File for ninety days, then it will be destroyed.

In the event there is a question as to the legality of retaining any information, the City Attorney's Office or District Attorney will be requested to render a legal opinion.

RBM