

COMPTROLLER FILE No. 297013

REPORT OF COMMITTEE

Report of Police Intelligence Auditor; filed pursuant to Ord. 108333

Honorable President:

Public Safety

Your

to which was referred the within CF 297013
would respectfully report that we have considered the same and respectfully recommend that

File 2-0

Filed March 8, 1989
Norward Brooks, City Comptroller
By Margaret Carter
Deputy

ACTION OF THE COUNCIL

Referred	APR 2 1989	To	<i>Public Safety</i> <i>Notland</i>
Referred		To	
Referred		To	
Reported	APR 10 1989	Disposition	<i>as Fd.</i>
Re-referred		To	
Reported		Disposition	

Jane Notland

Chair

REPORT OF COMMITTEE

P.S.

Honorable President:

Your

Public Safety

Committee

to which was referred the within CF 297013
would respectfully report that we have considered the same and respectfully recommend that

Files

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#16
C.F. 297013

Public Safety Committee Report
March 31, 1989

Comptroller File No. 297013

This legislation files the Police Chief's audit report of files maintained exclusively for confidential information and obtained through the Department's membership in the Law Enforcement Intelligence Unit (LEIU) and the Western States Information Network (WSIN).

Background:

Ordinance 108333, the "Intelligence Ordinance," requires that an outside auditor review all but six categories of police department files every six months. One of these categories is "files maintained exclusively for confidential criminal information regarding organized criminal activity received by the Department through membership in the Law Enforcement Intelligence Unit (LEIU) and files maintained exclusively for confidential criminal information regarding narcotics activity received by the Department through membership in the Western States Information Network (WSIN), which are audited under subsection C."

Subsection C names the Police Chief as auditor of these files. The attached report (four pages) states the Chief finds no violations of the ordinance among these files, and reports a good faith effort by the officers of the Department to comply with the ordinance in all respects.

In auditing over 4200 LEIU files and over 300 WSIN files, the Chief found no violations.

This report was mailed to the ACLU, which phoned to say they have no objections to it.

Committee Chair Recommendation:

File.

For further information:

Chief Patrick Fitzsimons 4-5577
Mamie Rockafellar 4-8803

MR:spdleiu

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6. The ability to work effectively with the Mayor, the City Council, the City Attorney, the Chief of the Department, departmental personnel, public agencies, private organizations, and citizens; and

7. The ability to work effectively under pressure.

C. The Chief of the Department shall cause a thorough background check of nominees for Auditor identified by the Mayor and shall report the results to the Mayor.

D. Except as limited by Section 14.12.320, the Auditor shall have access to all Department files and records, including nonconviction data pursuant to RCW 10.97.050(4).

(Ord. 110640 § 13, 1982; Ord. 110572 § 31, 1982; Ord. 109237 § 1, 1980; Ord. 108333 § 29, 1979.)

14.12.320 Limitations on the Auditor.

A. The Auditor shall not examine the following:

1. Department personnel files;
2. Internal Investigation Section files;
3. Files of confidential communications as defined in Section 14.12.090;
4. Personal files of the Chief of the Department which are excluded from this chapter by Section 14.12.120 4A;

5. Specific case files which the King County Prosecuting Attorney personally certifies in writing need to be withheld from the Auditor's review because the files involve investigations of corruption or malfeasance in office of a governmental official or employee, a potential conflict of interest for the Auditor, or investigations of organized criminal activity conducted as a continuing enterprise solely for the purpose of obtaining monetary gain wholly or in part through racketeering, vice, narcotics, gambling, fencing, or similar economic criminal activity. As to each file, the Prosecuting Attorney's certificate shall state that he has personally reviewed the case file and found that the file complies with this chapter. The Prosecuting Attorney's certificate shall also include a summary apprising the Auditor of the scope and purpose of the investigation. With respect to the certified files, the Prosecuting Attorney shall exercise all the powers and discharge all the responsibilities normally exercised and discharged by the Auditor under the provisions of this chapter.

6. Files maintained exclusively for confidential criminal information regarding organized criminal activity received by the Department through membership in the Law Enforcement Intelligence Unit (LEIU) and files maintained exclusively for confidential criminal information regarding narcotics activity received by the Department through membership in the Western States Information Network (WSIN), which are audited under subsection C.

B. In discharging his or her responsibilities, the Auditor shall protect the confidentiality of Department files and records, and shall also be bound by the confidentiality provisions of the Criminal Records Privacy Act (RCW 10.97), the Public Disclosure Act (RCW 42.17), and the provisions of RCW 43.43.856. The Auditor shall not identify the subject of an investigation in any public report required by this chapter. The Auditor shall not remove from Department facilities any record, extract, or other information, the disclosure of which is exempt from public disclosure under the Public Disclosure Act (RCW 42.17.310). Any violation of the confidentiality of Department files and records or the provisions of this chapter shall be sufficient cause for removal of the Auditor.

C. The Chief of the Department shall exercise all the powers and discharge all the responsibilities normally exercised and discharged by the Auditor with respect to files maintained exclusively for confidential criminal information obtained through the Department membership in the Law Enforcement Intelligence Unit (LEIU) and the Western States Information Network (WSIN), which shall be limited to and subject to the following definitions and conditions:

1. All information designated for audit by the Chief shall meet all the provisions of this chapter controlling the collection, receipt and/or transmittal of information.

2. Only information regarding organized criminal activity obtained by a designated departmental LEIU representative, or information regarding criminal narcotics activity obtained by a designated departmental WSIN representative, from designated LEIU or WSIN representatives, respectively, in other agencies, will be audited under this subsection by the

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Chief. All other information **collected** from outside agencies will be subject to audit by the appointed **Auditor**.

3. "Organized criminal activity" is defined as conduct that relates to a continuing enterprise engaged in solely for the purpose of obtaining monetary gain wholly or in part through racketeering, vice, narcotics, gambling, fencing, or similar criminal activity.

4. "Criminal narcotics activity" is defined as conduct that relates to the illegal manufacture, transportation, distribution, or sale of narcotics or other controlled substances.

5. All information designated for audit by the Chief shall be filed separate from other **Department** files.

6. Access to the information designated for audit by the Chief shall be limited to police officers specifically designated by the Chief of Police.

7. Information designated for audit by the Chief shall not be referenced or indexed in other **Department** files.

D. The Chief of the **Department** shall submit a final report of his/her audit to the Mayor. The Chief's report shall be comparable to that of the **Auditor** as prescribed in Section 14.12.330 B2, except that the Chief's report shall include a description of each type of document audited without disclosing its contents, the number of each type of document audited, the number of documents received from LEIU or WSIN, and the number of documents received from designated LEIU or WSIN representatives. The Chief's report shall also include a current set of bylaws for LEIU and for WSIN. The Mayor shall certify the report as the final audit to the City Council, the City Attorney, and the City Comptroller for filing as a public record. The Mayor, in the exercise of all of his/her duties under the City Charter, shall supervise the Chief of the **Department** to ensure that he/she faithfully performs the duties assigned under this chapter and section.

E. Failure of the Chief of the **Department** to send any notice required by Section 14.12.340 or to report any substantial violation of this chapter as required by Section 14.12.330 B2 shall effect his immediate suspension from office without pay and shall be cause for his/her removal from office. Failure of the Chief of the **Department** to

discharge any other duties required by this subsection may be cause for his/her suspension or removal from office.

(Ord. 110640 § 13, 1982; Ord. 110572 § 31, 1982; Ord. 108333 § 30, 1979.)

14.12.330 Audit procedures and standards.

A. The **Auditor** shall conduct an in-place audit of **Department** files and records at unscheduled intervals not to exceed one hundred eighty (180) days since the last audit. The **Department** shall provide temporary space for the **Auditor** to conduct the audit in secure areas close to the records to be reviewed by the Auditor.

B. The audit shall be prepared and published pursuant to the following provisions:

1. In conducting an audit, the **Auditor** shall:

a. Review each authorization granted pursuant to Sections 14.12.150/14.12.160, 14.12.170, or 14.12.230, together with investigative files associated with the authorizations;

b. Perform a random check of **Department** files and indexes;

c. Review files and records containing private sexual or restricted information designated for purging except information not yet collected or purged pursuant to Sections 14.12.140, 14.12.150, 14.12.190, or 14.12.240; and

d. Prepare and forward a written report of the audit to the Mayor, the City Council, the City Attorney, and the City Comptroller for filing as a public record.

2. The **Auditor's** report shall contain a general description of the files and records reviewed and a discussion of any substantial violation of this chapter discovered during the audit. A preliminary report shall be delivered by the **Auditor** to the Chief of the **Department** for review and comment. The Chief of the **Department** shall review and comment on the preliminary report within twenty (20) days after receipt of the report. The **Auditor** shall submit the final report within thirty (30) days after receipt of the Chief's comments.

3. The Chief of the **Department** shall:

a. Forward to the Mayor, the City Council, the City Attorney, and the City Comptroller within ten (10) working days of receipt of the **Auditor's** final report the Chief's written comments on the report; and

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Office Of The Mayor
City of Seattle

Charles Royer, Mayor



Action: file w/ City Clerk

October 13, 1988

Mr. Norward J. Brooks
Comptroller
The City of Seattle
Seattle, Washington 98104

NORWARD J. BROOKS
Seattle City Comptroller
RECEIVED *MB*
MAR 7 1989

	ADM	ADCT	CLK	S&S	AUD	FIN
ACT			✓			
INFO						

Dear Mr. Brooks:

Ordinance 108333 (the Intelligence Ordinance) requires the Chief of Police to audit select police files maintained exclusively for confidential information. This information was obtained through the Police Department's membership in the Law Enforcement Intelligence Unit (LEIU) and the Western States Information Network (WSIN). Chief of Police Fitzsimons has submitted his latest audit report and indicates that he found no violations during the audit process.

Ordinance 108333 further requires that, "The Mayor shall certify the report as the final audit to the City Council, the City Attorney, and the City Comptroller for filing as a public record."

I am hereby forwarding to you and certifying as final the Audit Report prepared by the Chief of Police.

Sincerely,

Charles Royer
Charles Royer

Handwritten notes and stamps, including a circular stamp with the number 5.

IT IS DUE TO THE QUALITY OF THE DOCUMENT.

Seattle Police Department

Patrick S. Fitzsimons, Chief of Police
Charles Royer, Mayor

October 12, 1988

The Honorable Charles Royer
Mayor of Seattle
1200 Municipal Building
Seattle, Washington 98104

Dear Mayor Royer:

This report regarding my audit of certain Police Department files is sent to you pursuant to Seattle Municipal code Chapter 14.12 (the Intelligence Ordinance), specifically Section 14.12.320C.

AUDIT CONCLUSIONS

The audit was conducted on October 6, 1988, and concerned the specific files described below. I found the Seattle Police Department to be in compliance with the pertinent sections of the Ordinance. An inspection of the files and records revealed, (a) no violations of the Ordinance; and (b) a good faith effort by the officers of this Department to comply with the Ordinance in all respects.

Specifically, I confirmed that the Department has complied with the mandates of Ordinance Section 14.12.320C which require that:

"...(a) All information designated for audit by the Chief shall meet all the provisions of this chapter controlling the 'collection,' receipt and/or transmittal of information.

(b) Only information regarding organized criminal activity obtained by a designated department LEIU representative, or information regarding criminal narcotics activity obtained by a designated department WSIN representative, from designated LEIU or WSIN representative, respectively, in other agencies, will be audited under this subsection by the Chief. All other information 'collected' from outside agencies will be subject to audit by the appointed 'Auditor.'

The Honorable Charles Royer
October 12, 1988
Page 2

(c) Organized criminal activity is defined as conduct that relates to a continuing enterprise engaged in solely for the purpose of obtaining monetary gain wholly or in part through racketeering, vice, narcotics, gambling, fencing, or similar activity.

(d) Criminal narcotics activity is defined as conduct that relates to the illegal manufacture, transportation, distribution, or sale of narcotics or other controlled substances.

(e) All information designated for audit by the Chief shall be filed separate from other 'Department' files.

(f) Access to the information designated for audit by the Chief shall be limited to police officers specifically designated by the Chief of Police."

LAW ENFORCEMENT INTELLIGENCE UNIT (LEIU) FILES

The Department's Criminal Information Section maintains the LEIU files. The LEIU files are made up of three kinds of records:

1. ADMINISTRATIVE DOCUMENTS - Those LEIU/Department correspondence items which deal with membership, training, and other purely administrative topics. No criminal documents or references to specific individuals are retained in this category.
2. CRIMINAL CORRESPONDENCE - All other in/out correspondence which contains or references criminal matters are listed under this category including other agency correspondence.
3. LEIU CARDS - Those index cards dealing with the identification of criminal subjects and criminally oriented associates.

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(Since Last Audit)

<u>LEIU Department Types</u>	<u>Total Audited</u>	<u>Received From LEIU</u>	<u>Received From LEIU Representatives</u>
Administrative Documents	70	5	0
Criminal Correspondence	43	0	0
LEIU Identification Cards	4149	249	0

WESTERN STATES INFORMATION NETWORK (WSIN) FILES

The Department's Narcotics Section maintains the WSIN files. The WSIN files are made up of three kinds of records:

1. ADMINISTRATIVE DOCUMENTS - Those WSIN/Department correspondence items which deal with membership and other purely administrative topics. No criminal documents or references to specific individuals are retained in this category.
2. CRIMINAL CORRESPONDENCE - Made up primarily of subject cards and investigative record check notations on individuals in the narcotics business whose names have been submitted to the central WSIN clearinghouse. This also includes notations or cards on individuals whose names have generated inquiries to this Department from other departments.
3. INFORMATION BULLETINS - Training-type bulletins published by WSIN including various subject matters of interest to narcotics investigators.

(Since Last Audit)

<u>WSIN Document Types</u>	<u>Total Audited</u>	<u>Received From WSIN</u>	<u>Received From WSIN Representatives</u>
Administrative Documents	66	12	0
Criminal Correspondence	223	18	0
Information Bulletins	13	0	0

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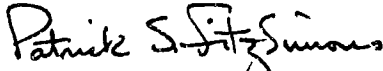
The Honorable Charles Royer
October 12, 1988
Page 4

NOTE: The number of WSIN documents is relatively small as compared to the number of LEIU documents for two primary reasons:

1. WSIN does not send each member agency a full set of subject cards. They are maintained at WSIN headquarters and accessed by telephone; and
2. WSIN is a smaller, relatively new organization in the process of building its files and resource documents.

A current set of bylaws for both the Law Enforcement Intelligence Unit (LEIU) and the Western States Information Network (WSIN) are attached for information and reference.

Very truly yours,


PATRICK S. FITZSIMONS
Chief of Police

GBA:km

Attachments

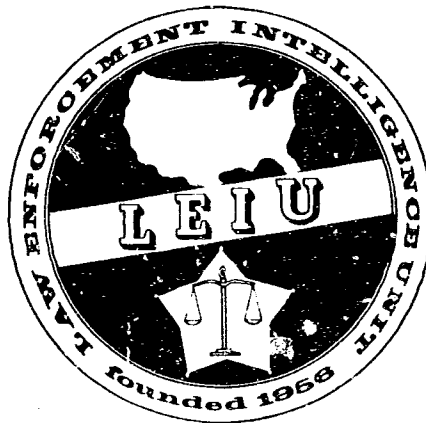
**LAW
ENFORCEMENT
INTELLIGENCE
UNIT**

Seattle Police

JUL 6 1987

Criminal Information Section

**CONSTITUTION
AND
BYLAWS**



COMMUNICATIONS SECTION
JUL 6 1987
Criminal Information Section

June - 1987

In May of 1988 a motion was made, seconded and carried to approve the following amendments to the Bylaws:

1. Subsection "B8a5" reads "Member agencies shall not duplicate LEIU cards in their possession for distribution to non-member agencies." It has been changed to now read: "Member agencies shall not reproduce LEIU cards for any purpose."
2. Subsection I has been changed to now read: "Member agencies shall not reproduce LEIU cards for any purpose."
3. Subsection J is added and reads: "LEIU cards remain the property of the organization and must be returned to LEIU upon request of the General Chairman."
4. Subsection K is added and reads: "The LEIU cards shall be separately stored by member agencies and shall not be intermingled with other intelligence records. However, it shall be permissible to place the name of an LEIU subject in other indices to serve as a pointer to the LEIU file."
5. Subsection L is added and reads: "The guidelines and requirements of this Article shall be reviewed annually, and additions or deletions thereto shall be initiated as necessary."

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CITY OF
MAY 1988-9
MAY 1988-9

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Prepared and Distributed by:

**CALIFORNIA STATE DEPARTMENT OF JUSTICE
Division of Law Enforcement
Bureau of Organized Crime & Criminal Intelligence
CENTRAL COORDINATING AGENCY for L.E.I.U.
P. O. Box 903357
Sacramento, California 94203-3570**

DISTRIBUTION

**The Law Enforcement Intelligence Unit's Constitution and Bylaws
is available to only approved and authorized LEIU member agencies.**

**NO portion or section therein, is to copied or reprinted
for distribution to, or for use by non-LEIU members or
other organizations.**

**[Violation of distribution policy can cause suspension of membership.]
(see Bylaws - Page 10, Article: ONE, Section G, Item 2(b))**

JL/C.C.A.*6/3/87

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CONTENTS

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CITY OF CHICAGO
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CONSTITUTION and BYLAWS

Contents

Constitution

	Page
Article One - NAME.....	1
Article Two - PURPOSE.....	2
Article Three - OFFICERS.....	3
Article Four - EXECUTIVE BOARD.....	4
Article Five - AMENDMENTS TO THE CONSTITUTION.....	5
Article Six - POWERS AND NON-PROFIT STATUS.....	6
Article Seven - DISTRIBUTION OF PROPERTY ON DISSOLUTION.....	7
Article Eight - OPERATIONS.....	8

Bylaws

Article One - MEMBERSHIP.....	9
Section A - Members	
Section B - Representatives	
Section C - Voting	
Section D - Applications	
Section E - Admission	
Section F - Probationary Membership	
Section G - Suspension	
Section H - Termination	
Section I - Reinstatement	
Article Two - EXECUTIVE BOARD.....	11
Section A - Executive Board	
Section B - Quorum	
Section C - Voting Procedure	
Article Three - VACANCY IN OFFICES.....	13
Section A - National	
Section B - Zone	

Contents - continued....

Article Four - AMENDMENTS TO THE CONSTITUTION AND BYLAWS.....	14
Section A - Constitution	
Section B - Bylaws	
Article Five - ASSESSMENTS.....	15
Section A - Establishment and Billing	
Section B - Purpose of Assessment	
Section C - Additional Fees	
Article Six - ZONES.....	16
Section A - Zones	
Section B - Boundaries	
Section C - Zone Chairman	
Section D - Vice Zone Chairman	
Section E - Zone Regulations	
Section F - Bi-Zone Training Seminars	
Article Seven - NATIONAL TRAINING SEMINAR.....	18
Section A - Executive Board	
Section B - Training Seminar Chairman	
Section C - Purpose	
Section D - Guests	
Section E - National Seminar Site	
Section F - Observance	
Article Eight - OPERATIONS.....	19
Section A - Purpose	
Section B - Internal Code	
Section C - Violations	
Section D - Sactions	
Section E - Criteria	
Section F - Clearing House	
Section G - Procedures	
Section H - Purging	
Section I - Article Review	
Article Nine - ELECTIONS - NATIONAL/ZONE.....	25
Section A - Election Procedures - National	
Section B - Election Procedures - Zone	

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Glossary.....

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Article: ONE

Name

The **name** of this Organization shall be **LAW ENFORCEMENT INTELLIGENCE UNIT
(LEIU)**

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Article: TWO

Purpose

A. The purpose of this Organization shall be:

1. To promote the gathering, recording, and exchange of confidential information not available through regular police channels, concerning organized crime.

Organized crime is the product of a self-perpetuating criminal conspiracy to provide illicit goods and services and engage in other unlawful activities without regard to geographic boundaries. It is characterized by attempts to immunize itself from the Criminal Justice System through political influence, bribery, corruption, and extortion.

Terrorism is violent criminal behavior designed to generate fear, spread terror or alarm to and among a given population for the purpose of effecting a political objective.

These include, but are not limited to, the following criminal activities and those persons who aid directly or indirectly in those activities:

- | | |
|-----------------------|--|
| a. Arson | k. Narcotics |
| b. Bombing | l. Pornography |
| c. Bribery | m. Prostitution |
| d. Burglary | n. Receiving Stolen Property |
| e. Extortion | o. Unlawful Gambling |
| f. Kidnapping | p. Terrorism |
| g. Labor Racketeering | q. Illegal Disposal of Toxic and Hazardous Waste |
| h. Loansharking | r. Other Organized Crime Subjects of Interest to Law Enforcement |
| i. Major Frauds | |
| j. Murder | |

2. To establish a central clearinghouse for the information described above and to provide for its dissemination to the membership.
3. To continue and increase the development of trust and personal relationships among individual members of the Organization, thereby increasing the flow of confidential information among member agencies.

B. This Organization is organized and operated exclusively for the above-stated purposes, and for other nonprofit purposes.

Article: THREE

Officers

The **officers** of the Organization shall be:

1. **General Chairman**
2. **Vice General Chairman**
3. **Secretary-Treasurer**
4. **Past General Chairman**
5. **Zone Chairmen**
6. **Vice Zone Chairmen**
7. **Legal Advisor**
8. **Representative, Central Coordinating Agency**

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Article: FOUR

Executive Board

The affairs of the Organization shall be managed by an **Executive Board**. The officers named in **Article THREE** of this Constitution shall constitute the **Executive Board**.

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Article: FIVE

Amendments to the Constitution

1. **Executive Board.** The **Executive Board** may amend the Constitution by a **two-thirds (2/3)** vote of the quorum.
2. **Members.** The **Members** shall have the right at the National Training Seminar to adopt, to amend, or rescind actions of the Executive Board. Such action shall require an affirmative vote of **three-fourths (3/4)** of the **Members** registered at the National Training Seminar. The **Members** shall also have the right to recommend constitutional amendments to the Executive Board.

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Article: SIX

Powers and Nonprofit Status

- A. General Powers.** To accomplish the purpose described above, the Organization shall have the **power** to collect and disseminate statistics and other information; to engage in various fund raising activities; to conduct promotion activities, including advertising and publicity, in or by any suitable manner or media; and to hold such property as is necessary to accomplish its purposes. The Organization shall have the **power** to do any lawful act reasonably necessary or desirable for carrying out its purposes and for protecting the lawful rights and interests of its members.
- B. Nonprofit Status.** The Organization shall be **nonprofit**, and no part of its net earnings shall be used for the private benefit of its members or others.

Article: SEVEN

Distribution of Property on Dissolution

- A. The property of this Organization is irrevocably dedicated to the purposes herein stated and no part of the net income or assets of this Organization shall ever be used for benefit of any director, officer, or member thereof or to the benefit of any private persons. Upon the **dissolution** of this Organization its assets remaining after payment, or provision for payment, of all debts and liabilities of this Organization, shall be **distributed** to a nonprofit fund, foundation, organization or corporation which is organized and operated exclusively for purposes substantially identical to the purposes of this Organization and which has established its tax exempt status under **Section 501(c)(4)** of the Internal Revenue Code.

If this Organization holds any assets in trust, such assets shall be disposed of in such manner as may be directed by decree of the superior court of the county in which this Organization has its principal office, upon petition therefor by the Attorney General or by any person concerned in the liquidation, in a proceeding to which the Attorney General is a party.

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Article: EIGHT

Operations

- A. **Principal Office.** The principal office of the Organization shall be located at the California State Department of Justice, Bureau of Organized Crime and Criminal Intelligence, City of Sacramento, County of Sacramento, State of California or its successor in interest hereafter referred to as the Central Coordinating Agency (CCA). The Organization may have such other offices as may from time to time be designated by its Executive Board.
- B. **Clearinghouse.** The Central Coordinating Agency (CCA) shall serve as the clearinghouse for the Master File of LEIU subjects. Copies of the master file shall be assigned by the Executive Board in a manner consistent with and appropriate to the interests of LEIU.
- C. **Control.** In order to comply with applicable federal and state laws and regulations, and for the protection of individual privacy, dissemination of criminal intelligence shall be subject to strict control.
- D. **Standards.** Standards have been designed to bring about a just and equitable balance between the civil rights and liberties of American citizens and the needs of law enforcement to collect and disseminate criminal intelligence on the conduct of persons and groups who may be engaged in systematic criminal activity.
- E. **Internal Code.** The Organization has established an internal code of discipline for the collection, maintenance, and dissemination of criminal intelligence, and has established appropriate sanctions for the violation of said code.
- F. **Sanctions.** The Executive Board shall have the authority to discipline any member agency. Sanctions shall be determined by two-thirds (2/3) majority vote of the Executive Board. Sanctions imposed may range from a letter of censure to termination of membership.
- G. **Criteria.** Criteria has been established by the Organization in recognition of the need to provide member agencies with uniform guidelines for the collection of criminal intelligence information.

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BYLAWS



Article: ONE

Membership

Membership shall be:

- A. **Members.** "Members" shall be law enforcement agencies of general jurisdiction having an intelligence function.
- B. **Representatives.** Each member shall appoint an LEIU Representative who shall be someone other than the head of the member agency. The member shall appoint sworn/commissioned employees who have peace officer authority pursuant to applicable law. Exceptions must be approved by the Executive Board.
- C. **Voting.** Each member shall be entitled to one vote at the National Training Seminar. Proxy voting shall not be permitted.
- D. **Applications.** Applications for membership shall be submitted to the Zone Chairman, who shall forward a copy to each member of the Executive Board. The Central Coordinating Agency (CCA) shall cause the fact of application to be circulated among the membership. Members have a duty to bring adverse information concerning the applicant to the attention of the Executive Board. Such information shall be submitted on a confidential basis.

Applications must include a letter from the sponsoring agency and three letters from LEIU member agencies endorsing the applicant. The application will then be considered by the Executive Board.
- E. **Admission.** Admission to membership requires an affirmative vote by the Executive Board. More than one negative vote is necessary to exclude an applicant from membership. Admission is subject to a probationary period which has no effect on voting or other participation.
- F. **Probationary Membership.** The length of the probationary period is indeterminate. It continues until the Executive Board votes full membership. Such vote must follow a request by a member of the Executive Board. More than one negative vote is required to reject the probationary membership.

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G. Suspension.

1. Administrative. Membership is automatically suspended whenever:

- a. There is a change in the Administrative Head of the agency.
- b. There is a change in the designated LEIU Representative.
- c. The member is delinquent in the payment of any required fee or fees.

NOTE: Administrative suspension does not result in loss of LEIU rights or privileges.

2. Other. Membership may be suspended for the following reasons:

- a. Occurrences or acts detrimental to the Law Enforcement Intelligence Unit.
- b. Improper handling or dissemination of LEIU information.
- c. A serious violation of LEIU policy.

NOTE: Such suspensions will result in:

1. Discontinuance of all mailing of all LEIU material to the member.
2. The member's exclusion from LEIU seminars and/or functions.

H. Termination. A membership may be suspended or terminated from LEIU by unanimous vote of a quorum present of the Executive Board whenever:

1. Its continued participation serves no useful purpose to LEIU; or
2. Membership is detrimental to LEIU objectives or policy; or
3. Payment of any required fee is delinquent.

I. Reinstatement from Suspension. Reinstatement must be by written request and requires an affirmative vote by the Executive Board. More than one negative vote is necessary to exclude the member from reinstatement.

A reinstated membership is subject to a probationary period. If no request for reinstatement is made within three (3) months of a suspension, the membership shall be terminated.

Article: TWO

Executive Board

- A. The **Executive Board** shall be the governing body of LEIU. It shall establish policy and pass upon the admission of all members.

The following officers shall constitute the **Executive Board**:

1. **General Chairman**

The **General Chairman** shall be the representative of an LEIU member agency, shall have been the representative of an LEIU member agency four (4) years immediately preceding the election and shall have served on the Executive Board for the two (2) years immediately preceding the election.

The **General Chairman** shall be elected at the LEIU National Training Seminar each odd numbered year. The length of each elected term shall be two (2) years commencing upon the conclusion of the LEIU National Training Seminar.

2. **Vice General Chairman**

The **Vice General Chairman** shall be the representative of an LEIU member agency, shall have been the representative of an LEIU member agency for the four (4) years immediately preceding the election and shall have served on the Executive Board for the two (2) years immediately preceding the election.

The **Vice General Chairman** shall be elected at the LEIU National Training Seminar each odd numbered year. The length of each elected term shall be two (2) years commencing upon the conclusion of the LEIU National Training Seminar.

3. **Zone Chairman**

There shall be a **Zone Chairman** from each Zone.

- a. Central
- b. Eastern
- c. Northwestern
- d. Southwestern

4. **Secretary-Treasurer**

The **Secretary-Treasurer** shall be appointed by the General Chairman and shall be the representative of an LEIU member agency while serving in office.

5. Past General Chairman

The immediate **Past General Chairman** shall serve as a member of the Executive Board. The Past General Chairman must maintain contiguous and continuous law enforcement employment with an LEIU member agency.

6. Vice Zone Chairman from each Zone

The **Vice Zone Chairman** shall be a full member of the Board but have no voting powers on Board actions, except in the absence of the respective Zone Chairman.

7. Legal Advisor

A **Legal Advisor** may be appointed by the General Chairman to serve as a non-voting member of the Board.

8. Central Coordinating Agency (CCA) Representative

This **representative** shall neither pay dues nor vote on the Board, but may vote at National and Zone Training Seminars.

B. Quorum. A quorum of the Executive Board exists when not more than two voting members of the Executive Board are absent.

C. Voting Procedure. To initiate action of the Executive Board, the following Executive Board vote shall be required:

- | | |
|--|--|
| 1. Admission of Members | -Affirmative vote of the quorum.
More than one negative vote is
necessary to exclude. |
| 2. Suspension of Members | -Unanimous vote of the quorum. |
| 3. Termination of Members | -Unanimous vote of the quorum. |
| 4. Reinstatement of Members | -Affirmative vote of the quorum.
More than one negative vote is
necessary to exclude. |
| 5. Amendments to the
Constitution and Bylaws | -Two-thirds vote of the quorum. |
| 6. On all matters not
specifically designated | -Simple majority of the quorum. |

D. Executive Board Eligibility. The individuals holding the offices of General Chairman, Vice General Chairman, Zone Chairman, Vice Zone Chairman, and Secretary-Treasurer must maintain contiguous and continuous representative status with an LEIU member agency during their respective terms on the LEIU Executive Board.

Article: THREE

Vacancy in Offices

A. National

1. Should the office of **General Chairman** become vacant, the Vice General Chairman shall automatically succeed to that position.
2. Should the office of **Vice General Chairman** become vacant, the General Chairman shall appoint a qualified person as Vice General Chairman, with the approval of a simple majority of the Executive Board quorum, who will serve pro tempore until elections can be held as provided in **Article Two, Section A, 2.**
3. Should both of the above offices become vacant at the same time, the remaining members of the Executive Board shall, by an affirmative vote of the quorum, **(more than one negative vote is necessary to exclude)** select a qualified person for each office to serve pro tempore until elections as above.
4. Should the office of immediate **Past General Chairman** become vacant, the General Chairman may appoint the most recent Past General Chairman to the position. If none is available, that office shall remain vacant.

B. Zone

1. Should the office of **Zone Chairman** become vacant, the Vice Zone Chairman shall automatically succeed to that position, and the General Chairman shall appoint a Vice Chairman pro tempore until elections can be held as provided in **Article Six, Section D.**
2. Should both the office of Zone Chairman and Vice Zone Chairman become vacant, the General Chairman shall fill said vacancies by appointment pro tempore until elections can be held as provided in **Article Six, Sections C and D.**

Article: FOUR

Amendments to the Constitution and Bylaws

A. Constitution

1. **Executive Board.** The Executive Board may amend the Constitution by a **two-thirds (2/3)** vote of the quorum.
2. **Members.** The members shall have the right at the National Training Seminar to adopt, to amend, or rescind actions of the Executive Board. Such action shall require an affirmative vote of **three-fourths (3/4)** of the members registered at the National Training Seminar. The members shall also have the right to recommend constitutional amendments to the Executive Board.

B. Bylaws

1. **Executive Board.** Bylaws shall be adopted by a **two-thirds (2/3)** vote of the quorum.
2. **Members.** The members shall have the right, at the National Training Seminar, to adopt, amend, or rescind actions of the Executive Board. Such action shall require an affirmative vote of **three-fourths (3/4)** of the members registered at the National Training Seminar. The members shall also have the right to recommend bylaw amendments to the Executive Board.

Article: FIVE

Assessments

A. Establishment and Billing.

A bill for the annual membership assessment, as established by the Executive Board, shall be mailed to each member by February 1st of each year advising that the annual membership assessment is then due and payable.

Each member who has not paid or communicated with the Secretary-Treasurer regarding payment by **March 15th** of each year, shall be automatically suspended.

B. Purpose of Assessment.

The assessment shall be used to assist the funding of the National Training Seminar; to fund meetings of the Executive Board; for ordinary and necessary operating expenses; and for any other purpose approved by the Executive Board. A complete accounting of all funds shall be available to the membership at all times.

The Secretary-Treasurer shall prepare an annual financial statement to be presented at the LEIU National Training Seminar. Additionally, the statement shall be mailed to the membership.

C. Additional Fees.

Additional fees may be imposed by a unanimous vote of the quorum present of the Executive Board.

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Article: SIX

Zones

- A. **Zones.** LEIU shall be divided into four geographical **Zones**.
1. **Northwestern Zone**
 2. **Southwestern Zone**
 3. **Central Zone**
 4. **Eastern Zone**
- B. **Boundaries.** The boundaries of the four Zones shall be determined by the Executive Board.
- C. **Zone Chairman.** Each Zone shall elect a **Chairman** to represent that Zone on the Executive Board. To qualify for **Zone Chairman**, an individual must have represented the same member agency for two (2) years immediately preceding the election. The Chairman shall be elected either:
1. At the Zone meeting each even numbered year, or
 2. At the LEIU National Training Seminar each odd numbered year. In either event, the **Zone Chairman** hold office concurrently with the National officers for two (2) years, commencing at the close of the odd numbered year LEIU National Training Seminar.
- D. **Vice Zone Chairman.** Each Zone shall elect a **Vice Zone Chairman** to act as a non-voting member of the Executive Board. The **Vice Zone Chairman** shall act as Zone Chairman if the Chairman is unable to act. To qualify for **Vice Zone Chairman**, an individual must have represented the same member agency for two (2) years immediately preceding the election. The **Vice Zone Chairman** shall be elected either:
1. At the Zone meeting each even numbered year, or
 2. At the LEIU National Training Seminar each odd numbered year. In either event, the **Vice Zone Chairman** hold office concurrently with the National officers for two (2) years, commencing at the close of the odd numbered year LEIU National Training Seminar.
- E. **Zone Regulations.** Each Zone may enact a Constitution, Bylaws, Rules or Regulations to govern the conduct of Zone affairs. Such enactments shall not violate or conflict with the Constitution or Bylaws of LEIU. Any notice or bulletin to be distributed to the general membership shall first be forwarded to the General Chairman for approval.

F. Bi-Zone Training Seminars

1. Each Zone shall hold a yearly **Bi-Zone** Training Seminar in addition to the National LEIU Training Seminar.
2. The **Northwestern** and **Southwestern Zones**, and the **Central** and **Eastern Zones**, shall share obligations for Bi-Zone Training Seminars in alternating years. The **Northwestern** and **Central Zones** will be responsible for hosting their respective Bi-Zone Seminars during the **even** numbered years, with the **Southwestern** and **Eastern Zones**, hosting during the **odd** numbered years.
3. The Zone Chairman of the hosting zone shall be responsible for the **theme** of the Bi-Zone Training Seminar.
4. A training seminar Chairman from the host agency shall be named **one year prior** to the training seminar. He shall be responsible to the hosting Zone Chairman for arrangements of all facilities, participation of local dignitaries, and related activities. He shall submit a report of his proposals to the hosting Zone Chairman prior to the training seminar.
5. At all **Bi-Zone** training seminars, all invited guests must **first be approved by the hosting Zone Chairman** and a **guest list** must be submitted to the training seminar host.

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Article: SEVEN

National Training Seminar

- A. **Executive Board.** The Executive Board shall be responsible for the theme of the Seminar and the program.
- B. **Training Seminar Chairman.** A Training Seminar Chairman from the host agency shall be named two years prior to the National Training Seminar. He shall be responsible to the Executive Board for arrangements of all facilities, participation of local dignitaries, and related activities. He shall submit a report on his proposals and preparations to the Executive Board at the National Training Seminar the year prior to the hosting year.
- C. **Purpose.** The purpose of the National Training Seminar shall be to share techniques and developments within the Organization's field of mutual interest, and to conduct necessary LEIU business. Emphasis should be on trends and new technology.
- D. **Guests.** No Guests will be allowed to attend the closed business meetings of LEIU seminars. Guests and guest speakers may attend opening day welcoming ceremonies, banquets, or other related activities, as approved by the Seminar Host, the Zone Chairman, and the General Chairman.
- E. **Site of National Seminar.** The odd year National Training Seminar site shall be in either the **Northwestern Zone** or in the **Southwestern Zone**; and, the even year National Training Seminar site shall be in either the **Central Zone** or in the **Eastern Zone**.
- F. **A National Training Seminar shall be held Annually.**

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Article: EIGHT

Operations

- A. The purpose of this Article is to set forth standards of criminal intelligence activities for member law enforcement organizations. ¹ These standards are designed to bring about just and equitable balance between the civil rights and liberties of American citizens and the needs of law enforcement to collect and disseminate criminal intelligence ² on the conduct of persons and groups who may be engaged in systematic criminal activity.
- B. In pursuit of this goal, this Organization hereby establishes an internal code of discipline for the collection, maintenance, and dissemination of criminal intelligence, and further authorizes appropriate sanctions for the violation of said code.
1. Member agencies shall collect and maintain criminal intelligence in compliance with all federal and applicable state laws and regulations.
 2. Member agencies shall not collect information on an individual or group merely on the basis that such individual or group supports unpopular causes.
 3. Member agencies shall not collect information on an individual or group merely on the basis of ethnic background.
 4. Member agencies shall not collect information on any individual or group merely on the basis of religious or political affiliations.
 5. Member agencies shall not collect information on an individual or group merely on the basis of personal habits and/or predilection.
 6. Member agencies shall not employ or utilize an agent provocateur in the collection of intelligence information.
 7. Member agencies shall not use intelligence information for political, economical purposes, or for personal gain.
 8. Member agencies may disseminate intelligence information to non-member law enforcement agencies with a need-to-know ² and right-to-know. ³ Such dissemination may be made only with the prior approval of the submitting LEIU member agency.

¹ See glossary
² See glossary
³ See glossary

- a. In order to comply with applicable federal and state laws and regulations, and for the protection of individual privacy, dissemination of criminal intelligence shall be subject to strict controls. The following procedures shall be followed by the Central Coordinating Agency (CCA) and all member agencies ³ in the dissemination of information from the LEIU index system.
1. Dissemination of criminal intelligence ² shall be on a basis of **need-to-know** and **right-to-know**.
 2. Member agencies shall disseminate intelligence information to law enforcement agencies only; however, intelligence information may be disseminated to other agencies or individuals when there is imminent danger to life or property.
 3. Dissemination of confidential information not included on the LEIU form submitted to the CCA shall be at the discretion of the submitting agency.
 4. Dissemination to non-member law enforcement agencies of criminal information contained in the LEIU index system shall be with the prior permission of the submitting agency only.
 5. Member agencies shall not duplicate LEIU cards in their possession for distribution to non-member agencies.
 6. Requests for criminal intelligence by non-member agencies shall be forwarded to the submitting member agency.
 7. This Organization shall establish and maintain a list of those law enforcement agencies and individuals authorized to receive criminal information through LEIU.
 8. Dissemination of criminal intelligence shall be for lawful purposes only.
 9. Criminal intelligence shall not be disseminated unless there is reasonable assurance that the information is accurate, reliable, and timely, and not likely to compromise the identity of the source of information.
 10. Dissemination of mass media ³ information shall be made only with the following notation:

"The information contained in this publication/article has been obtained for mass media sources. Any conclusions and/or inferences drawn by the author do not necessarily reflect the opinion of the _____ (Name of Agency) _____."

² See glossary
³ See glossary

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11. Member agencies shall keep an accurate accounting of the date, nature and purpose of each dissemination of intelligence information. The accounting shall also include the name, title, and business address of the person or law enforcement agency to whom such disclosure was made. This accounting shall be retained for at least three (3) years after the disclosure for which the accounting is made, or until the intelligence file is destroyed; whichever is shorter.
- C. The Executive Board shall notify in writing a member agency who has violated a provision of Paragraph B (page 19) and shall request that the agency submit a written reply to the Board regarding the infraction. If desired, the member agency may petition for a formal hearing before the Executive Board. If the charges are substantiated, the Executive Board may take action as is appropriate.
- D. The Executive Board shall have the authority to discipline any member agency. Sanctions shall be determined by two-thirds (2/3) majority vote of the Executive Board. Sanctions imposed may range from a letter of censure to termination of membership.
- E. In recognition of the need to provide member agencies with uniform guidelines for the collection of criminal intelligence, this Organization hereby establishes the following criteria:
1. Criminal intelligence file content should be limited to information which indicates that the individual or group on whom the file is kept has been involved, is involved, or is suspected of being involved with known or suspected criminal activity.
 2. In order to protect the confidentiality and security of the LEIU intelligence card, the following should be excluded from the card:
 - a. Criminal History Record Information (CHRI), which is information collected by a criminal justice agency or individuals, consisting of arrests and other formal criminal charges, and any disposition which follows.¹
 - b. Personal information, which is information maintained about an individual including educational, financial, medical, or employment history.
 3. Criminal Intelligence should be evaluated for source reliability and content validity prior to submission to the clearinghouse and other member agencies. The LEIU card data should be evaluated by the submitting agency and the CCA. Criminal intelligence shall be evaluated according to the following schedule:

¹ See glossary

Source Reliability

(A) Reliable

The reliability of the source is unquestioned or has been well tested in the past.

(B) Usually Reliable

The reliability of the source can usually be relied upon as factual. The majority of information provided in the past has proved to be reliable.

(C) Unknown

The reliability of the source cannot be judged. Its authenticity or trustworthiness has not yet been determined by either experience or investigation.

Content Validity

(1) Confirmed

The information has been corroborated.

(2) Probable

The information is consistent with past accounts.

This information evaluation will be used to establish the retention period of each subject card as follows:

Reliable - Confirmed	5 years
Reliable - Probable	3 years
Usually Reliable - Confirmed	3 years
Usually Reliable - Probable	2 years
Unknown - Confirmed	2 years
Unknown - Probable	1 year

Each subject will be pre-scheduled for update or purge based on the assigned retention period.

4. Information should be general in nature, but should include a recent photograph, and personal identifiers as long as

there is no mention or indication of CHRI. State Bureau of Identification, Federal Bureau of Investigation, or local identifiers may be included as they do not necessarily indicate a criminal record.

- F. The Central Coordinating Agency (CCA) shall serve as the clearing-house for the LEIU master card file of criminal subjects, associates and organizations.
- G. Submission of LEIU cards shall be according to the following procedures:
1. Member agencies shall submit to their Zone Chairman for his review and approval all criminal intelligence information intended for inclusion in the LEIU index system.
 2. If there is a difference of opinion between the submitting agency and the Zone Chairman as to the acceptability of the information submitted, the decision of the Zone Chairman shall be final.
 3. LEIU forms which have been approved by the Zone Chairman for inclusion in the LEIU index system shall be forwarded to the CCA for processing and subsequent dissemination to all member agencies.
 4. Any subsequent information about a card subject, including a change of address, shall be forwarded to the CCA for dissemination to all member agencies.
 5. CHRI shall be excluded from the LEIU card.
 6. The information shall be submitted on a form (OC 139) approved by the Executive Board and the CCA.
 7. Photographs should be stapled or clipped to the forms. Photographs should be the most recent available.
 8. Information submitted should include the subject's driver's license number, State identification numbers, FBI number; and, the usual or the unusual physical identifiers.
 9. Information submitted should include the month, day, year, and place of birth of the card subject.
 10. Information submitted should include nicknames and aliases.
 11. The LEIU card should reflect the following:
 - a. Criminal Activity/Speciality
 - b. Organized Crime Family

- c. Known Criminal Associates
- d. Known Public Information
- e. Modus Operandi

- H. Information stored in the LEIU criminal intelligence system shall be reviewed annually. Information which is found to be no longer current, accurate, or relevant to the needs of the LEIU shall be purged.
 - a. An "LEIU Card Purge" certificate was designed to certify that the card subject or card subjects have been purged from the member's indices; and is attached to LEIU Purge Bulletins. The certificate shall be signed by the current LEIU Representative and returned to the member's Zone Chairman.
- I. The guidelines and requirements of this Article shall be reviewed annually, and additions or deletions thereto shall be initiated as necessary.

Article: NINE

Elections - National/Zones

A. Election Procedures - NATIONAL

1. Elections shall be by written secret ballot **except** as provided by number 2.
2. If an office is **uncontested**, a voice vote may be taken.
3. Absentee or Proxy ballots are not permitted.
4. The Election Committee Chairman shall be appointed by the General Chairman.
 - a. The Election Committee Chairman, with the concurrence of the General Chairman, shall appoint the Election Committee members.
 - b. The Election Committee shall consist of four representatives and the Committee Chairman.
5. The Election Committee Chairman shall conduct the election.
 - a. He shall verbally describe the office(s) to be voted upon and the qualifications of the individuals for said office(s) as specified in the Bylaws.
 - b. The following time allowances shall apply:

1. Nominating	5 minutes
2. Seconding	3 minutes
3. Candidates Speech	5 minutes
4. Rebuttal (if requested)	3 minutes
5. Questions to Nominees	No Limit
6. The Election Committee shall be responsible for the preparation, distribution, collection and tabulation of the ballots.
7. The Election Committee Chairman will supervise the counting of the ballots and will announce the results of the voting.

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B. Election Procedures - ZONE

1. Elections shall be by written secret ballot except as provided by number 2.
2. If an office is uncontested, a voice vote may be taken.
3. Absentee or Proxy ballots are not permitted.
4. The Election Committee Chairman shall be appointed by the General Chairman.
 - a. The Election Committee Chairman, with the concurrence of the General Chairman, shall appoint the Election Committee members.
 - b. The Election Committee shall consist of four representatives and the Committee Chairman.
5. The Election Committee Chairman shall conduct the election.
 - a. He shall verbally describe the office(s) to be voted upon and the qualifications of the individuals for said office(s) as specified in the Bylaws.
 - b. The following time allowances shall apply:

1. Nominating	5 minutes
2. Seconding	3 minutes
3. Candidates Speech	5 minutes
4. Rebuttal (if requested)	3 minutes
5. Questions to Nominees	No Limit
6. The Election Committee shall be responsible for the preparation, distribution, collection and tabulation of the ballots.
7. The Election Committee Chairman will supervise the counting of the ballots and will announce the results of the voting.

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GLOSSARY

GLOSSARY

Agent Provocateur:

Any individual who is directed by the State to engage in a criminal activity and/or incites, stimulates, or urges others to pursue a criminal course of action.

Criminal History Record Information:

"Criminal history record information" means information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrest, detentions, indictments, information, or other formal criminal charges, and any disposition arising therefrom, sentencing, correctional supervision, and release. The term does not include identification information such as fingerprint records to the extent that such information does not indicate involvement of the individual in the criminal justice system. "Section 20.3b, Title 28, Chapter 1, Part 20, Code of Federal Regulations".

Note: The term criminal history record information is not limited to what criminal justice agencies commonly call rap sheets. Whenever personal identifiers, such as name and address, exist on the same piece of paper with one of the formal transactions of the criminal justice system, CHRI is created. For example, a fingerprint card which shows that an individual has been arrested is CHRI; take away the reference to the arrest and it is not CHRI.

Clearly, CHRI will appear in many places: police blotters, court dockets, arrest reports, pre-sentence investigations, wanted posters. Every time CHRI appears, it is governed by Title 28, unless specifically exempted. There are six (6) exemptions to Title 28: ¹

¹ "How to Implement Privacy and Security" - Theorum Handbook

The regulations in this subpart (b) shall not apply to criminal history information contained in: (1) poster, announcements, or lists for identifying or apprehending fugitives or wanted persons; (2) original records of entry such as police blotters maintained by criminal justice agencies, compiled chronologically and required by law or long standing custom to be made public, if such records are organized on a chronological basis; (3) court records of public judicial proceedings; (4) published court or administrative opinions or public judicial, administrative or legislative proceedings; (5) records of traffic offenses maintained by State departments of transportation, motor vehicles or the equivalent thereof for the purpose of regulating the issuance, suspension, revocation, or renewal of driver's, pilot's, or other operator's license; (6) announcements of executive clemency. Section 20.20b.

Criminal Intelligence:

Information which has been processed--collected, evaluated, collated, analyzed--into data useful for law enforcement investigative purposes. Intelligence involves data collection from both overt and covert sources and is not necessarily directed at a specific arrest or prosecution.

Need-to-Know:

Requested information is pertinent and necessary to the requestor agency in initiating, furthering, or completing an investigation.

Right-to-Know:

Requestor agency has official capacity and statutory authority to the information being requested.

Media Sources:

Any information which is accessible and disseminated to the public through commercial outlets.

Member (law enforcement) Agencies:

Refers to statutorily mandated law enforcement agencies of general jurisdiction having an intelligence function.

• • • • •

BRM:JL/C.C.A.*6/3/87

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Constitution

and -



Bylaws



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File # 44-1986

WESTERN STATES INFORMATION NETWORK

Founded 1980

Constitution and Bylaws

Adopted

February 27, 1981

Amended

December 13, 1985

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WESTERN STATES INFORMATION NETWORK (WSIN)
CONSTITUTION AND BYLAWS
TABLE OF CONTENTS

CONSTITUTION

	<u>Page</u>
Article I	1
Name and Purpose	1
Section A. Name	1
Section B. Purpose	1
Article II	2
Membership	2
Section A. Definition	2
Section B. Qualifications for Membership	2
Section C. Application for Membership	2
Section D. Election of Membership	3
Section E. Duties of Membership	3
Section F. Termination and Reinstatement	3
Article III	4
Organization	4
Section A. Policy Board	4
Section B. Director	5
Section C. Advisory Members of the Policy Board	5
Section D. Voting Requirements	5
Section E. Zones	5
Article IV	6
Functions and Responsibilities	6
Section A. Policy Board	6

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	Section B. Director	6
	Section C. Advisory Members of the Policy Board	6
Article V	Meetings and Quorums	6
	Section A. Policy Board	6
Article VI	Amendments	6
	Section A. Initiation	6
	Section B. Adoption	7

BYLAWS

Article I	Input/Access Criteria	8
Article II	Input Procedure	10
Article III	Access Safeguards	10
Article IV	Access Procedures	11
Article V	Utilization of Information	13
Article VI	WSIN Main File	13
Article VII	Local Files	23

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Article VIII	WSIN Criminal Intelligence Operating Principles	24
Article IX	Status and Conditions Pertaining to WSIN Personnel	26
Glossary		28

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WSIN CONSTITUTION
ARTICLE I - NAME AND PURPOSE

SECTION A. NAME

This organization shall be known as the Western States Information Network (WSIN). The scope of WSIN's interest falls within the area of information and intelligence pertaining to narcotics. It is a Multi-State, Multi-Jurisdictional Program with emphasis on field collection of intelligence and furnishing analytical services to all member law enforcement agencies in Alaska, California, Hawaii, Oregon and Washington. It is not intended that its scope will include the area of general criminal intelligence.

SECTION B. PURPOSE

The purpose and goals of WSIN are to:

1. Promote the exchange of confidential narcotics information and narcotics intelligence through a consolidation of narcotics information regarding individuals who are involved or associated with major illicit narcotic traffickers and to provide for the collation and correlation of such information and intelligence.
2. Emphasize intelligence related to those criminals trafficking in large quantities of narcotics and dangerous drugs.
3. Facilitate the dissemination of information concerning narcotic suspects who are considered dangerous or who are fugitives.
4. Establish and maintain a central index of confidential narcotic information and provide for its dissemination.
5. Encourage the development of personal relationships and trust among the individual members of the organization.
6. Provide Headquarters and a Central Repository in Sacramento, California with Regional Coordinators geographically located throughout the member states.
7. Provide an automated and manual storage of intelligence information at Headquarters.
8. Provide a dedicated telecommunication system to service the needs of WSIN.

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9. Provide in-depth analytical support, develop trends and projections relating to narcotic distribution networks and review the multi-state narcotic intelligence collected.
10. Provide funds to support multi-jurisdictional narcotic enforcement operations by supplying per diem and travel funds, special equipment rentals and other expenditures approved by the WSIN Board.
11. Provide a pool of compatible surveillance equipment available to member agencies involved in multi-jurisdictional narcotic investigations. .

ARTICLE II - MEMBERSHIP

SECTION A. DEFINITION

The following shall constitute members:

1. Law Enforcement agencies which:
 - a. Meet the qualifications for general membership as specified in Section B of this Article, and
 - b. Have been approved for membership by the two Policy Board Members from the applicant's state, and
 - c. Have been elected to general membership by a majority vote of the WSIN Policy Board.

SECTION B. QUALIFICATIONS FOR MEMBERSHIP

1. GENERAL MEMBERSHIP

To be eligible for general membership a law enforcement agency must have a narcotics enforcement or narcotics intelligence detail or be a cooperative multi-jurisdictional narcotic enforcement group within a member state of WSIN.

SECTION C. APPLICATION FOR MEMBERSHIP

1. Application for membership shall be made by the applicant agency's chief administrator on a WSIN application form.
2. Application forms are provided by WSIN Headquarters and are available through WSIN Regional Coordinators.

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Western States Information Network
California Department of Justice
P. O. Box 903198
Sacramento, California 94203-1980

4. After processing, WSIN will refer a copy of the application to the appropriate Regional Coordinator. The applicant's Regional Coordinator shall be responsible for coordinating any necessary investigation and making a recommendation to the Policy Board.

SECTION D. ELECTION OF MEMBERSHIP

Election to membership shall be by majority vote of the WSIN Policy Board.

SECTION E. DUTIES OF MEMBERSHIP

Each member agency, through each of its representatives, is responsible for insuring that the information held in its local WSIN file or acquired through WSIN shall be adequately secure to insure against compromise or access not authorized in these constitution and bylaws.

SECTION F. TERMINATION AND REINSTATEMENT

1. Involuntary termination of membership is a last resort of this organization. It is assumed, therefore, before a problem reaches the magnitude that termination is considered, the Regional Coordinator, Director and the Policy Board members will have attempted to resolve it. When termination is considered, however, the Director, the Policy Board Members from that State, and particularly the Regional Coordinator concerned, shall make an effort to resolve and eliminate the cause for termination. This effort must include a discussion of the reason for termination with the member agency's primary representative and notification to the member agency's chief administrator that involuntary termination is pending. The Director has authority to temporarily withhold WSIN information from a suspect agency. The Director must immediately notify all members of the Policy Board of the action taken. If the member agency has not resolved the problem within 30 days, the Policy Board must make a decision regarding

termination of that member agency. Involuntary termination must be by two-thirds vote of the Policy Board.

Cause for termination of a member agency may include:

- a. Its membership is detrimental to WSIN aims.
 - b. Through its principal representative or its representative it willfully and negligently allows WSIN files or information to be compromised.
 - c. The agency ceases to meet the criteria of Section A.
2. A member agency which has been terminated may be reinstated by majority vote of the Policy Board. A request for reinstatement must be made in writing to the WSIN Director.

ARTICLE III - ORGANIZATION

SECTION A. POLICY BOARD

1. The Policy Board shall be:
 - a. Two representatives from each WSIN state;
 - (1) One of which has the primary responsibility of narcotic enforcement in the state.
 - (2) One other appointed by that member which has the primary responsibility of narcotic enforcement in that state.
 - b. The Director of WSIN.
2. The Chairman of the Board shall be the Attorney General of California.
3. Each board member may formally designate an alternate. The designated alternate has full authority to act on behalf of the board member in his/her absence.
4. Advisory members of the Policy Board: The Board may appoint or remove advisory members who act in an advisory capacity to the Board as they deem necessary and proper to the operation of WSIN.
5. Absence from Office:

Any Board member who is absent from his work assignment is also absent from his office in WSIN. During his absence, his designated alternate shall represent him in all matters on the

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Board of WSIN. If, however, such absence does or can be expected to exceed 90 consecutive days, the Board may by a majority vote declare his/her office vacant.

6. Vacant Offices:

Any office of the Policy Board declared vacant by the Board shall be filled as follows:

- a. The Policy Board member from the state where the vacancy exists shall appoint a representative from that state to fill the vacancy with the concurrence of a majority of the Policy Board.
- b. If the vacancy is from the agency having primary narcotic enforcement responsibility in that state, he shall be replaced with his successor.
- c. If the vacancy is from an agency other than the above, the above member shall appoint with the concurrence of a majority of the Policy Board.

SECTION B. DIRECTOR

The WSIN Director serves at the pleasure of the WSIN Policy Board.

SECTION C. ADVISORY MEMBERS OF THE POLICY BOARD

Advisory members shall be elected by majority vote of the Policy Board.

SECTION D. VOTING REQUIREMENTS

1. Each member of the Policy Board shall, with the exception of the WSIN Director, be entitled to one vote on all matters related to the overall objectives, functions or operation of WSIN.
2. Advisory members shall have no voting rights.

SECTION E. ZONES

1. WSIN shall be divided into geographic zones.
2. Each member state shall be a zone.
3. Each Zone or sub-zone shall have an assigned Regional Coordinator.

ARTICLE IV - FUNCTIONS AND RESPONSIBILITY

SECTION A. POLICY BOARD

The WSIN Policy Board sets broad policy for the overall objectives, function and operation of WSIN.

SECTION B. DIRECTOR

The Director is responsible for:

1. Setting of day to day operational policy and procedure.
2. Carryir.g out the policies formulated by the Policy Board.
3. Overall management of WSIN.

SECTION C. ADVISORY MEMBERS OF THE POLICY BOARD

Advisory members shall act in an advisory capacity to the Policy Board.

ARTICLE V - MEETINGS AND QUORUMS

SECTION A. POLICY BOARD

1. The Policy Board shall meet at least quarterly. Attendance by non-board members at a board meeting shall only be by invitation of a Policy Board member.
2. The Chairman of the Policy Board or his designee shall give timely notification to the members of any meeting during which substantive matters relating to the objectives, management, organization, function or operation of WSIN is to be voted upon. In the conduct of business during the meetings of the Policy Board, a majority of the Board shall constitute a quorum. A majority of such quorum shall be required to pass upon any matter except as specified elsewhere.

ARTICLE VI - AMENDMENTS

SECTION A. INITIATION OF AMENDMENTS

Amendments to this constitution and bylaws may be initiated in the following manner:

1. POLICY BOARD

Any member of the Policy Board may initiate an amendment or change to these constitution and bylaws:

- a. At any regular meeting of the Policy Board, or
- b. At a special meeting.
 1. A special meeting may be called by the Chairman or by a majority of the Board.
- c. Under exigent circumstances, the Chairman may conduct a telephonic meeting with a quorum of the Board.

SECTION B.

ADOPTION OF AMENDMENTS

1. Amendments to this constitution and bylaws initiated by any member of the Policy Board may be acted upon at any regular or special meeting of the Policy Board, provided:
 - a. The initiating member of the Board has provided written notice to all Board members of the proposed change or amendment not less than thirty (30) days prior to the Policy Board's action.
2. Amendments to this Constitution and Bylaws requires a two-thirds vote of the Policy Board.

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BYLAWS

ARTICLE I. INPUT/ACCESS CRITERIA

SECTION A. INPUT CRITERIA

Member agencies will submit only that information which generally conforms to the following guidelines:

1. Those persons or organizations having the capability of furnishing, selling or manufacturing or those persons or organizations apparently providing the finances or other support to those who furnish, sell, or manufacture the following substances:
 - Heroin
 - Cocaine
 - Hashish
 - P.C.P.
 - LSD
 - Restricted Dangerous Drugs
 - Marijuana
 - Hashish Oil
 - Other Substances which may have regionwide interest (e.g., exotic drugs)
2. Criminal associates who are known or suspected to be illicitly involved with the above person or organizations.
3. Informants who should be brought to the attention of the WSIN members due to their adverse or unfavorable past performance as an informant (e.g., furnishing identical information to more than one officer or agency for duplicative reward or favor, predilection to come into permanent possession of undercover funds by trick, subterfuge, device, force, or tendencies to talk more than they can produce).
4. All information shall identify the reliability of the source and probability of the content utilizing the following guidelines:
 - Source Reliability
 - A. Reliable - Source's reliability unquestioned or has been well tested in the past.

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- B. Usually Reliable - Source's information can usually be relied on as factual.
- C. Unreliable - Reliability of source sporadic in the past.
- D. Unknown - Source whose reliability has not yet been tested.

Content Probability

- 1. Confirmed - Information has been corroborated by trusted sources.
- 2. Probable - Information consistent with past experience.
- 3. Doubtful - Information inconsistent with the past.
- 4. Cannot be Judged - No way to evaluate the information.
- 5. All information submitted shall be supported by backup documents which shall be maintained on file by the submitting agency.

SECTION B. ACCESS CRITERIA

- 1. WSIN intelligence information shall be disseminated only where there is a need to know/right to know the data in the performance of a law enforcement activity.
 - a. NEED TO KNOW - Requested information is pertinent and necessary to the requestor agency in initiating, furthering or completing an investigation.
 - b. RIGHT TO KNOW - Requestor agency has official capacity and statutory authority to the information being requested.
- 2. Direct access to information in the Western States Information Network (WSIN) main files shall be limited to designated representatives of member agencies on file in WSIN.
- 3. Access to main and local WSIN files shall be limited to the following personnel:
 - a. Primary Liaison Officer
 - b. Alternate Liaison Officers

ARTICLE II. INPUT PROCEDURE

- SECTION A. Submission of information to the WSIN main file will follow the procedure set forth below:

1. Contributor will ensure that the subject meets the input criteria set forth above in the Bylaws, Article I, Section A, and, if practical, check whether the specific information is already in file.
2. Contributor will prepare duplicate WSIN subject cards, filling in as much of the requested information as is possible and consistent with the philosophy of the detail's principal representative.
3. Contributor will mail one subject card to:

Western States Information Network
California Department of Justice
P. O. Box 903198
Sacramento, California 94203-1980
4. The second card will be maintained in the local agency WSIN file.

ARTICLE III. ACCESS SAFEGUARDS

SECTION A. Before releasing any information in the WSIN main file, WSIN will ensure that the person to whom the information is to be released is authorized access to that information according to these Constitution and Bylaws.

SECTION B. Telephonic access to information in the WSIN main file can be accomplished only on a call-back basis, unless WSIN has otherwise complied with Section A of this Article.

SECTION C. To ensure the integrity of the main file, the following precautions will be adhered to:

1. Each member agency's primary liaison officer (PLO) or Unit Commander shall notify WSIN immediately upon any change in personnel authorized access to information in the WSIN main file.
2. Upon the initial submission to WSIN of the name of a member representative authorized access to the WSIN main file, the submitting agency will submit a personnel security control card containing certain personal information regarding that person. The information thus ascertained will be sufficient for WSIN to ensure that when an individual calls and purports to be a particular person who is authorized direct access, it can be satisfied as to the individual's identity.

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SECTION D. Any agency contributing information to WSIN will have absolute right to control and restrict the distribution of and access to his information, consistent with these Constitution and Bylaws. In submitting information to the WSIN main file, the contributing agency will indicate the confidentiality level of his input as follows:

- "RELEASE INFO" - This authorizes WSIN to release, to any authorized individual, the information.
- "RELEASE AGENCY" - This authorizes WSIN to release, to any authorized individual, only the name of the agency and person to contact for possible information.
- "NO RELEASE" - This restricts WSIN from releasing any information without prior contact and instruction from the contributing agency.

ARTICLE IV. ACCESS PROCEDURES

SECTION A. TELEPHONIC INQUIRIES - Authorized Callers

1. Upon calling WSIN, the caller will state his name, agency, telephone number where he is to be called back and the nature of the information sought.
 - a. The caller should not expect to receive any acknowledgement at this time as to whether the subject of the inquiry is in file.
2. WSIN will return the call, establish the identity of the individual, and proceed as follows or merely proceed as follows if the inquirer is known and is authorized direct access:
 - a. If the subject of the inquiry is in file, WSIN will, dependent upon the instructions on the input card, either give the requested information to the caller, or advise the caller whom he may contact and how to acquire the information sought.
 - b. If the subject of the inquiry is not in file, WSIN will so notify the caller and request that the caller submit an input card on the individual. WSIN will put a temporary input card

- in file pending receipt of the permanent card from the caller, if the subject meets the input criteria.
3. In responding to inquiries, WSIN will honor the dissemination instructions of the contributing agency.

SECTION B. TELEPHONIC INQUIRIES - Non-Authorized Callers

1. In the event a law enforcement agency that is not authorized access to WSIN files makes an inquiry to either WSIN or a member agency regarding a WSIN subject, the individual receiving the call will follow this procedure.
 - a. He may release any information which caller or his agency originated.
 - b. He may not acknowledge that the subject of the inquiry is a WSIN subject or that any other member agency does or may have additional information.
 - c. He will notify the member agency or agencies which have contributed information of the inquiry. The contributing agency may, at its discretion, contact the non-member and furnish that information which it (the member agency) has originated.

SECTION C. PERSONAL INQUIRIES

1. The same general guidelines given in this Article, Sections A & B, shall prevail in dealing with in-person inquiries.
 - a. Be sure of whom you are talking to.
 - b. Ensure that he is authorized access to the information he wants.
 - c. Do not compromise someone else's information.

ARTICLE V. UTILIZATION OF INFORMATION

SECTION A. CONTROLLING CONTRIBUTOR

1. In the course of a cooperative sharing of information such as in WSIN, it is obvious that occasions may arise where two or more agencies are actively engaged in an investigation of the same subject. One of the underlying purposes of WSIN is to identify

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and minimize the occurrence of this waste of resources. Therefore, WSIN has adopted the concept of "Controlling Contributor."

2. The "controlling contributor" is the member agency to which other member agencies voluntarily concede jurisdiction over the investigation of the subject or case.
3. Final determination as to which member is the controlling contributor must be resolved by the members whose investigations conflict. The determination, however, should depend heavily upon which member:
 - a. Has given timely notification of its investigation to other members by input to the main file,
 - b. has invested the greatest resources,
 - c. is closest to arrest and prosecution, and
 - d. has the greatest potential of getting to the more significant and/or greater number of major violators.
4. Provided the controlling contributor has given timely notification of its pending investigation to other members by inputting the subject(s) involved into the main file, it shall be considered contrary to the spirit and letter of WSIN's Constitution and Bylaws for another member to open its own case on such subject(s).
5. Whenever possible, members having a conflict in investigations should attempt to pool information and resources and work the case jointly.

ARTICLE VI - WSIN MAIN FILE

SECTION A. CATEGORIES

WSIN will maintain a minimum of 15 cross-referenced files:

1. Name (individuals and organizations)
2. Address (residence and business)
3. Physical Description (including visible scars, marks and tattoos)
4. Telephone Numbers
5. 'scellaneous Numbers
6. Moniker
7. Events, Dates and Geographical Location

8. Alias
9. Associates
10. Sentence Status
11. Crime Category
12. Aircraft and Boats
13. Vehicles
14. Unreliable Operators
15. Submitting and Interested Agencies

SECTION B. OPERATION OF MAIN FILE

This section outlines the functions of WSIN staff members during the input and output phases of narcotic intelligence information. It establishes responsibilities, all for the purpose of insuring a smooth, well-organized and rapid operation.

1. Input of information:

The initial step in the input work process is the receipt of WSIN Subject Cards or a WSIN Supplemental and Update Card, or when applicable, police reports, surveillance reports, and other related documents submitted by WSIN member agencies and Regional Coordinators. A receipt will be sent to all members for Subject and Supplemental Cards received by the WSIN Unit and for reports submitted to WSIN at the request of the WSIN Analysts or Regional Coordinator. A difference exists in the processing of incoming material, depending on the nature of the material; therefore, the remainder of this section will address itself to the manner in which the various items of input material will be handled by each staff member.

a. WSIN Subject Cards: Upon receipt of a WSIN Subject Card, which is the most important input by member agencies and the basic indication for detailed analysis, the Program Administrator, or his designate, hereafter referred to as the File Control Monitor (FCM), will:

- (1) Log the card in the Incoming Documents and Phone Calls Log Book.
- (2) Enter basic information in the On-Going Input List, by Agency submitting the information and name of subject.

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- (3) Refer card to the Watch Center for file check and determination on disposition of card. In all cases, whenever it is apparent that two or more agencies have submitted WSIN subject cards on the same subject and there is no indication that the two agencies are engaged in a joint investigation, the Watch Center will call the agencies and bring this matter to their attention immediately.
- (4) The Watch Center, in their initial processing stage, will review subject card and determine if the subject meets the input criteria.
 - (a) If it is determined that subject does not meet the input criteria, Watch Center Personnel will add their comments and recommendations on a routing slip and refer the card to the Program Administrator, for determination of final dispositive
 - (b) If, it is determined that the input criteria is met, the subject card will be returned to the FCM for development of additional information and subsequent analytical processing.
- (5) When the card is returned for retention in WSIN files, the FCM and Watch Center personnel will complete the following:
 - (a) The Watch Center Personnel will enter information from the WSIN subject cards in Cross-Referenced Files as delineated in Article VI, Section A.
 - (b) After the coding and entry process has been completed, the card will be submitted to the analyst section for analytical processing and screening for Class I and II Violators (by federal standards). Once it is determined that Class I & II Criteria exist, the following actions will be taken, subject to the approval of the Program Administrator.

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- 1) All available reports, information and intelligence regarding the subject will be collected and analyzed.
 - 2) As the information is developed, coordinated and analyzed, reports will be prepared and disseminated to all agencies concerned.
 - 3) After all the known information has been collected and analyzed, a final report will be prepared summarizing the previous reports and stating the subject's MO, source of supply, associates, businesses, travel patterns, vehicles, arrest, etc.; and a copy of the finalized report will be dispatched to each interested member agency.
 - 4) Information will be compared to other Class I Violators in order to develop and determine the extent of organized crime's involvement in illicit narcotics and dangerous drug traffic in the WSIN States.
 - 5) Additionally, information concerning Class I violators will continually be collected, updated and analyzed. Reports resulting from this activity will be forwarded to interested member agencies.
- b. Other Narcotics Intelligence and Information: When other narcotics information and intelligence other than WSIN Subject Cards are received (i.e., police reports, intelligence reports), the incoming documents will be referred to the Analytical Unit which will:
- (1) Review the information to determine if the subject of the report meets WSIN's input requirements. If a negative determination is made, the procedures as stated in Section B, paragraph 1, (4) (a) will apply.
 - (2) If in the affirmative, the analyst will prepare a WSIN subject card. The WSIN Subject Card will then be processed in the same manner as those submitted by member agencies.
 - (3) Upon completion of the above actions, the indicated documents will be placed in a case file and the Subject

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Card will then be forwarded to the Watch Center for coding and entry into the WSIN Main File.

c. Output of Information:

The output of information to all interested member agencies, in most cases, will result from analytical work completed on incoming WSIN Subject Cards. Such information will not be restricted to that particular function, but may be the resulting information derived from incoming police reports, arrest reports, surveillance reports, etc., and from intelligence reports initiated within the WSIN Unit. To accomplish a continuity in the outflow of pertinent information, it is essential that specific responsibilities be assigned to the various members of the WSIN Unit. The system to be employed, is as follows:

(1) Log Book:

The FCM will log in all requests for information made by member agencies in the Incoming and Outgoing Documents Log Book. Information to be recorded will include date and time of request, requesting WSIN agency and individual authorized to initiate requests, and the action taken. The FCM will log in all copies of information and intelligence reports disseminated to WSIN member agencies. Information to be logged will include the date and time dispatched, addressee (agency and individual), subject material dispatched, authorizing WSIN Unit official, handling instructions, and date receipt is received from addressee. Additionally, a dated routing slip will be attached to the subject material, signed by the Watch Center Supervisor, indicating the intended recipient by name, title, agency and handling instructions. The routing slip will be attached to the original copy of the subject material being dispatched which in turn will be filed in the case file. In the case of WSIN subject cards, a notation will be entered in the inquiry status section. A receipt form will be attached to subject material being dispatched to be signed by the authorized

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recipient. When the receipt is returned to the WSIN Unit, it will be attached to the routing slip and the original copy of the subject material originally dispatched.

(2) Intelligence Reports:

Intelligence reports submitted to member agencies may include a myriad of information pertaining to a number of areas of interest to member agencies. Among these, but not limited to them, will be reports resulting from:

- (a) Information collected and analyzed on all illicit laboratories manufacturing narcotics and dangerous drugs. This will include data relating to chemists, associates, locations of the laboratories, type of narcotic or drug being manufactured, distribution points and methods of transportation, and kinds of equipment and chemicals needed for production.
- (b) Special studies conducted on aircraft and pilots who are engaged in the smuggling of narcotics and dangerous drugs. This will include information such as the description of the type of aircraft used by smugglers and their capabilities (load capacity, flying distance, speed, etc.), actual aircraft used by smugglers, landing strips, type of contraband being smuggled, flight patterns and background investigations of the pilots.
- (c) Special studies on watercraft used for smuggling of narcotics and dangerous drugs conducted and processed in the same manner as aircraft.
- (d) Special studies conducted on new narcotics and drugs introduced by drug dealers on the street so that officers conducting undercover investigations will be currently informed on new trends regarding street traffic. Studies will also be conducted on any other technical matters of interest to narcotic officers.
- (e) Case files will be maintained on WSIN subjects and/or organizations on which special reports and studies have been prepared.

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(3) Telephonic Requests:

Dissemination of information in response to telephonic requests from member agencies will be in keeping with the access safeguards and access procedures as stipulated in Article III and IV of the Bylaws. In actual practice, the in-house procedures will revolve around the Watch Center Supervisor who will respond directly to such requests. The procedures to be employed in response to telephonic inquiries from authorized callers and non-authorized callers are:

(a) Authorized Callers:

These callers are those individuals to whom WSIN information is authorized to be released in accordance with provisions of the Constitution and Bylaws.

- (b) Watch Center personnel receiving the call will make appropriate entries in the Incoming Phone Calls Log.
- (c) Upon receipt of telephonic inquiries, the Watch Center will adhere to the "call-back" policy.
- (d) Prior to releasing information, the Watch Center will ascertain that a WSIN Security Control Personal Data Card bearing the caller's name, agency and seven items of personal data is filed in the Authorized Members Index File.
- (e) The Watch Center will return the call and ask the individual at least three of the items of personal data to ensure that he is, in fact, the individual on record. After determining that he is the authorized individual, the Watch Center personnel will furnish the information requested; if restricted dissemination is imposed, Watch Center personnel will follow submitting agencies requirements.
- (f) If the subject is not in file, the caller will so be advised and asked for other pertinent data (associates, MO, etc.) in order to meet input criteria for a temporary entry. The Watch Center will file a temporary Subject Card pending receipt of a permanent card from the caller.

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The Watch Center will identify the subject card as temporary.

- (g) In all cases, the dissemination restrictions set forth by the contributing agency will be strictly honored.
- (h) Watch Center personnel will ensure that the return calls are entered into the Watch Center Log Book.
 - (a) A copy of the Watch Center Log Book will be made by the FCM and retained in WSIN Administration Files.
- (i) The final action to be taken in regard to inquiry responses is the entry to be made by the Watch Center in the Inquiry Status Section of the Subject Card.

(4) Management Information:

For statistical, as well as management purposes, it will be necessary to maintain records of the number of telephonic and written requests submitted by member agencies. This will be accomplished by an actual count of requests recorded in the Watch Center Log Book. Additionally, this will serve to make comparisons of input versus output of material by specific agencies.

The FCM will be responsible to ensure that a monthly total of inputs and requests by agencies, in alphabetical order, is prepared and submitted to the Supervisor, Administrative Services by the tenth working day of the following month.

SECTION C. MAINTENANCE OF MAIN FILE

The purpose of this section is to establish permanent procedures for the WSIN files. It shall be the policy of the WSIN unit to constantly review the files so that only known or suspected narcotic and drug traffickers and criminal associates are entered into and retained in the WSIN files. Every effort shall be made to adhere to this policy so that the privacy of non-criminal and innocent people shall be protected.

1. Auditing of Files:

On a continuing basis the Director or his designate shall: Audit the operations of WSIN in order to monitor its compliance with WSIN procedures.

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2. Reviewing Process:

All WSIN files shall be reviewed on a continuing basis by supervisory personnel selected by, and under the direction of, the WSIN Director. Information which is outdated or for some reason is no longer relevant shall be purged.

3. Purging Schedule:

Information no longer relevant shall be purged according to the following schedule:

- a. Permanent files on Class I, II, or III violators which have not been updated within the last five-year period.
- b. Limited files on Class IV violators which have not been updated within the last two years.
- c. Temporary files (telephone inquiries) which have not been updated within the last six months.

ARTICLE VII. LOCAL FILES

SECTION A. Each member agency shall maintain a file of backup documents to support all subjects it submits to the WSIN main file, and it shall ensure that the documents are kept current and secure.

SECTION B. Each member will maintain its WSIN card files current as to:

- 1. Information received
- 2. Information requested
- 3. Status of investigation

SECTION C. Regional Coordinators shall periodically review local backup documentation files to assure compliance with Article VII, Sections A and B.

ARTICLE VIII. WSIN CRIMINAL INTELLIGENCE OPERATING PRINCIPLES

SECTION A. 1. Criminal intelligence information contained in WSIN files concerning an individual shall be collected and maintained only if

it is reasonably suspected that the individual is involved in criminal activity and that the information is relevant to that criminal activity.

2. No records shall be maintained or collected about political, religious or social views; association or activities of any individual group, association, corporation, business or partnership unless such information directly relates to an investigation of criminal activities and there are reasonable grounds to suspect the subject of the information is or may be involved in criminal conduct.
3. No information which has been obtained in violation of any applicable Federal, State or local law or ordinance shall be included in any criminal intelligence system.
4. Intelligence information shall be disseminated only where there is a need to know/right to know the data in the performance of a law enforcement activity.
5. (1) Except as noted in (2) below, intelligence information shall be disseminated only to other law enforcement authorities who shall agree to follow procedures regarding data entry, maintenance, security and dissemination which are consistent with these standards.
(2) Paragraph (1) above shall not limit the dissemination of an assessment of criminal intelligence information to a government official or to any other individual when necessary to avoid imminent danger to life or property. The release of information shall be accomplished only upon the specific approval of an authorized agent of the contributing agency or the Director of WSIN.
6. Agencies maintaining criminal intelligence data shall adopt administrative, technical and physical safeguards (including audit trails) to insure against unauthorized access and against intentional or unintentional damage. A written record indicating who has been given data, reason for release, and date of each dissemination outside the agency is to be kept. Information shall be labeled to indicate levels of sensitivity, levels of confidence and the identity of control agencies and officials.

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7. Procedures shall be adopted to assure that all information which is retained has relevancy and importance. Such procedures shall provide for the periodic review of data and the destruction of any information which is misleading, obsolete or otherwise unreliable and shall require that any recipient agencies be advised of such changes. All information retained as a result of this review must reflect the name of the reviewer, date of review and explanation of decision to retain.
8. Assurances shall be made that there will be no purchase or use in the course of the project of any electronic, mechanical or other device for surveillance purposes that is in violation of the provisions of Title III of Public Law 90-351, as amended, or any applicable state statute related to wiretapping and surveillance.
9. Assurances shall be made that there shall be no harassment or interference with any lawful political activities as part of the intelligence operations.
10. Sanctions shall be adopted to control unauthorized access, utilization or disclosure of information contained in the system.

SECTION B.

1. The Director of WSIN is officially responsible and accountable for actions taken in the name of the Western States Information Network and will certify in writing that he takes full responsibility and is accountable for ensuring that the information transmitted to member WSIN agencies or to other agencies is in compliance with the standards set forth above.
2. Each member agency of WSIN, as a condition of membership, must accept in writing these standards which govern the collection, maintenance and dissemination of information included in the WSIN system.

ARTICLE IX. STATUS AND CONDITIONS PERTAINING TO WSIN PERSONNEL

SECTION A.

All WSIN personnel are unsworn members of law enforcement agencies. The duties of WSIN personnel are confined to liaison with and support of member agencies. Such liaison and support activities include dissemination of information collected by member agencies to other

agencies requesting the information; providing fixed site technical assistance to member agencies; and assisting in the completion of required reports, analyses and evaluation.

WSIN personnel shall not involve themselves in the handling of informants (including paying informants or presence during the payment of informants or introducing informants to member agencies).

WSIN personnel shall not actively participate in primary investigative activity (including collection of new intelligence from overt or covert sources, purchases of evidence or undercover operations such as drug buys or sting operations).

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GLOSSARY

POLICY BOARD - That body which determines WSIN policies, functions, procedures and which passes on all matters relating to membership.

INPUT CARD - Form used (1) to initially submit information to the WSIN main file, and (2) to record information in WSIN local files.

FILE, WSIN LOCAL - Compilation of separate records (usually WSIN input cards) pertaining to WSIN subjects which are maintained by member agencies.

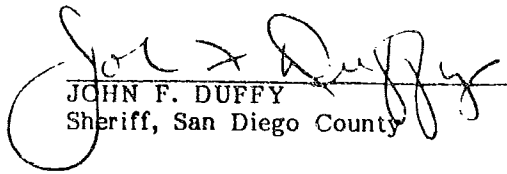
FILE, WSIN MAIN - Compilation of input cards, cross-reference files, studies and analyses pertaining to WSIN subjects. The main file is located in the Department of Justice, WSIN, and is maintained by that agency.


MEMBER WSIN - A law enforcement agency which has been elected to WSIN; contraction of "member agency."

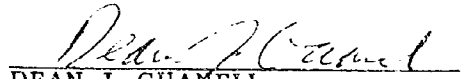
PRIMARY LIAISON OFFICER - A representative of a member agency who has been appointed by his commander as the agency's focal point for WSIN contacts.

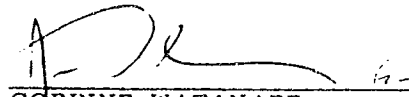
ALTERNATE LIAISON OFFICER - Personnel, other than the commander or PLO of a general member's narcotic unit.

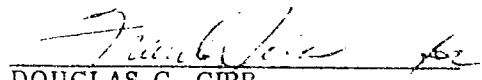

JOHN K. VAN DE KAMP
Attorney General

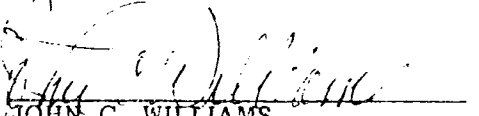

JOHN F. DUFFY
Sheriff, San Diego County



MICHAEL KOLIVOSKY
Director, Alaska State Trooper



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for 
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Attorney General, Oregon


GEORGE TELLEVIK
Chief, Washington State Patrol


WILLIAM H. WIESTER
Sheriff, Lewis County


S. BERT JENSEN
Director, WSIN

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Jane Bland

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PRESIDENT'S SIGNATURE

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