2015 APAAC ANNUAL PROSECUTOR CONFERENCE

June 17-19, 2015
Tucson, Arizona

Using Intelligence to Make Your Case

Presented By:

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Department of Public Safety

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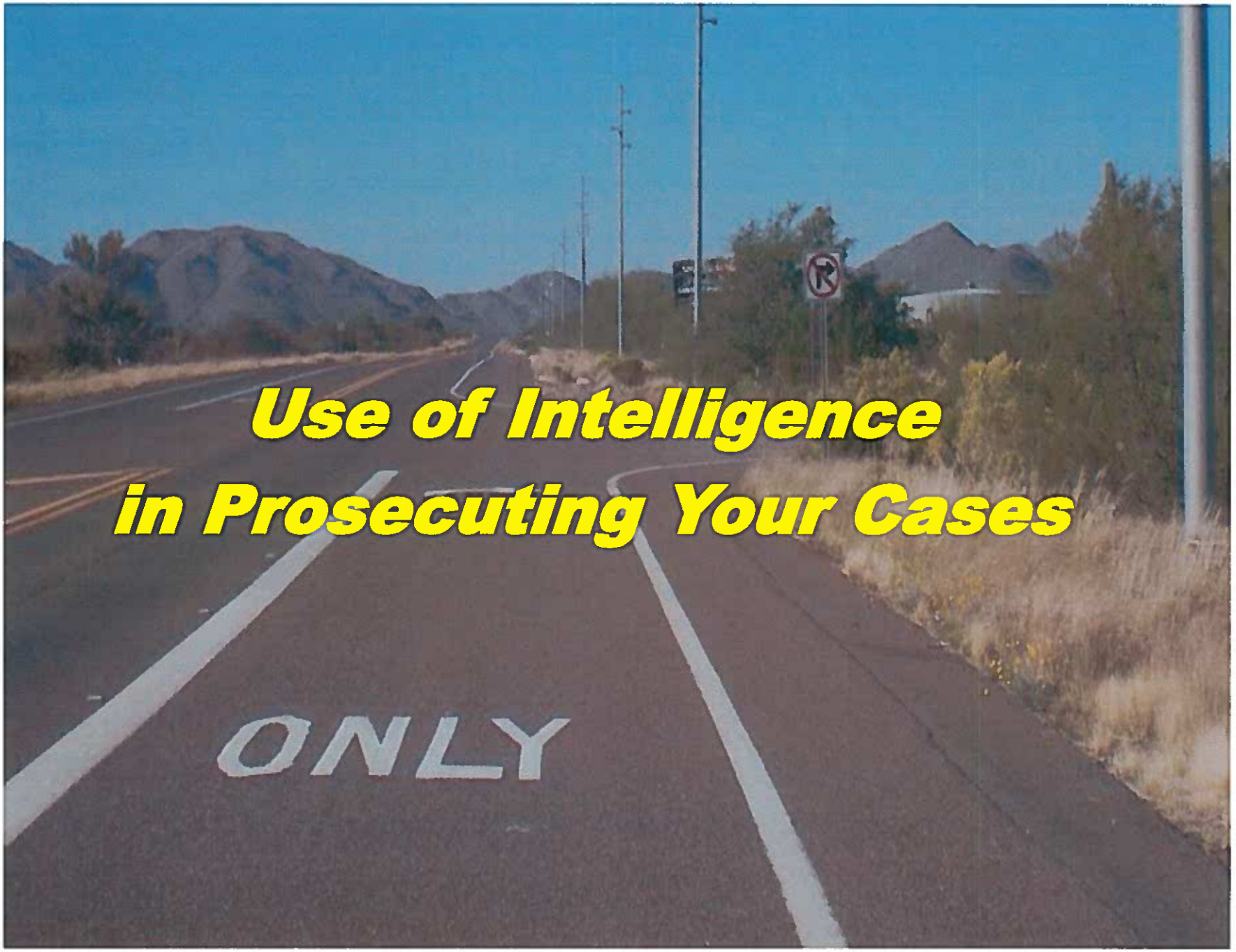
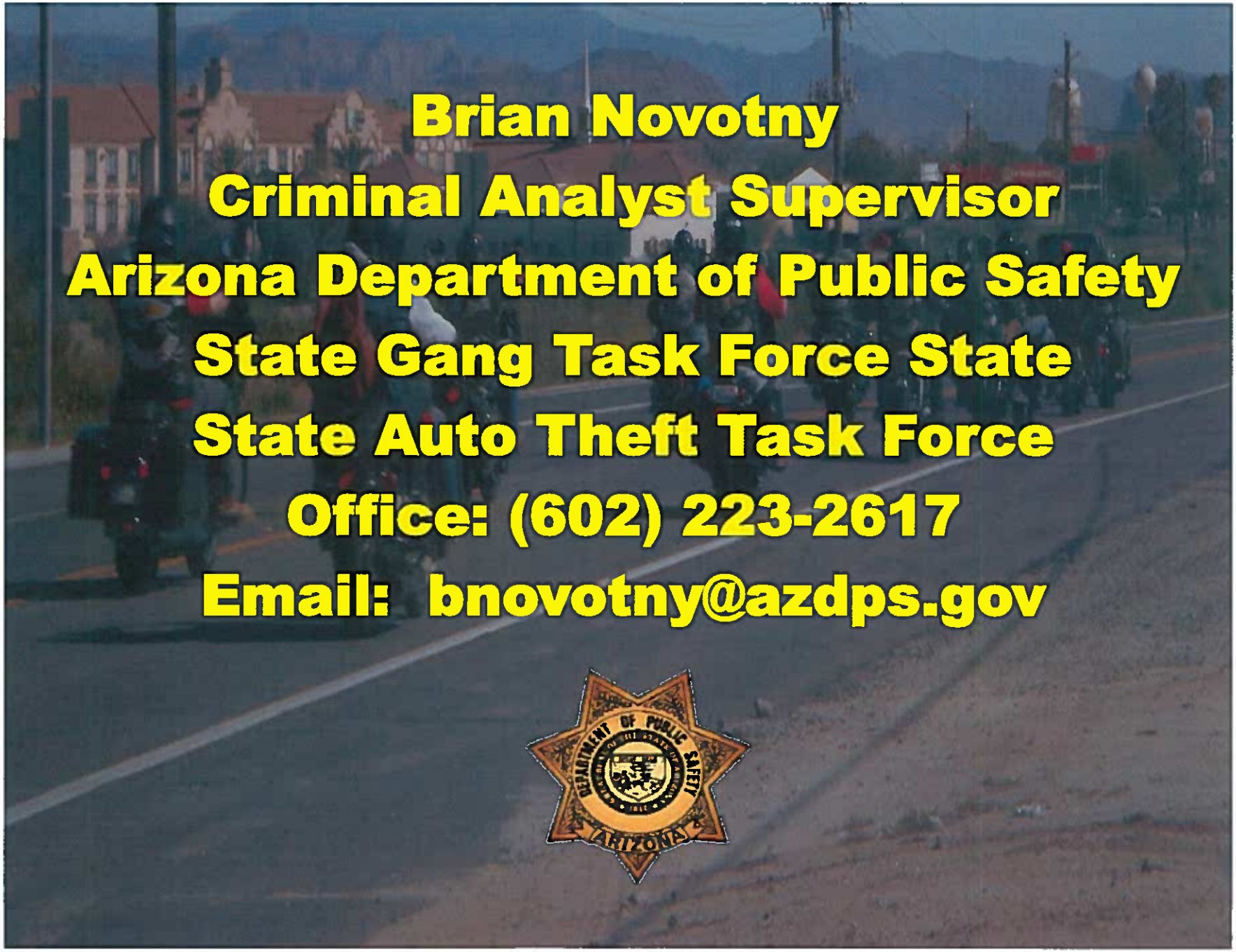

Use of Intelligence
in Prosecuting Your Cases
ONLY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DEPARTMENT OF PUBLIC SAFETY
ARIZONA

Disclaimer

The viewpoints and comments in this presentation are mine and do not represent the Arizona Department of Public Safety.

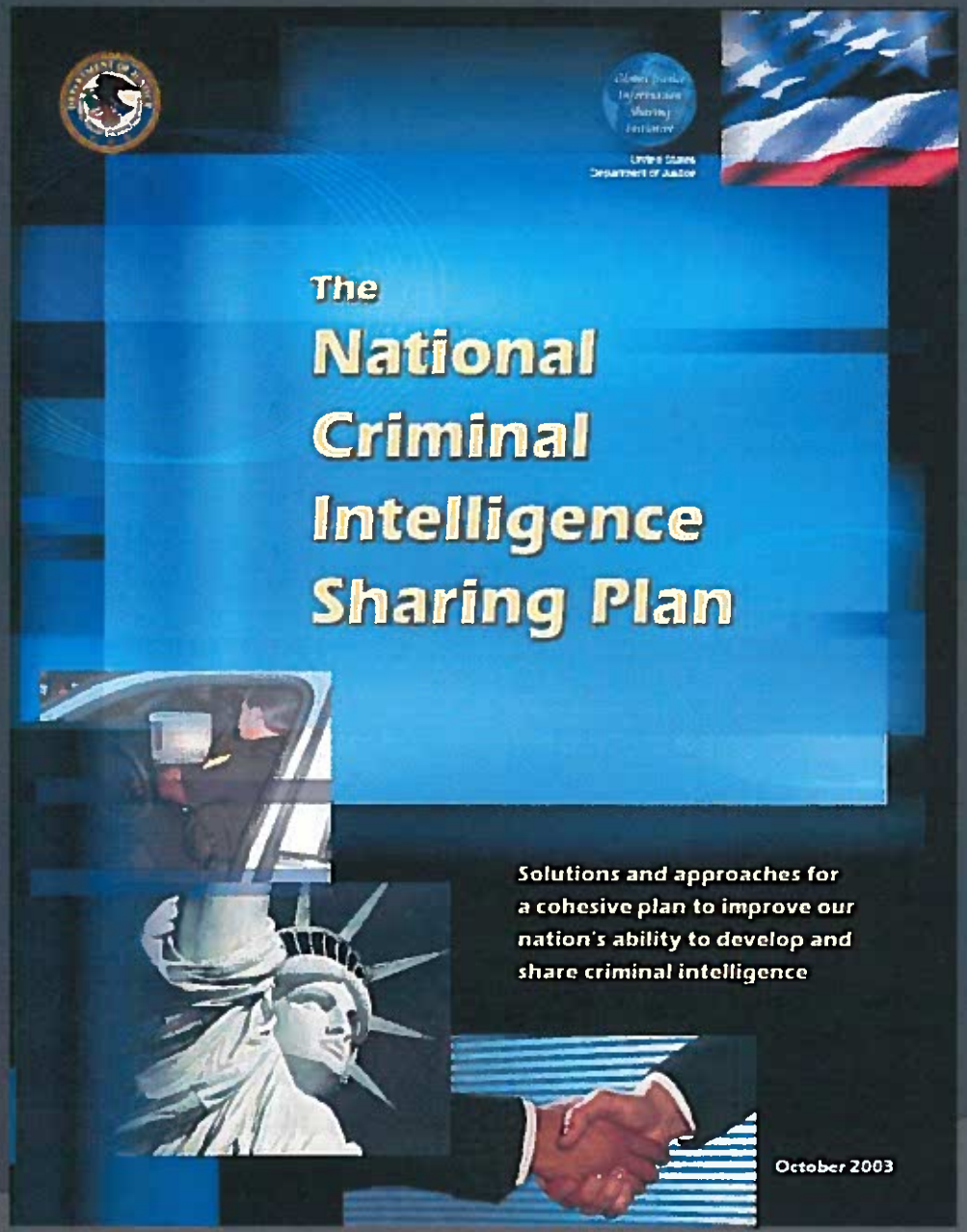
I also apologize for any comments or photos you might fine offensive so don't complain to my Captain.

Thanks

Overview / Objective

As we move from topic to topic please keep in mind...

- **Constitutional Rights**
- **Religious Freedoms**
- **Legal issues of keeping intelligence files on people or groups – 28 CFR Part 23**
- **Public attitude towards law enforcement**



How we are all going to work together after 9/11...

Guidelines to follow...

U.S. NATIONAL INTELLIGENCE
AN OVERVIEW 2013

INTELLIGENCE COMMUNITY DIRECTIVE
NUMBER 200

MANAGEMENT, INTEGRATION, AND OVERSIGHT OF INTELLIGENCE COMMUNITY ANALYSIS

MINIMUM CRIMINAL INTELLIGENCE TRAINING STANDARDS
for Law Enforcement and Other Criminal Justice Agencies in the United States
Findings and Recommendations

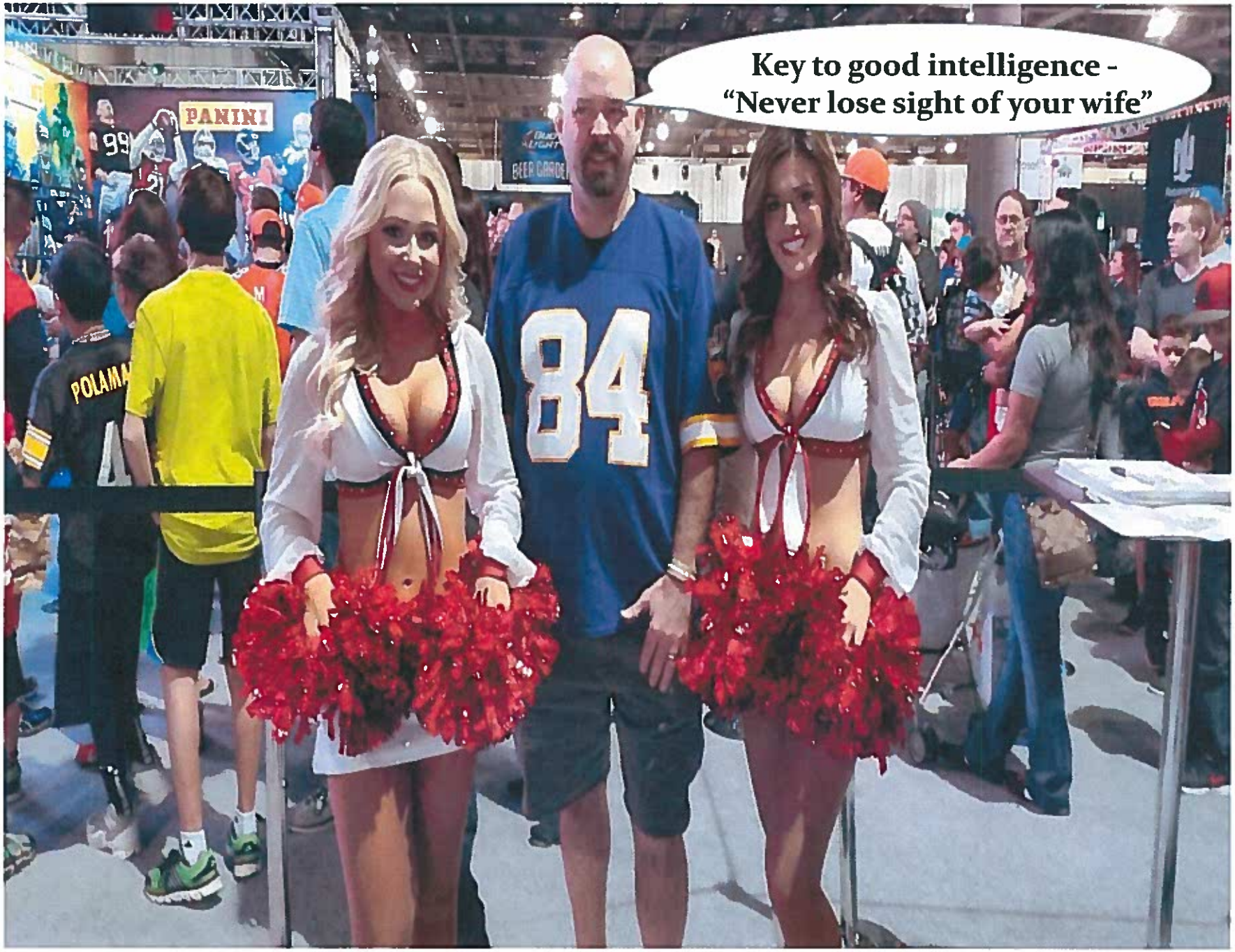
October 2007
Version 2

An International Intelligence Network

CRIMINAL INTELLIGENCE FILE GUIDELINES

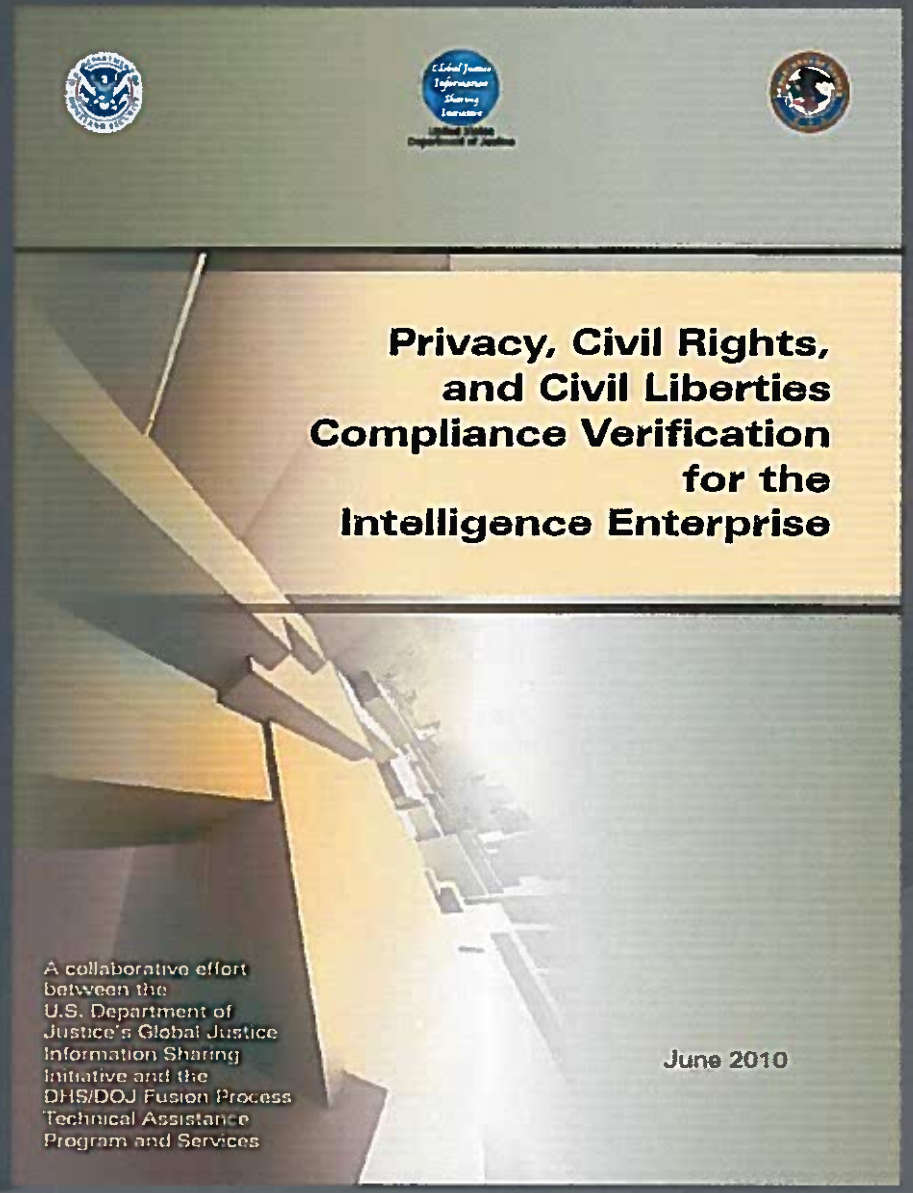
Prepared by LEIU

So what is “intelligence” ???


Key to good intelligence -
"Never lose sight of your wife"
PANINI
84

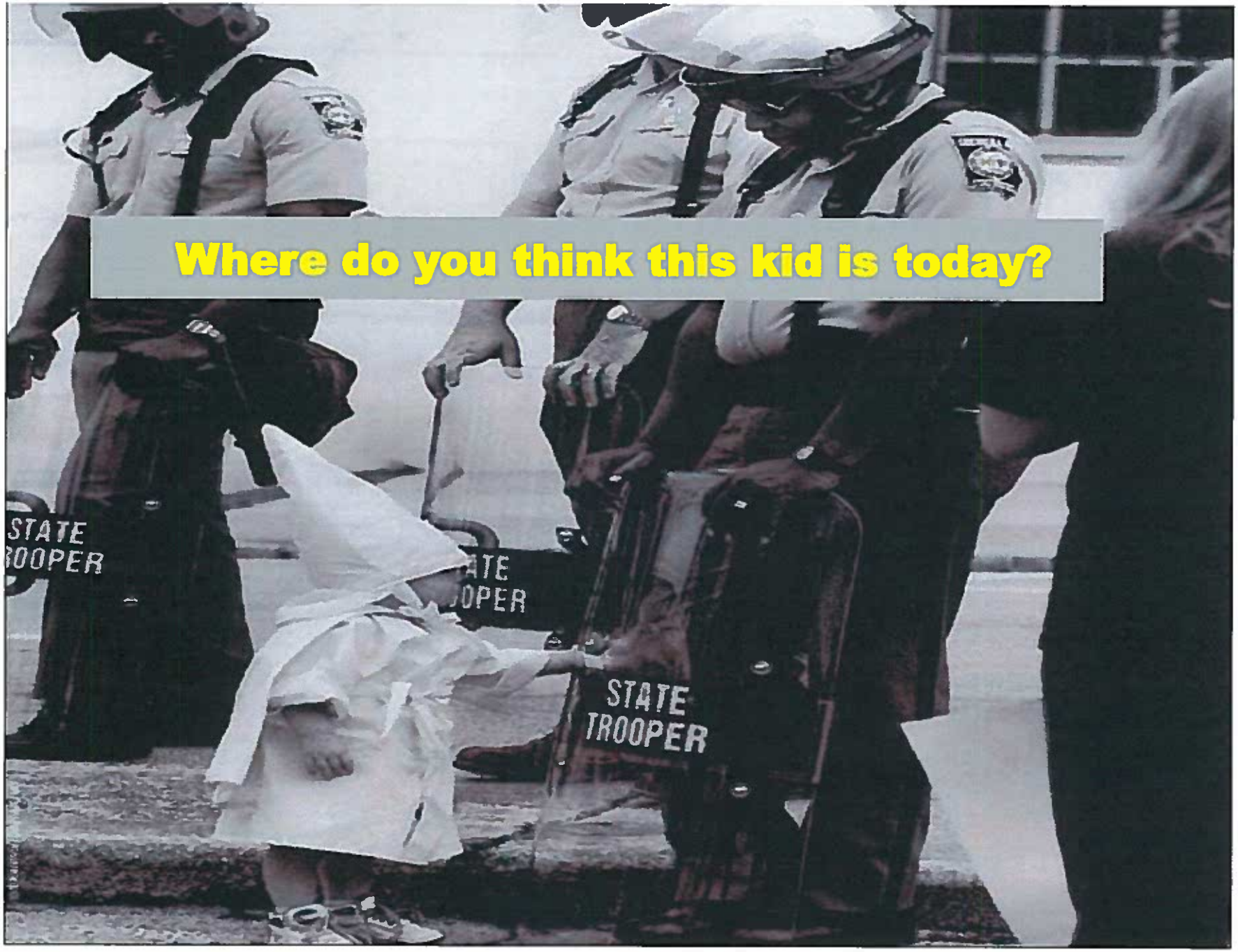
" The result of the process of systematic gathering, evaluation, and synthesis of raw data on individuals or activities suspected of being or known to be criminal in nature.

Intelligence is information that has been analyzed to determine its meaning and relevance..."



Ok,

So what does that mean to us?


Where do you think this kid is today?
STATE
TROOPER

Sources for intelligence and information

Sources of Information
* Arrests
* Surveillance
* Trash Runs
* Search Warrants
* Subpoenas
* Special Operations
* Calls for Service
* Person Contact
* Contacts/Interviews
* Traffic Stops
* Accidents
* On-View

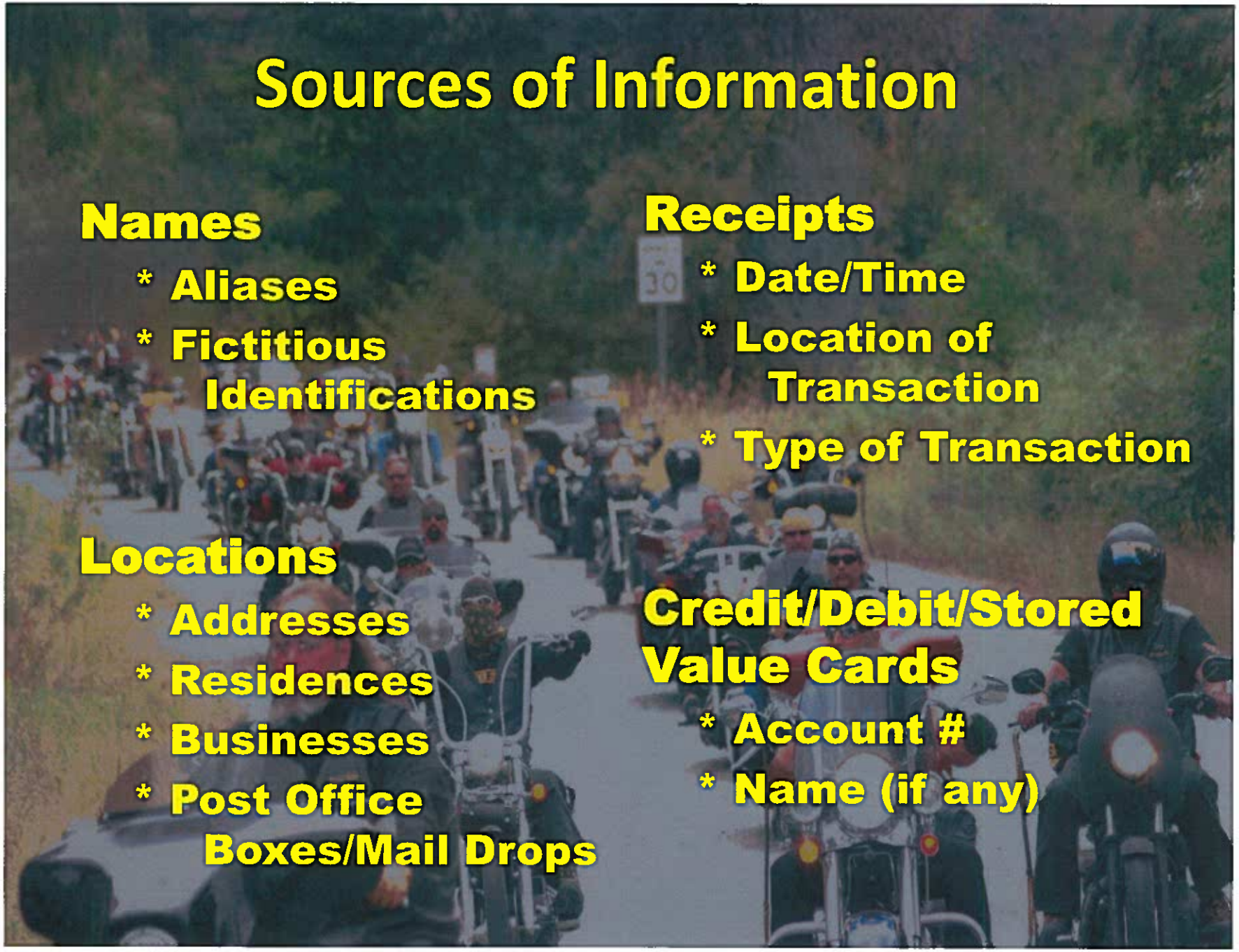
Sources of Information

Vehicles

* VINs
* License Plates
* Registered Owner
* Addresses
* Title/Registration Documents
* Insurance Information Documents NICB

Phones

* Numbers
* Call Details
* Content
* Location Data
* Subscriber Information
* Toll/Billing records


Sources of Information
Names
* Aliases
* Fictitious Identifications
Locations
* Addresses
* Residences
* Businesses
* Post Office Boxes/Mail Drops
Receipts
* Date/Time
* Location of Transaction
* Type of Transaction
Credit/Debit/Stored Value Cards
* Account #
* Name (if any)

Sources of Information

Bank Records
* Accounts
* Account Holders
* Transaction Records
* Balances

Electronic Communication
* Social Networking
* Email
* Websites

Other Documents
* Ledgers
* Hand-written Notes
* Utility Bills
* Rental Agreements

Pocket Items
* Notes
* Business Cards
* Receipts
* Just about anything...

Sources of Information

* Free Talks
* Pleas
* Other cases
* Other prosecutors

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March 2015

I tried classified research; I was limited. I tried unclassified research; I was without limits. Then a friend told me a secret, mine was not. *E. Ben Benavides*

Open Source Intelligence (OSINT) 2oolKit On The Go

Open Source Intelligence is the meat-and-potatoes aspect of tool collecting. *Alvin D. Tompkins*

Ninety percent of intelligence comes from open sources. The other ten percent, the clandestine work, is just the more dramatic. The real intelligence here is Sherlock Holmes, not James Bond.
Lieutenant General Sam Wilson, USA Ret.
Former Director, Defense Intelligence Agency

General Source Material

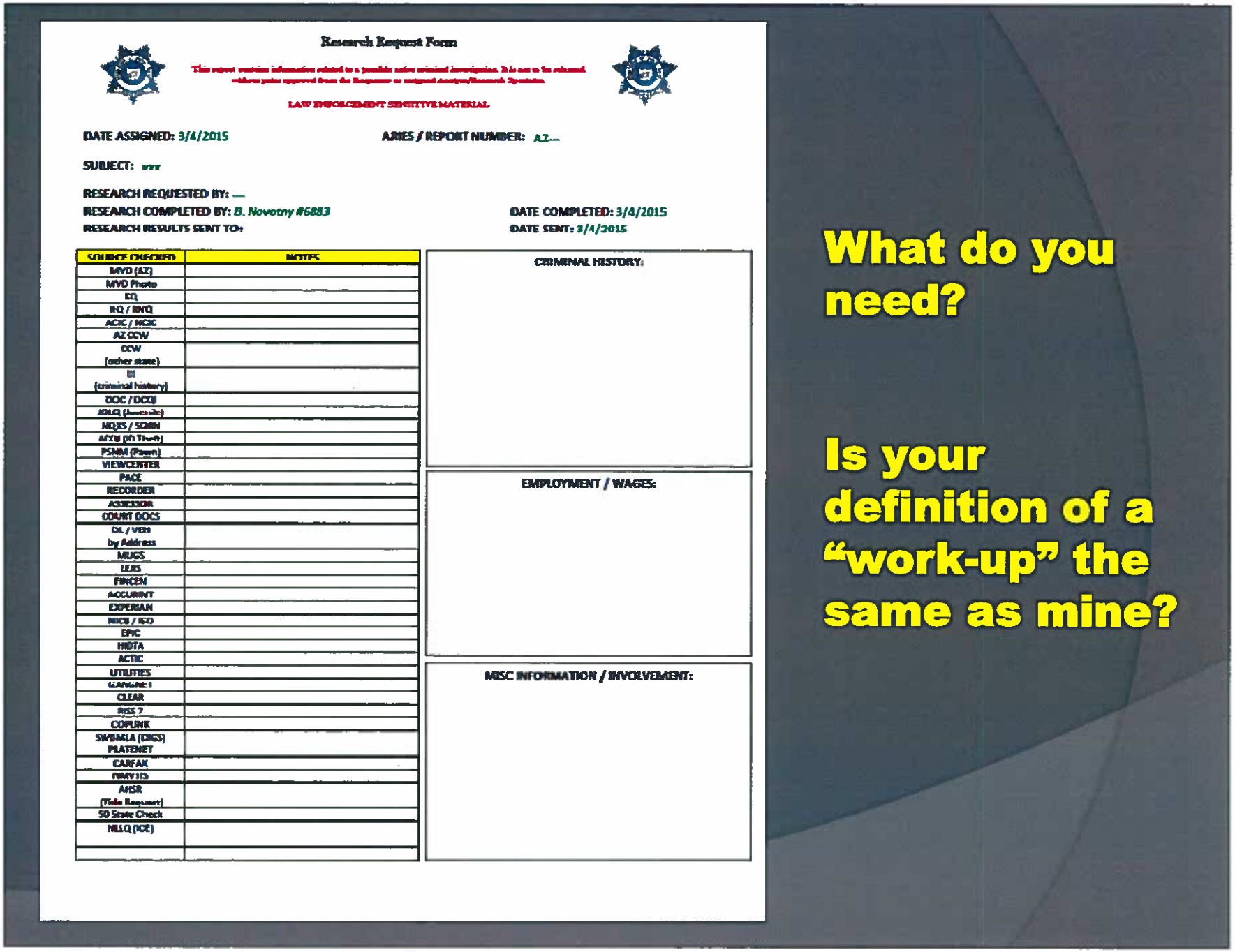
Mongols In Arizona

LAW ENFORCEMENT SENSITIVE INFORMATION

Items are related to possible on-going criminal investigation and are not to be released or duplicated.

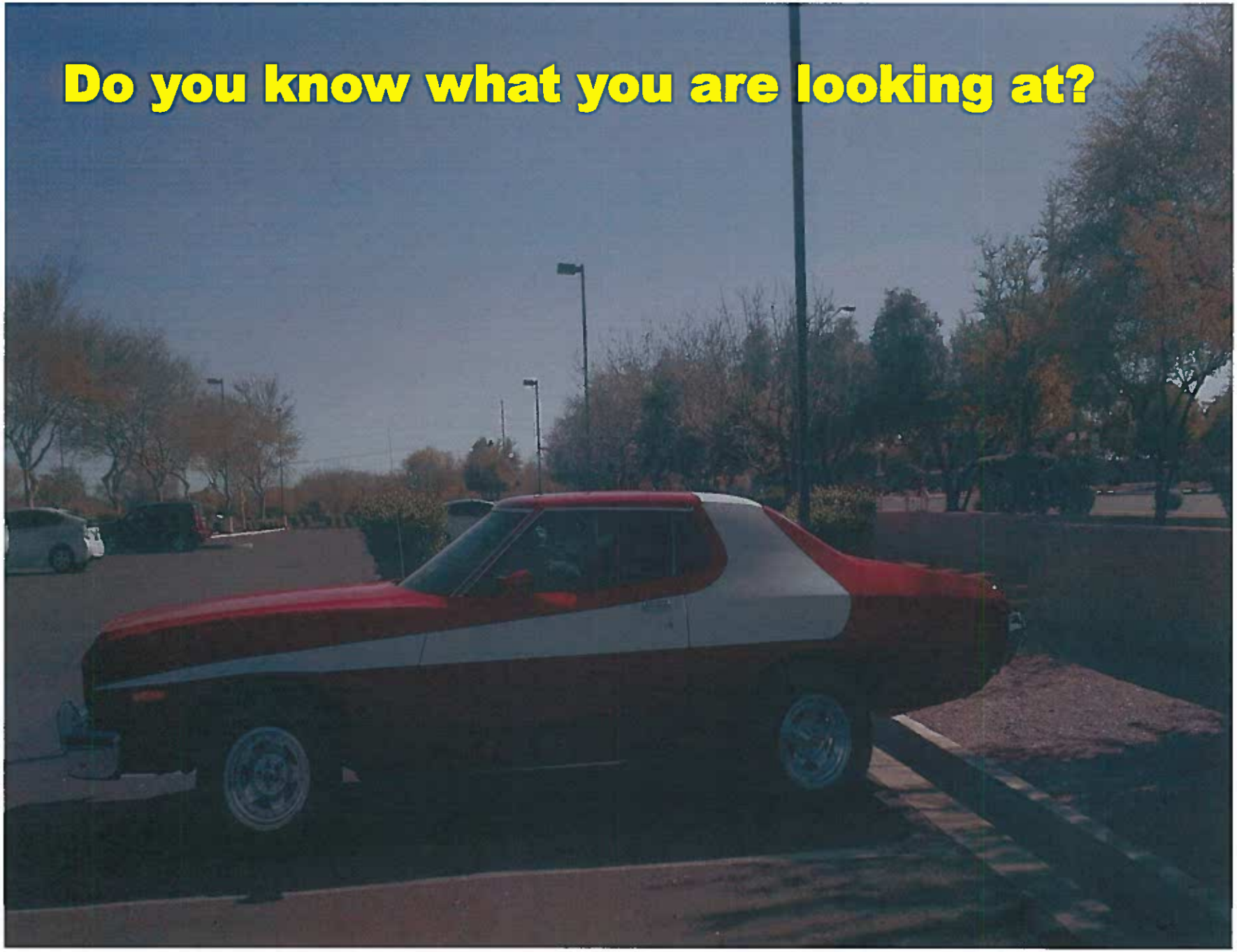
Last updated: January 2015

Topic Specific Source Material



What do you need?

Is your definition of a "work-up" the same as mine?


Do you know what you are looking at?

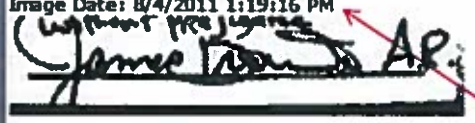
Do you know what you are looking at when you get it from the police?

Name: JAMES LAWRENCE BROWN Address:
License:
DOB: 09/14/1969

CAMP VERDE, AZ 86322

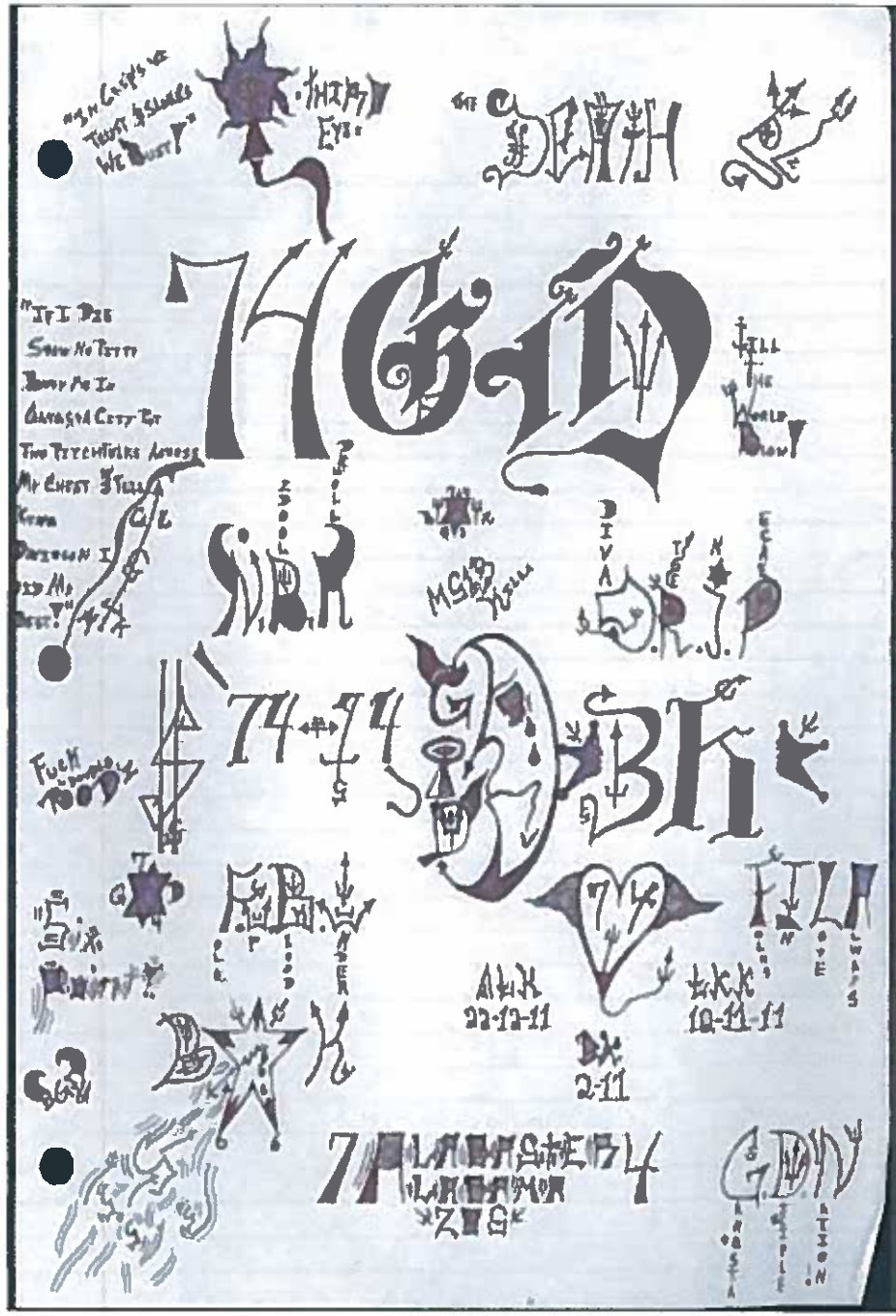
Sex: M Height: 503
Eyes: HAZ Weight: 155

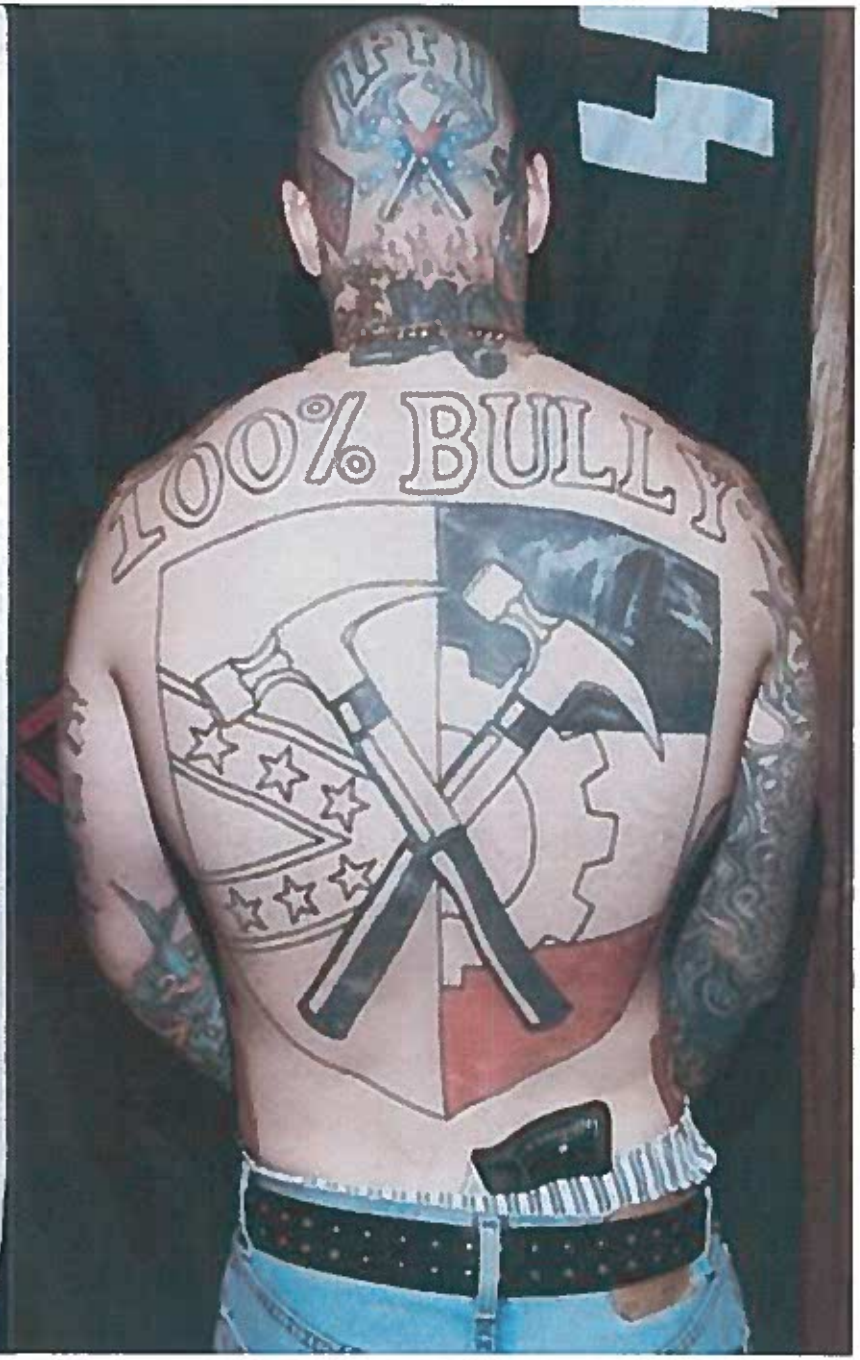
Image Date: 8/4/2011 1:19:16 PM

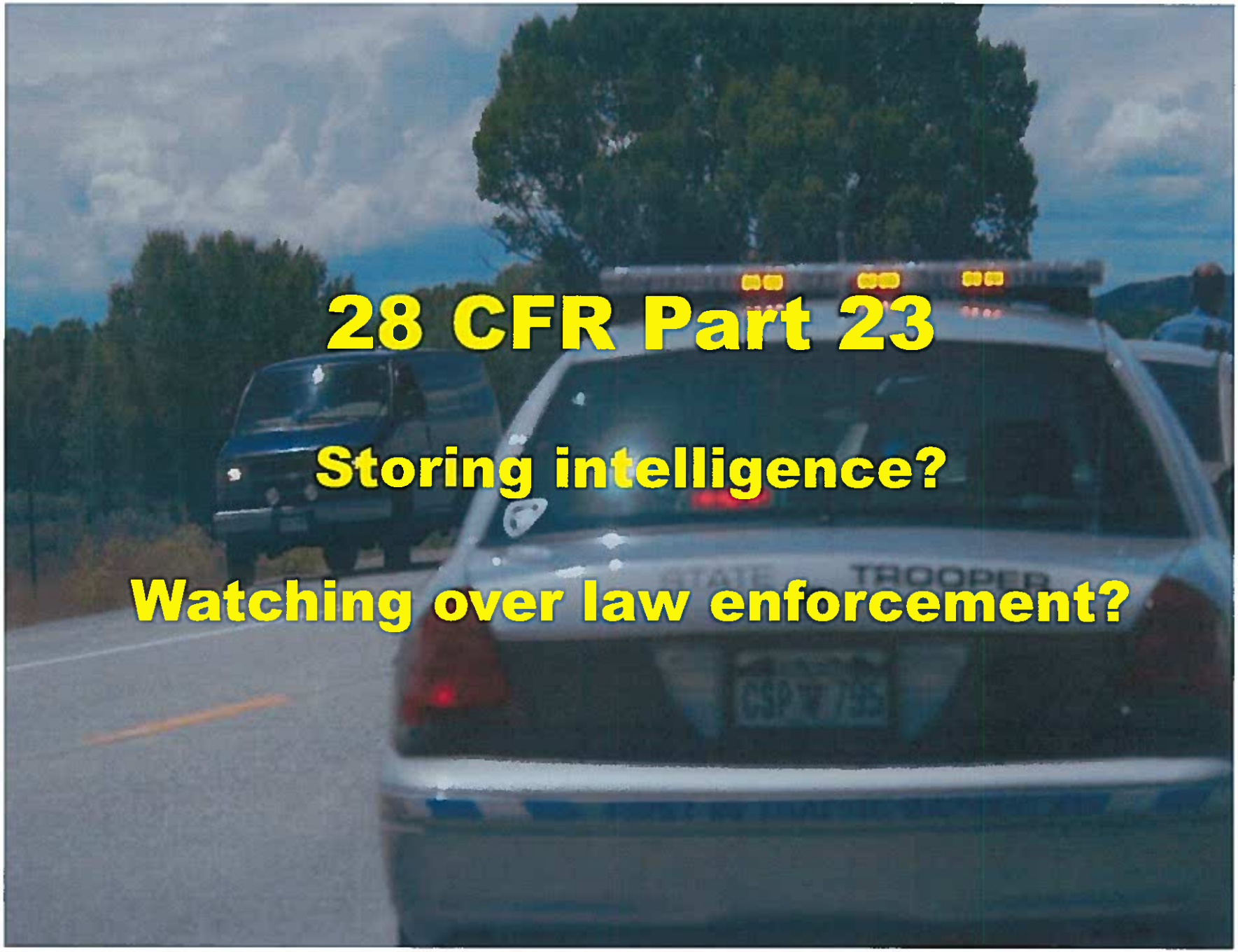


"without prejudice"

This document is a certified duplicate of the information contained in the computer storage devices of the Department of Transportation, Motor Vehicle Division, in accordance with Arizona Revised Statutes section 28-444.


THIRD EYE
DEATH
74
BK
22-12-11
10-11-11
2-11

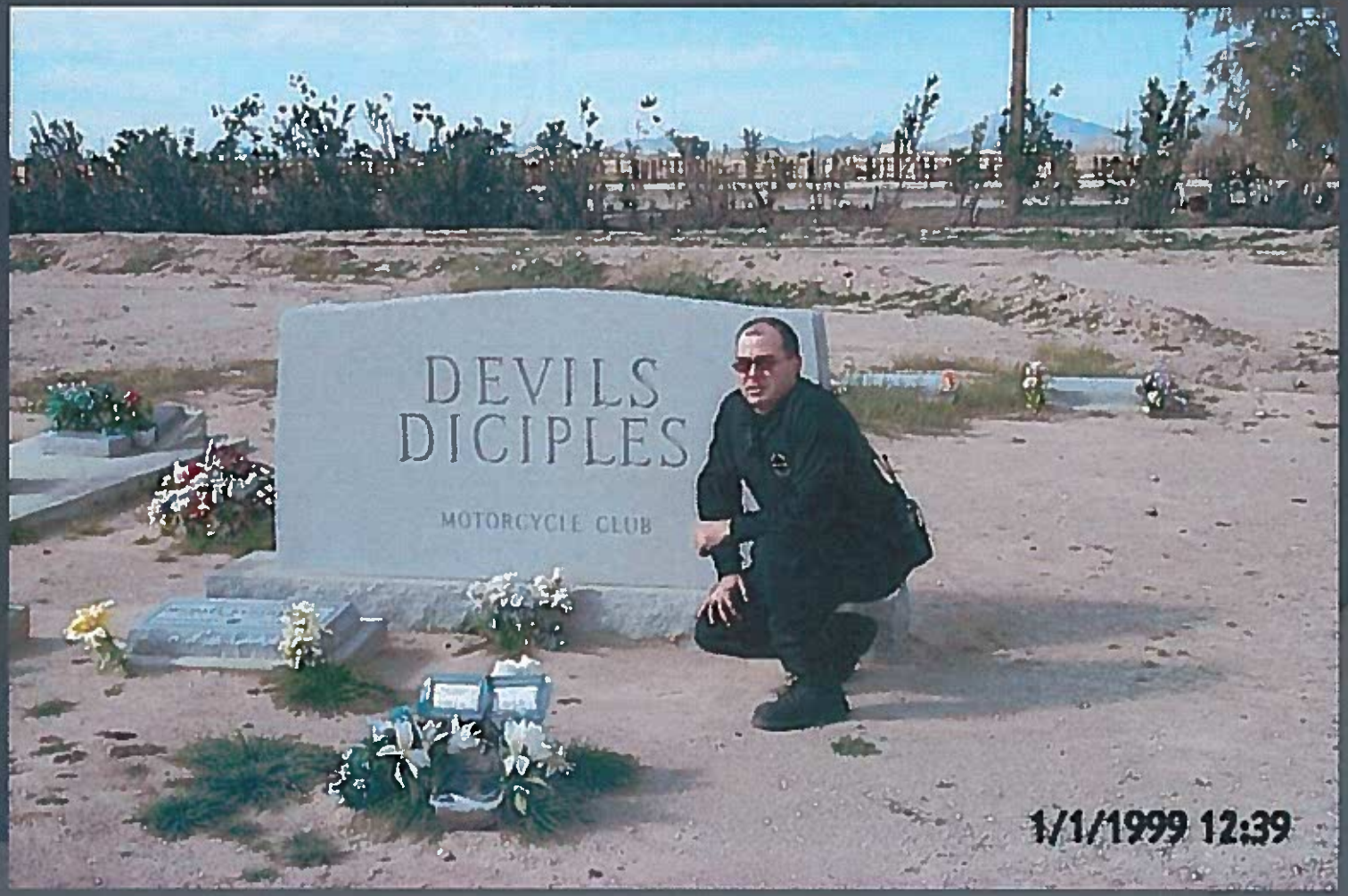

100% BULLY


28 CFR Part 23
Storing intelligence?
Watching over law enforcement?
TROOPER

"All you have to do is tell them they are being attacked, and denounce the pacifists for lack of patriotism and exposing the country to danger. It works the same in every country."

Nazi Field Marshal Hermann Goering at the Nuremberg Trials discussing fear propaganda .

Brian,
Have you ever heard of the Devils Diciples in Arizona?



What 28 CFR Part 23 covers...

Complying With

Requirements of
28 Code of Federal Regulations
(CFR) Part 23

28 CFR Part 23 is a *guideline* for law enforcement agencies. It contains implementing standards for operating federally funded multijurisdictional criminal intelligence systems. It applies to systems operating through federal funding under the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

It provides guidelines for:

- Submission/Entry of Criminal Intelligence Information
- Security
- Inquiry
- Dissemination
- Review and Purge

It does not provide specific, detailed information on how the standards should be implemented by the operating agency.

Each agency develops its own operating policies and procedures, including who can have access to the information, submission format for entry of information, types of criminal activity to be maintained in the system, validation and purge procedures, security, audit and inspection, forms, participation agreements, and so forth.

These policies and procedures vary from agency to agency and, in some instances, may be more restrictive than 28 CFR Part 23 would require.

Agencies maintain reports, files, and databases (not operated with federal funding) which contain investigative or management information, some of which would meet 28 CFR Part 23 requirements and some of which wouldn't. Information which meets 28 CFR Part 23 requirements may be gleaned from this documentation and entered into the intelligence database.

Single agency databases where no information is disseminated or shared outside the agency do not have to comply with 28 CFR Part 23 requirements. Agencies may collect information through their normal agency investigative processes and maintain that information in their agency files. As long as that information is only used within the agency, 28 CFR Part 23 does not apply. However, if the information is elevated to a multijurisdictional intelligence database where it will be shared with multiple agencies, then it must meet 28 CFR Part 23 requirements.

Interpretations

Because the 28 CFR Part 23 requirements are not precisely defined, the Office of General Counsel, Office of Justice Programs, U.S. Department of Justice, has rendered interpretations that govern the operation of these criminal intelligence systems. These interpretations are incorporated throughout this brochure.

COMPLIANCE