

Lower Providence Township Police Department Eagleville, Pennsylvania		
<div style="display: flex; justify-content: space-between;"> <div style="text-align: right;"> General Order <input checked="" type="checkbox"/> Special Order <input type="checkbox"/> Personnel Order <input type="checkbox"/> </div> <div style="width: 40%; text-align: center;"> ORDER NUMBER 1002 </div> </div>		
Subject Dissemination of Protected Information		
Date of Issue February 4, 2020	Effective Date February 4, 2020	Expiration Date Until Amended or Rescinded
Issued by: Michael Jackson, Chief of Police		
Amends	Rescinds	
Standard Number		
Distribution 1. General Order Manuals 2. Records Manual 3. Reading Verification to all Personnel		

I. POLICY

It is the department's intention to conform to the mandates of Act 207 of the 1990 Amended Criminal History Record Information Act which permits this agency to place intelligence, investigation and treatment information into our automated system.

II. PURPOSE

The purpose of this order is to establish a procedure which will enable this department to gather, disseminate, and receive intelligence and investigative and treatment data from other conforming criminal justice agencies. This data being classified as "Protected Information" by Act 207 of the Commonwealth of Pennsylvania.

III. DEFINITIONS

- A. Automated Systems - A computer or other internally programmed device capable of automatically accepting and processing data, including computer programs, data communication links and output data and data storage devices.
- B. Criminal Justice Agency - A court, including the minor judiciary, with criminal jurisdiction or other governmental agency, or sub-unit thereof, created by statute or by other State or Federal Constitution, specifically authorized to perform as its principal function the administration of criminal justice, and which allocates a substantial portion of its annual budget to that function. The term includes organized state and municipal police departments; local detention facilities; county, regional and state correctional facilities; probation agencies; district or prosecuting attorneys; parole boards; pardon boards and agencies or sub-units thereof, as declared by the Attorney General to be criminal justice agencies as determined by a review of applicable statutes and the State and Federal Constitutions, or both.

- C. Protected Information - Intelligence, investigative or treatment information.
 - 1. Intelligence Information - Information concerning the habits, practices, characteristics, possessions, associations or financial status of an individual compiled to anticipate, prevent, monitor, investigate or prosecute criminal activity.
 - 2. Investigative Information - Information assembled as a result of the performance of an inquiry, formal or informal, into a criminal incident or an allegation of criminal wrongdoing and may include modus operandi information.
 - 3. Treatment Information - Information concerning medical, psychiatric, psychological, or other rehabilitative treatment provided, suggested or prescribed for an individual charged with or convicted of a crime.
- D. Repository - A location in which criminal history record information is collected, compiled, maintained and disseminated by a criminal justice agency.
- E. Central Repository - The central location for the collection, compilation, maintenance and dissemination of criminal history record information by the Pennsylvania State Police.
- F. Criminal History Record Information - Information collected by criminal justice agencies concerning individuals, and arising from the initiation of a criminal proceeding, consisting of identifiable descriptions, dates and notations of arrest, indictments, information or other formal criminal charges and dispositions arising there-from. The term does not include intelligence information, investigative information or treatment information, including medical and psychological information or information and records specified in 18 Pa C.S., section 9104 (relating to scope).

IV. REGULATION

- A. Intelligence Officer - The officer in charge of this department's investigative division is designated as the intelligence officer and will be responsible for the gathering, disseminating and receiving of all "protected information" classified under Act 207. He may designate other members of the investigative division to perform this duty on an as needed basis upon approval of the Chief of Police.
- B. Collection of Protected Information - This department will collect protective information in its automatic systems only when the following systems are met:
 - 1. The information concerns an individual or group which it can reasonably suspect of criminal activity.
 - 2. The information is related to criminal activity that would give rise to prosecution for a state offense graded a misdemeanor or felony or for a Federal offense for which the penalty is imprisonment for more than one year.
 - 3. The information is categorized based upon subject matter.
 - 4. The information does not concern participation in a political, religious or social organization, or in the organization or support of a nonviolent demonstration, assembly, protest, rally or similar form of public speech, unless there is reasonable suspicion that the participation by the subject of the information is related to criminal activity or prison rule violations.
- C. Protected Information - will not be collected for or transferred to the central repository maintained by the Pennsylvania State Police.
- D. Security of Protected Information - The confidentiality of protected information will be provided for and securely maintained by:
 - 1. Following department physical plant/maintenance policy to reasonably protect repository from theft/sabotage and man-made or natural disasters.
 - 2. Properly selecting, supervising, and training personnel authorized to have access to protective information.
 - 3. Ensuring that the equipment used for maintaining protected information is used solely for the purpose related to the administration of criminal justice.
 - 4. Insuring that only those authorized in section A of this procedure are electronically coded to enter the automated system.
 - 5. Three different levels of storage of protected information will be established.
 - a. Level I - will include all information that has been received from a reliable source and is substantiated.
 - b. Level II - will include all information that has been received from a reliable source but is unsubstantiated.
 - c. Level III - will include all information that has been received from an unreliable source and is not or cannot be substantiated.

- E. Dissemination of Protected Information - This department's intelligence officer may only disseminate protected information if the following conditions are met:
1. The requesting criminal justice agency must certify that it has adopted policies and procedures consistent with Act 207. This may be verbal certification, if an agency is known to the intelligence officer. In the event the agency is unknown then a signed statement of certification will be required before release of information.
 2. The intelligence officer records on the designation form the pertinent information for a proper audit of the disseminated protected information. This record is to be maintained separate from the individual's file.
 3. The protected information has been determined to be reliable.
 4. The requesting criminal justice agency justifies its request based on standard police investigative techniques.
 5. The intelligence officer lists on the individual's file the date and agency requesting information.
 6. In the event the intelligence officer becomes aware of, by any means that previously disseminated information is misleading, obsolete, and/or unreliable, the information is to be corrected and the recipient agency notified of the change within a reasonable time period.
 7. Protected information in department's possession but which was not obtained through our sources may not be disseminated to another agency except if the requesting agency and our department are investigating or prosecuting a criminal matter jointly. Intelligence officer may, however, refer requesting agency to the agency which was the source of the information.
- F. Retention of Records - Department's protected information file will be maintained and will be purged only with approval in writing from administrative rank of Lieutenant or higher and only under the following conditions:
1. The data is no longer relevant or necessary to meet the goals and objectives of this agency.
 2. The data is obsolete making it unreliable for the present purpose and updating it would be worthless.
 3. The data cannot be used for strategic or tactical purposes associated with the duties of his agency.
 4. This department's intelligence officer, when requesting protected information from another agency, must certify in writing, that this department complies with Act 207.

Michael Jackson

Michael Jackson
Chief of Police