

WASHINGTON ASSOCIATION OF SHERIFFS & POLICE CHIEFS

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Serving the Law Enforcement Community & the Citizens of Washington

MODEL POLICY FOR LAW ENFORCEMENT AGENCIES DECONFLICTION AND CASE ACTIVATION

Approved November 19, 2009



Purpose

Deconfliction, sharing of information with other law enforcement agencies, and proper case activation procedures will enhance officer safety and efficiency of criminal investigations.

Definitions

Deconfliction: A process of notifying a central location of a planned event prior to its execution, which will enhance officer safety by preventing officers from accidentally targeting another law enforcement officer or compromising another investigation. In most instances this model policy will not apply to general patrol level investigations, but will assist in ongoing, drug, and gang investigations as well as high-profile crimes.

Planned Operation: Any tactical activity or operation that requires a personal appearance at a predetermined location. These activities include, but are not limited to, the service of search and arrest warrants, narcotics purchases or sales, and sting operations.

Western States Information Network (WSIN): A centralized information system located in Sacramento, California, where law enforcement agencies report information regarding the identification of criminal suspects and conduct deconfliction for planned operations. This includes the federal High Intensity Drug Trafficking Area (HIDTA) information system.

Deconfliction Procedure

Particular attention should be paid to the practice of deconfliction between local jurisdictions. The detective or officer shall contact/notify any local jurisdictions or agencies that may be affected. This includes but is not limited to contacting any applicable city or county agency or local, regional or multi-jurisdictional task force, such as those involved in gang or drug enforcement .

In addition to deconfliction at the local level, the assigned detective or officer shall report all planned operations to the WSIN Watch Center either by telephone,¹ or if a remote user, via the internet at least two hours prior to the planned operation. This deconfliction service is provided 24 hours a day, 7 days a week. The assigned detective or officer shall, at a minimum, provide the following information to the Watch Center if known:

1. Date and time of planned operation;
2. Nature of the operation;
3. Location of operation, including any staging areas;
4. Information about the suspect(s), including full names, aliases or street names, physical descriptors, vehicle information, telephone and pager numbers;
5. Lead and participating agency names;

¹ The phone number for WSIN as of August, 2009 is 1-800-952-5258 or you may call the Northwest Hidta Watch Center during normal business hours at 1-888-388-3784.

6. Name and office of the assigned detective, including cellular telephone number.

The detective or officer should request notification of any other planned law enforcement activities occurring within 1 mile of the planned operation. If the WSIN Watch Center detects another law enforcement activity occurring within the distance specified by the detective or officer of the planned operation, WSIN will notify both law enforcement agencies and encourage contact with one another to de-conflict.

The assigned detective or officer shall notify their direct supervisor that notification to WSIN has been made. The assigned detective or officer shall also ensure that the appropriate sector supervisor is aware of the planned operation.

Applicability

This deconfliction procedure applies to departmental units that engage in planned operations including but not limited to the Investigative Unit, the Tactical Unit and the Anti-Crime Team.

Agencies may want to consider adding a deconfliction check box regarding notification to local jurisdictions and WSIN to any applicable department form for Operation Plans.

Any exemption or deviation from this procedure or a request from a detective or officer to maintain a higher level of confidentiality shall be considered on a case by case basis and approved only by the chief law enforcement executive or his designee.

Case Activation Procedure

Upon the assignment of an active felony investigation on a named suspect, detectives shall run all suspects through both the WSIN and LInX databases.

In cases meeting the criteria outlined below, detectives shall enter the suspect and all associated suspects and case identifiers to the WSIN database. This notification shall take place by either entering the information directly into the WSIN database via the internet or by telephoning the WSIN Watch Center. If the detective discovers that no previous record of the suspect exists in WSIN, the detective will proceed with the new entry. If the detective discovers that a record of the suspect already exists in the WSIN database, the detective will link the new information to the existing record and WSIN.

Entry into the WSIN database should be guided by, but not necessarily limited to the following types of cases:

1. Suspects are known gang members. This should also include any intelligence information pertaining to the gang members;
2. Suspects or groups engaged in on-going criminal activities involving serial property crimes such as auto theft rings, financial crime rings, burglary rings, and organized retail theft;
3. Suspects in high profile cases such as homicide investigations, robberies, and hate crimes.
4. Suspects in drug investigations such as those involving drug units,

This list is not designed to be all inclusive. Detectives shall consult with their direct supervisor if there is any doubt over whether or not to make an entry.

Dissemination

The WSIN database has three levels of confidentiality: full release, limited release, and no release (restricted). Detectives making entries in to WSIN may select either full or limited release. Before any entry is labeled as no release or restricted, it must first be reviewed and approved by a supervisor. As noted above, any exemptions to the case activation procedure must be reviewed on an individual basis and approved by the chief law enforcement executive or his designee.

The information submitted to the WSIN database remains the property of the submitting agency, which controls the input and dissemination of its information in accordance with current laws and the agency's disclosure policies. A controlling agency must grant written permission for disclosure of its information by another law enforcement agency.

Intelligence Sharing

Generally, authorized personnel may only enter "general intelligence" into the WSIN database in accordance with Title 28, Part 23, Code of Federal Regulations (28 CFR Part 23). There must be reasonable suspicion that an individual is involved in criminal activity or conduct and that the information is relevant to that criminal activity or conduct. No criminal intelligence information shall be maintained or collected based solely upon political, religious, or social views associations, or activities of any individual or any group or organization unless such information directly relates to criminal conduct or activity and there is reasonable suspicion that the subject of the information is or may be involved in criminal conduct or activity.

Training and Access

All detectives, officers and administrative staff with assignments that could require them to perform case activation or deconfliction should receive WSIN training enabling them to navigate through the computer program as well as obtain security access to the system. Detectives, officers or administrative staff who do not have WSIN training and/or security access to the WSIN system will partner with a detective/officer who does have training and access to comply with the case activation requirements of this procedure.