

	MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES	
	Subject PROCESSING OF BIAS-FREE TIPS	Policy Number GI-7 Effective Date 10-31-23
Related Information Code of Federal Regulations (CFR) Title 28, Part 23 CP-8, <i>Preventing Racial and Other Bias-Based Profiling</i> GF-1, <i>Criminal Justice Data Systems</i> GH-2, <i>Internal Investigations</i>	Supersedes GI-7 (06-04-21)	

PURPOSE

The purpose of this Office Policy is to establish guidelines and procedures for Office employees to utilize upon receiving tips from members of the public. This Office Policy provides guidelines specific to tracking, vetting, and acting upon tips. Regardless of the conveyance, whether telephonically, electronically through e-mail and Internet, written correspondence, or in person, efforts shall be made to ensure the information is corroborated before being disseminated to any division within the Office for action.

Although this Office Policy refers to employees throughout, this Office Policy also applies with equal force to all volunteers. Volunteers include, but are not limited to; reserve deputies and posse members.

POLICY

It is the policy of the Office to ensure that all Office employees follow the proper procedures upon receiving tips from members of the public, and understand that it is strictly prohibited to initiate any law enforcement action on tips determined to be bias-based, as specified in Office Policy CP-8, *Preventing Racial and Other Bias-Based Profiling*.

DEFINITIONS

Criminal Intelligence: Data which has been evaluated to determine that it:

- A. Is relevant to the identification of, and the criminal activity engaged in, by an individual or organization who is reasonably suspected of involvement in the criminal activity; and
- B. Meets criminal intelligence system submission criteria.

Employee: A person currently employed by the Office in a classified, unclassified, contract, or temporary status.

Intelligence: The product of the analytical process which includes the collection, collation, evaluation, interpretation, and association of information.

Protected Characteristic: All characteristics covered by applicable federal or state laws including, but not limited to, race, gender, religion, color, national origin, age, disability, sexual orientation, gender identity, including transgender status, gender expression, pregnancy, veteran status, and genetic information.

Reasonable Suspicion-Criminal Predicate: Established when information exists which establishes sufficient facts to give a trained law enforcement or criminal investigative agency officer, investigator, or employee a basis to believe that there is a reasonable possibility that an individual or organization is involved in a definable criminal activity or enterprise, as defined in the CFR Title 28, Part 23.

Sheriff's Intelligence, Leads, and Operations (SILO) Unit: The Office unit that is responsible for: 1) handling incoming tips from the community telephonically, through e-mail and Internet submissions, written correspondence, or in person; 2) vetting the information for any bias; 3) providing independent corroboration and analysis of those tips; and 4) forwarding them to the appropriate division for investigative follow-up. Information gathered shall be analyzed to produce tactical and strategic intelligence that is disseminated within the Office and to other appropriate detention, law enforcement, or first responder agencies.

Strategic Intelligence: For the purpose of this Office policy, "strategic intelligence" consists of intelligence strategies that are established to assist law enforcement in criminal apprehension and crime control which are developed for short and long term investigative goals. Information cannot reach the level of intelligence until a direct connection is established between the criminal conduct or activity, and a reasonable suspicion that the subject of the information is, or may be involved in criminal conduct or activity.

Tactical Intelligence: Information regarding a specific criminal event with the potential to be used immediately by operational units to further a criminal investigation, plan tactical operations, and provide for the safety of law enforcement personnel.

Tips: Pieces of raw, unanalyzed data that identifies persons, evidence, or events, or illustrates processes suggesting or indicative of a criminal event.

Volunteer: A person who performs hours of service for civic, charitable, or humanitarian reasons, without promise, expectation, or receipt of compensation for services rendered. An employee may not volunteer to perform the same, similar, or related duties for the Office that the employee is normally paid to perform.

PROCEDURES

1. **SILO Unit Operations:** The SILO Unit shall ensure that its operations are not motivated by, or initiated in response to, requests for law enforcement action based on race or ethnicity. Tips received by Office employees from members of the public, including through any hotline, by postal mail, electronic submission through e-mail or Internet, phone, or in person, that contain evidence of a crime, must be independently corroborated by the SILO Unit and must be documented in writing, to ensure reliance on the information is consistent with all Office Policies.
 - A. SILO Unit personnel shall exercise sound judgment to determine whether the information being received should be treated as a tip, a call for service, a crime in progress, a request for information, or an inquiry on Office or SILO related services. Upon determination, employees shall route or handle the information appropriately. If employees are unable to make the determination for the direction of the information being received, they shall seek guidance from their chain of command.
 - B. Tips shall be evaluated with respect to reliability of source and validity of content. This assessment shall be made to guide others in using the information accurately. A database system record shall be kept of all tips received within MCSO P3.
 1. Tips received from members of the public are raw, uncorroborated pieces of information; as such they do not meet the requirements of criminal intelligence and when entered into MCSO P3, are not required to follow the operating procedures of CFR Title 28, Part 23.
 2. Determining factors considered when received tips, which are vetted and closed out in MCSO P3 due to bias, shall include those based on a trait common to a group, including but not limited to, race, gender, religion, age, color, national origin, disability, pregnancy, veteran status, gender identity, gender expression, genetic information, sexual orientation,

ethnic background, economic status, cultural group, or any other identifiable group characteristics; and contains no criminal predicate.

3. Information having relevance to active cases or that requires immediate attention shall be documented in MCSO P3 and forwarded to the responsible investigative personnel or the Communications Division, as soon as possible.

C. Personnel shall not retain official intelligence documentation for personal reference or other purposes.

2. **Processing All Incoming Tips:** All tips received by Office employees, including all which may appear to be bias-based, shall be forwarded to the SILO Unit for tracking and processing. All tips, no matter how they are received or collected by employees not assigned to the SILO Unit, shall be forwarded to the SILO Unit electronically through Maricopa County e-mail to tips@mcsso.maricopa.gov, the MCSO P3 Tip Form found on www.mcsso.org, inter-office mail, or by phone, at (602) 876-TIPS (8477). SILO Unit personnel shall actively monitor their e-mail, MCSO P3, inter-office mail, phone, and voice messaging for the following types of submissions:

A. **Telephonic and In-Person:** All tips provided telephonically and in-person to employees shall be documented. The information to be documented shall be electronically submitted to the SILO Unit and contain, at a minimum, the following:

1. Dates;
2. Times;
3. Locations;
4. Names;
5. Vehicles;
6. Descriptions; and
7. All other relevant facts.

B. **E-mail or Internet:** Employees shall forward the tips received in original format to the SILO Unit.

C. **Postal Mail:** Mailed correspondence received shall be scanned and electronically e-mailed to the SILO Unit before forwarding the original through the inter-office mail to the SILO Unit.

D. **Reported information received by an Office employee **not** considered a tip** shall be handled by taking immediate action. Information from a member of the public that constitutes an immediate call for service or a request to file a police report, shall be provided directly to the Communications Division, or the appropriate Office division by the employee or a supervisor, for dissemination and/or action. An example for an immediate call for service may include the reporting of an observed crime in progress, or the reporting of possible animal neglect or abuse. These types of reported activities may be reliant on an immediate response from law enforcement and/or medical personnel and should be addressed accordingly. If the employee is unsure what to do with the information provided to them, they shall immediately contact a supervisor for further direction.

3. **Tracking of SILO Tips:** SILO Unit personnel shall utilize MCSO P3 for tracking, recording, and identifying all received tips. Once entered, the tip will be given its own unique automatically generated control number. This control number shall serve as the basis for filing and retrieving subsequent reports of the information as an audit mechanism for the database. Audits shall be conducted by the SILO Unit Supervisor through MCSO P3 every 30 calendar days, and a corresponding report sent out to all applicable bureau chiefs and division commanders. MCSO P3 shall retain all tips for no longer than five years from the date they were entered.
4. **Vetting Tips for Bias:** SILO Unit personnel shall vet all tips for biased information. If a tip contains biased information and no reasonable suspicion-criminal predicate, it shall be closed out in MCSO P3 with the disposition of ‘Closed Due to Bias.’ If the tip contains reasonable suspicion-criminal predicate, it shall continue in the process to be prioritized and assigned for investigation.
5. **Prioritization and Assignment:** Prioritization and assignment of bias-free tips are based on the corroborating factors that identify a criminal act.
 - A. Factors that are considered when corroborating and prioritizing tips include, but are not limited to:
 1. The severity of the alleged criminal act;
 2. Whether the suspect is known, has been arrested, or has been cited in lieu of detention;
 3. Whether the suspect description is sufficient for identification;
 4. Whether identifiable suspect vehicle description or license plate numbers have been provided;
 5. Whether investigative tips are listed or known;
 6. Any combination of factors including documented experiences or research conducted by the Office or another law enforcement agency which would assist in the furtherance of an investigation; or
 7. Whether the tips appear to be part of a series of similar incidents.
 - B. Assignment of the tips occurs once the tips received by the SILO Unit are determined to be viable information. The tips shall be disseminated to the appropriate division which shall assign an employee for investigative action. If the tips develop into a criminal investigation and an *Incident Report* (IR) is generated, or if the tips do not develop beyond investigative action, the assigned control number shall be closed out of MCSO P3. Responsibilities related to the assignment of tips include the following:
 1. The SILO Unit shall be responsible for forwarding tips to the appropriate Office division.
 2. All divisions shall provide and maintain two points of contact (at least two supervisors) for the SILO Unit for the purpose of assigning tips.
 3. Once tips are provided or forwarded to the division responsible, the division’s point of contact shall assign an employee from within the division for follow-up within two business days from the time it is received.
 4. Tips identifying a serious risk or violent action shall be identified and an immediate notification shall be given to the appropriate district or division.

6. **SILO Unit Clearance of Tips:** The SILO Unit shall close out tips by indicating the status within MCSO P3. The investigative status of tips shall be indicated by one of the following descriptions:
- A. **Closed Due to Bias:** If a tip contains biased information and no reasonable suspicion-criminal predicate, the tip shall be closed out in MCSO P3 with the disposition of ‘Closed Due to Bias.’
 - B. **Closed:** If a tip contains no bias information, is received in an untimely manner and/or is unworkable due to insufficient information, the tip shall be closed out in MCSO P3 with the disposition of ‘Closed.’
 - C. **No Crime:** If a tip contains no criminal predicate, the tip shall be closed out in MCSO P3 with the disposition of ‘No Crime.’
 - D. **Disseminated Internally to the Appropriate Division:** When the tip is corroborated and forwarded to the appropriate Office division. Upon dissemination, a feedback form will be included with the tip and shall be returned to the SILO Unit within 30 calendar days of receiving the tip. The following clearances shall be used in MCSO P3:
 - 1. **Under Investigation:** If the tip resulted in an IR, the number shall be entered, and the tip closed out of MCSO P3.
 - 2. **Unfounded:** When the employee’s investigation has determined that the information was false or baseless.
 - 3. **Unverified:** When information regarding the tip is not confirmed during follow-up investigation or information is not confirmed due to a lack of resources.
 - 4. **Cleared by Arrest:** When an employee is following up on a tip and it results in an arrest.
 - 5. **Already Known:** When information in the tip has already been addressed by an Office division.
 - 6. **Community Policing Action Taken:** When action is taken to alleviate a problem within a community.
 - E. **Referred to Other Agency:** When the tip is vetted for bias and contains a criminal predicate but outside of the Office’s jurisdiction, the tip shall be referred out to the appropriate jurisdiction. The following information shall be documented in MCSO P3:
 - 1. The agency to which the tip was referred;
 - 2. The reason for the referral; and
 - 3. The date of the referral.
 - F. **Call for Service:** If a tip contains information requiring an immediate response or criminal activity is in progress, it shall be immediately forwarded to the Communications Division and logged in MCSO P3.
 - G. **Referred to PSB:** When a tip contains information about employee misconduct, a supervisor shall be notified. The supervisor shall enter the tip into Blue Team as a complaint, for review by the

Professional Standards Bureau, as specified in Office Policy GH-2, *Internal Investigations*. The SILO Unit shall close the tip out of MCSO P3.

- H. Information Only: When a tip contains information relevant to a crime but does not have any actionable information, it shall be sent to the associated division or outside agency to promote situational awareness. This type of tip does not contain information useful for immediate action to prevent and/or mitigate a threat or crime.