



SUBJECT: Departmental Investigative Resources

TO: Department Members

This Order establishes department policy and member responsibilities for the following:

<u>Section 16.1</u>	OBTAINING MICHIGAN DEPARTMENT OF TREASURY RECORDS	1
<u>16.1.1.</u>	Department of Treasury Records	2
<u>16.1.2.</u>	General Procedure	2
<u>16.1.3.</u>	Procedure for Obtaining Department of Treasury Information from the Michigan Intelligence Operations Center (MIOC)	2
<u>16.1.4.</u>	Policy for Accessing Department of Treasury Files for Motor Fuel Tax	3
<u>Section 16.2</u>	COLLECTION, REPORTING, AND HANDLING OF CRIMINAL INTELLIGENCE AND RELATED MIOC SERVICES	3
<u>16.2.1.</u>	Criminal Intelligence and Information Gathering	4
<u>16.2.2.</u>	Submitting Information to the MIOC	6
<u>16.2.3.</u>	Requests for Service and Suspicious Activity Reporting	6
<u>16.2.4.</u>	Access to the MIOC	6
<u>16.2.5.</u>	Investigative Assistance Available	8
<u>Section 16.3</u>	REVISION RESPONSIBILITY	10

16.1 OBTAINING MICHIGAN DEPARTMENT OF TREASURY RECORDS

This section establishes procedures and guidelines to request Michigan Department of Treasury and Department of Licensing and Regulatory Affairs files and records for use in criminal investigations.

16.1.1. DEPARTMENT OF TREASURY RECORDS

The Department of Treasury has implemented requirements to access Treasury records that establish security and accountability procedures in compliance with [MCL 205.28\(1\)\(f\)](#). Violation of the security provision of the law is a felony, punishable by a maximum fine of \$5,000 and/or five years in prison.

16.1.2. GENERAL PROCEDURE

- A. Enlisted members shall submit requests for Department of Treasury information in writing to the Michigan Intelligence Operations Center (MIOC).
- B. Materials received from the Department of Treasury must remain in the possession of that worksite and shall be destroyed when no longer needed for reference purposes as provided by the department's retention and disposal schedule.
- C. Materials received from Treasury shall not be reproduced, copied, or disclosed without a court order unless the reproduction, copying, or disclosure is reasonably necessary during the worksite's investigation of criminal law violations, done in response to a discovery request in criminal cases as provided in Official Order No. 34, section 34.4.2, or when otherwise required by law.
- D. Treasury records shall not be obtained by the Department of State Police for another institution, agency, or department. Local police agencies must have their own agreement or obtain appropriate legal process through their local prosecutor to present directly to the Department of Treasury.

16.1.3. PROCEDURE FOR OBTAINING DEPARTMENT OF TREASURY INFORMATION FROM THE MIOC

- A. The authority to request Treasury records has been delegated to the administrator located within the MIOC. Michigan Department of Treasury policy allows for a maximum for 60 days to respond to a request.
- B. Requests for Treasury records by worksites shall only be made in conjunction with a criminal investigation and shall be processed according to the following guidelines:
 - (1) The investigator wishing to obtain Treasury information shall forward a request in writing, to the MIOC.
 - a. Name of suspect(s), required (business name if business tax records)
 - b. Social Security number, required
 - c. Address
 - d. Date of birth and other identifiers, if available
 - e. A short description of the investigation or File Class number
 - f. Incident number of the investigation
 - g. Type of record being requested
 - h. Years of records being requested

i. Name, rank, and worksite (including mailing address) of the investigator

- (2) If the records will be used in court, the memo should request "Certified Records". Non-certified records shall not be used in court or other legal proceedings. Non-certified records shall be considered as investigative/lead information only.

C. Emergency Procedures

There are no emergency exceptions or procedures for obtaining Treasury records. Any and all requests, including inquiry to determine if a record exists, must follow the above procedure.

16.1.4. POLICY FOR ACCESSING DEPARTMENT OF TREASURY FILES FOR MOTOR FUEL TAX

A. Access Authority

Authority to access the Department of Treasury records for motor fuel tax information has been delegated to all officers within the Commercial Vehicle Enforcement Division (CVED).

B. Guidelines for Requesting/Receiving Department of Treasury Information on Motor Fuel Tax

- (1) The CVED shall provide to the Department of Treasury a list of the names and badge numbers of all officers assigned to the division. This list shall be updated as changes in personnel occur.
- (2) Motor carrier officers shall contact the Department of Treasury via telephone to obtain specific information relative to fuel tax permits. When requesting such information, officers are required to identify themselves by name and badge number.
- (3) Members other than motor carrier officers requesting fuel tax information shall contact their local CVED district lieutenant. The district lieutenant shall contact the Department of Treasury and obtain the requested information. Such information shall be relayed to the requesting member.

C. Accountability for Motor Fuel Tax Information

An audit trail is not required for motor fuel tax information.

16.2 COLLECTION, REPORTING, AND HANDLING OF CRIMINAL INTELLIGENCE AND RELATED MIOC SERVICES

This section defines duties and responsibilities of members to report and handle information on relevant areas of law enforcement concerns to the MIOC. Information shall be gathered and maintained as necessary to keep public order, protect life and property, and ensure the functions of the state and its political subdivisions. Every member of the department has a responsibility to support the flow of relevant information to the MIOC as part of their official duties.

Information is the essential building block for intelligence. Members who become aware of information that fits criteria established by the MIOC are to ensure the information is reported to the MIOC to support intelligence operations.

The MIOC and all members of the department shall safeguard the privacy, civil rights, and other protections of citizens while collecting and utilizing criminal intelligence and other information,

specifically adhering to Federal Regulation [28 CFR Part 23](#) and [Michigan's Interstate Law Enforcement Intelligence Organizations Act, MCL 752.1-6](#).

More information about the MIOC, including the MIOC Privacy Policy, is available to the public at www.michigan.gov/mioc.

16.2.1. CRIMINAL INTELLIGENCE AND INFORMATION GATHERING

- A. Criminal intelligence and information gathering is the responsibility of every member.
- B. The MIOC is the department's primary criminal intelligence center and is responsible for the collection, analysis, production, and dissemination of associated criminal intelligence products to federal, state, local, territorial, tribal, and private sector customers of interest.
- C. The MIOC shall collect information on any individual, group, or organization that is engaged in continuing conduct defined as criminal in nature by federal or state statutes, to include information pertaining to potential or actual transnational and domestic terrorism. These criminal activities include, but are not limited to, the following:
 - (1) Crimes against persons
 - a. Homicide
 - b. Assault
 - c. Criminal sexual conduct
 - (2) Organized criminal activity
 - a. Terrorism (international/transnational or domestic), or other radical, illegal group activity
 - b. Illegal gang (street gang, motorcycle gang) related activity
 - c. Vehicle theft/chop shops
 - d. Prostitution
 - e. Hijacking (theft of cargo)
 - f. Kidnapping
 - g. Human trafficking
 - h. Cybercrimes
 - i. Organized retail crime - fraud
 - j. Racketeering
 - (3) Illegal manufacture/distribution of narcotics and other illicit drugs
 - (4) Property crimes
 - a. Arson

- b. Theft of intellectual property (codes, formulas, business transactions/information, etc.)
 - c. Destruction of property
- (5) Financial crimes
- a. Counterfeiting, loan sharking
 - b. Stolen property, fencing
 - c. Illegal gambling
 - d. Extortion
 - e. Bribery, corruption, kickbacks (corporate/union/government)
 - f. Identity fraud
- (6) Illegal manufacture, distribution, or sale of weapons or explosives
- (7) Criminal acts directed against:
- a. Department facilities or members
 - b. Other agencies' facilities or members
- (8) Criminal acts by public officials and law enforcement officers
- D. Homeland Security Standing Information Needs (HSEC SINs)
- As part of its responsibility, as a Department of Homeland Security designated fusion center, the MIOC prioritizes collection of information and production of intelligence based on requirements outlined in the HSEC SINs. The HSEC SIN topical focus areas are:
- (1) Cyber-attacks and exploitation
 - (2) Disasters
 - (3) Illicit alien operations
 - (4) Illicit commercial operations (smuggling, trafficking, producing counterfeit goods, proprietary rights, import/export)
 - (5) Illicit drug operations (drug smuggling, trafficking, and production)
 - (6) Public health hazards
 - (7) State-sponsored operations (conventional and unconventional warfare, subversion)
 - (8) Terrorist operations (planning and attacks)
 - (9) Organized crime (transnational or domestic groups, gangs, and violent crime)
 - (10) Weapons proliferation/illicit operations

16.2.2. SUBMITTING INFORMATION TO THE MIOC

- A. When a member becomes aware of information that fits the criteria in this section or is otherwise thought to be of value to members in carrying out their assigned duties, the member shall submit the information to the MIOC. The submission of information may be made through any of the following options:
- (1) Through the MI-Intel Search application quick tip form.
 - (2) Through email at MIOC@michigan.gov.
 - (3) By calling the Operations Desk at 517-XXX-XXXX; this may also be made if an immediate response is desired.
 - (4) If the reporting member is a full user of the Michigan Intelligence Management System (MIMS), the member may make a direct entry into the MIMS .
 - a. If the entry requires additional follow-up, is time or date sensitive, is related to a street gang, outlaw motorcycle gang, or radical or extremist group, or is otherwise volatile in nature, a notification of the entry shall be immediately forwarded to the MIOC.
 - b. If the entry involves the arrest of a non-Michigan resident, a notification of the entry shall be immediately forwarded to the MIOC.
- B. Information received by the MIOC is evaluated for compliance with established criteria for maintaining files of this type ([28 CFR Part 23](#)). If the information meets the criteria, it will be entered into MIMS and be maintained pursuant to the guidelines set forth in the audit and purge procedures.

16.2.3. REQUESTS FOR SERVICE AND SUSPICIOUS ACTIVITY REPORTING

- A. Requests for service are to be put on the DD-200 form. An online version is available in the MICJIN portal and may be submitted directly from the form. A paper version is available through official forms and can be submitted to the MIOC using the email address MIOC@michigan.gov. A phone call to the Operations Desk at 517-XXX-XXXX can be made at the same time if an immediate response is desired.
- B. Suspicious Activity Reporting (SAR) takes place using the same email address or through the <http://www.michtip.state.mi.us/> webpage.

16.2.4. ACCESS TO THE MIOC

- A. Information from the MIOC is available only to authorized investigative agencies. Requests for information from the MIOC should be forwarded on the DD-200.
- (1) Authorized law enforcement personnel may submit a request for information to the MIOC relating to MIOC files as well as other available programs.
 - (2) Investigators should not make requests on behalf of another agency. Other agencies should contact the MIOC directly to better serve their needs. An investigator who shares information obtained from the MIOC with another agency is responsible for the lawful and proper dissemination of the information received.
 - (3) The MIOC is responsible for creating and disseminating intelligence products relating to specific crimes or other important information that requires rapid dissemination.

The MIOC also produces intelligence products that serve to notify Michigan law enforcement of ongoing local, national, or international situations that may affect Michigan. The MIOC will require verification of all information before dissemination.

- (4) The MIOC disseminates products regarding events or incidents that occur locally, nationally, or internationally that may impact Michigan. Such products are intended to provide an immediate assessment of impact or affect to Michigan and inform agencies and other public safety organizations of the following:
 - a. The MIOC is aware of the incident or event.
 - b. The MIOC is engaging resources and local, state, and federal partners, and is continuing to evaluate impacts to Michigan.
- (5) When members become aware of incidents (natural or manmade) that could have an impact to their region or the state, the Operations Desk shall be contacted and advised.
- (6) MIOC products contain markings that control its use and dissemination. These markings follow these guidelines:
 - a. Law Enforcement Sensitive (LES)
 - i. Information that falls into one the following categories:
 - 1) Information derived from a sensitive source that could be endangered or prejudiced in a court proceeding.
 - 2) Information pertaining to an active investigation.
 - 3) Information that reveals tactics, techniques, or procedures utilized by law enforcement officers.
 - 4) Contains personal information that could be construed as an invasion of privacy.
 - 5) Information that could jeopardize operational planning of a law enforcement agency.
 - ii. Authorized recipients – Law Enforcement personnel with a ‘need to know’; Non-LE personnel with an exigent ‘need to know’.
 - b. For Official Use Only (FOUO)
 - i. Public Safety, homeland security, or advisory information for use in official safety and security operations.
 - ii. Authorized recipients include pre-approved non-LE public and private partners that are deemed to have a ‘need to know’; LE personnel.
 - c. Protected Critical Infrastructure Information (PCII)
 - i. Sensitive security and resiliency information on critical infrastructure sites.

- ii. Authorized Recipients include individuals with a 'need to know' and a PCII certification.
 - d. Criminal Intelligence Information
 - i. Information collected by law enforcement that indicates suspected involvement in criminal activity by an individual or group of individuals.
 - ii. Authorized Recipients include Law Enforcement personnel with a 'need to know'; Non-LE personnel with an exigent 'need to know'.
 - e. How the information can be shared:
 - i. Encrypted/secure email or other secure Internet server (e.g., encrypted email domains such as Riss.net [RISS], leo.gov [LEO], dhs.gov, MIMS, HSIN, etc.)
 - ii. Unsecure email (e.g., State of Michigan Outlook or other unencrypted email systems)
- B. Requests for information or assistance may be forwarded to the MIOC utilizing the DD-200 via:
 - (1) Fax 517-XXX-XXXX
 - (2) Telephone 517-XXX-XXXX
 - (3) LEIN MI3300701 (MSP users have LEIN quick form) or DD-200
 - (4) Email MIOC@michigan.gov
- C. Emergency requests shall be routed through the Operations Desk at 517-XXX-XXXX or transmitted via LEIN to ELOP / MI3300100.

Give the name of the investigator making the request and how they may be contacted by telephone.

16.2.5. INVESTIGATIVE ASSISTANCE AVAILABLE

- A. The MIOC has access to multiple data sources to assist in criminal investigations. These include:
 - (1) Michigan Intelligence Management System
 - (2) Information from the following resources:
 - a. Phone information (including reverse look-up, carrier information, and legal compliance, as well as analytical support).
 - b. People finder databases that identify possible owners/associates and/or relationships between names, addresses, vehicles, social security numbers, and companies as well as possible current and former addresses of subjects.
 - c. El Paso Intelligence Center (EPIC) – DEA's central clearing house for narcotics information.

- d. DICE – DEA’s web-based phone deconfliction tool.
- e. The Financial Crimes Enforcement Network (FINCEN) provides information on financial cash transactions of \$10,000 or more and identifies suspicious transactions reported by financial institutions and casinos across the United States. A separate FINCEN form, which can be obtained from the MIOC, is required along with an incident number.
- f. Michigan employment information.
- g. Michigan Electronic Benefits Transfer (EBT) system.
- h. Michigan Department of Corrections database provides detailed information on subjects currently incarcerated, on parole, or in a community placement facility.
- i. Numerous law enforcement report management systems.
- j. MSP Confidential Informant (CI) database.
- k. Business Watch International, Pawnshop database (BWI Pawn).
- l. Other nationally recognized fusion centers throughout the U.S.
- m. Satellite imagery.
- n. ATF e-trace for firearms.
- o. Leeds online, a service for law enforcement to access business records for investigating property crimes.

(3) Violent Criminal Apprehension Program (ViCAP)

A computerized database consisting of information submitted on all solved and unsolved homicides, attempted homicides, non-parental kidnappings, unidentified dead bodies, violent sexual offenders, and assaults where a serial offender is suspected.

The ViCAP Homicide Report, DD-070, shall be used to enter information into the ViCAP database to allow for the comparison of similarities between homicides. A hard copy of the form for completion is also available upon request from the MIOC. The following guidelines apply:

- a. The investigating enforcement member shall enter and submit an original DD-070 to the ViCAP database for all homicides investigated, whether they are solved or unsolved.
- b. The MIOC shall compare the DD-070 with information on other solved and unsolved homicides within the ViCAP database and shall subsequently advise the submitting post and district of any homicides with similar characteristics. The goal of this procedure is to coordinate investigations by police agencies.
- c. The information contained in the ViCAP database is confidential and shall not be released without permission from the investigating agency.

- B. The MIOC also provides the following services to assist in criminal investigations:
- (1) Provide resource direction for the investigator by identifying other services available to assist in an investigation, including other agencies or out-of-state contacts.
 - (2) Chart and/or map major cases for criminal proceedings.
 - (3) Track criminal suspects and groups and provide a method to coordinate law enforcement efforts between the department and other agencies.
 - (4) Provide information to commanders, investigators, and supervisors to aid in tactical, actionable, and strategic decision making.
 - (5) Interpol liaison for the State of Michigan through the Watch Desk.
 - (6) Conduct social media and open-source searches in support of public safety operations relating to special events with large or significant crowds (e.g., sporting events, public gatherings, festivals, etc.).

16.3 REVISION RESPONSIBILITY

Responsibility for continuous review and revision of this Order lies with the Field Support Bureau (Intelligence Operation Division, MIOC) in cooperation with Executive Operations.

DIRECTOR