
CHAPTER 4

Managing Military Police Information

Mmilitary police success in effecting law and order relies upon acquisition, processing, and application of certain essential information. Police information aids in crime prevention and criminal investigations. Police information supports the commander in administering his unit or installation. Police information in the US Army is one of the elements of command intelligence.

The primary purpose for gathering police information is to support the commander or PM and to support the enforcement elements of MP units. The information system in law enforcement includes recording, reporting, evaluating, and managerial tasks associated with MP reports, criminal investigations reports, traffic accident reports, and armed forces traffic tickets. The information system can contribute in great measure to selective enforcement.

In correctional administration, police information includes many of the recording and managerial tasks for confinement facilities, hospital prisoner wards, rehabilitation training centers, and correctional facilities. MP develop and exchange police information and criminal intelligence with other police forces in their area of operations. Police information, including criminal intelligence, is obtained through daily contact with people, MP, and other law enforcement and security forces.

In physical security, police information includes recording and managerial tasks associated with security of individual rooms or buildings, structures, facilities, and installations. In conducting and monitoring physical security, MP will develop and exchange police information with other police forces, private security agencies, industrial representatives, and other

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security elements, to include tactical military forces. (See FM 19-30.)

In preserving public order, police information includes many of the recording and managerial tasks associated with civil disturbances, disorders, and natural disasters. MP conducting the normal functions involved with occurrences of these types will develop and exchange police information with local police and security agencies, national police forces, and military forces involved. However, military agencies cannot be used for collecting, reporting, processing, or storing civil disturbance information unless specific approval is obtained from Headquarters, Department of the Army. FM 19-15 discusses intelligence operations in civil disturbance situations, including the critical items of information,

sources of information, and collection by individuals.

In certain situations, such as countering terrorism, police information may go beyond the field of law and order and extend into tactical and other types of intelligence. And the information can include recording command and staff activities associated with planning, organizing, and executing MP area combat operation support. MP contribute to the intelligence required by the area commander with particular respect to the threat situation. (See FM 90-14.)

In operations against insurgent elements the police information system includes re-

ording command and staff actions associated with stability operations. FM 100-20 discusses these operations and the MP support to such operations, including police intelligence.

Disciplinary control boards rely heavily on police information. In overseas areas, data generated by well-directed police information efforts can contribute greatly to political planning relevant to relations between United States forces and the local population or government. In CONUS, data generated by police information-gathering operations can often be more valuable than pure military intelligence in planning local public relations.

UNDERSTANDING THE CRIMINAL INTELLIGENCE CYCLE

The criminal intelligence cycle is a continuous process. Planning ensures that intelligence collectors are provided a logical, orderly system for conducting the collection effort. Ideally, it ensures that all needed intelligence is collected in time to be of use and that all possible sources of intelligence are exploited by appropriate collection agencies. Planning includes establishment of priority areas of interest, allocation of resources, and alternate means of intelligence gathering. The establishing of priority areas of interest is normally required because of resource limitations. It is virtually impossible to collect all criminal intelligence in all areas of MP responsibility. Resources are directed to criminal intelligence considered most critical. Priorities are not permanently fixed but may vary with the situation.

The need to exploit all sources of criminal intelligence requires resourceful, flexible, and aggressive direction and coordination of the intelligence collection effort. Commanders and MP personnel involved in gathering criminal intelligence must be aware of the capabilities and limitations of all available resources to make the best use of them. Among the collection techniques employed

are standard procedures and expedients, improvisations made necessary by local conditions and resources, and the employment of available specialized personnel and equipment.

If criminal intelligence is to be useful it must be recorded and capable of being rapidly retrieved when needed. Such records include journals, files, tapes, reports, maps, photographs, and automatic data processing files.

Evaluating criminal intelligence involves determining the reliability of the source and the pertinence and accuracy of the information. The determination of a source's reliability is dependent upon past experience with the source. Accuracy concerns the truthfulness of the information and the likelihood that such information may be true. The fact that a source may be completely reliable does not mean that all information from him is accurate. The information must be evaluated in its relation to other information on hand and the prevailing circumstances of its collection (see FM 19-20).

Criminal intelligence is analyzed singularly before being integrated with other

information. This affords an opportunity for information to be viewed on its own merit. After analyzing information for its own worth, it is then included with other data and integrated with related information. This allows an examination of all available information and presents the greatest possibility of deriving criminal intelligence. Analysis is conducted at all levels of MP information activities. The best basis on which to conduct analysis is experience.

Formally or informally many types of logic can be applied, as well as new methods of statistical analysis, operations research, systems analysis, and computer analysis.

The timely distribution of available data is of vital importance to MP operations. Criminal intelligence is useless unless placed where it can be used. Distribution is made at the most advantageous time, by the most rapid means available, considering the classification of the material.

COLLECTING AND RELEASING INFORMATION

The collection and release of information pertaining to US citizens is governed by law. The Freedom of Information Act allows citizens to obtain information and records that have been gathered on them by various governmental agencies. The Privacy Act restricts the kind of information about citizens that government agencies can collect. For more information on records administration and release of information, see AR 190-45.

AR 340-17 governs the procedures the Army will follow when a freedom of information request is received. Each installation has a Freedom of Information Act officer with whom coordination is made when acting on requests. Some MP/investigative records are exempt from disclosure. Denial of information can be made only by designated initial denial authorities who are generally heads of the DA staff agencies.

AR 340-21 governs the procedures the Army will follow concerning the Privacy Act. AR 340-21 provides guidance on the various law enforcement information systems of USACIDC and the MP. Some investigative and internal control records in the law enforcement field are exempt from disclosure. Some of these exempt records are informant registers, accreditation files, reports of investigation, MP reports, and SIR files. Each record-release request must be handled on an individual basis.

It is a requirement of the Privacy Act that people be informed of the purpose for obtaining information. Individuals are not required to disclose their social security numbers. However, the authority to obtain it for DA forms is contained in 10 USC 3012. If an individual refuses to disclose his social security number, it will be obtained from official personnel records. The law places restrictions on transferring information concerning an individual to other agencies or organizations, particularly those outside the federal government. In accordance with status of forces agreements (SOFAs) or local laws, transfer of investigatory information may be allowed to local, state, and foreign police (see AR 340-21). Coordination with SJA is made concerning questions and problems involving this act and release of information to other law enforcement agencies.

All records pertaining to juvenile offenders must be safeguarded from unauthorized disclosure. They are released only on a need-to-know basis. They must be maintained in a secure file in the juvenile office or PM office, with very limited access. See AR 190-45 for more information on how to store juvenile records.

During juvenile proceedings, information on the juvenile and the circumstances of the offense may be furnished only to the court, counsel for the juvenile, the government, or others entitled to review sealed records.

Records may also be released to a treatment facility to which a juvenile has been committed by the court if the director submits an inquiry in writing. And sometimes records may be released to an agency considering the subject for a position involving law enforcement work or affecting national security.

Records should give detailed listings of regulations the juveniles have violated. And they should include the disposition made by civilian authorities. But permanent records of nonessential minor incidents or situations resolved in conference with parents or the juvenile are not made. If the juvenile is found innocent, the records are destroyed, sealed by the court, or otherwise disposed of in accordance with local directives. Juvenile records transmitted outside the MP station or PM office will be assigned protective markings as specified in AR 340-17.

MP may, at times, come in contact with the news media. Establishing a cooperative relationship with the news media can eliminate misunderstanding between the military community and the news media.

MP do not release information to the news media. If asked to give information, MP decline. The requestor is referred to where the information may be obtained. A definitive policy as to what news is to be made available, through what channels, and under what circumstances it is to be released is established by the PM in coordination with the public affairs officer (PAO) of the installation.

The PAO, like the PM, also is a staff officer of the commander. The PAO keeps the community informed about unit operations or developments that may impact on the military community. The PAO also keeps the commander advised of community opinion and the probable community reaction to impending operations and developments.

The PAO may release to the press information concerning the post that is not

classified or libelous. The PM and MP unit commanders must be familiar with ARs 360-5 and 360-61.

The PM, in coordination with the PAO, uses all available public information media, such as television, radio, newspapers, and posters to—

- Introduce MP and their mission so there will be understanding and cooperation between MP and the military and civilian communities.
- Explain enforcement plans, policies, programs, and changes so members of the military community know the law enforcement programs and govern themselves accordingly.
- Explain pertinent provisions of agreements entered into with local civil police.
- Explain the role that all members of the military community must play to prevent crimes and offenses, and actions they are to take to assist MP if they become victims of crimes and offenses.
- Publicize outstanding accomplishments of MP and other members of the military community in preventing crimes and offenses.

The sources of departmental information available to the press are strictly controlled, standardized, and reduced to a minimum. When stories are misinterpreted, the responsible reporter is contacted and the proper interpretation given. MP must be careful not to exaggerate occasional petty criticisms that are printed in the papers, as long as general press relations impact positively on the military community. In this respect, MP must remember that the press is usually a good barometer of community opinion and wields a great influence upon it. Good press relations can mean that favorable stories will be given front page coverage and unfavorable stories will be presented in a less damaging light, consistent with the facts.

USING MILITARY POLICE MANAGEMENT INFORMATION SYSTEMS

In an effort to standardize automated information management throughout the MP Corps, specific systems have been created for use Armywide. Under the umbrella Military Police Management Information Systems (MPMIS), the ORS, the VRS, and the Correctional Reporting System (CRS) support the law enforcement mission of the MP. Each system is designed to provide data query and report capability in response to managerial or investigative requirements.

OFFENSE REPORTING SYSTEM

The information used by the ORS is taken from each DA Form 3975 (Military Police Report). Information is stored in the computer until it is requested through a data query or in the form of a standard report. Automation of this information does not do away with the requirement to prepare and store hard copy MP reports and associated case documents. These documents must be available for court or court-martial proceedings. However, ORS provides rapid access to detailed information as well as broad statistical analysis.

Standard reports generated through ORS may be requested and used as needed at the installation level, or they may be used to satisfy a regulatory requirement for standard information such as the law enforcement and discipline report. Features of ORS include computer-generated reports that identify crime by location, summarize all offenses by type, profile adjudication of persons apprehended by the MP, and produce separate reports on any cases involving juveniles. Additionally, ORS monitors the status of all open MP reports referred to MPIs, USACIDC, traffic, or other investigative agencies. It further recognizes overdue suspensions for DA Form 4833 (Commander's Report of Disciplinary or Administrative Action). ORS is beneficial in assisting MP in the identification of problem areas or units on an installation. For

assistance on how to use the ORS, see the *Offense Reporting System Functional Users Manual*.

VEHICLE REGISTRATION SYSTEM

The VRS is a stand-alone system, independent of other MPMIS systems, that can provide useful vehicle data to the MP and unit commanders. It entirely automates the registration of vehicles authorized on any installation. The necessity for the timely retrieval of vehicle information is fundamental and can most efficiently and effectively be achieved through automation. VRS complements the registration process by meeting the increasing demands of law enforcement for timely information. Whether or not the actual registration process is conducted by personnel assigned to the PM is not important. Information stored through VRS is equally valuable through the process of data query and standard reports.

Reports are requested as required by the MP. The types available include registration by decal number, state license number, or personnel type. Additionally, VRS monitors the status of driving privilege suspension and revocation as well as validation of safety inspections, insurance, and post decals. For assistance on how to use the VRS, see the *Vehicle Registration System Functional Users Manual*.

CORRECTIONAL REPORTING SYSTEM

The CRS assists in the management of the Army's confinement facilities. Information on each prisoner is taken from confinement orders, release orders, personal history documents, and other sources. This information assists the correctional facility staff in monitoring the custody and control of all prisoners assigned. The data base is used to generate various types of daily, monthly, and quarterly reports as required by regulation. Reports provide information

on the status of the prisoner population. Reports make it possible for prisoner gains and losses to be tracked. Reports also make it possible for statistical analysis to be

performed on the information in the data base. For assistance on how to use the CRS, see the *Correctional Reporting System Users Manual*.

DEVELOPING AND USING MP INFORMATION FILES

MP information files must contain as much information as possible, cover as many years as possible, and be efficiently organized, consistent with the limitations imposed by AR 380-13. Information files are retained indefinitely. (To request modification of the Army filing system and method of storage and retention, see AR 25-400-2.) These files must be excluded from general inspection or review by anyone other than designated persons except upon authorization from the commanding general or installation commander. Cross-referencing of files is mandatory. Automatic data processing is used to the maximum extent possible.

The sensitive nature of these files must be understood by all persons concerned. Files contain offense charts, statistical summaries, blotters, DA Forms 3975, and information from MP and criminal investigations. These files also include rumor, supposition, conjecture, and gossip; this information may be damaging to otherwise innocent persons. These files may also contain information on friends, relatives, or fellow MP. From contacts made with other MP and MPIs and information already contained in the files, MP can pinpoint establishments, activities, friends, and problems.

MP patrols and their supervisors are alert and observant for all items of interest. They report such items fully and promptly. They question the identities of persons encountered in unusual places at unusual times. They ask their reasons for being in those places at those times. And they may ask for other information as well. Interview information, if it does not lead to an

immediate apprehension, is reported by patrol personnel. Usually a locally devised field interview card is used for this purpose. It should contain spaces for complete identification of the individual (and vehicle if applicable), the time and place of the interview, the reason for the interview, and the person's stated reasons for being in the area. Additional space can be provided for any remarks of the MP and for his signature. Data compiled from field interview cards are transferred to information cards filed in the police information file.

AREA FILES

Area files include information on any definable geographic area that has activities of police interest. On a CONUS installation, it may include housing areas, supply and storage areas, and recreational or training areas. Off post, it may include bar, hotel, or pawn shop areas, or any area of potential civil disturbances. With only slight modifications, the same considerations apply in overseas areas. In overseas areas where units or specific groups move into an area and more or less claim it as their own area, files become very revealing and extremely important. In rear area protection or in stability operations, areas of police interest may include those areas where populations are known to be unfriendly to the United States or allied forces, areas suitable for guerrilla training or bases, and areas that may provide potential sources of supply and equipment for insurgent forces.

ACTIVITY FILES

The activity files contain all information of interest to the MP. The categories in this system vary, and the information is not

limited by the area of influence or by jurisdictional considerations.

All activities that can pose a threat to military personnel, functions, or property are included in an activity file. Information concerning persons and organizations not affiliated with the Department of Defense may be acquired, reported, processed, and stored under the authority of AR 380-13 only if in the judgment of the commander concerned there is reasonable basis to believe that one or more of the following has or is likely to occur:

- Theft, damage, or sabotage of weapons, ammunition, equipment, facilities, or records belonging to DOD units or installations.
- Compromise of classified defense information by unauthorized disclosure or espionage.
- Demonstrations occurring on or immediately adjacent to Active or Reserve Army installations which are of such size or character that they are likely to interfere with the conduct of military activities, as defined in AR 380-13.
- Direct threats to DOD military or civilian personnel regarding their official duties or to other persons authorized protection by DOD resources.
- Activities or demonstrations endangering classified defense contract facilities or key defense facilities.
- Acts occurring on Active or Reserve Army installations in violation of laws or regulations.
- Subversion of loyalty, discipline, or morale of military and DOD civilian personnel (18 USC 2387).

A distinction must be recognized between the various restrictions governing the collection, storage, and dissemination of information in a peacetime environment and the need to gather information in support of tactical operations. Normally, the

restrictions of AR 380-13 do not apply in the theater of operations.

INDIVIDUAL FILES

Any individual identified as being of special significance to the MP, either because of activities, leadership, contacts, or even as a symbol of some nature, has a dossier within the restrictions of AR 380-13. This dossier is nothing more than a complete biography to include information on habits, income, friends, weaknesses, and personal history. The individual's police record, disciplinary record, and details of other contacts with law enforcement agencies are included. See AR 340-17 and AR 380-13 for guidance regarding non-DOD-affiliated personnel.

INVESTIGATORY FILES

Investigatory files compiled for enforcing civil, criminal, or military law are considered exempt from mandatory release provisions of the 1974 Freedom of Information Act (5 USC 552). Information requests concerning data determined to be releasable by the PM and SJA are honored in accordance with the provisions of AR 340-17. Requests for information from representatives of the press will be processed through the appropriate command information officer. Information is not released to representatives of the press if it is likely to—

- Interfere with law enforcement proceedings.
- Deprive an individual of fair and impartial justice.
- Invade the personal privacy of an individual.
- Disclose nonroutine investigation techniques and procedures.
- Disclose confidential investigative information and sources of information.
- Reveal information that might endanger the lives or physical safety of law enforcement personnel.

USING OTHER INFORMATION SOURCES

NATIONAL CRIME INFORMATION CENTER

The NCIC is a computerized information system established by the Federal Bureau of Investigation (FBI) as a service to all law enforcement agencies—local, state, and federal. The system operates by means of computers, data transmission over communication lines, terminal devices, and, most important, people. Its objective is to improve the effectiveness of law enforcement through the efficient handling and exchange of documented civil and military police information.

The NCIC makes centralized criminal data rapidly available to law enforcement agencies. Patrol tactics and investigative habits must be reviewed in light of this capability if the system is to attain optimum use. The success of the system will depend on the extent to which patrols, supervisors, and investigators use it in daily operations.

The US Army participates in the NCIC system in conjunction with other law enforcement agencies. The system affords the Army timely police information regarding deserters; wanted persons; and stolen, missing, and recovered automobiles, boats, securities, license plates, weapons, and other identifiable property.

The NCIC provides data on military absentees and deserters as provided in AR 190-9 and AR 190-27. Data are obtained from DD Form 553 (Test) (Deserter/Absentee Wanted by the Armed Forces) forwarded by PMs to the USADIP at Fort Benjamin Harrison, Indiana. The USADIP, staffed by MP and personnel specialists, ensures that information received is current and correct, and that it is entered into the NCIC and disseminated to all appropriate law enforcement agencies.

The Office of Army Law Enforcement, Deputy Chief of Staff for Personnel

(DCSPER), is responsible for overall Army participation in the NCIC. In addition to operating the Army's central terminal in the NCIC system, it maintains liaison with the FBI on NCIC matters. Currently, Army field terminals in the NCIC are located at designated installations and the Military District of Washington. AR 190-27 specifies procedural requirements for Army users of the NCIC system. The FBI publishes a manual containing standards, procedures, and instructions for NCIC participants. PMs maintain and update a copy of the NCIC operating manual and refer to this manual when questions arise concerning proper procedures for using the NCIC. FM 19-20, AR 190-9, and AR 190-27 provide further details concerning the NCIC.

CRIME RECORDS CENTER

The USACRC receives and maintains the permanent files of USACIDC reports and investigations and designated MP reports. USACRC ensures retention of these records and supplies data and copies of files or documents to agencies authorized to request such information. USACRC also maintains liaison with other federal intelligence agencies as prescribed in AR 195-2.

The function of the USACRC is to—

- Receive and file all USACIDC reports of investigation.
- Receive and file MP reports acquired under the provisions of AR 190-45.
- Operate and maintain criminal data reference files.
- Provide record checks, both emergency and routine, for USACIDC elements, other federal investigative agencies, and other authorized users.
- Develop specialized statistics and reports on crime within the Army as required by Headquarters, Department of the Army.

- Transmit, upon request, copies of USACIDC reports of investigation and MP reports to USACIDC elements, Department of the Army, federal investigative agencies, and other authorized users.

The USACRC will, upon request of authorized users, conduct a search of available files for information on a particular individual. File searches can be made as part of a crime survey check of employees at a particular establishment. Such checks are considered routine. Requests for immediate record checks may be forwarded by telephone, telecopier, or teletypewriter. Telephonic format is contained in AR 195-2. Letter or message requests are addressed to Director, US Army Crime Records Center, 2301 Chesapeake Avenue, Baltimore, Maryland 21222. Requests contain, if available, the name, date of birth, place of birth, social security number, and military service number.

FEDERAL BUREAU OF INVESTIGATION

The FBI investigates all violations of federal laws, with the exception of specified

violations, such as counterfeiting and internal revenue violations. The FBI classifies and maintains fingerprint files on all present and past federal employees (including military personnel) and all persons apprehended for the commission of serious crimes. The bureau also maintains the NCIC.

The 1984 Memorandum of Understanding between the Department of Justice and the Department of Defense relating to the investigation and prosecution of certain crimes (see AR 27-10) provides guidance on investigative responsibility between the FBI and military criminal investigative organizations.

DRUG ENFORCEMENT ADMINISTRATION

The Drug Enforcement Administration has prime responsibility for enforcing laws and statutes relating to narcotic drugs, marihuana, depressants, stimulants, and hallucinogenic drugs. The agency will assist federal, state, and local law enforcement agencies in the exchange of information and training to control the use and trafficking of narcotics and other drugs.