



# **STANDARD OPERATING PROCEDURES**

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Understanding that the GC High Intensity Drug Trafficking Area (GC HIDTA) offers a unique opportunity for interagency cooperation and coordination, the Executive Board of the GC HIDTA sets forth the following Standard Operating Procedures (SOP). Any agency providing full and/or part-time participant to GC HIDTA operations are bound by the articles herein.

## **ARTICLE 1: THE EXECUTIVE BOARD**

- 1.1 The GC HIDTA is established under the auspices of the Office of National Drug Control Policy (ONDCP). The GC HIDTA consists of designated counties or parishes within the states of Alabama, Arkansas, Florida, Louisiana, Mississippi and Tennessee. Members of the GC HIDTA agree to operate by ONDCP Program Policy and Budget Guidance, the Memorandum of Agreement (MOA) and Cooperative Agreement signed by federal, state and local agencies receiving grant awards.
- 1.2 An Executive Board will govern the GC HIDTA. The Executive Board will consist of not more than twenty-eight (28) voting delegates, approximately fourteen (14) from federal agencies, and approximately fourteen (14) from state and/or local agencies. The Executive Board may elect, by a majority vote, to add agencies to the committee in an advisory capacity without voting rights. In such cases, non-voting members will not count toward the twenty-eight (28) voting delegates limit. Additionally, the Executive Board may choose to add new voting agencies or delete existing voting agencies by a two-thirds (2/3) majority vote mindful of the twenty-eight (28) voting delegate limit.
- 1.3 The purposes of the Executive Board will be to nominate the Executive Director, to promulgate rules of operation for the GC HIDTA, to submit to ONDCP an annual Threat Assessment and Initiative Description and Budget Proposals. Such programming shall take place pursuant to procedures established by the Executive Director and the Executive Board. Finally, the Executive Board shall resolve disputes among or between agencies on GC HIDTA-related matters when the agencies themselves are unable to do so. Participating agencies are urged to resolve conflicts at the lowest possible level.
- 1.4 Each agency with representation on the Executive Board shall have one (1) vote in matters affecting the management of the GC HIDTA. An agency will designate a primary and secondary delegate to represent it on the Executive Board. Such designation shall be made in the form of a written letter to the Chairman of the Executive Board signed by the head of the agency in the GC HIDTA area. The second will represent the agency in the event the primary delegate is unable to attend. Only the primary delegate and his or her second will have voting powers for their agency. Executive Board and State Committee meetings are open to all reasonable interested parties. There will be no closed sessions.
- 1.5 The following agencies are designated as members of the GC HIDTA, and as such, are entitled to representation on the Executive Board with voting rights:

### **Federal Law Enforcement Agencies**

Bureau of Alcohol, Tobacco, Firearms and Explosives

Drug Enforcement Administration

Federal Bureau of Investigation

Homeland Security Investigations  
Internal Revenue Service  
United States Border Patrol United States Marshals Service  
United States Postal Inspection Service

**State/Local Law Enforcement Agencies**

Alabama Attorney General's Office  
Alabama Law Enforcement Agency  
Arkansas State Police  
Harrison County, MS Sheriff's Office  
Huntsville, AL Police Department  
Jefferson Parish, LA Sheriff's Office  
Louisiana State Police  
Mississippi Bureau of Narcotics  
Mississippi Department of Public Safety  
New Orleans, LA Police Department  
Rogers, AR Police Department  
Santa Rosa County, FL Sheriff's Office  
Shelby County, TN Sheriff's Office  
Washington County, AR Sheriff's Office

**Prosecutorial Agencies**

United States Attorney's Office Alabama  
United States Attorney's Office Arkansas  
United States Attorney's Office Florida  
United States Attorney's Office Louisiana  
United States Attorney's Office Mississippi  
United States Attorney's Office Tennessee

**Non-Voting Agency**

Louisiana National Guard  
Mississippi State Department of Health

- 1.6 Each year, the members will elect a Chair and a Vice-chair from their membership. One will be from a federal agency and the other from a state or local agency. The term of office for the Chair will be one (1) year. The Vice-chair will follow him or her in term.
- 1.7 The Executive Board shall nominate a person to serve as Executive Director of the GC HIDTA. The nomination must then be submitted to the Director of ONDCP for confirmation. Should the Director of ONDCP reject the Executive Board's nominee, the Executive Board will submit another candidate. The Executive Board shall establish duties of the Executive Director in accordance with ONDCP policy. The Executive Board shall periodically review the performance of the Executive Director. The Executive Board can remove the Executive Director at any time for just cause or at the end of any calendar year. Such action shall require a 2/3- majority concurrence by the Executive Board.

- 1.8 The Executive Board shall meet at least four times within a calendar year, at locations determined by the Chair, after consultations with its members. To the degree practicable, at least one meeting per year shall occur in each state.
- 1.9 Members or their seconds are expected to attend each meeting. If a member or his or her second misses three meetings in a twelve-month period, he/she will lose his or her position on the board.

## **ARTICLE 2: EXECUTIVE DIRECTOR**

- 2.1 The Executive Director shall name a staff in accordance with the GC HIDTA Management and Coordination initiative.
- 2.2 The Executive Director shall have authority to reprogram HIDTA funds. The Executive Director shall also ensure that all reprogramming requests comply with participating agency's requirements as well as Program Policy and Budget Guidance.
- 2.3 The Executive Director shall supervise all initiatives other than the enforcement initiatives. However the Director shall have administrative and coordination oversight responsibility over enforcement initiatives.
- 2.4 The Executive Director shall establish an orientation process for new executive board members, new participating agencies, and new initiative supervisors that address the general requirements of the HIDTA program.
  - 2.4.1 A new executive board member shall receive the following:
    - 2.4.1.a A copy of the HIDTA Program Policy and Budget Guidance.
    - 2.4.1.b A copy of the GC HIDTA Standard Operating Procedures.
    - 2.4.1.c A copy of the HIDTA Initiative Commander Orientation manual.
    - 2.4.1.d A verbal overview of the HIDTA program by the Executive Director.
    - 2.4.1.e A meeting with the State Director to discuss the HIDTA program as well as a briefing on the current approved initiatives.
  - 2.4.2 A new participating agency shall receive the following:
    - 2.4.2.a A copy of the HIDTA Program Policy and Budget Guidance.
    - 2.4.2.b A copy of the GC HIDTA Standard Operating Procedures.
    - 2.4.2.c A copy of the HIDTA Initiative Commander Orientation manual.

- 2.4.2.d A meeting with the State Director to discuss the HIDTA program as well as a briefing on the current approved initiatives.
- 2.4.2.e An overview of the fiscal responsibilities of each agency by the State Director.
- 2.4.3 A new initiative supervisor shall receive the following:
  - 2.4.3.a A copy of the HIDTA Program Policy and Budget Guidance.
  - 2.4.3.b A copy of the GC HIDTA Standard Operating Procedures.
  - 2.4.3.c A copy of the HIDTA Initiative Commander Orientation manual.
  - 2.4.3.d A meeting with the State Director to discuss the HIDTA program as well as a briefing on the current approved initiatives.
  - 2.4.3.e An overview of the fiscal responsibilities of each agency by the State Director.
  - 2.4.3.f An overview of our Quarterly Reporting System (QRS) by the State Director as well as an explanation of the required QRS reporting.

### **ARTICLE 3: STATE COMMITTEES**

3.1 The purposes of State Committees shall be:

- 3.1.a Implementation of the GC HIDTA mission at the state level;
- 3.1.b Implementation of the policies promulgated by the GC HIDTA Executive Board;
- 3.1.c Approval of the Threat Assessment prepared in their state;
- 3.1.d Submitting to the GC HIDTA Executive Board strategy proposals, initiatives and budget requests for their respective states.
- 3.1.e General oversight of HIDTA initiatives operating in its state, in collaboration with the State Director, to ensure progress toward stated outcomes. Supervisors of HIDTA initiatives will provide a full briefing to the State Committees at least once a year, covering the full gamut of their operations. Such briefing will be conducted in such a way that sensitive law enforcement information is not jeopardized.
- 3.1.f State Committees may choose to encourage managers of agencies participating in individual initiatives to establish local steering committees

to more closely oversee operations of the initiatives in which they participate.

- 3.2 Law enforcement members of the State Committees shall consist of representatives of agencies with full-time participation in a HIDTA initiative. State Committee members must be full-time employees of the agency they represent. Each member of the State Committee shall have one vote. The Board may choose to open membership to non-voting persons who may assist the voting membership in its deliberations.

#### **ARTICLE 4: STAFFING**

- 4.1 Each participating agency recognizes that the success of the GC HIDTA depends upon the quality of the staff that implements the GC HIDTA mission. Toward that end, each participating agency will assign high-quality people to HIDTA initiatives. Each agency reserves the right to protest the assignment of any person to a GC HIDTA initiative. Such protest will take place at the supervisory level, with an explanation of the reasons for the protest. Integrity matters will be addressed at management levels. Each agency will fully consider the concerns of the other agency and address them. If the parties cannot reach agreement, the State Director shall intercede, then the Executive Director, and finally, the HIDTA Executive Board. The decision of the HIDTA Executive Board is binding.
- 4.2 It is understood that occasionally it may be necessary for one agency to ask that a member of another agency be removed from a GC HIDTA initiative. Such cases will be handled informally, at the supervisory level, except in instances of flagrant misconduct. An agency asking for the removal of another agency's personnel will informally provide the reasons for such request in sufficient detail to allow the agency receiving the request to make an informed decision. Unresolved requests will be handled as in Article 4.1. It is incumbent upon agency supervisors to notify their own managers of requests and resolutions under this article.

#### **ARTICLE 5: FULL-TIME PARTICIPATION**

- 5.1 The purpose of this policy is to clarify the definition of full-time participation in GC HIDTA initiatives. The central tenet of the HIDTA program is full-time participation in collocated task forces. It is GC HIDTA Executive Board policy to provide funds for certain items, *e.g.*, training and investigative travel, most overtime, limited supplies and the like. This funding is based largely on full-time participation in a GC HIDTA initiative. ONDCP approves it on that basis as well. Agency officials indicate their intent to provide such manpower when an initiative is first submitted for approval, and at other times, if the commitment changes.
- 5.2 Experience has shown that it takes six to twelve months for an officer/agent to adjust to HIDTA Task Force procedures. In the case of deputation/cross designation the process can be lengthy and resource intensive to the lead agency. Therefore, the parent agency should commit the law enforcement officer to the task force full-time for at least 12 months to provide continuity to task force investigations. The longer a productive officer

is allowed to remain with the task force, the more likely the benefit to the parent agency and to the task force.

- 5.3 The Executive Board is aware that sometimes agencies are unable to meet their manpower commitments. In such cases, the Executive Director may reprogram funds to other budget items or initiatives. The initiative submission will then be modified in subsequent years.
- 5.4 Transfers, retirements, promotions, etc., may temporarily affect an agency's ability to provide manpower to an initiative. In those circumstances, when an agency fully intends to fill the vacancy in fairly short order, it will not be necessary to reprogram or cut funding. Initiative supervisors will keep space available provided the agency names a replacement within ninety (90) days. This policy applies to those cases where an agency cannot or will not meet its manpower commitments.
- 5.5 Nothing in this policy is meant to preclude an agent assigned to a GC HIDTA initiative from fulfilling parent agency requirements, such as special details, mandatory training, or approved leave. Rather, it is assumed that such requirements will be met. It is expected, however that a substantial majority of the agents' time will be spent in the collocated task force. "Substantial majority" means that absent special circumstances, participation in the collocated task force will be full-time. Failure may result in the loss of funding. Agents should keep task force supervisors fully aware of their schedules when parent agency requirements will keep them away from their HIDTA assignments.
- 5.6 It is incumbent upon the initiative supervisor to notify the State Director, of manpower shortfalls. The Quarterly Reporting System (QRS) will be adequate for that purpose.

## **ARTICLE 6: STATE AND LOCAL OVERTIME (OT) POLICY**

### **6.1 ONDCP Policy**

- 6.1.a Per annum, the HIDTA OT rate will not exceed 25 percent of federal GS 12, Step 1. The rate will change according to federal pay increases. The per-hour rate is set by individual agencies, but cannot exceed this figure in any year. How an agency chooses to pay benefits is up to the individual agencies. HIDTA OT will not exceed the above figure, irrespective of agency benefit payments.
- 6.1.b HIDTA, OCDETF, and all other federal OT combined cannot exceed this figure.
- 6.1.c HIDTA will not pay OT to federal personnel or administrative personnel.

### **6.2 GC HIDTA Policy**

- 6.2.a The following options are contingent on funds already included in agency budgets: It is incumbent on initiative supervisors to ensure funding availability before

authorizing individuals to work overtime. All OT payments must be in accord with the policies of each individual's parent agency and the GC HIDTA. The State Director of Operations must exercise an oversight role in OT payments. He/she must monitor OT reimbursement requests and resolve questions.

- 6.2.b Full-time investigators: HIDTA will pay OT at agency rate, not to exceed the budgeted yearly amount per agent. Agency budgets in this category are based on the number of full-time persons assigned to HIDTA initiatives. If an investigator uses all his/her OT and is transferred before the end of the year, the GC HIDTA will not be obligated to find additional OT funds for his or her replacement. Part-time investigators: HIDTA initiatives, within the constraints of agency budgets, may pay OT to state or local investigators who are working on HIDTA matters with full-time HIDTA participation. There are several scenarios where this is applicable. Initiative budgets must contain approved line items for this purpose.
- 6.2.c A HIDTA initiative develops information on a case and solicits state or local agency participation. As above, OT can be paid.
- 6.2.d A GC HIDTA initiative plans a focused 48-hour interdiction operation and asks state or local agencies to participate. Those state/local officers can receive GC HIDTA OT as long as an appropriate budget line item exists for such a purpose.
- 6.2.e A state or local officer seizes drugs or money as a result a highway stop and refers the case to a HIDTA initiative for follow-up. The HIDTA may pay the extra hours he or she works in processing prisoners or evidence, making a controlled delivery, or otherwise furthering the investigation.
- 6.2.f The GC HIDTA will not pay OT for additional hours spent on routine patrol, even if the patrol specifically focuses on interdiction efforts. An existing budget line item must be present within the initiative for such purpose.
- 6.2.g The GC HIDTA will not pay OT for time spent in travel status to conferences, training, meetings, or court. Exceptions can be approved by the Executive Director in extenuating circumstances for court purposes, with supervisory approval if agency rules permit.

## **ARTICLE 7: COMMITTEES**

- 7.1 The Executive Board shall establish committees or working groups as needed. These groups shall conduct research and make recommendations to the Executive committee in written reports. Only participating agency personnel may be assigned to a committee.
- 7.2 The Executive Board shall establish an Operations Committee at its first meeting of each calendar year. The Operations Committee's chair shall always be the Executive Board Vice-Chair. In addition to the Vice-Chair, each State Committee shall elect two members to the Operations Committee at its first meeting of each calendar year. The GC HIDTA



management staff (Executive Director, Deputy Director, State Directors and Financial Manager shall be required to participate with the Operations Committee by attending meetings, providing guidance, and facilitating the timely completion of duties. The Operations Committee's primary function will be to review accomplishments of existing initiatives and make recommendations to the Executive Board on the funding of new and ongoing initiative proposals, taking into consideration how effectively initiatives address elements of the threat assessment. The Operations Committee will also make recommendations on operational procedures.

- 7.3 The Executive Board shall establish an Intelligence Committee. The Intelligence Committee shall be comprised of full-time representatives from law enforcement agencies who provide manpower to the GC HIDTA intelligence sub-system. Its membership shall not be limited in number but will not exceed more than one member from any given agency. The Intelligence Committee Chair shall be elected from its members. The committee's function shall be to coordinate intelligence gathering and dissemination processes throughout the GC HIDTA and beyond.
- 7.4 The Executive Board shall establish a Fiscal Committee. The Executive Board shall appoint the Chairman of the Fiscal Committee and its members. The Fiscal Committee shall be comprised of one member from each of the following; a federal, state and local participating agency. The function of the Fiscal Committee will be to provide oversight of GC HIDTA fiscal procedures.

#### **ARTICLE 8: WITHDRAWAL FROM THE GC HIDTA**

- 8.1 An agency may choose to terminate its participation in the GC HIDTA at any time, providing, however, that all property purchased with HIDTA funds for the use of HIDTA participants, be returned to the Resource Initiative. Likewise, any leases, contracts, or agreements entered into by the agency on behalf of the HIDTA must be honored, or terminated without prejudice to the GC HIDTA.

#### **ARTICLE 9: INVESTIGATIVE REPORTING SYSTEM**

- 9.1 GC HIDTA initiatives may choose investigative reporting systems agreeable to all participants, provided a mechanism is established ensuring the smooth and effective communication and sharing of information between all GC HIDTA initiatives.
- 9.2 All participating agencies supplying manpower to GC HIDTA-sponsored task forces shall be provided, upon request, with necessary arrest, seizure, and other related statistical information needed for personnel evaluation, crime reporting and analytical purposes.

#### **ARTICLE 10: SECURITY CLEARANCES AND BACKGROUND INVESTIGATIONS**

- 10.1 GC HIDTA initiatives will investigate high-level drug traffickers and their organizations. These types of investigations are highly sensitive in nature and often require the gathering and transmittal of sensitive intelligence information. Therefore, it is necessary that

personnel, both administrative and law enforcement, possess the highest degree of integrity, moral character and discretion. In an effort to ensure these high standards, participating agencies shall agree to allow an initiative's lead agency to conduct background checks and required security clearances as determined by the GC HIDTA Executive Board. Participating agencies contributing manpower to the GC HIDTA shall only select those employees who can meet the security requirements of the initiative's lead agency and the minimum requirements determined by the GC HIDTA Executive Board. The lead agency providing supervisory oversight for an initiative will be responsible for completing necessary security clearances for its participants.

- 10.2 Certification that an individual possesses a National Security Clearance will obviate the need for a background investigation since a full field investigation is already required for such clearance. Otherwise, personnel assigned to the GC HIDTA will be mandated to supply any and all information, both personal and professional, needed to effectively complete their background investigation. Non-compliance and/or refusal to fully cooperate with this process will result in rejection of the candidate to a GC HIDTA assignment. Likewise, participating agencies assigning employees to the GC HIDTA must agree to cooperate with background investigations to include review of the employee's personnel file, personal interviews with present and past supervisors, and other similar requests deemed necessary to complete the investigation.

#### **ARTICLE 11: EQUITABLE SHARING OF FORFEITED ASSETS**

- 11.1 HIDTA investigations shall employ both civil and criminal statutes in the seizure and forfeiture of assets. Whenever possible, assets seized pursuant to GC HIDTA investigations shall be forfeited through federal asset seizure programs. It is agreed that sharing of forfeited assets will be divided on the basis of the participating agencies respective contributions to the effort.
- 11.2 It is understood that 100 percent of the net proceeds of forfeited assets are available for equitable sharing under prevailing Justice and Treasury Department guidelines. The decision to initiate forfeiture proceedings between Justice and Treasury Departments shall be made based on which department has the primary enforcement authority for the violation under which the asset was seized.
- 11.3 The sharing of assets shall be distributed based on each participating agency's manpower and strategic contributions to the investigation. All participants shall mutually agree upon the distribution of assets. The State Director shall act as a mediator in instances where agencies cannot reach a consensus.
- 11.4 State forfeiture laws will only be used in instances where federal forfeiture criteria are not met. In such cases, the same aforementioned guidelines will be followed regarding the equitable sharing of assets.

## **ARTICLE 12: STATE DIRECTOR**

- 12.1 Each state(s) shall have a State Director to function as a coordinator of all GC HIDTA initiatives within their state(s). The State Director shall serve contingent on funding availability. The State Director may be a federal, state or local drug enforcement manager from a participating agency or the position may be a GC HIDTA funded slot.
- 12.2 The duties of the State Director will be as follows:
- 12.2.a Provide operational, fiscal and administrative oversight to all GC HIDTA initiatives within his or her state;
  - 12.2.b Act as a mediator of disputes that may arise between assigned agents or initiatives;
  - 12.2.c Assist the GC HIDTA management staff in development of Initiative Description and Budget Proposals and threat assessments;
  - 12.2.d Ensure that all initiatives are directing enforcement and tactical efforts towards addressing the strategy and outcomes as set forth by the approved GC HIDTA submission to ONDCP.
  - 12.2.e Carry out additional instructions and oversight as directed by the State Committee and Executive Director.

## **ARTICLE 13: PRESS RELEASES**

- 13.1 It is the policy of the GC HIDTA to cooperate fully and impartially with authorized news media representatives in their efforts to gather public information pertaining to activities of the GC HIDTA provided such cooperation does not interfere with the operations of any participating agency, infringe upon individual rights, or result in violations of law.
- 13.2 The Executive Director or the Executive Board Chairman will act as the spokesperson pertaining to HIDTA programmatic inquiries and releases. All requests for interviews and releases regarding HIDTA policy shall be directed to one or both of them. In such releases, they will stress that the HIDTA is not an agency, but rather a program that enhances cooperation and collaboration among many agencies. The Executive Director shall refer questions regarding investigative matters to the appropriate agencies.
- 13.3 All information released to the press regarding GC HIDTA investigations/prosecutions shall be coordinated with all agencies associated with the particular matter being discussed. All contacts with the press shall be in accordance with the press relations guidelines of the agency conducting the investigation. In the case of press releases relating to arrests and prosecutions, all contacts with the press will also be made in accordance with the rules of the courts and the prosecutor's office in which jurisdiction the case will be prosecuted.

## **ARTICLE 14: VEHICLE POLICY**

- 14.1 State and local agencies assigning full-time investigator(s) to GC HIDTA initiatives may request reimbursement in compensation for providing them with a vehicle, fuel, insurance and maintenance. Reimbursement in such cases will be referred to as a “vehicle allowance.” The GC HIDTA Executive Board has set the monthly vehicle allowance at \$700. In order to receive a vehicle allowance, the requesting agency must have an approved line item in the agency’s grant award from ONDCP.
- 14.1.a The GC HIDTA Executive Board limits the number of vehicle allowances granted to individual agencies for investigators as follow:
- 14.1.b Agencies providing only one investigator to one or more GC HIDTA initiatives will be entitled to one vehicle reimbursement.
- 14.1.c Agencies providing more than one investigator to one or more GC HIDTA initiatives will be entitled to one vehicle allowance for every two investigators assigned. In the case of an odd number of investigator assignments, the number of vehicle allowances will be rounded down, not up (i.e. 5 investigators = 2 vehicle allowances).
- 14.1.d In order to receive reimbursement for a vehicle allowance, the requesting agency must provide its investigator with a vehicle no older than five (5) years and with no more than 80,000 total miles. The agency must submit a GC HIDTA monthly vehicle allowance request signed by the agency’s Financial Manager or designee and certified by the State Director. The report will list a description of each vehicle seeking vehicle allowance reimbursement and a list of investigators assigned to all GC HIDTA initiatives during the month. The monthly report will in turn be submitted to the National HIDTA Assistance Center for reimbursement purposes.
- 14.1.e No other form of vehicle related reimbursements will be granted other than mentioned in this article.

## **ARTICLE 15: EQUIPMENT POLICY**

Sound fiscal management requires close controls over equipment. The foregoing GC equipment policy adheres to the national HIDTA Program and Budget Guidance requirements, as well as additional guidelines established by the GC HIDTA Executive Board.

- 15.1 HIDTA Program Policy and Budget Guidance requires agencies receiving HIDTA funds for the purchase of equipment to maintain certain records. Recordkeeping items include:
- 15.1.a Description of the property
- 15.1.b Serial number or other identification number

- 15.1.c Identification of who holds title to the property
- 15.1.d Acquisition date
- 15.1.e Cost
- 15.1.f Location of the property
- 15.1.g Use and condition of the property
- 15.1.h Property disposal
- 15.2 Purchased equipment must primarily benefit the HIDTA program. Split agency equipment purchases are prohibited.
- 15.3 Equipment must be primarily stored at the initiative for which it was purchased. Exceptions to this rule must be in writing, with approval from the Executive Director. The equipment can be loaned to a non-HIDTA agency for a specific case.
- 15.4 All equipment valued at \$1,000 or more must be on the agency's inventory. In an instance where an agency has a lower inventory threshold, the lower agency threshold should be used. Supplies or expendable items need not be inventoried, but agencies are responsible for taking steps to avoid pillaging of these items.
- 15.5 Equipment purchased with HIDTA funds must be entered into the HIDTA inventory control system. Equipment ordered by the GC HIDTA Technical Operations Supervisor shall be barcoded and inventoried prior to delivery to an agency. Initiative supervisors are responsible for coordinating with the Technical Operations Supervisor to have equipment ordered and purchased with initiative funding to be barcoded and added to the initiative's inventory.
- 15.6 The GC HIDTA program reserves the right to conduct periodic spot checks of equipment. Agencies are required to make this equipment available for inspection upon request.
- 15.7 HIDTA funds cannot be used to purchase personal equipment normally provided by agencies including firearms and ammunition.
- 15.8 Each initiative is required to conduct an annual inventory of equipment prior to the end of each calendar year. The Technical Operations Supervisor will send inventory instructions to each initiative supervisor when the inventory is due. These instructions are also posted on the GC HIDTA website.
- 15.9 Should an agency decide to withdraw from participation in the GC HIDTA, all equipment purchased with HIDTA funding must be returned to the Technical Operations Supervisor. Per the approval of the Executive Director, this equipment may be appropriately reassigned and added to the inventory of another GC HIDTA initiative.

- 15.10 When acquiring replacement equipment, agencies may use the original equipment to be replaced as a trade-in or sell the equipment and use the proceeds to offset the cost of the replacement property, subject to agency rules and the approval of the Executive Director.
- 15.11 Equipment will be disposed of in accordance with agency rules and with the approval of the Executive Director. Before disposal, however, the Technical Operations Supervisor will query other agencies to determine if they have a use for the equipment and, if appropriate, transfer the equipment to the gaining agency's inventory.

## **ARTICLE 16: INFORMATION TECHNOLOGY ACCEPTABLE USAGE POLICY**

The GC HIDTA program's information technology (IT) acceptable usage policy (AUP) applies to all GC HIDTA employees, contractors, and agents (hereafter referred to as 'users'). This policy applies to all information, in whatever form, relating to the GC HIDTA program's activities and communications with other organizations.

As the GC HIDTA is a program, not an agency, it does not own data or information, and while the network administration desires to provide a reasonable level of privacy, users should be aware the data they create and receive on GC HIDTA systems is potentially subject to disclosure. Those with a need for access to any GC IT system shall be required to sign a user agreement acknowledging the foregoing conditions of this policy.

### **16.1 Computer Access Control – Individual's Responsibility**

Access to GC HIDTA IT systems is controlled by the utilization of user identifications (IDs), passwords, and/or tokens. All user IDs and passwords are to be uniquely assigned to named individuals and, consequently, individuals are accountable for all actions on GC HIDTA IT systems.

16.1.a All passwords shall meet the minimum complexity and characteristics as described below:

- The password contains at least eight alpha numeric and special characters and contain three of the following four characteristics:
- Uppercase, lowercase, number and special character (i.e., ~!@#%&\*()+=)
- Should not contain any part of the user's name.
- Should not be written down or stored online.
- Should not be easily-guessed such as Password#123

16.1.b Users must not:

- Allow anyone else to use their user ID/token and/or password on any GC HIDTA IT system.
- Leave their user accounts logged in at an unattended and unlocked computer.
- Use someone else's user ID and password to access GC HIDTA IT systems.
- Leave their password unprotected, e.g., writing it down.
- Perform any unauthorized changes to GC HIDTA IT systems or information.
- Attempt to access data the user is not authorized to use or access.

- Exceed the limits of authorization or a specific business need to interrogate the system or data.
- Connect any non-GC HIDTA authorized device to the GC HIDTA network or IT systems.
- Store GC HIDTA data on any non-authorized GC HIDTA equipment.
- Give or transfer GC HIDTA data or software to any person or organization outside GC HIDTA without the authority of the Executive Director.

## 16.2 Confidential/Protected/Classified Information

GC HIDTA users access confidential and protected information as a daily course of business from participating agencies and commercial systems. In addition to ensuring that information retrieved from these systems is secured and protected commiserate with the user's agency policies, further dissemination must be in compliance with all applicable standards and guidelines established by the Criminal Justice Information Services (CJIS). These standards and guidelines are covered in required annual training for all users with access to CJIS systems.

16.2.a Users must not:

- Send confidential/protected information using the GC HIDTA email system.
- Leave confidential/protected information exposed, either digitally or in hard copy form, in their work space.

16.2.b Commercial Cloud Storage (CCS) services have not been vetted for storage of law enforcement sensitive or personally identifiable information data. Therefore, users are not authorized to allow GC HIDTA systems to interface with CCS services.

16.2.c Personally Identifiable Information (PII) should be handled with the utmost level of security. Under no circumstances should it be transported offsite and onsite storage should meet other policy requirements described herein. PII is described as information about an individual that identifies, links, relates, or uniquely describes the person. This information may include:

- Name
- Social Security number
- Address(es)Phone numbers(s)
- Birthdate
- Birth place
- Mother's maiden name
- Family names
- Other family data such as addresses, contact information, etc.
- Financial information such as bank account information, account balances, etc.

16.2.d GC HIDTA systems are not authorized to receive, transmit, or store classified information. Should a GC HIDTA user be required to handle and/or store a classified document, it is incumbent on the user to ensure compliance with information classification and handling restrictions of the originating agency or sponsoring agency for the intelligence initiative, whichever has the more secure standard.

### 16.3 Physical Security

Information technology devices include, but are not limited to monitors, personal computers, laptops, printers, air cards, smartphones, tablets, removable media, radios, etc. These devices shall be adequately safeguarded against theft, extreme temperatures, dust, liquids, magnetic devices, static electricity, etc. Lost or stolen information technology devices must be reported immediately to the user's line supervisor and the GC HIDTA IT manager and/or appropriate State Director.

16.3.a Users must not:

- Transfer any computer, peripheral, or accessory to another user or location without the concurrence of the GC IT manager through the delegated authority of the Executive Director.

16.3.b Mobile storage device such as memory sticks, CDs, DVDs, and removable hard drives must be used only in situations when network connectivity is unavailable or there is no other secure method of transferring data.

16.3.c Computers must be logged off/locked or protected with a screen locking mechanism controlled by a password when unattended.

16.3.d Care must be taken not to leave confidential material on printers or photocopiers.

16.3.e All business-related printed matter must be disposed of using confidential waste bins or shredders.

### 16.4 Working Off-site

Laptops and mobile devices may be utilized off-site as long as the following GC HIDTA controls and remote working requirements are met:

16.4.a Equipment and media taken off-site must not be left unattended in public places and not left in plain sight inside a vehicle.

16.4.b Laptops must be carried as carry-on luggage when traveling.

16.4.c Information should be protected against loss or compromise when working remotely.

16.4.d Particular care should be taken with the use of mobile devices such as laptops, mobile phones, smartphones, and tablets. They must be protected at least by a password or a PIN.

### 16.5 Software

Employees are permitted to use only software authorized by the GC HIDTA program on GC HIDTA-issued computers. Authorized software must be used in accordance with the software supplier's licensing agreements. All software on GC HIDTA-issued computers must be approved by the Executive Director and installed by the GC HIDTA IT manager.



16.5.a The GC HIDTA has implemented centralized, automated virus detection and virus software updates within the GC HIDTA IT network. All GC HIDTA-issued computers have antivirus software installed to detect and remove any virus automatically.

16.5.b Users must not:

- Remove or disable anti-virus software.
- Attempt to remove virus-infected files or clean up an infection, other than by the use of approved GC HIDTA anti-virus software and procedures.

## 16.6 Internet Usage

Use of GC HIDTA internet is intended for business use and all users are accountable for their actions when utilizing these systems. Personal use is permitted where such use does not affect the user's business performance, does not breach any term or condition of employment, is not detrimental to the GC HIDTA program in any way, and does not place the GC HIDTA program or user in breach of statutory or other legal obligations.

16.6.a Users must not:

- Use the internet for the purposes of harassment or abuse.
- Use profanity, obscenities, or derogatory remarks in communications.
- Access, download, send or receive any data (including images), that might be considered offensive in any way, including sexually explicit, discriminatory, defamatory, or libelous material.
- Use the internet to make personal gains or conduct a personal business.
- Use the internet to gamble.
- Place any information on the internet that relates to the GC HIDTA program, alter any information about it, or express any opinion about the GC HIDTA unless the user has been specifically authorized by the Executive Director to do so.
- Make official commitments through the internet on behalf of the GC HIDTA program unless specifically authorized to do so by the Executive Director.
- Download copyrighted material such as music media (MP3) files, film, and video files—not an all-inclusive list--without appropriate GC HIDTA approval.
- In any way infringe upon any copyrights, database rights, trademarks, or other intellectual properties.
- Download any software from the internet without the prior concurrence of the IT manager through the delegated authority of the Executive Director.
- Connect GC HIDTA devices to the internet using non-standard connections.

## 16.7 Email Usage

The purpose of this policy is to ensure the proper use of the GC HIDTA email system. The GC HIDTA provides its staff and participating members with electronic communication tools, including an email system. To optimize email server storage, email messages should be “read and deleted” as a normal routine. However, messages deemed important can be stored in separate folders.

16.7.a Users must not:

- Send, receive, solicit, print, copy or reply to messages that are disparaging or

defamatory.

- Spread gossip, rumors or innuendos about employees or other outside parties.
- Send, receive, solicit, print, copy or reply to messages or images that contain foul, obscene or disrespectful language.
- Send, receive, or forward pornographic materials.
- Use abusive, profane, threatening, racist, sexist or otherwise objectionable language.
- Engage in unlawful or malicious activities.
- Violate the laws of the United States or any state, or local jurisdiction.
- Become involved in partisan politics.
- Send chain letters or participate in the creation or transmission of unsolicited commercial email (spam) that is unrelated to the program's legitimate business.
- Forge or attempt to forge email messages, or disguise or attempt to disguise your identity when sending email.

16.7.b As the GC HIDTA email system is intended for official purposes, users have no expectation of privacy. The GC HIDTA, through authority of its executive board, may access, monitor, inspect, copy and review any messages created, sent or received on the program's email system. Further, through the authority of its executive board, the GC HIDTA reserves the right to disclose email information and images to regulators, courts, and law enforcement agencies without the user's consent.

16.7.c The default retention period for all GC HIDTA emails is three years. All messages received or sent from a user's GC HIDTA email account, regardless of subsequent storage location, including the trash bin, is maintained in an Email Retention Server. The GC HIDTA email system is configured to automatically and permanently purge all emails three years from the date of receipt or transmission of the email.

16.7.d Violations of the email policy may lead to the revocation of user system privileges and/or disciplinary action up to and including termination.

## 16.8 **Actions upon Termination of Contract**

All GC HIDTA equipment and data, i.e., laptops and mobile devices such as smartphones, USB memory devices, and CDs/DVDs, must be returned to the GC HIDTA program upon termination of a contract and/or the user's continued participation in the program. All data or intellectual property developed or gained during the period of employment or participation with the GC HIDTA program must remain within the program and cannot be retained and used for any other purpose beyond the user's affiliation with the program.

## 16.9 **Monitoring and Filtering**

All data created and stored on GC HIDTA program computers are considered official business so there is no provision for individual data privacy. While the GC HIDTA program does not have a practice of reviewing emails, IT system logging may take place where appropriate, and investigations commenced where reasonable suspicion exists of a breach of this or any other official policy. The GC HIDTA program has the right, under certain conditions, to monitor

activity on its systems, including internet and email use, in order to ensure systems security and effective operation, and to protect against misuse.

#### 16.10 Incident Reporting

It is the user's responsibility to report suspected breaches of security policy without delay to line management, the GC HIDTA IT manager, and/or the user's respective State Director. All breaches of information security policies shall be investigated. Should investigations reveal misconduct, disciplinary action may follow in line with GC HIDTA disciplinary procedures.

### ARTICLE 17: DECONFLICTION

17.1 All GC HIDTA initiatives shall use SAFETNet, an acronym for Secure Automated Fast Event Tracking Network for event and target/investigative data deconfliction of all enforcement and operational deconfliction activities; even for those investigations not funded by HIDTA. SAFETNet is an approved Nationwide Deconfliction Process (NDP) solution. The Nationwide Deconfliction Pointer System (NDPS) has assigned the following definitions for deconfliction activities:

#### 17.1.a Event Deconfliction

It is the process of determining when law enforcement personnel are conducting an event in close proximity to one another at the same time. Events include law enforcement actions such as raids, undercover operations, surveillance, or executing search warrants. When certain elements (e.g., time, date, and location) are matched between two or more events, a conflict results. Immediate notification is then made to the affected agencies or personnel regarding the identified conflict.

#### 17.1.b Target/Investigative Data Deconfliction

It is the process of determining when law enforcement personnel are conducting an investigation that involves the same investigative data. When investigative elements match, immediate notification is then made to the affected agencies or personnel regarding the identified conflict.

17.2 All GC HIDTA deconfliction activities shall be tracked consistent with PMP guidelines and definitions outlined in the most recent version of the PMP User Guide. GC HIDTA Executive Board Outreach efforts have been established for informing law enforcement agencies within the HIDTA region of the availability of SAFETNet deconfliction support.

### ARTICLE 18: INFORMATION DISSEMINATION

18.1 The GC HIDTAs (GC HIDTA) Intelligence Sub-System is centered upon the Drug Enforcement Administration (DEA) sponsored Investigative Support Network (ISN). The GC HIDTA Executive Board has approved an ancillary Intelligence Initiative known as the BLOC (Blue Lightning Operations Center). The BLOC is sponsored by Homeland Security Investigations (HSI).

18.2 The GC HIDTA Intelligence Initiatives accomplish the following information sharing activities in coordination with GC HIDTA participating agencies:

- Perform event and investigative data deconfliction through the Nationwide Deconfliction Pointer Solution (NDPS);
- Obtain, maintain access to, and properly utilize law enforcement, proprietary, and public databases containing information owned by the participating agencies;
- Share drug-related information and intelligence products with other ISCs and national intelligence centers including (but not limited to) the El Paso Intelligence Center (EPIC), the Organized Crime Drug Enforcement Task Forces (OCDETF) Fusion Center, the Financial Crimes Enforcement Network (FinCEN), the Crime and Narcotics Center (CNC), State and Local Fusion Centers, Joint Terrorism Task Forces (JTTFs), Regional Information Sharing System (RISS) Centers, and other Federal, state, local, and tribal law enforcement agencies.

18.3 Applicable federal, state, or local laws, regulations or policies regarding the collection and dissemination of investigative information will govern the Intelligence Subsystem. All information provided to the ISN and resulting analytical products will be stored and disseminated in strict compliance with applicable federal, state, and local guidelines. Intelligence products will be disseminated to participating agencies, subject to legal restrictions, using the following categorizations:

18.3.a **Proprietary Dissemination**

Requests from a law enforcement agency on a criminal organization/enterprise for which an agency has a pending investigation or other significant law enforcement interest will be researched to produce an intelligence product. If there is no information from any other agency, this product will be returned to the requesting agency. An agency holding relevant proprietary information will be responsible for disseminating its own information.

18.3.b **Limited Dissemination**

Intelligence products initiated by GC HIDTA ISN with a nexus to ongoing cases conducted by a GC HIDTA initiative will be disseminated to the agency or agencies having investigative/operational interest. Additional dissemination of the product will be at the approval of those agencies.

18.3.c **General Dissemination**

Intelligence products initiated by GC HIDTA ISN with no specific agency operational/investigative equities will be disseminated to the various HIDTA participating agencies and to non-HIDTA participating law enforcement agencies, when appropriate. GC HIDTA ISN will use the HIDTA Resource Management System (HRMS) as a repository for final intelligence products, as appropriate.

18.4 **Product Markings and Classification**

Adherence to the appropriate safeguarding of unclassified but official or law enforcement sensitive (LES) information is imperative to maintaining the level of trust and systems integrity necessary to retain access to participating agencies' information, thereby preserving a robust information sharing environment.

18.4.a The GC HIDTA Intelligence Subsystem components (ISN, BLOC) will apply the standards published by the DEA or the FBI for classifying and marking all intelligence products.

18.4.b Systems (WAN) employed by the GC HIDTA to share unclassified or LES intelligence products shall be compliant with applicable standards for the safeguarding of such information.