



MEMPHIS POLICE DEPARTMENT

201 POPLAR
MEMPHIS TENNESSEE 38103



Policy and Procedure Information and Updates

SERIAL: 41-10 **DATE:** December 20, 2010
FROM: Larry A. Godwin^{LAG} **TO:** All Personnel
SUBJECT: DR 138 POLITICAL SURVEILLANCE

PURPOSE:

To amend MPD Policy and Procedures Manual Chapter I Section 3: Rules with the introduction of **DR 138 POLITICAL INTELLIGENCE**.

ACTION:

DR 138 POLITICAL INTELLIGENCE

The Memphis Police Department does not engage in political intelligence. No member shall intercept, record, transcribe or otherwise interfere with any communications by means of electronic or covert surveillance for the purpose of political intelligence gathering.

No member shall engage in any action or disseminate damaging, derogatory, false or anonymous information about any person which will deprive any individual of their First Amendment Rights; nor will any member encourage, cooperate with, or contract with any local, state, federal or private agency to plan or conduct any investigation involving political intelligence.

Any member conducting or supervising a lawful investigation of criminal conduct (governed by 28 CFR Part 23*) in which the investigation may result in the collection of information about the exercise of First Amendment Rights, or interfere in any way with the exercise of such First Amendment Rights must immediately bring such information to the attention of the Director of Police Services for review and authorization. If approved, the investigation will not exceed more than ninety (90) calendar days. An extension may be granted by the Director for an additional ninety (90) days if necessary.

The regulations for this DR are in accordance with the judgment and decree for Civil Case 76-449 (which can be found on the opening page of the MPD Kiosk website).

* The fundamental principles found in 28 CFR Part 23 operating policies provide law enforcement with the guidance needed to operate criminal intelligence information systems effectively while safeguarding privacy and civil liberties. The Memphis Police Department will operate within the confines of 28 CFR Part 23.

This policy has been reviewed by the Accreditation team and does not conflict with any CALEA Standards.

Distribution "A"