

DHS/DOJ Fusion Process Technical Assistance Program and Services



To: Oregon Terrorism Information Threat Assessment Network (TITAN)
From: DHS/DOJ Fusion Process Technical Assistance Program and Services
Date: January 22, 2014
Re: *Privacy, Civil Rights, and Civil Liberties Compliance Verification for the Intelligence Enterprise*—Peer-to-Peer Exchange at the Oregon Terrorism Information Threat Assessment Network

The Homeland Security Grant Program (HSGP) Guidance indicates that fusion centers leveraging grant funds are required to demonstrate privacy, civil rights, and civil liberties (P/CRCL) protections through the completion of an audit of their P/CRCL policy in accordance with the *Privacy, Civil Rights, and Civil Liberties Compliance Verification for the Intelligence Enterprise*. To assist centers in accomplishing this requirement, the DHS/DOJ Fusion Process Technical Assistance Program supported the delivery of peer-to-peer exchanges between fusion centers to facilitate the completion of the *Privacy, Civil Rights, and Civil Liberties Compliance Verification for the Intelligence Enterprise*.

The Oregon Terrorism Information Threat Assessment Network (TITAN) underwent the *Privacy, Civil Rights, and Civil Liberties Compliance Verification for the Intelligence Enterprise* peer-to-peer exchange on October 16, 2013. Representatives from the Idaho Criminal Intelligence Center [IC]² participated in the peer-to-peer compliance verification process with the Oregon TITAN representatives.

The compliance verification exchange included a review of the completed *Privacy, Civil Rights, and Civil Liberties Compliance Verification for the Intelligence Enterprise* tool and an overview of the Oregon TITAN's operations, which revealed a noteworthy P/CRCL protection tool developed by the Oregon TITAN to assist law enforcement officers with handling First Amendment-protected events. TITAN shared this resource with [IC]², and [IC]² plans to incorporate it into its policies and procedures. TITAN also demonstrated a very strong outreach program that has helped instill confidence in the public that the fusion center is working hard to protect them and their privacy, civil rights, and civil liberties. TITAN and [IC]² have developed a strong working relationship since the completion of their peer-to-peer exchange and remain in contact with each other, averaging one to two calls per week to discuss pertinent issues.

(Additional details provided in the following exchange summary)

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Fusion Centers Participating in This Exchange

Oregon Terrorism Information Threat Assessment Network (Salem, OR)
Idaho Criminal Intelligence Center (Boise, ID)

Site Visit Dates

October 9, 2013
October 16, 2013

Exchange Summary

A peer-to-peer exchange for privacy, civil rights, and civil liberties (P/CRCL) compliance verification was conducted between the Idaho Criminal Intelligence Center [IC]² and the Oregon Terrorism Information Threat Assessment Network (TITAN). The pairing of these two centers in the peer-to-peer exchange proved to be fruitful in that their proximity to each other revealed many similarities in issues that each center dealt with and provided insight into potential transient crime that passed primarily from California into Oregon and Idaho.

The [IC]² functions on limited resources and primarily focuses on case support. The center receives requests for information (RFIs) from officers in the field and conducts research and analysis to assist those officers by providing them with information and/or intelligence pertaining to the case in question. The [IC]² has a Fusion Liaison Officer (FLO) program with a healthy amount of participants and is looking for ways to improve its function and value to the participants. Oregon's TITAN is also a small center. It is located in the same building as the High Intensity Drug Trafficking Area (HIDTA), which has proved to be a nice asset. Information exchange and coordination with HIDTA analysts have provided significant value. TITAN also provides case support to law enforcement agencies throughout the state and conducts a variety of training and outreach activities to law enforcement, first responder, and other public and private sector entities.

Both centers have made protecting P/CRCL a priority in their collection, storage, and distribution of information. They both have incorporated 28 CFR Part 23 into their privacy policies, train their current staffs on the regulation, and make every effort to abide by its principles. Oregon's privacy laws are, in fact, more stringent than 28 CFR Part 23 in many cases, and so by abiding by state laws, the Oregon TITAN exceeds the expectations set forth in 28 CFR Part 23.