



MAINE STATE POLICE GENERAL ORDER

E-142

SUBJECT: MAINE STATE POLICE, MAINE INFORMATION & ANALYSIS CENTER

EFFECTIVE DATE: 02.26.2021

EXPIRATION DATE: 02.26.2028

RECENT HISTORY: AMENDED (02.26.2021); NEW (02.03.2021)

DISTRIBUTION CODE: 2 (MAY BE PUBLICLY DISCLOSED)

APPLICABILITY CODE: C, S, Z

SIGNATURE OF COLONEL:

I. PURPOSE

1. The purpose of this General Order is to establish the policy generally governing the Maine Information & Analysis Center.

II. POLICY

1. The policy of the Maine State Police is to administer the Maine Information & Analysis Center ("MIAC"), the fusion center of the State of Maine.

III. DEFINITIONS

1. For the purposes of this General Order, the terms included in this section are defined as follows, unless otherwise indicated in the order.

- A. Colonel. “Colonel” means the Chief of the Maine State Police, or her or his designee.
- B. Fusion center. “Fusion center” means a state-owned and operated center that serves as a focal point in states and major urban areas for the receipt, analysis, gathering, and sharing of threat-related information between State, Local, Tribal and Territorial (SLTT), federal, and private sector partners. *See* <https://www.dhs.gov/fusion-centers>.
- C. Investigation. “Investigation” means an inquiry by which a sworn law enforcement as defined by 17-A MRS §2(17) gathers and assesses facts as a direct result of a complaint that has been made by one or more individuals, and civil or criminal charges could result directly from that officer’s inquiry. “Investigation” does not include crime analysis or intelligence analysis, which includes the collection, analysis, and/or evaluation of information from a variety of sources in order to develop and disseminate actionable intelligence in support of law enforcement activities.

IV. PROCEDURE

1. PURPOSE

- A. The purpose of the MIAC is – for criminal justice, national security, and public safety purposes only – to seek, acquire, and receive information, analyze such information, and, when lawful and appropriate, retain and disseminate such information to individuals and agencies permitted access to the information.
- B. The primary responsibilities of the MIAC include conducting complex and technical research and analysis in connection with criminal, anti-terrorism, and homeland security investigations; writing reports and presenting oral briefings; and developing analytical products.

2. GUIDING PRINCIPLES

- A. In carrying out its work, the MIAC shall act in accordance with:
 - 1. Maine Gubernatorial Executive Order 24 FY 06/07, “An Order Establishing the Maine Intelligence Analysis Center”;
 - 2. The MIAC Civil Liberties/Civil Rights/Privacy Policy (MIAC CL/CR/P Policy);
 - 3. Applicable laws, regulations, and policies, including, but not limited to, 16 M.R.S. c. 9, 28 C.F.R. Pt. 23, and applicable State of Maine, Department of Public Safety, and Maine State Police General Orders and policies; and
 - 4. Applicable Department of Homeland Security grant requirements.

- B. The MIAC at times may seek guidance on civil liberties-/civil rights-/privacy-related issues and questions from the MIAC Advisory Board, which is formed in accordance with the MIAC Advisory Board Bylaws.
- C. The MIAC and personnel thereof shall **not**:
 - 1. Conduct investigations on behalf of the MIAC absent the prior authorization of the MIAC Director to do so;
 - 2. Execute or conduct searches that require Court-approved search warrants or other judicial processes such as a grand jury subpoena absent the prior authorization of the MIAC Director to do so.
- D. When required or requested to do so, the MIAC shall:
 - 1. Provide case support and research for crimes of a complex or multi-jurisdictional nature;
 - 2. Assist with ongoing incidents, such as incidents involving hostages and/or barricaded subjects and incidents involving missing persons;
 - 3. Disseminate situational awareness and crime bulletins;
 - 4. Assist in planning the execution of search warrants per Maine State Police General Order E-119; and
 - 5. Provide criminal justice agencies with types of support consistent with the types of support listed above.
- E. Each partner agency that provides personnel to work in the MIAC shall execute a Memorandum of Understanding with the MIAC that sets forth the parameters of such work and the responsibilities of the respective Parties to the MOU.

3. MIAC COMMAND STRUCTURE

A. MIAC Director

- 1. The MIAC is under the command of a Maine State Police Lieutenant appointed by the Colonel, except when the Director is unavailable, in which case the MIAC shall be under the command of the Director's designee, or, if the Director is unable to designate someone, then the MIAC shall be under the command of the designee of the Colonel.
- 2. The MIAC Director shall have primary responsibility for the operation of the MIAC.
- 3. The MIAC Director is responsible for –
 - a. All MIAC information technology system (“MIAC ITS”) operations;
 - b. Coordinating and managing MIAC personnel;

- c. Acquiring, retaining, evaluating, assessing the quality of, analyzing, destroying, sharing, and disclosing information maintained by the MIAC;
 - d. Enforcing the provisions of the MIAC Privacy Policy; and
 - e. Community outreach.
 - B. In accordance with and as described in the MIAC CL/CR/P Policy, there also shall be a MIAC Privacy Officer, a MIAC Compliance Officer; and a MIAC Security Officer.
 - C. In accordance with and as described in the MIAC CL/CR/P Policy, there also shall be a MIAC Advisory Board.
- 4. MIAC PERSONNEL
 - A. MIAC personnel shall include –
 - 1. Sworn and civilian employees of the Maine State Police assigned to work with or at the MIAC;
 - 2. Employees of Federal, State, County, and Municipal partner agencies who have been assigned by those agencies to work with or at the MIAC;
 - 3. Contractors.
- 5. SUBMISSION OF INFORMATION BY SWORN MAINE STATE POLICE PERSONNEL TO THE MIAC
 - A. Whenever practicable, sworn Maine State Police personnel shall report information to the MIAC reasonably indicative of the following:
 - 1. Preoperational planning of terrorism or significant criminal activity;
 - 2. Criminal incidents involving violence;
 - 3. Homicides and suspicious deaths;
 - 4. Bomb threats;
 - 5. Suspicious powder incidents;
 - 6. Explosive incidents involving a device or suspected package;
 - 7. Encounters with suspected Sovereign Citizens;
 - 8. Encounters with suspected members of Street Gangs;
 - 9. Encounters with violent offenders that pose a risk to officer safety.

NOTICE

THIS GENERAL ORDER IS FOR USE OF THE MAINE STATE POLICE AND NOT FOR ANY OTHER AGENCY. THE GENERAL ORDER IS NOT INTENDED

TO BE RELIED UPON BY ANY OTHER INDIVIDUAL OR PRIVATE OR PUBLIC AGENCY. THE GENERAL ORDER EXPRESSLY DOES NOT CREATE, AND IS NOT INTENDED TO CREATE, A HIGHER LEGAL STANDARD OF SAFETY OR CARE IN AN EVIDENTIARY SENSE WITH RESPECT TO THIRD-PARTY CLAIMS. VIOLATIONS OF THIS ORDER ONLY MAY FORM THE BASIS FOR ADMINISTRATIVE SANCTIONS BY THE MAINE STATE POLICE.