

CHAPTER 26
CLASSIFIED MATERIALS
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CHAPTER 26

FEBRUARY 2006

CLASSIFIED MATERIAL

1. DEFINITION. Materials which include information that could reasonably be expected to cause damage to personal and/or departmental security if disclosed shall be considered "classified" and requires special handling.

2. PURPOSE. To establish and clarify guidelines regarding the creation, classification, marking and transmittal of classified materials.

3. RESPONSIBILITY. The owner, author, or originator of the material will determine its classification. The responsibility for maintaining the security of classified information rests with each person having knowledge or physical custody of it.

4. CLASSIFICATION LEVELS. Information identified as classified shall fall into one of five classification levels: Law Enforcement Sensitive, Confidential, Sensitive, Secret, or Top Secret. The possible damage resulting from disclosure of the information determines the level of classification assigned. Levels and examples of classified materials are as follows:
 - a. Law Enforcement Sensitive. The following are examples of "law enforcement sensitive" materials.
 - (1) Criminal identification and investigation reports.
 - (2) Internal intelligence information.
 - (3) Operational plans.

 - b. Confidential. Any material that contains information which is exempt by statute, regulation, or court ruling from public disclosure. The following are examples of "confidential" material:
 - (1) Arrest reports.
 - (2) Applicant investigations.
 - (3) Citizen's complaints.

- (4) Designee forms.
- (5) Censurable incident reports.
- (6) Medical/injury/psychological reports.
- (7) Performance reports and evaluations.
- (8) Internal investigations.
- (9) Adverse actions.
- (10) Miscellaneous investigations.
- (11) Reinstatement requests/denials.
- (12) Rejections during probation.
- (13) Grievances/discrimination complaints.
- (14) Items specifically designated by authorized command levels.

c. Sensitive. Items not identified under "confidential" that contain personal identification information of employees or citizens such as Social Security Numbers, personal telephone numbers, or home addresses shall be considered "sensitive" materials.

d. Secret. Information or material designated by state or federal statute or regulation as secret which requires a substantial degree of protection and that could reasonably be expected to cause **serious damage** to national security, citizens/personnel, or the Department if disclosed.

e. Top Secret. Information or material designated by state or federal statute or regulation as top secret which requires the highest degree of protection and that could reasonably be expected to cause **exceptionally grave** damage to national security, citizens/personnel, or the Department if disclosed.

5. MARKING CLASSIFIED MATERIAL FOR TRANSMITTAL TO OTHER COMMANDS.

a. CHP 26, Classified Document Notice. When transmitting material which contains classified information, the material, or assembled package of documents containing classified information, shall be covered by a CHP 26, Classified Document Notice. (Refer to Annex 26-B-1.) The classification text of the CHP 26, Classified Document Notice, shall reflect the highest classification level of

information contained anywhere within the material or assembled package as specified by the author.

b. Placement. The CHP 26, Classified Document Notice, shall be securely affixed to the front of the material or assembled package to preclude accidental viewing of information contained in the material.

c. Chain of Possession. Each person receiving or taking possession of material covered by the CHP 26, Classified Document Notice, will provide his/her name, identification number, date taking possession, and the reason in the spaces provided on the CHP 26, Classified Document Notice.

(1) Chain of possession entry(ies) are required for Confidential, Secret, and Top Secret material.

(2) Chain of possession entry(ies) are not required for Sensitive and Law Enforcement Sensitive material.

6. METHODS OF TRANSMITTAL.

a. Secret/Top Secret. These materials shall be transmitted in accordance with the applicable statutes/regulations regulating the transmittal of this material.

b. Within Headquarters. Classified material to be transmitted within headquarters shall be sealed in a plain opaque envelope with the appropriate level of classification clearly marked on the front and back of the envelope.

c. By United States (US) Mail. Classified material to be transmitted by US mail shall be placed in two envelopes. An outer envelope shall be prepared for mailing in the usual manner with no indication of content. (For intradepartmental mail this may be the envelope used for the daily dispatch of mail to headquarters or field Divisions.) A sealed inner envelope addressed to a specific recipient shall be marked with the appropriate classification. (Refer to Annex 26-C-1.)

d. Copies. The number of copies and their distribution shall be determined by the author or departmental policy. Copies of classified material shall be transmitted in the same manner as directed in the preceding paragraphs. Copies of classified material shall be kept to an absolute minimum.

e. Delivery. Intradepartmental classified material envelopes shall be delivered unopened to the addressee or his/her authorized representative. Recipients of classified material are responsible for its security.

f. Routing/Filing. When not in use, commanders shall ensure adequate security is provided for classified material. Command SOP shall contain procedures which address employees responsibility for maintaining the security of classified material.

7. DISPOSITION OF CLASSIFIED MATERIALS.

a. Secret/Top Secret. These materials shall be disposed of in accordance with the applicable statutes/regulations regulating the disposal of this material.

b. Printed Material. Classified material shall be disposed of in a manner which will preclude disclosure of information. (Refer to HQ SOP 4.14, Disposal of Personal and Confidential Material and Exempt Publications Material, and/or HPM 11.1, Administrative Procedures Manual, Chapter 11, Records Management, Paragraph 8, Record Destruction Procedures.) Employees shall not discard classified information (e.g., accident investigation reports, arrest reports, driver license records, registration records, criminal history summaries) in unsecured trash receptacles.

c. Electronic Media. Diskettes and other media used for processing classified information will be disposed of in a manner approved by the Department's Information Security Officer. (Refer to HPM 40.4, Information Security and Administration Manual, Chapter 1, General, Paragraph 4, Classification of Data.)

8. SECURITY OF CLASSIFIED MATERIALS.

a. Individuals who are authorized to initiate, review, process, and store classified material shall take steps to prevent the unauthorized release of the contents of the classified material.

b. Employees who discover classified material, for which they have no authorization to view, shall safeguard the material, notify their commander and immediately return the material to their commander.

c. Commanders shall initiate an appropriate inquiry, and implement corrective action/measures to preclude future unauthorized disclosures.

d. Individuals who disclose classified information or material without appropriate authorization are subject to adverse action.

EXAMPLE OF A CONFIDENTIAL MEMORANDUM

State of California

Business, Transportation and Housing Agency

Memorandum

C O N F I D E N T I A L

Date: July 7, 2005

To: Information Management Division

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**
Administrative Services Division

File No.: 70.76.A11096

Subject: CONFIDENTIAL CORRESPONDENCE

Correspondence relating to adverse actions is classified "Confidential."

Confidential correspondence to be transmitted within headquarters shall have a CHP 26, Classified Document Notice, attached to the correspondence. The material shall be placed into a plain opaque envelope with "CONFIDENTIAL" marked clearly in an obvious area on the face of the envelope.

R. O. VARGAS, Chief

Safety, Service, and Security

CHP 51WP (Rev. 11-86) OPI 076

CHP 26, CLASSIFIED DOCUMENT NOTICE

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL
CLASSIFIED DOCUMENT NOTICE
 CHP 26 (New 8-05) OPI 076

INDICATE CATEGORY OF DOCUMENT:

LAW ENFORCEMENT SENSITIVE
 CONFIDENTIAL
 SENSITIVE
 SECRET

Selecting document category will result in corresponding classification display.¶

CONFIDENTIAL

CONFIDENTIALITY NOTICE:

The attached/enclosed communication contains confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may subject an employee to disciplinary action, and/or criminal prosecution. If you are not the intended recipient, please contact the sender and return the communication to them.

Refer to HPM 11.1, Chapter 26, for document classification and appropriate handling procedures.

SENDER	ID	D/P	TELEPHONE	DATE
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CHAIN OF POSSESSION

NAME and I.D. NUMBER	DATE	REASON

CONFIDENTIAL

cd26_505.frp

SAMPLE – CONFIDENTIAL ENVELOPES

CONFIDENTIAL

ASSISTANT CHIEF

OFFICE OF INTERNAL AFFAIRS

Transmittal within headquarters or as inner envelope for U.S. Mail.

CALIFORNIA HIGHWAY PATROL
P.O. BOX 2000
OCEANSIDE, CA 92051-0359

CALIFORNIA HIGHWAY PATROL
P.O. BOX 942898
SACRAMENTO, CA 94298-0001

Outer envelope for intradepartmental or U.S. Mail transmittal.