



ETHICS AND EXCELLENCE IN UNDERCOVER OPERATIONS: A HUMAN SOURCE PERSPECTIVE

Date: November 24, 2022

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KEY EVENTS

On November 24, 2022, Mr. Mubin Shaikh, a Counter Extremism Specialist at Parents for Peace, presented on the *Ethics and Excellence in Undercover Operations: A Human Source Perspective*. The presentation was followed by a question-and-answer period with questions from the audience and CASIS-Vancouver executives. The key points of discussion were human source intelligence, motivators to work undercover, methods to conduct oneself as a human source, and aggravating issues that contribute to worst case scenarios.

NATURE OF DISCUSSION

Presentation

Mr. Shaikh presented on human intelligence, human sources, motivations of undercover work, and factors that keep a human source effective and viable while undercover.

Question & Answer Period

During the question-and-answer period, Mr. Shaikh considered disruptions in police and undercover work, solutions that can mitigate these disruptions, weaponization of narratives, and information flow.

BACKGROUND

Presentation

Mr. Shaikh began the presentation with terms that define human intelligence—specifically with policing, intelligence, and counter-terrorism—human source is the most accurate term that defines the individuals who work in the undercover space. Successful undercover operations require being able to speak openly to a suspect while assuming the role of a criminal or conspirator. A human source cannot be replaced due to the many nuances of human beings. Mr. Shaikh commented that the presence of an undercover source does not necessarily mean entrapment, as biases can arise from narratives on defense perspectives posted by an activist online. Human sources are used in both the public and private spaces, including offenses against the state, corporations, or the public.

Human sources are specifically and deliberately deployed for a purpose with defined rules; are accountable to a supervised process where they are managed; have an intelligence collection function, with tasks to be accomplished; and perform activities that are based on specifically stated intelligence objectives. Human sources can be community sources that are one-off or limited in involvement that must be corroborated, community sources that are convinced to be involved, criminal actors who voluntarily change sides, or criminal actors who are convinced to change sides. Motivators to become a human source can be ego; government assistance such as immigration; ideology; money; personal motives of revenge; fear; punishment of criminal group members; or other diverse factors such as infiltrating the public sector or police. Mr. Shaikh used an example in which a Syrian source collaborated in a smuggling case because they sought to immigrate to the UK. It is also imperative that the human sources are motivated and are able to complete their work.

Mr. Shaikh listed several factors that every undercover individual must follow. Meeting a source with a partner, protecting the sources' identities, maintaining the flow of information from source to authorities, and refraining from divulging personal information and/or exchanging it electronically. It is important to have a connection to a partner where information can flow and be used, while maintaining the integrity required to work so an undercover individual does not get compromised.

Mr. Shaikh also outlined that documenting information for follow-ups in terms of verification, reliability, and corroboration and knowing the difference between source and agent where agents have immunity to perform specific tasks are also

critical factors; Mr. Shaikh remarked that it is better to be vigilant than negligent while working undercover.

Worst case scenarios can be that undercover agents can become rogue or conduct themselves with unsanctioned behaviours, become hostile and adversarial, deliberately sabotage an investigation, engage in substance abuse, become afflicted with post-traumatic stress disorder (PTSD), or involved in homicides and suicides. It is imperative that we understand what dynamics influenced the human sources to become this way. Factors in their lives, such as relationships with others and the relationship with their handler, can lead to such worst case scenarios. Mr. Shaikh remarked that the biggest factors towards mitigating these issues are to ensure there is a clear objective outlined, a positive relationship that can be established between the source and the handler, and that the source has a positive home life.

Mr. Shaikh concluded that it is important for the human source to understand the narratives that are at play, act ethically and with integrity in every case, receive full explanations as to how things work and progress given their involvement, receive assistance with anxieties and doubts as much as possible, and have a safe work space.

Question & Answer Period

Mr. Shaikh commented that for disruptions that fall below a criminal threshold, police response would then fall short. There exists an important line where it may be too late when police get involved. A civic society or public response would be effective to educate and develop/disseminate research so individuals are equipped with the necessary knowledge to engage with others. Non-government organizations (NGOs) can also be equipped to disseminate narratives that can counter disruptions that are inevitable in a social media age.

Mr. Shaikh believes that protests may not change significantly in the next 5-10 years. The principles will remain the same in that individuals are upset at some aspect of the government. The major change will be the multi-layered approach that police may take to overcome where and how protest tactics may be weaponized. It is important for society to consider how media, perspectives on law enforcement, and new tools can be weaponized to discredit the government and law enforcement agencies.

Information flow is important, and one constraint of the police structure is the limitations of what can be reported to the public. Human sources and the

information disclosed could be watered down by the time it arrives at the police and public's attention, rendering it less useful than it should be. Mr. Shaikh commented that the processes and systems can be reviewed to see where information flow can be more efficient, and that the sanitization and dissemination processes of information can be better.

KEY POINTS OF DISCUSSION

Presentation

- Human source is the most valid term to define those who work as undercover individuals in human intelligence.
- The presence of an undercover source does not necessarily mean entrapment.
- Human sources are used in both the public and private spaces.
- There can be many motivators for an individual to work as a human source such as ego, personal gain, revenge, or infiltrating the public sector.
- It is better to be vigilant than negligent.
- Establishing a positive relationship between a handler and a human source can keep the source viable and effective without worst case scenarios occurring.

Question & Answer Period

- Countering narratives involves engaging the public with knowledge in a social media age.
- Law enforcement needs to consider how media, perspectives on law enforcement, and police tactics can be weaponized to discredit the government and law enforcement agencies.
- Information flow can be more efficient due to limitations of police structure.



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