

- ☐ How important is the problem?
- ☐ What lead information exists?
- ☐ What investigative techniques might be used?
- ☐ Does the Stevensville Police Department have sufficient resources?
- ☐ What possible operational problems exist?

Vice and Organized Crime Complaint Database and Investigations

Officers should refer to Stevensville Police Department Policy and Procedures Manual, Chapter 20 and Section 20.2.1, Criminal Investigations, for procedures to be used in all criminal investigations.

21.1.3 MAINTAINING INVESTIGATIVE FILE SECURITY

CALEA Standard: 43.1.2, 43.1.3

Upon assignment for active investigation, all vice, drug, and organized crime complaints shall be assigned a case/report number. The officer assigned to investigate a complaint shall submit an incident report providing sufficient information to establish the active status of the case without compromising the investigation. All records, reports, computerized data, and investigative documents relating to active organized crime, drug, and vice investigations shall be maintained in a secure location. Access to records, reports, and information from active organized crime and vice investigations shall be on a need-to-know basis as authorized by the Chief of Police or designee and shall be for the purpose of conducting official investigations by Stevensville Police Department personnel.

Confidential Informant Files

Undercover activities can only be approved by the Chief of Police, prior to being conducted. For this reason, there is no funding allocated in the Annual Budget for the use of Confidential Informants.

21.1.4 SURVEILLANCE AND UNDERCOVER EQUIPMENT

CALEA Standard: 43.1.4

Occasionally, due to the ongoing operations and nature of various investigative duties within the Agency, specialized surveillance and undercover equipment may be assigned. All specialized surveillance and undercover equipment assigned to an Officer shall be maintained and secured by the Officer.

Supervisors are responsible for the equipment and are responsible for:

- ☐ Maintaining a list (inventory) of specialized equipment inventory
- ☐ Maintaining the equipment in proper working order
- ☐ Keeping the equipment secure when not in use

21.1.5.1 CONTINGENCY PROCEDURES FOR SURVEILLANCE, UNDERCOVER, DECOY, AND RAID OPERATIONS

CALEA Standard: 43.1.5

Undercover, surveillance, and decoy operations shall be coordinated by and/or conducted by an appropriate supervisor.

Guidelines for Initiating and Conducting Covert Operations

Surveillance, undercover, or decoy operations plans shall be completed prior to an operation and shall include the provisions identified in this directive which are appropriate to the operation undertaken. The operations plan is the foundation and first step in the investigative process. The plan must be thorough, in writing, and must show the intended direction of the investigation. The plan shall be associated with a case/report number as soon as a case/report number is assigned. (Surveillance that is based upon unsubstantiated or recent information may not yet have been assigned a case number.) The appropriate unit supervisor shall be responsible for ensuring the plan is complete and approved. The supervisor's signature on the plan shall indicate plan approval. Minimum provisions for investigative operations planning shall include the following:

Intelligence Gathering

Prior to beginning an operation, case agents should develop intelligence on which to base operational procedures, resource needs, target options, etc. Intelligence gathered, during the course of the operation, should be documented and forwarded to those with need to know and /or right to know authority.

Legal Ramifications

When appropriate, the County Attorney's Office shall be contacted to determine possible legal ramifications of the operation. The written plan should outline the County Attorney's role (if any) in the operation. This includes discussing any prosecutorial or liability problems that may exist or develop. The written plan and/or investigative report should indicate the dates and times of meetings or conversations with the County Attorney and include a summary of the meeting or conversation. Copies of warrants should be attached to the plan if available.

Objectives and Details of the Operation

All covert operations shall be well planned, and personnel briefed prior to implementation. The briefing shall include the objective and details of the operation in compliance with the guidelines established by this directive. All pertinent site characteristics shall be reviewed. The Officers involved shall be familiarized with the objectives and details of the operation, the target area. The target areas of operation shall be analyzed and surveyed prior to infiltration to identify potential hazards, possible threats, and possible surveillance points. The type of surveillance to be used (moving, stationary, etc.) should be identified. The plan should include a detailed map with routes in and out of the area indicated as needed. Descriptions of individuals at the location to be searched shall be provided in the plan.

Surveillance operations must be based on an articulable suspicion that the person or thing under surveillance is involved in criminal activity.

Determining Operational Procedures

Operational procedures shall be determined to address surveillance, counter-surveillance, effecting arrests, and high-risk entries. Plans for approaching, entering, securing, and leaving the search location shall be stated. Written details regarding assigned surveillance areas, responsibility, initiation and termination should be included.

Conditions and procedures for making arrests shall be stated including the transportation and destination of the arrestee. If the operation will not immediately result in an arrest, the written plan shall state such. Procedures for observation of the operation and arrest shall be developed for each operation. The investigating Officers and undercover Officers conducting covert operations shall document all pertinent activities and observations made relative to the criminal activity being investigated.

Expense Funds

Expense money shall be provided as necessary upon approval by the Chief of Police. This should be stated in the written plan. All necessary operating funds shall be provided.

Communication

The means for routine and emergency communication among involved personnel shall be established. Communications with specialized support units shall be established. The plan shall state that radio communications will be conducted on a specific frequency. If any other means of communication is to be used, the plan should indicate the method, i.e., cellular phone.

Equipment and Vehicles

Equipment and vehicle needs shall be determined, and appropriate arrangements made and indicated on the written plan. Provisions shall be made to discuss, select, and prepare specialized equipment to be used, such as, rams, pry bars, protective clothing, etc. The names of personnel assigned to drive vehicles and vehicle descriptions shall be included in the plan.

Officer Protection

All personnel assigned to the operation and their detail shall be listed in the plan. An appropriate number of backup Officers will be determined and deployed based on the analysis of the situation. An appropriate number of surveillance Officers shall be determined and deployed based on an analysis of the situation to provide backup and perimeter security. Assignment of responsibilities and duties of all members involved, such as internal and external security, entry teams, evidence collection, etc. shall be prearranged. For any extended or prolonged operation, the operation supervisor shall ensure contingency plans are made for relieving Officers and providing breaks.

Officer Identity

Undercover and surveillance Officers should be provided with false identities, disguises, and necessary credentials as required by the operation. When appropriate, decoy Officers may disguise themselves to better resemble victims. Personnel participating in decoy operations shall be identified prior to the operations with a complete clothing and/or vehicle description.

Confidentiality and Cover

Every effort shall be made to maintain overall confidentiality and cover of the Officers involved in the operation. The confidentiality of Officers acting in undercover capacities will be maintained by limiting that knowledge to a need-to-know and right-to-know basis. The written plan should note who knows and who is authorized to know undercover Officers' identities. Appropriate Supervisors, and the Chief of Police always have the right to know.

Authorization

Major organized crime, decoy, vice surveillance, raid or undercover operations shall not be initiated without the knowledge and approval of the Chief of Police. All personnel shall adhere to the guidelines in Stevensville Police Department Policy and Procedures Manual, Chapter 1 and Section 1.3.1 governing the use of force. Due to the nature of decoy, sting, or reverse sting operations, they require in-depth advance planning and documentation. Dependent upon the extent of the operation, approval from the Chief of Police, Town Attorney, and County Attorney may be necessary.

Designating Supervision

The appropriate Supervisors shall be responsible for overseeing, coordinating, and supervising investigative operations conducted by their Officers. The Supervisor shall notify the Chief of Police of the operation. The written plan should state which supervisor(s) shall be overseeing the operation.

Providing Close Supervision

The Supervisor assigned and identified in the written plan shall be responsible for close supervision of all aspects of the operation.

Contacts with Suspects

Methods for making initial and subsequent contacts with the target by the Officer or undercover Officer and any necessary precautions shall be determined and specified on the written plan.

Executing Search Warrants and Raids

All search warrants obtained by Stevensville Police Department personnel shall meet the statutory requirements set forth in Montana Statute. All search warrants and raids shall be executed with the authorization of the Chief of Police. The Officer who is the principal investigator in a case shall have the responsibility for the execution of the search warrant or raid, subject to review and control of the Chief of Police. All raid team personnel shall adhere to

the guidelines in Stevensville Police Department Policy and Procedures Manual, Chapter 1 and Section 1.3.1, governing the use of force.

Prior to the execution of a search warrant requiring entry into any structure or any other raid or high-risk situation, the case agent or Officer in charge will complete a raid plan and conduct a briefing with all Officers involved. The briefing shall address the following concerns:

- ☐ Officer/team assignments including: entry, security, surveillance, transportation, evidence, etc.
- ☐ Target location(s) and description(s) and surrounding area information
- ☐ Communications
- ☐ Cautions
- ☐ Equipment/vehicle needs
- ☐ Other assistance: Fire/EMS, air support, K-9, etc.

All non-uniformed personnel shall wear approved raid jackets or other approved apparel readily identifying them as Stevensville Police Department Officers or Law Enforcement Personnel. Uniformed Officers shall be used whenever possible as the first Officer in view when occupants of the location to be searched are made aware of the operation. Officers executing search warrants or other raid or high-risk situations shall wear appropriate protective vests. The case agent or Officer in charge may request assistance from an Emergency Response Team following procedures outlined in Chapter 24, section 24.2.1 "Special Operations" if information or intelligence indicates the need for that assistance. The information or intelligence supporting that need shall be documented in the search warrant and/or incident report.

The Officer who is the case agent or Officer in charge shall ensure that all search warrant or raid activities are properly documented on a Stevensville Police Department incident report. All search warrants executed by Stevensville Police Department personnel shall require a case number. If the search warrant is part of an ongoing investigation, that investigation's case number shall be used. If the search warrant is not part of an ongoing investigation, a Stevensville Police Department case number shall be assigned, and the appropriate documentation provided.

Emergency Assistance

The written plan should include consideration of the need for support from outside agencies including medical and fire fighting capabilities. Such potential shall be reviewed in the planning of the operation and contingency plans shall be included for contacting emergency assistance personnel should it become necessary.

Searching For and Seizing Evidence or Contraband

The assigned case agent or Officer in charge shall ensure the integrity of evidence recovered during a search. The search location should be photographed and/or videotaped before the search for evidence or contraband begins. Only those Officers designated should actively search for evidence or contraband. When an Officer locates evidence or contraband to be seized, that

Officer should not move the evidence. The Officer designated to collect the evidence should be notified. The evidence collection Officer should provide that the evidence is photographed in its original location and collected pursuant to guidelines established in Chapter 35 and Section 35.1.1 of the Stevensville Police Department General Orders. The evidence collection Officer should maintain a log of seized property indicating the following information for each item seized:

- ☐ The description of the evidence
- ☐ The time
- ☐ The location from which seized
- ☐ The locating Officer
- ☐ The seizing Officer

The evidence collection log should be included in the case file and provide the following information:

- ☐ The location of the search
- ☐ The date and time of the search
- ☐ The case/report number
- ☐ The evidence collecting Officer/Officer's name
- ☐ The investigating Officer's name

Coordination of Department and Interagency Efforts

Supervisors shall brief the Chief of Police as necessary on active investigations or significant intelligence information. All Stevensville Police Department Officers are encouraged to forward any organized crime and vice related information to the Chief of Police through the use of emails, memos or other documentation. All members of the Department shall disseminate information of potential value to the investigative process to appropriate personnel.

21.1.6 REPORTING TO THE CHIEF OF POLICE

CALEA Standard: 43.1.6

The Chief of Police shall be briefed as necessary by appropriate Supervisors concerning vice, drug, gang, and organized crime activities, on contingency procedures for all investigative operations, and on the outcome of the investigative operations.