

SANTA CLARA POLICE DEPARTMENT GENERAL ORDER 43.2

ORGANIZED CRIME AND VICE: OPERATIONS

ISSUED APRIL 2006

43.2.1 Receiving and Processing Vice, Narcotics and Organized Crime Complaints

Information regarding vice, narcotics and organized crime is received from various sources including, but not limited to, concerned citizens, informants, investigations, other law enforcement agencies, and anonymous callers.

When an employee of the Santa Clara Police Department receives information of vice, narcotics or organized crime activity, they will document the information and, when appropriate, write an Interoffice Memorandum or Offense Report to the Intelligence Sergeant, SCAT Sergeant, or supervising Lieutenant / Captain.

Telephone calls should be forwarded to the appropriate Division of responsibility. If an individual officer requested is not available, then a written memo or Offense Report should be prepared and forwarded.

Under no circumstances will employees responsible for telephone reception release information regarding vice, narcotic or organized crime officers including verification of their identity, location or hours of operation.

Upon receipt of documentation of an Interoffice Memorandum or Offense Report regarding vice, narcotics or organized crime activities, the Investigations Lieutenant or Captain will determine if the case is to be assigned for investigation or processed as an informational case. Documentation will be routed to either the Intelligence Unit (Vice/Organized Crime) or the SCAT Team (Use/Sale of Controlled Substance).

The Dial-A-Tip telephone in the Investigations Division will be checked on a daily basis by a secretary who will transcribe each message. Tips will be assigned a number in the order received, a copy kept in a master binder, and a copy forwarded to the appropriate investigative unit. The Investigations Captain, Lieutenant and the Intelligence Sergeant will also each receive a copy of the tip.

If the tip message is clearly for an outside law enforcement agency, a copy will be promptly sent by fax or mail to that agency. A notation to this effect will be placed on the written copy of the tip before it is placed into the permanent file for these messages.

43.2.2 Vice, Narcotics and Organized Crime Records

Vice, narcotics and organized crime complaints received and under active investigation will be maintained in a separate intelligence file either within the Intelligence Unit or the SCAT office. The files kept in the appropriate unit's office shall be securely locked in file cabinets when not

43.2

being used. Completed Offense Reports will be forwarded to Records for filing at the conclusion of the investigation with the exception of those containing highly sensitive information which will remain in the intelligence/narcotic files within the Investigations Division. The Lieutenant or Captain shall determine the sensitive nature of information and shall instruct the investigating Sergeant how each completed investigation shall be filed.

43.2.3 Preliminary and Follow-up Investigations

Once a vice, narcotics or organized crime complaint is assigned for investigation, the following procedure will be used:

Reliable information should be developed by reviewing the original complaint and taking the necessary steps to verify the information. This may entail making neighborhood contacts, contacting other agencies that might be familiar with the person(s) or situation(s), and interviewing parties who might be privileged to information.

Any evidence collected and submitted will be in accordance with [General Orders 83.1](#) and [83.2](#) that pertain to evidence collection and preservation.

When it is deemed appropriate, surveillance techniques may be employed to gather information.

During the preliminary investigation, the following criteria will be considered and used to prioritize the investigation:

- The validity and/or reliability of the original information;
- The type of criminal activity;
- The extent or magnitude of the activity;
- The investigative resources required to conduct an investigation including:
 - Other sufficient departmental resources;
 - Possible operational problems existing, and;
 - The existing workload of the Investigations Division and staff.

Follow-up Investigations

Follow-up investigations should be conducted utilizing the procedures established for preliminary investigations. By its very nature follow-up investigation implies information has already been developed. Nevertheless, investigators must continue to verify and develop information until the investigation is determined to be successfully completed or returned to file as pending or discontinued.

Investigators will report the progress and status of the investigation to the Investigations Lieutenant or Captain on a regular basis. Depending upon the nature of the investigations, the Investigations Lieutenant or Captain may be directly involved in the investigation.

All information developed during the investigation will be recorded and submitted to the Detective Lieutenant/Captain for review and approval. The Chief of Police will also review special cases if the need arises.

43.2.4 Maintaining Security of Investigations

All reports and related documents of undercover investigations shall be kept in a locking file cabinet in the appropriate investigative office. When the Sergeant is not present in his/her office, the file cabinets shall remain locked.

When an inquiry pertaining to any of the suspects listed in the report is received, it shall be handled by the officer assigned to the investigation. In the event the assigned officer is not present, the Sergeant shall review the request on a “need to know” basis before disseminating the information.

43.2.5 Intelligence from other Law Enforcement Agencies

When members of the Investigations Division receive a request for information from an outside agency, the information will normally be released on a need-to-know basis only.

When Investigations Division members enter into a joint investigation with another agency, the Detective may authorize a flow of information between the investigative units for requests related to the investigation.

Investigations Division members will develop contacts with various law enforcement agencies, and obtain names to contact for sensitive investigations. The Detective will develop and maintain a file of contacts in other agencies to enhance a flow of information to and from other agencies.

The Investigations Lieutenant/Captain or designee will maintain a file of appropriate information conveyed to and from other agencies in relation to vice, narcotics and organized crime.

43.2.6 Investigations Division Equipment

Due to the expense and sophistication of electronic equipment, it is imperative that the Lieutenant account for all equipment in the Investigations Division. The Lieutenant is responsible for all investigatory tools used by the Division. Inventory logs shall be maintained for any special surveillance and undercover equipment. The SCAT Sergeant shall be accountable for specialized surveillance equipment issued to that unit, and shall insure that all such equipment is properly used and retained in their office when not in use.

If special equipment is borrowed from or loaned to another agency, the Lieutenant will be responsible for tracking these items. An inventory will be used as needed.

43.2

43.2.7 Intradepartmental Coordination

The Santa Clara Police Department coordinates efforts with local, State and Federal law enforcement agencies in the investigation and prosecution of persons involved in organized crime activity on a case-by-case basis.

The importance of cooperative, collaborative efforts in deterring organized crime through the effective use of a multi-agency task force is also recognized. Successful enforcement often requires the coordination of multiple investigation and prosecution units to combat this type of criminal activity.

The Investigations Lieutenant and Captain will serve as liaisons between the Santa Clara Police Department and the various criminal task forces that this agency is allied with.

43.2.8 Evaluating Complaints

Investigations into vice, narcotics and organized crime offenses can involve tremendous expenditures of time, money and effort. In order to evaluate the accuracy and credibility of the initial information, determine the scope and relative importance of the problem, and establish a solid investigation, the following information should be considered in determining which offenses shall be investigated:

- The validity of the original intelligence information;
- The criminal nature of the problem;
- The importance of the problem;
- The lead information available;
- The investigative techniques that may be used;
- The agency resources available, and;
- The possible operational problems that may exist.

43.2.9 Capability to Conduct Covert Operations

Members of the Investigations Division have limited capacity to conduct covert operations involving vice, narcotics and organized crime. Other members of the Department may be used to assist in a covert operation when Detective staff cannot adequately handle the operation. Such operations would include decoy, undercover and surveillance operations. If it becomes clear due to the sensitive nature or length of a covert operation that it will be beyond the capabilities of this agency, the decision may be made to seek assistance from appropriate State or Federal agencies.

Note: Orders 43.2.10 through 43.2.13 address Vice, Narcotics, and Organized Crime Operations -- specifically referring to Surveillance, Undercover, Decoy and Raid actions. Subcategories listed in each section may be applicable not only to that specific type of operation, but the others as well. Supervisors should be familiar with all of these categories, consider the listed items as interchangeable in different types of situations, and act accordingly.

In all cases, it is critical that operational procedures are adopted for observations, arrests, surveillance, and high-risk entries.

43.2.10 Vice / Narcotics / Organized Crime / Surveillance Operations

Surveillance is an extremely important investigative technique and at times the only method of obtaining factual information during an investigation. All surveillance operations will be conducted in such a manner that no infringement occurs upon the statutory or constitutional rights of any individual.

The SCAT, SET, or Intelligence Sergeant, under the direction of their respective Lieutenant or Captain, will be responsible for coordinating and planning Department vice, narcotics and organized crime surveillance operations.

Surveillance operations should be well planned prior to implementation. Guidelines for planning operations include:

- Crimes and victims will be analyzed to determine the nature and scope of personnel, and equipment and activities required to safely and effectively conduct the operation.
- Probable offenders and their habits, associates, vehicles, methods of operation, or any other pertinent information that will affect the manner of surveillance and potential prosecution will be identified and analyzed.
- Officers involved in the surveillance operation will be familiarized with the neighborhood or target area.
- Operational procedures will be determined for observation, arrests, and “tails” to ensure the continuity between the planning and the conduct of the surveillance operation.
- Required expense funds will be afforded to officers in accordance with [General Order 42.1.9](#).
- Means for routine and emergency communication will be established.
- Special equipment and/or vehicles appropriate for the operation will be provided.
- Officers involved in the operation are to be provided relief, backup security, and perimeter protection if necessary so surveillance may continue over an extended period of time.
- Prior to the operation, the legal ramifications of the surveillance shall be determined. This may include consultation with the District Attorney’s Office if necessary.

Surveillance, undercover, and decoy operations may be affected singularly or simultaneously during the investigation of vice, narcotics, organized crime or other criminal offenses. The supervising officer shall notify dispatch and the Operations Division Watch Commander of the nature and location of the operation prior to implementation, as circumstances dictate.

43.2

43.2.11 Undercover Operations

Undercover operations shall be planned in accordance with Departmental guidelines established in this section.

Allied agency narcotic teams may need to be informed regarding covert operations conducted by the Department. Electronic databases (such as WSIN) maintained by law enforcement agencies on undercover activities should be constantly updated as needed to keep all other enforcement units aware of our ongoing investigations, suspects, locations, etc. Other Department personnel or those from outside agencies may also be asked for assistance on a case-by-case basis.

Surveillance operations should be well planned prior to implementation. Guidelines for planning operations include:

- Crimes and victims should be analyzed to determine the nature and scope of personnel, equipment and activities required to safely and effectively conduct the operation.
- Identifying and analyzing probable offenders and their habits, associates, vehicles, methods of operation, or any other pertinent information.
- Familiarize officers with the objective and details of the operation, neighborhood or target area.
- Supplying officers with false identity and necessary credentials.
- Maintaining overall confidentiality and cover of officer's false identity.
- Supplying officers with expense funds.
- Supplying officers with needed equipment.
- Establishing means for routine and emergency communication.
- Determining legal ramifications.
- Providing guidelines for arrest.
- Providing back-up security for officers; and
- Providing for close supervision.

The Unit Sergeant or designee should notify dispatch and the Watch Commander of the nature and location of any surveillance operation prior to implementation.

43.2.12 Decoy Operations

Decoy operations will be planned in accordance with the guidelines established as follows:

Victims, crimes and crime locations will be analyzed using existing intelligence information to determine the modus operandi of the perpetrators.

When appropriate, officers will disguise themselves to resemble victims.

A determination will be made based on the analysis of the situation deploying an adequate number of backup officers for security and protection.

Operational procedures for each operation will be developed to determine appropriate locations for observation and arrest.

The District Attorney's Office will be consulted as needed to determine the legal ramifications.

Communications will be established through the use of body mikes, radios, and/or recording devices in accordance with law. When and wherever possible, decoy equipment and cameras will be used to record the decoy operation. This will assist in documenting compliance with applicable laws and directives.

Participating personnel will be identified beforehand with a complete description of their vehicles and clothing provided to all involved personnel.

The Watch Commander will be advised about the operation and location so appropriate support is available.

43.2.13 Conducting Organized Raids

Vice, narcotics and organized crime raids will be conducted in accordance with the guidelines established in this section. A single person, usually the unit Sergeant, will be designated as the supervisor and coordinator. **Close supervision is critical in these types of operations.**

These guidelines are as follows:

- An organized raid involves a substantial commitment of officers and time, and requires that an operations order be drawn up. This plan, as well as any possible use of force, should be approved by the unit Sergeant and appropriate supervising Lieutenant or Captain prior to the start of the operation. The Division Captain should be kept apprised of all such preplanned operations. In cases of emergency situations that do not allow time to prepare a written operational plan the strategy may be verbally presented to and approved by the unit Sergeant, supervising Lieutenant, or Division Captain.
- It will be the responsibility of the unit supervisor to ensure that all necessary equipment is made available to personnel involved in the raid, e.g., radios, raid jackets, necessary paperwork, ballistic vests, etc.
- It will be the responsibility of the case officer to prepare a detailed diagram of the intended location. Prior to the execution of any raid or search warrant, a briefing of all involved personnel will be held. During this briefing, assignments will be made by the unit supervisor designating intended methods of approach, entry, securing and leaving the location.
- An officer will be designated as a "finder", and will be responsible for searching and seizing all evidence. The finder will also record all evidence seized during any search.

43.2

- The unit supervisor and case officer will ensure that all support units have been briefed and all necessary equipment, including communication equipment, has been distributed to each member of the team.
- All arrests will be the responsibility of an arrest team. Suspects will be arrested by using only that force necessary to effect the arrest and preserve the safety of the officers and the suspects.
- Arrangements should be made for requesting medical assistance or having medical personnel standing by if the situation so warrants.

43.2.14 Reporting of Vice, Narcotics and Organized Crime

The Specialized Crimes Action Team (SCAT) shall prepare a weekly report summarizing investigations and arrests relating to operations it is involved in. This report will be reviewed by the supervising Lieutenant and/or Captain, and forwarded to the Chief's Office.

Information of immediate importance will be furnished to the Chief's Office, as the need requires.