

	<h1 style="margin: 0;">Garner Police Department</h1> <h2 style="margin: 0;">Written Directive</h2>	
	<b>Chapter:</b> 800 - Operations	
	<b>Directive:</b> 840.02 – Drugs, Vice, and Organized Crime	
<b>Authorized by:</b> Chief Brandon Zuidema		<b>Effective Date:</b> July 1, 2016
<b>CALEA Standards:</b> 43.1.1, 43.1.2, 43.1.4, and 43.1.5.		<b>Last Revision:</b> October 1, 2015

### 840.2.1 - Purpose

The purpose of this directive is to establish policy and procedure for the investigation of activity associated with drugs, vice, and organized crime.

### 840.2.2 - Policy

The Garner Police Department is committed to the suppression of illegal activity related to drugs, vice, and organized crime. It is the policy of the Department to investigate and act upon all such activity. While the majority of such investigations will come under the responsibility of the Criminal Investigations Division, it remains the duty of every police officer to strive for the suppression of illegal drug, vice, and organized crime activity.

### 840.2.3 - Definitions

- A. Drug Activity – Any criminal activity involving the possession, manufacturing or distribution of controlled substances.
- B. Organized Crime - Syndicated criminal activity carried out by groups or associations of persons engaged in or promoting such enterprises as theft, fencing, supplying illegal materials or substances, or an offense for profit.
- C. Vice - Criminal activity that is usually of concern to an entire community, and often involves incidents of prostitution, gambling, illegal use and/or sale of alcoholic beverages, and/or sale of obscene or pornographic material.

### 840.2.4 - Organization and Administration (43.1.1)

- A. The Criminal Investigations Division (CID) Commander will be responsible for coordinating and supervising enforcement activities pertaining to drugs, vice, and organized crime.
  - 1. The CID Commander will assign officers to investigate incidents or reports of drug, vice, or organized crime activity as may be necessary.
  - 2. The CID Commander will notify the Operations Bureau Captain of any investigations and/or enforcement related to drug, vice, and organized crime activity.
    - a. This notification will normally occur through a monthly report but will also be done on an as needed basis depending on the nature of the investigation or enforcement.
    - b. The Operations Bureau Captain will inform the Chief of Police of investigations and/or enforcement related to drug, vice, and organized crime activity on an as-needed basis.

- B. The responsibility of the Criminal Investigations Division as it relates to drugs, vice, and organized crime includes (but is not necessarily limited to):
1. Active investigation and enforcement;
  2. Vigorous prosecution; and
  3. Providing information to other operational units of the Department and to other law enforcement agencies.
- C. Investigative action will be directed towards the following areas:
1. Mercenary/predatory criminal activity, including but not limited to:
    - a. Burglary,
    - b. Robbery,
    - c. Fencing, and
    - d. White collar crime.
  2. Vice activity, including but not limited to:
    - a. Illegal gambling operations,
    - b. Illegal sales and distribution of alcoholic beverages, and
    - c. Prostitution and pornography.
  3. Drug activity, including but not limited to:
    - a. Illegal sale of controlled substances,
    - b. Illegal distribution of controlled substances, and
    - c. Illegal manufacturing and possession of controlled substances.
  4. Other criminal activity, including but not limited to:
    - a. Loan sharking,
    - b. Weapons violations, and
    - c. Related offenses (i.e. extortion, bribery).

**840.2.5 - Processing Complaints and Intelligence (43.1.1; 43.1.2)**

- A. Any employee of the Department in receipt of a complaint or information pertaining to drug, vice, or organized crime activity is to forward this information to the Criminal Investigations Division.
1. Information regarding vice or organized crime activity is to be forwarded to the CID Commander.

2. All complaints related to illegal drug activity may be forwarded to the Special Investigations Sergeant. It is the responsibility of the Special Investigator to make the CID Commander aware of this information for tracking purposes.
- B. Any such intelligence will be recorded and will be assigned to an appropriate Investigator for further investigation.
1. Intelligence that constitutes a criminal offense will be recorded on an incident report. Active investigations of any drug, vice, or organized crime activities may be password protected and/or filed in the intelligence module of the records system when necessary.
  2. Intelligence not necessitating an incident report will be maintained in the Criminal Investigations Division confidential file. An incident report shall be completed anytime that further investigation warrants it.
  3. Once the investigation is complete, the investigating officer is to prepare a completed case report for submission through normal channels.
- C. The CID Commander will maintain an index of complaints pertaining to drug, vice, and organized crime activity that is separate from the Department's Records Management System.
1. The index will record:
    - a. The nature of the complaint;
    - b. The complainant, if known;
    - c. The assigned investigator, if any; and
    - d. Whether or not the complaint was substantiated.
  2. This index will allow the Department to conduct periodic analyses to evaluate both the depth of the problem and any developing trends.
- D. The CID Commander is responsible for communicating intelligence both internally and externally.
1. The dissemination of intelligence within the Department will be conducted on a need-to-know basis, and will be completed through regular staff meetings, roll call sessions and individual employee conferences.
  2. Intelligence pertaining to vice and organized crime activity conveyed to and received from other law enforcement agencies will be maintained on file by the CID Commander. All information derived from an investigation that is relevant to another agency will be forwarded to that agency as soon as practical.
  3. Intelligence pertaining to drug cases conveyed to and received from other law enforcement agencies will be maintained by the Special Investigations Sergeant. All information derived from an investigation that is relevant to another agency will be forwarded to that agency as soon as practical.

#### **840.2.6 – Investigative Guidelines**

- A. The following criteria will be used to determine whether to investigate complaints and violations concerning drug, vice and organized crime activity:
1. Validity and quality of the original information;

2. Criminal nature of the complaint or violation;
  3. Importance of the problem in terms of community concern and public safety and as compared to existing investigations;
  4. Investigative technique(s) to be employed; and
  5. Resources necessary to conduct the investigation.
- B. Victims and complainants may be notified of the status of a case, unless such notification would compromise investigative efforts.
- C. Complaints of activity where no victim is apparent (i.e. gambling) will be considered for investigation to determine if further action is warranted.
- D. Incidents involving activity where a victim is known will be documented according to Departmental procedures and investigated appropriately.
- E. Investigative data is to be used only for legitimate law enforcement purposes.
- F. Investigators are to submit a report to the CID Commander within 30 days of the initial case assignment. Following the submission of the report, the case will be reviewed and either a 30-day extension will be granted for additional investigation or the case will be closed.

**840.2.7 - Surveillance Equipment (43.1.4)**

- A. The CID Commander will designate a Special Investigator who will be responsible for the distribution and use of surveillance and undercover equipment.
- B. The designated Special Investigator will:
1. Ensure that all equipment is maintained in proper working condition, and
  2. Maintain a record of surveillance and undercover equipment, to include:
    - a. The officer to whom it is assigned,
    - b. The purpose of its use, and
    - c. The date of issue and return.

**840.2.8 – Surveillance, Undercover, Decoy and Raid Operations (43.1.5)**

- A. Drug, vice, and organized crime offenses, by their nature, often require officers to learn of and develop intelligence about and evidence of crime by infiltrating and operating or associating with persons suspected of criminal activity. The Department will maintain the resources necessary for decoy, undercover and surveillance operations.
- B. These operations will be planned, coordinated and controlled by the Criminal Investigations Division (CID) Commander unless otherwise directed. The CID Commander will consult with the Operations Bureau Captain and other Department personnel, as necessary, during the development and implementation of these operations.
- C. Detailed plans for each operation are to be designed in accordance with the specific circumstances present. However, all plans will address, at a minimum, the following:

1. Administrative concerns, to include:
    - a. An analysis of the particular crime, victims, and suspects;
    - b. Determining legal ramifications;
    - c. Acquisition of necessary expense funds;
    - d. Obtaining authorization for the raid and potential use of force; and
    - e. Obtaining coordination and assistance from others both inside and outside of the agency.
  2. Pre-operational / briefing concerns, to include:
    - a. Ensuring that any officers assigned are familiar with the objective, the details of the operation, and the target location and surrounding area;
    - b. Determining operational procedures for observation, arrests, surveillance, and high-risk entries (excluding SRT plans that will be coordinated by the SRT Commander);
    - c. Establishing means of communications between operatives;
    - d. Selecting equipment and/or vehicles;
    - e. Ensuring that relief, backup security, and perimeter protection for officers is available; and
    - f. Supplying officers with false identities, disguises and necessary credentials, vehicles and equipment.
  3. Operational concerns, to include:
    - a. Maintaining overall confidentiality and cover;
    - b. Making contacts with suspects;
    - c. Searching for and seizing evidence and/or contraband; and
    - d. Requesting medical assistance.
  4. Supervisory concerns, to include:
    - a. Designating a single person as supervisor and coordinator; and
    - b. Providing close supervision;
- D. Guidelines for planned operations (to include “raid” operations) are outlined in GPD Directive 810.08 - *Searches and Planned Operations*.

#### **840.2.9 – Electronic and Photographic Surveillance (43.1.5)**

- A. Electronic surveillance will be conducted only in the strictest conformity with court-authorized warrants and in accordance with Departmental directives and North Carolina General Statutes. The CID Commander must approve all electronic surveillance prior to any such surveillance being conducted.

B. Photographic surveillance will be approved in the following circumstances:

1. To identify persons who are involved in drug, vice, and/or organized criminal activity, and/or
2. To provide evidence of violations of law or to illustrate the testimony of officers.