

PALM BEACH GARDENS POLICE DEPARTMENT

UNDERCOVER OPERATIONS

POLICY AND PROCEDURE 3.2.14

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PURPOSE: To set forth standards, techniques, and procedures for undercover operations.

SCOPE: This policy and procedure applies to all officers participating in undercover operations.

REVIEW RESPONSIBILITY: Investigations Bureau Commander

POLICY: Whenever this department engages in undercover operations, it shall be to determine criminal activities of suspect(s). An individual(s) assigned to an undercover operation may frequently assume an identity other than his/her own and develop a credible story as to their background and abilities, all of which must be acceptable to the criminal suspect.

1. UNDERCOVER OPERATIONS FUNCTIONS

- a. It shall be the responsibility of the Investigations Bureau Commander or assigned supervisor to coordinate undercover operations conducted by detectives or agents.
- b. Prior to using undercover operations, the appropriate supervisor(s) should analyze available information to determine the proper operational tactics.
- c. Such operation tactics should be determined based on specific crime problems/patterns, particular types of victims, the location of the crimes and time of day/night.

2. OBJECTIVES

- a. The objective of an undercover operation are:
 - i. To determine the nature of specific criminal activity.
 - ii. To identify all of the persons involved in specific criminal activity and
 - iii. To obtain legally admissible evidence for prosecution.
- b. Initial contact with a suspect may be made:
 - i. Through informants, the case investigator should thoroughly rehearse background story association between them self and the informant;
 - ii. By living in a locality or frequently visiting places where close association can be had with the suspect or their friends; or
 - iii. By discreetly disseminating information or creating a situation which will cause the suspect to become interested and approach the undercover investigator.
 1. Prior to this, consultation with the State Attorney's Office (SAO) is advisable in order to avoid any entrapment issue.

- c. When an arrest is to be made while an undercover investigator is present with the suspect, several considerations must be made. Refer also to surveillance policy.
 - i. Safety of the undercover investigator
 - 1. It must be emphasized that the safety of the undercover officer is the primary concern of any undercover operation.
 - 2. A sufficient number of surveillance and back-up officers are mandatory to minimize the danger to the undercover officer.
 - 3. The undercover officer and the investigations supervisor will conduct a briefing with the involved officers to ensure that they have all the information available necessary for the operation.
 - ii. Surveillance agents/investigators must have ready access to the undercover officer and a "vantage" point to observe the undercover officer and surrounding area.
 - iii. The arrest should be planned to occur in an area where the suspect's escape routes can be easily blocked.
 - iv. The involvement of unknowing citizens should be avoided.
 - v. When a building is used, two rooms with an adjoining door for rapid access by officers should be employed. The location of the room must not be easily accessible or easily seen by the suspect's associates.
 - vi. The operations commander or designee must maintain close supervision over the entire operation.
 - vii. Communications
 - 1. Use of primary radio frequencies shall be avoided. Rather, a prearranged, secure system of communicating with headquarters or supervisors should be established. Suitable signals for communicating information between surveillance officers should be developed and thoroughly understood by all participants. Emergency signals should also be incorporated for the safety of the undercover officer.
 - viii. Equipment
 - 1. Camera, binoculars, telescopes, and recording equipment should be included in preparation where applicable.
 - 2. A monitoring device, e.g., "body bug", may be used in accordance with applicable department procedures and FSS Chapter 934.
 - ix. Locate and identify other potential witnesses. Frequently, other witnesses both inside the area of criminal activity, as well as in the peripheral area surrounding the activity, can be identified to support the testimony of the investigator assigned to the undercover operation.
 - x. All arrests will be conducted in accordance with departmental procedures and FSS Chapter 901.
- d. Types of undercover operations
 - i. An undercover operation may encompass several types of assignments. Types of undercover assignments may include, but not be limited to:
 - 1. "Single operations assignment" - an undercover operation in a gambling house, a house of prostitution, an illegal-liquor establishment, or perhaps to investigate a person who deals in stolen property.
 - 2. "Multiple operation assignment" - an investigation of a gambling operation encompassing several locations such as bookmaking, bolita, para-mutual betting operations, call-girl activity, or perhaps a burglary ring.
 - 3. "Long-range penetration assignment" - an operation directed toward the upper-echelon leaders of an illegal activity.
 - 4. Intelligence gathering assignment - this type of undercover operation is not directed toward any specific type of illegal activity. This type of operation is used as a listening post for general information in a geographic location where illegal activities are believed to be occurring.

3. PROCEDURE

- a. Analyzing victims, crimes, and locations
 - i. Crime problems often involve a pattern, particular types of victims, or are centralized in one location. Prior to using undercover operations, supervisors should analyze available information to determine the proper operational tactic.
 - ii. Approval to deploy an undercover operation must come from the Chief of Police.
- b. Planning and organizing the undercover operation
 - i. To obtain planning data, three activities need to be performed:
 1. A reconnaissance of the area.
 2. Background information of persons.
 3. Surveillance is conducted to learn the behavior patterns and the identity of persons frequenting the area or building.
- c. False identities and credentials
 - i. Requests for false identities and/or credentials must be made to the Chief of Police via the Investigations Bureau chain of command.
 - ii. The Investigations Bureau Commander or designee will be responsible for the maintenance of records as to such false credentials that have been issued.
- d. Confidentiality of undercover officers
 - i. The Investigations Bureau Commander or designee will ensure inapplicable, that the identity of the undercover officer will remain confidential.

4. GLOSSARY

Undercover Operations - Employed or engaged in secret investigations; the use of pretext to gain the confidence of persons involved in criminal activities; implies that anyone engaged in this type of activity must have the ability to establish a relationship with the suspect in order to determine the nature of his/her activities.

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RESPONSIBILITY INDEX

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- INVESTIGATIONS SUPERVISORS
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