

**TYLER POLICE DEPARTMENT
GENERAL ORDER**

ORGANIZED CRIME AND VICE CONTROL

17.200

REVISED 12/14/06

EFFECTIVE 04/04/94

17.201 PURPOSE

The Tyler Police Department is committed to the identification and suppression of any organized criminal activity and is committed to the investigation and suppression of vice and narcotics violations in the City of Tyler. The Vice and Narcotics Unit has been established for the purpose of identifying, controlling, and preventing vice and narcotics related activities in the City of Tyler.

17.202 ORGANIZATION

- A. The Vice and Narcotics Unit consist of a Sergeant and a detail of investigators. The Unit Sergeant will be directly responsible to the Investigative Division Commander for:
 - 1. Controlling the illegal possession, sale, and distribution of illegal alcohol beverages in a dry county.
 - 2. Suppressing the illegal sale and distribution of controlled substances.
 - 3. Controlling illegal gambling operations.
 - 4. Controlling illegal prostitution and/or pornography.
 - 5. Complete thorough investigations of all citizens' complaints regarding vice and narcotics activities.
 - 6. Identify person(s) engaged in the illegal sale or distribution of controlled substances.
- B. In order to keep the Chief of Police informed of current vice and organized crime problems, the Unit Supervisor shall complete a written report, no less than quarterly, that summarizes complaints, investigations, and arrests. The report will be submitted to the Chief via the chain of command.

17.203 COMPLAINTS OF VICE AND NARCOTICS ACTIVITY

- A. All complaints of vice and narcotics activity will be received and addressed by the Unit. Any complaint or information received from citizens or sources exclusive of the Unit will be recorded on a Unit complaint form. The complaint will be forwarded to the Unit Supervisor, logged in the Unit complaint log by the Unit Supervisor or designate.
- B. All complaints received by the Unit will be reviewed by the Unit Supervisor. The complaint will be categorized into the following areas:
 - 1. Active - Priority 1
 - a. Active complaints are those that involve actual or potential criminal activity and will require follow-up investigation coordinated by the Unit.
 - 2. Pending - Priority 2
 - a. Pending complaints are those which may involve criminal activity but the validity of information is questionable and additional follow-up is required to either close the complaint or make it active.
 - 3. Information only - Priority 3

- a. Information only complaints are those that do not require additional follow-up or the information cannot be verified. This type of complaint will be filed for cross-reference or connection to a future investigation.
4. Closed - Priority 4
- a. Closed complaints are active complaints that have been brought to a conclusion by one of the following methods:
 - 1) The incident was found not to be criminal in nature.
 - 2) The investigation was turned over to another division or law enforcement agency.
 - 3) The investigation was concluded and the case is or has been submitted for prosecution.
- C. On a monthly basis, the Unit Sergeant will advise the Investigative Division Commander of any changes in a complaint status and the current status of all active or pending complaints. This notification is done on an inter-department memorandum form. The monthly report will include:
- 1. The number of active, pending, closed, and information only complaints received and their status.
 - 2. The number of citizen generated complaints that were substantiated.
- D. All Unit complaint forms received will be filed within the Unit. The information will be filed by the location of activity.
- E. Vice and Narcotics complaints forms will be purged with the following guidelines:
- 1. Active - 3 years.
 - 2. Pending - 1 year.
 - 3. Closed - 5 years.
 - 4. Information only - 1 year.
 - 5. The only exception is that the information may be retained for a longer period of time at the discretion of the Unit Sergeant.

17.204 VICE AND NARCOTICS COMPLAINT INVESTIGATIONS

- A. The Vice and Narcotics Unit of the Tyler Police Department will thoroughly investigate all complaints of vice or narcotics criminal activity within the City of Tyler.
- B. Each complaint received by the Unit will receive a preliminary investigation within three days of receiving the complaint. During the preliminary investigation, the following criteria will be considered and the complaint will be prioritized:
 - 1. The validity and/or reliability of the original information.
 - 2. The type of criminal activity.
 - 3. The extent or magnitude of the activity.
 - 4. The availability of follow-up information.
 - 5. The investigative resources required compared with those which are available.
 - a. Are there sufficient Department resources?
 - b. What possible operational problems exist?
 - 6. The existing workload of the unit.

- C. The complaint will then be prioritized by the Unit Sergeant and assigned to an investigator or team of investigators.
- D. Once the complaint or incident has been prioritized the investigator will be required to keep the Unit Supervisor updated on the status of the investigation at least weekly.
- E. At the end of the investigation or when a complaint is closed, the complainant will be contacted and advised of the outcome of the case, if previously requested.

17.205 VICE AND NARCOTICS RECORDS/REPORTS RETENTION

- A. Due to the sensitive nature of vice and narcotics investigations, the complaint forms, complaint logs, Confidential Informant (CI) files, incident reports, supplements, active or pending complaints will be maintained in the Vice and Narcotics Unit.
- B. All complaint forms will be retained in the Unit until purged. At that time, they will be shredded to ensure confidentiality pursuant to statutory guidelines. Complaint logs will be retained by the Investigative Services Division Commander until purged.
- C. CI files will be kept secured in the Unit by the Unit Supervisor. No copies will be made without the Supervisor's approval. If a copy is made, the name and I.D. number of the requestor will be recorded on the file. Confidential informant files will be purged at the discretion of the Unit Sergeant, with the approval of the Investigative Division Commander.
 - 1. Purged CI files will be shredded.
- D. When an incident report is initiated by the Unit, a report case number will be obtained from Communications. The report and any supporting documentation will be retained in the Unit until the case has been submitted for prosecution. At that time, the report will be forwarded to Data Management for filing.

17.206 USE OF INFORMANTS

- A. The use of confidential informants is important to the satisfactory completion of many investigations. The purpose of this policy is to establish procedures that will provide a controlled system for the use of informants and to avoid situations involving their use which would adversely effect police operations.
- B. Appropriate Case Law specifies when informant's information may be used in the issuance of search warrants and when information from an informant may be used as "probable cause" in a criminal investigation.
 - 1. One must show that the information is credible and reliable; or
 - 2. Must base reliability on the previous use of the informant from whom the information came.
- C. Any individual who desires to work with the Tyler Police Department for the purpose of supplying information in the capacity of a CI will be included in the Informant File. A criminal history and background check will be included. The Understanding of Regulations Informant Sheet and Personal Information Sheet will be completed and presented to the Unit Supervisor prior to using an informant. When an individual is included in the CI File, that individual will be assigned a number. The first two numbers will be the year in which the informant starting work, followed by a unique number that will run in consecutive order. For example, the first informant in 1994 will be labeled 94-1. The number that is assigned to the CI will be cross-referenced to the informant's name in a master file, which will be maintained by the Unit Supervisor.

- D. Each CI file will contain the following information:
1. The pre-typed Understanding of Regulations Informant Sheet, which will be signed by the informant, as well as the officer assigned.
 2. A personal Information Sheet (Informant Data Card) on the CI.
 3. A copy of the Criminal History check.
 4. A fingerprint card on the informant or written documentation detailing such items as prior arrests and what agency holds the fingerprint card.
 5. A photograph or photo copy of a photograph of the informant.
 6. A summary report on each case where the information supplied by the informant and the informant's involvement in the operation is recorded.
 7. A summary report on each case as to what were the results of the information given by the informant (Arrest, drugs seized, etc.)
 8. A copy of the Investigations Division Receipt for all cash money/monies paid to the informant which will be signed by the informant, as well as the officer assigned.
- E. Care must be taken before using a juvenile as an informant. Approval must first be obtained by the Vice and Narcotics Supervisor and the District Attorney of Smith County. If approved, a Juvenile Informant Authorization Form will be completed, which will be signed by the Parent/Guardian, as well as the officer assigned.
- F. Maintenance of individual Informant Files will be the responsibility of the officer assigned to that particular informant. The officer will ensure that the file contains all of the necessary information. The informant file will be updated as new information or activity becomes available. It will be the Unit Supervisor's responsibility to periodically check each informant file to ensure that it contains all of the necessary information.
- G. The officer who is assigned to a particular informant will be responsible for forwarding all necessary paperwork (receipts, information, data card, understanding of regulations sheet, etc.) to the Vice and Narcotics Supervisor so that the CI File can be maintained in the master file.
- H. When an officer makes contact with a subject that is facing criminal charges, in which the State of Texas or the Federal Government is the victim, and the subject desires to become an informant, the officer, after consulting with a supervisor, will notify the Vice Supervisor, or designate, of the contact. The Vice Supervisor will ensure the required documentation is completed and will see to it that the chain of command is notified regarding the circumstances of the informant contact and development.
- I. Before making a recommendation to the District Attorney regarding whether to prosecute the informant on the original charge(s), the officer assigned to work with the informant will contact the original investigating officer and review the recommendation to the prosecutor.

17.207 MANAGEMENT OF INFORMANTS

- A. Management of an informant is primarily composed of developing a working relationship and controlling the informant. In an effort to minimize negative impact, the following guidelines are to be followed.
1. Each Informant will have a primary and a secondary officer to ensure full-time control. The officer's Supervisor will be kept informed of all informant related events.
 2. Be honest with the informant and do not make promises that cannot be kept.
 3. Guard the secrecy of the informant's identity.
 4. Stress to the informant that the informant is not to make any cases on their own, but to follow the directions of the officer(s).
 - a. Informants should not set meetings without the knowledge of the officer.

- b. Informants shall not use controlled substances during association with the officer.
 - c. Informants shall follow the directions of the officer. Failure to follow the legal directions of the officer may result in the termination of the relationship. The officer will then be responsible for reporting any such problem to the officer's supervisor so that a decision can be made about the informant's status.
- 5. It is imperative that the officer maintains objectivity throughout the relationship.
- B. The officer who is working with an informant should evaluate the information and the source of the information given by the informant. The officer will corroborate as much of the information as possible before any action is taken.
 - 1. The primary officer shall use the following guidelines to evaluate the informant and the information given by the informant.
 - a. The past performance of the informant should be considered.
 - b. The officer should inquire as to how the informant got the information. Was the information from a third person or actually observed by the informant?
- C. The informant shall wear a voice transmitter when making a purchase of a controlled substance. The officer shall get supervisor approval before allowing an informant to make a controlled buy without the use of a voice transmitter.
- D. The officer should make every attempt to observe an informant enter the place where the controlled buy is to take place. If the officer is unable to actually see the informant enter the suspected location, the officer shall make every effort to identify the correct location by having the informant show the location to the officer.
- E. The informant will be searched prior to making a controlled purchase of controlled substances. This does not in any way require a strip search, only a search that satisfies the primary officer that the informant is not in possession of any controlled substances while making the controlled purchase.
- F. The primary officer will use all other means to ensure the information given by the informant is correct before taking any action on the information (i.e. computer files, other officer information, any intelligence reports in crimestoppers, etc.)
- G. As a precaution to prevent an investigation from being susceptible to compromise through alleged improprieties, the informant will only be contacted or utilized if two officers are present. The assigned officer's Supervisor shall monitor closely the use of confidential informants. This does not prevent a single officer from conducting a meeting or interview with an informant in an interview room at the Tyler Police Department.

17.208 SECURITY OF INFORMANT FILES

- A. The control and enforcement of vice and narcotics activities often involve cooperation among law enforcement agencies. The Unit Sergeant will maintain a correspondence file within the Unit to retain all correspondence with other criminal justice agencies.
- B. When information leading to the request for a search warrant has been supplied by a CI, the underlying circumstances demonstrating that the informant is credible or that the informant's information is reliable and the underlying circumstances which led the informant to conclude that the contraband (fruits of a crime, instrumentalities of a crime, items of evidentiary value) would be where the informant claimed it to be, must be stated in the affidavit. However, the overall ruling

on whether or not a search warrant will be upheld in court will depend upon the totality of the circumstances.

17.209 SPECIAL INVESTIGATION FUNDS

- A. Tyler Police Department will provide for funds within the annual police department budget. The funds will be utilized for the purpose of pay informants, purchasing contraband as evidence, and to pay expenses for surveillance activities and equipment.
- B. At the beginning of each fiscal year, the Department will be provided with a budget account from which to draw funds for the purpose of combating Vice and Organized Crime. A maximum of five thousand dollars (\$5,000.00) of this fund will be maintained in the Investigative Division Commander's office for disbursement to the affected personnel. The Patrol Lieutenants may draw monies from this fund for use by Patrol Operations. The Investigative Division Commander shall administer the distribution of the funds to the respective Unit Supervisor, with the Chief being ultimately in control of the fund.
 - 1. The Vice and Narcotics Sergeant will be responsible for the operational use of the funds, making requests for funds prior to payments, monitoring expenses and use of funds by officers, and expense reports.
 - 2. The Investigative Division Commander will be responsible for controlling the administration of confidential funds. The Division Commander is required to complete a quarterly audit of the fiscal activity of the confidential fund account. The responsibility for conducting periodic, unannounced audits of the Unit's confidential funds will lie with the Integrity Unit. These audits will only be conducted with the approval and at the direction of the Chief of Police.
- C. The confidential fund will be utilized for providing each investigator with daily operational funds, paying informants, and for the use as "flash money" in on going investigations. Each investigator will be provided with a daily operational expense fund. The fund may be used for the following:
 - 1. Purchase of contraband for evidence.
 - 2. Payment to informants for information.
 - 3. Flash money for the furtherance of an investigation.
 - 4. Undercover operations expenses.
 - 5. Each expenditure will be recorded on the investigator's expense log. The log will be updated when necessary to keep track of present funds on hand and accurately record:
 - a. Date of transaction.
 - b. Name or code number of the person receiving the funds.
 - c. Type of expenditure.
 - d. Amount of expenditure.
 - e. Current balance of the fund.
 - f. A case number the transaction pertains to if applicable.
- D. In a situation where an informant provides a service or information in connection with a police investigation, funds may be obtained to pay the informant.
 - 1. Informant payment up to one hundred fifty dollars (\$150.00) may be made without the Vice and Narcotics Unit Supervisor's approval.
 - 2. The Vice and Narcotic's Unit Supervisor must approve payments greater than one hundred fifty dollars up to three hundred dollars (\$300.00).
 - 3. Payment over three hundred dollars (\$300.00) will require the approval of the Division Commander.
 - 4. Payment of five hundred (\$500.00) or more will require the approval of the Chief of Police or the Chief's designate.

- E. Flash money is defined as funds which are presented during an investigation to provide credibility during an investigation or to provide credibility to a suspect that the undercover officer has access to the amount of money needed to complete a transaction.
1. Prior to using confidential fund monies for flash money, the Vice and Narcotics Sergeant must be advised.
 2. Amounts in excess of five hundred dollars (\$500.00 - &750.00) must receive prior approval of the appropriate Division Commander.
 3. If more than seven hundred and fifty dollars is required, then it must be approved by the Chief of Police or the Chief's designate.
- F. Funds used for the purchase of contraband must be regulated with respect to the importance of each case. The amount of money spent on each case must be monitored.
1. Officers may make expenditures of up to two hundred dollars (\$200.00) on their own authority within the Vice and Narcotics Unit.
 2. Expenditures over two hundred dollars (\$200.00) up to Five hundred dollars (\$500.00) must receive prior approval of the Vice and Narcotics Unit Supervisor.
 3. Expenditures of over Five hundred dollars (\$500.00) but less than Seven hundred and fifty dollars (750.00) must receive prior approval of the Division Commander.
 4. Expenditures of seven hundred and fifty dollars (\$750.00) or over for the purchase of contraband must receive prior approval of the Chief of Police or designate.
- G. To ensure proper control and reporting of expenditures, the following accounting system will be utilized for the auditing of the confidential fund.
1. The confidential fund will have a cash-operating base established and approved in the annual police budget. All disbursements of the fund will be recorded in the confidential fund ledger maintained by the Investigative Division Commander. The ledger will include a balance sheet that identifies initial balance, credits, debits, and balance on hand. The appropriate supervisor will approve funds to be drawn from this fund for daily operational expenses, informant payments, contraband purchases, and flash money. The specific disbursement of these funds must be recorded by the officers on individual expense logs.
 2. The Inspections Sergeant will, at least once every six months, conduct an unannounced audit of the confidential fund. The results of this unannounced audit will be submitted to the Chief of Police.
- H. Other expenses necessary to expedite an undercover operation that do not fall within the guidelines of the previous sections will require the Unit Supervisor's approval, except in an emergency. The officer making the expenditure under the emergency provision will be required to justify the expenditure and explain the emergency nature on the back of the expense form.
1. These expenses may include expenditures for batteries, car rental, motel room rental, apartment rental, and other such expenditures necessary to the success of the operation or activity.
 2. Informant fee will be marked to indicate confidential funds paid to informants for information and/or services rendered.
 3. Informant expense will be marked to indicate confidential funds paid to informants for expenses incurred by the informant while assisting in a police investigation, such as gasoline for informant's car, food, or other personal expenses deemed reimbursable.
 4. The date will indicate the date the informant is paid.
 5. CI number.
 6. Amount of money paid.
 7. Describe briefly, but specifically, the type of information received or service being paid.

- I. Drug purchases are a controlled buy expense with money furnished to the informant to make supervised probable cause buys.
- J. In those situations where an officer requires additional funds or expenditure is required for an amount in excess of available funds, a Cash Request Form must be submitted and approved. The additional funds will be obtainable from the Investigative Division Commander.
 - 1. When confidential funds reach a low level, the Investigative Division Commander will notify the Vice and Narcotics Supervisor who will call for a completed, closed out expense report from each officer.
 - 2. The Unit Supervisor will review all expense reports to make sure they are accurate.
 - 3. The Unit Supervisor will complete an expense report listing the total cash vouchers received, and all expenses incurred since the last expense report was submitted.
 - 4. The Unit Supervisor will sign the expense report at the lower left hand corner. The expense report will be submitted to the Investigative Division Commander for review and signature of approval.
 - 5. The expense report will be forwarded to the Investigative Division Commander for review by the Chief of Police so that additional confidential funds may be obtained from the City of Tyler Finance Department. A direct payment request for the reimbursement of the confidential funds held in the Investigative Division Commander's office is prepared by the Investigative Division Commander for the Chief's signature.

17.210 PROCEDURE FOR THE USE OF THE INVESTIGATION DIVISION'S EXPENSE ACCOUNT FORM

The form is designed to include the officer(s) name, date: From ___ to ___, date of transaction, nature of transaction, receipts, expenses, and balance.

- 1. When using the expense account form (detective(s) expense log), the date of transaction must be entered followed by the nature of the transaction, then expense amount, and lastly, the balance of cash on hand.

17.211 USE OF SURVEILLANCE AND UNDERCOVER EQUIPMENT

- A. Due to the expense and sophistication of undercover and electronic surveillance equipment, it is imperative that all surveillance equipment be accounted for by the Vice and Narcotics Sergeant. The Vice and Narcotics Sergeant will approve the use of equipment needed by other units in the Department or other agencies.
- B. All requests for the use of this equipment will be submitted to the Vice and Narcotics Sergeant in writing. Each request will be reviewed by the Sergeant and the Investigative Division Commander.
 - 1. Upon approval, the individual requesting the equipment will obtain it from the Vice and Narcotics Sergeant, who will give instructions on the proper operation and care of the equipment.
 - a. On occasion, there may be a need for a member of the Vice an Narcotics Unit who is proficient with the use of the desired equipment to accompany the requesting individual for assistance.

17.212 CONDUCTING COVERT OPERATIONS

- A. In the course of conducting investigations, it may become necessary to initiate a covert operation, such as a surveillance operation, decoy operation, or prolonged undercover assignment. The use

of covert operations is an effective method of investigation and prosecuting crimes, but caution should be used.

- B. The case officer initiating a covert operation is required to submit an operational plan to the Unit Supervisor for approval by the Investigative Division Commander prior to starting an operation.

17.213 SURVEILLANCE OPERATIONS

- A. Surveillance is an extremely important investigative method 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 and constitutional rights of any individual.
- B. The case officer initiating a surveillance operation is required to submit an operational plan to the unit supervisor prior to starting an operation.
- C. Surveillance is defined as the continuous or periodic observance of persons, vehicles, places or objects. The routine observation of individuals or groups acting in a suspicious manner, the photographing and visual monitoring of events for safety, historical, or training purposes does not constitute surveillance.
- D. The objectives of surveillance are as follows:
 - 1. To determine whether a violation of the law exists or will exist and to determine who is the victim of the offense.
 - 2. To obtain evidence of a crime.
 - 3. To protect undercover officers or to corroborate their testimony.
 - 4. To determine the reliability of informants.
 - 5. To determine identities of parties involved in an investigation.
 - 6. To determine methods of operations of suspected offenders, their habits, associates, vehicles, or any other pertinent information.
 - 7. To obtain probable cause for obtaining search warrants.
 - 8. To prevent the commission of a violation of law or to apprehend a subject in the commission of a crime.
- E. Criteria for establishing surveillance are as follows:
 - 1. Surveillance data will be used only for legitimate law enforcement purposes.
 - 2. Photographic surveillance may be conducted on any individual, location, organization, or event which meets the criteria for surveillance.
 - 3. The principal criteria for establishing surveillance are as follows:
 - a. A legitimate and reasonable cause exists to believe an individual or organization is engaged in, or has demonstrated the propensity to engage in, illegal activity.
 - b. A legitimate and reasonable cause exists to believe that an event may provoke community disorder.
 - c. To ensure that exercise of constitutional rights are protected.
- F. The originating unit supervisor will be responsible for the following:
 - 1. Execution of the surveillance and the coordination of efforts of each of the surveillance officers.
 - 2. Ensuring, prior to initiation of surveillance, particularly long-term surveillance, that the officers involved in the operation are knowledgeable of the scope and extent of the offenses and type of victims associated with the target or subject of the surveillance.

- a. Knowledge of these activities will prepare the officer for the surveillance.
3. Gathering all information concerning the premises, suspects, and vehicles involved. This information will be evaluated and distributed to the participating personnel. A physical reconnaissance should be made to study the area where the surveillance will take place to identify vantage points which are suitable for the officers.
 - a. Similarly, traffic conditions should be observed and the officers should become familiar with the names and locations of streets in the area.
4. Selecting the hours or period of surveillance.
 - a. Decisions made by the surveillance supervisor will be governed by the number of personnel available and the circumstances of the suspected violation.
 - b. When a number of officers are involved in the operation, a plan specifying procedures for observation, arrest, and following the subject, should be made by the surveillance supervisor.
 - c. Making plans for providing suitable relief for the officers involved in the operation.
5. Selecting the type of surveillance equipment necessary for the operation.
 - a. This will depend upon the nature and extent of the surveillance and the equipment available.
 - b. When the equipment is selected, each piece will be examined or tested to ensure it is in satisfactory operating condition.
6. Ensuring all surveillance officers have ready access to radio communications.
7. Selecting one primary radio frequency to be used during the course of the operation and to inform participating personnel of the selected frequency or change in frequencies.
8. Establishing means for routine and emergency communications.
9. Supplying officers with necessary equipment.
10. Analyzing legal ramifications.
11. Providing guidelines for arrest.
12. Providing backup security for officer.
13. Providing close supervision for the surveillance operations.
14. Vehicles used during surveillance operations should be inconspicuous. Surveillance vehicles should fit the setting which they are to be used.
15. When necessary, departmental funds should be supplied to the officers to cover their expenses.

17.214 UNDERCOVER OPERATIONS

- A. Officers selected for undercover drug or any other undercover type operations will be required to comply with the following criteria:
 1. Undercover officers are required to submit to unannounced urine, blood, and/or breath tests.
 2. Undercover officers are not permitted to deliver drugs or counterfeit drugs to another individual without appropriate supervisor approval.
 3. Undercover officers may not inject, inhale, or otherwise use drugs unless imminent bodily injury or death is feared. Undercover officers may only simulate the use of marijuana, but no other drugs. The simulation of marijuana must be documented in writing.

4. Undercover officers are not permitted to use alcoholic beverages while on duty except in those situations whereby the use thereof is necessary in the performance of their duties and is not to be used in excess.
 5. Undercover officers will be required to report to their appropriate supervisor on a daily basis or as otherwise instructed.
 6. Undercover officers will not be permitted to pay for drugs or other illegal contraband with an agreement that the items will be received at a later date. The money and illegal contraband must be exchanged at the same time unless otherwise approved by the Unit supervisor.
 7. Undercover officers will not be permitted to make an agreement for non-prosecution of a defendant without the approval of the Unit supervisor and the District Attorney, the District Attorney's designate, or the Probation or Parole officer, if applicable.
 8. Undercover officers will be required to properly document all drugs which are seized or delivered to them and deliver same to the Unit supervisor. All drugs either seized or delivered must be stored in the approved property facility and must not be left in any other location.
- B. The case officer initiating an undercover operation is required to submit an operational plan to the unit supervisor prior to starting an operation.
- C. The appropriate unit supervisor is required to submit an operational plan for the undercover operations prior to starting an operation. The plan shall include the provisions of this General Order as well as determining the operational procedures for observation, arrest, and any "tails" that might arise during the operation.
- D. Prior to contact with a suspected violator, the following procedures will be completed, when practical:
1. All available means to identify the suspect will be utilized.
 2. Vehicle registration checks and utility checks may be conducted.
 3. Known associates may be identified.
 4. Identification of method of operation.
 5. Weapons capabilities, prior use, and violence potential of the suspect should be investigated.
 6. Residences and/or other locations frequented by the suspect should be identified.
 7. Consideration of any possible legal ramifications.
- E. Depending upon the nature of the crime and a suspect's method of operation one of the following methods may be utilized for contacting a suspect:
1. Undercover introduction by an informant.
 2. Undercover introduction by an undercover officer.
 3. Situations involving an undercover purchase and a simultaneous arrest. ("buy-bust")
 4. Search warrant.
 5. Surveillance with arrest.
- F. It will be the responsibility of the unit supervisor to analyze and identify crime trends in the field. This information will be developed through observations, field contacts, informants, citizen complaints, officer's input, and other intelligence gathering.
- G. Each officer will be supplied with a false identity and the required credentials. Normally it is an alias drivers license issued through the Texas Department of Public Safety. It will be the officer's responsibility to maintain this false identity; however, if the identity is revealed, new credentials can be issued.

1. Each officer will be supplied with expense funds to facilitate the apprehension of violators. The amounts dispersed will be the responsibility of the unit supervisor, but normally it is Five hundred dollars (\$500.00) with larger amounts approved by the appropriate Division Commander.
 2. Each officer will be supplied with required equipment as determined by the unit supervisor.
 - a. Vehicles.
 - b. Radios.
 - c. Designated police jackets and body armor.
 - d. Weapons and handcuffs.
 - e. Chase vehicles with visual emergency equipment.
- H. In any situation where an undercover officer is meeting with a suspect, the officer will have the required surveillance and backup team in the immediate area.
1. The undercover officer, as well as the surveillance team and backup team, which may be the same, will have both a verbal and visual arrest or help signal available. Each officer will be completely briefed prior to the operation.
 2. Each member of the surveillance team and backup team will be assigned specific duties and will serve on the following as designated by a supervisor:
 - a. An arrest team.
 - b. A counter-surveillance team.
 - c. An evidence team, which include finders and recorders for evidence.
 - 1) An evidence finder is the officer who is assigned to locate each item of evidence at the crime scene.
 - 2) An evidence recorder is the officer who is assigned to record the found evidence on paper or tape for the finder.
 - d. A team to secure and stabilize the crime scene.
 - e. A liaison officer for communications with central dispatch.
 - f. A team for prisoner transportation.
 3. In any situation where an arrest or search is anticipated, a supervisor will be present to coordinate specific operational procedures.
 4. A legal advisor should be consulted on any legal ramifications arising from the operation.

17.215 DECOY OPERATIONS

- A. A decoy operation is defined as an investigation technique where an officer(s) assumes the identity or physical appearance of a victim or potential victim of a crime with the objective of apprehending a suspect in the commission of a crime.
- B. Decoy operations require a great deal of planning and coordination, due to the fact that the operation is intended to place the officer(s) in the commission of a crime. Decoy operations require the review of the unit supervisor. Prior to starting a decoy operation, the unit supervisor will see to it that an operation plan is developed and the chain of command is notified.
 1. Decoy operations require the prior approval of the Investigative Division Commander. The decoy operations plan should include provisions for the following:
 - a. Analyzing victims, crimes, and locations.
 - b. Determining legal ramifications.
 - c. Establish communications.

- d. Identification by unit designation.
 - e. Disguising officers to resemble victims.
 - f. Developing operational procedures for observation and arrest.
 - g. Notifying the affected Patrol Division Supervisor.
 - h. Providing close supervision.
 - i. Identifying participating personnel.
- C. It will be the unit supervisor's responsibility to identify and analyze victims, crimes, and locale. This can be accomplished by one or more of the following:
- 1. Prior reports of incidents.
 - 2. Victim interviews.
 - 3. Details in police reports.
 - 4. Observation in the field.
 - 5. Crime analysis.
- D. Having considered the type of crime, previous violence potential, and number of suspects, it will be the supervisor's responsibility to assign an adequate number of backup officers to ensure the undercover officer's safety. The number one consideration in any decoy or undercover operation is officer safety.
- 1. In any such operation, a team of surveillance/backup officers will be assigned. Each officer will be fully briefed as to the verbal and visual arrest and/or assistance needed signal. A particular method of arrest may be employed, depending upon circumstances.
- E. In any such operation, a supervisor will be present to monitor the activities of all involved, particularly the undercover officer. It will be the supervisor's responsibility to ensure each officer is supplied with portable radios and is familiar with the arrest signals. It is also the supervisor's responsibility to ensure that any affected agency or division is notified of the activity to avoid conflicts.

17.216 CONDUCTING ORGANIZED RAIDS

- A. When an organized raid involves a substantial commitment of staffing, funds, or time, the unit supervisor is required to submit an operational plan prior to the start of the operation. The raid shall require authorization by the Investigative Division Commander.
- B. It will be the responsibility of the unit supervisor to ensure that all necessary equipment is made available to personnel involved in the raids, e.g., radios, bulletproof vests, raid jackets, necessary paperwork, etc.
- C. It will be the responsibility of the case officer to prepare a detailed diagram of the intended location if possible. 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 assigned supervisor designating intended methods of approach, entry, securing, and leaving the location.
- D. The case officer will be responsible for searching for and seizing all evidence. The officer may designate another member of the team to act as the evidence officer/recorder.
 - 1. The case officer will be responsible for requesting medical assistance if needed, and making the appropriate documentation of requests and providing of medical assistance.
- E. The unit supervisor will ensure that all support units have been briefed and have all the necessary equipment to be able to communicate with personnel directly involved in the raid. This includes S.W.A.T., or police personnel from other jurisdictions.

1. If use of S.W.A.T. becomes necessary the unit supervisor will notify the S.W.A.T. Commander.
- F. The arrests of all suspects involved will be handled by the designated arrest team. Suspects will be arrested by using only that force necessary to effect the arrest and preserve the safety of the officers, the suspects, and the public.
- G. All actions related to the raid will be documented with Tyler Police Department Reports, complaints, affidavits, and warrants.

17.217 COLLECTION AND DISSEMINATION OF INFORMATION

- A. The control and enforcement of vice, narcotics, and criminal activities can be best accomplished with a concerted and coordinated effort by all divisions within the police department. The dissemination of information is needed to effect the basic mission for which police exists, which is to prevent crime and disorder. This can be accomplished by using the following procedures:
- B. Intelligence/Investigation Division Bulletin.
1. During the course of an investigation, investigative personnel may require assistance from other divisions. These requests for assistance may be made through the distribution of an intelligence bulletin with a request for information by any other division. Information required is provided by the officer and submitted to the officer's supervisor for approval.
 2. The intelligence bulletin is also used for the distribution of available information regarding ongoing investigations, cleared cases, and any information that would be useful to other divisions.
- C. Exceptional Incident Log (Electronic Pass-on book).
1. Those incidents involving major offenses, incidents, or information that requires immediate dissemination may be recorded in the information electronic pass-on book or emailed to affected personnel as appropriate. The supervisor reviewing the information will see that it is entered in the pass-on book and distributed to the affected Divisions, to ensure the timely release of information.
- D. Miscellaneous situations.
1. In those situations where the immediate release of information is necessary or when the need-to-know is limited to select personnel, the officer may contact a supervisor and, with approval, may verbally, by email, or in memorandum form release information to the affected Divisions or personnel.
 2. In the event information needs to be provided to the Investigations Division and the opinion memorandum does not apply, the officer/employee may forward a memorandum or email containing the information to the concerned detective/division.
- E. Procedures for the dissemination of information between other agencies.
1. Informal exchange of information between individual officers may be addressed by telephone and informed in personal meetings.
 2. Structured exchanges of information between officers and their respective agencies may be accomplished by letter and/or statewide meetings.
 - a. The Crime Analyst also has access to the TCIC Information System.

17.218 ORGANIZED CRIME

- A. The Organized Crime Officer/Intelligence Officer will be directly responsible to the Youth Crimes Supervisor for the control, collection, and dissemination of information on the following activities:
1. Loan Sharking.
 2. Labor racketeering.
 3. Corruption.
 4. Extortion or bribery.
 5. Theft or fencing operations.
 6. Illegal sale and distribution of liquor or tobacco.
 7. Illegal sale and distribution of controlled substances.
 8. Illegal gambling operations.
 9. Illegal prostitution and pornography.
 10. Economic crimes.
 11. Conspiracy.
 12. Criminal infiltration of a legitimate business.
 13. Firearms.
 14. Fencing, Fraud, Bribery, Burglary, Forgery, and Murder defined as organized.
 15. Organizations that advocate the overthrow of the American system of government through the use or threat of violence.
 16. Organizations that try and acquire or possess arms, ammunition, or explosives with unlawful intent.
 17. Organizations that provide funds to finance unlawful or violent activities.
 18. Organizations and/or individuals, who have threatened, planned or committed acts of violence.
- B. Information shall not be retained on individuals merely because of memberships in organization, unless such organizations meet the criteria as defined in numbers 15 through 18 above and such organizations are found to be engaged in criminal activity or pose a serious threat to society.
- C. In order to control any organized criminal activity within the City of Tyler, the organized crime information files are maintained by the Organized Crime Officer/Intelligence Officer.
1. In order to fulfill this objective of controlling and/or eliminating organized criminal activity, the Organized Crime Officer/Intelligence Officer is responsible for collecting, evaluating, analyzing, disseminating, and filing such information on any and all person(s) and/or groups or organizations that engage in activities defined as criminal or potentially criminal by City Ordinance, Federal, or State Statutes.
 2. The Organized Crime/Intelligence officer shall maintain a written record of information conveyed to and received from outside agencies.

Approved: 12/14/06

