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			Distribution: All
Title: SURVEILLANCE, UNDERCOVER, and DECOY OPERATIONS		Section: Investigations	
Issued: 11/29/2011	Effective: 12/07/2011	Revised: 01/02/2015	
Rescinds: All Previous		Amends:	
CALEA References: 43.1.5			
Review: Annual	Authority: Chief Michael A. Keller 		

I. Purpose

The purpose of this General Order is to provide guidelines for conducting, or participating in, surveillance, undercover, and decoy operations (43.1.5).

II. Policy

Surveillance, undercover, and decoy operations may be used as an investigative technique to gather information about illegal narcotic, vice, organized crime or other criminal activities when other techniques are deemed impractical or have failed to produce the necessary information. Undercover operations involving department personnel acting in an undercover role will be approved by the Chief of Police.

III. Definitions

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IV. Regulations

- A. The use of false identification documents is restricted to supervised, job related undercover activities and use of those documents for purposes other than the enhancement of the investigation is strictly prohibited [E].
- B. A uniformed member of the department shall not address an officer who is in plainclothes and known or suspected of working in an undercover capacity unless first addressed by the plainclothes officer. This is to protect the identity and safety of the plainclothes officer [A].
- C. Only equipment issued or owned by the department, or otherwise approved by the Chief of Police will be used in surveillance, undercover, and decoy[B].

V. Procedures

A. Undercover & Decoy Operations

1. False Identities
 - a. The overall success of any undercover investigation depends largely upon the ability of those conducting or participating in the investigation to maintain confidentiality and cover. As a result officers involved in operations of this type should restrict the degree to which they discuss the matter which they are investigating with other employees and civilians. In



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most instances, information regarding an ongoing undercover operation should be disseminated on a need-to-know basis.

- b. Depending on the scope and type of operation, consideration must be given to the undercover officer's assumed identity. False identities and, if necessary, credentials to substantiate those identities must be developed, manufactured with safeguards, and supplied to the undercover officer. Development and use of such documents will be approved by the Chief of Police and closely monitored by the Operations Commander.
- c. Once a false identity is given to an officer, only those personnel required to know the assumed identity should be made aware of the identity. Other personnel should be cautioned against casual contact, at any time, with the undercover officer.
- d. At the conclusion of the investigation, false identification documents will be collected by the Operations Commander and either destroyed or secured for re-use in future operations.

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2. Prior to the onset of an undercover operation, a thorough analysis will be made by investigative personnel of all crimes, victims and suspects potentially involved in the operation. Suspects will be identified and complete working files compiled to include photographs. These files will be restricted to officers involved in the operation on a need-to-know basis. Criminal history information as well as street source information should be filed to provide as much background material as possible to officers involved. Once the operation is under way, these files should be updated as often as necessary to include newly acquired data.
3. Prior to and during an undercover operation consideration must be given to all legal ramifications. Contingency plans should be developed and discussed between all involved personnel after consultation with the prosecutor. These plans must be continuously monitored and updated depending on case developments.
4. Neighborhoods or target areas wherein undercover officers will work, regardless of whether suspects are known, must be analyzed. The demographic profile of the area will help determine the officer best suited to the assignment, as well as provide the undercover officer background information. Hot spots or areas difficult to monitor should be noted. The area analysis should also yield possible dangers to the undercover officer (such as past contact with targets of the investigation), which may jeopardize the operation.
5. Prior to the commencement of any undercover operation, those individuals involved in the operation should be briefed on the following subjects:
 - a. The objectives and details of the operation;
 - b. The nature of the geographic layout of the neighborhood or target area in which the operation will occur;



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- c. The predetermined signals or times/places for arrest and the authority to initiate arrest procedures; and
 - d. Specific duties upon initiation of arrest procedures to include containment and safeguarding of prisoners as well as seizure and control of other personnel and evidence.
6. Arrests will be planned whenever possible and contingencies made for how the undercover officer is to be treated (i.e. as an officer or as a suspect). However, from the outset of the operation, guidelines and contingency plans must be in place for addressing arrests in situations as they arise. These criteria will vary based on the type of crimes being investigated but should be discussed and a clear understanding had by all involved personnel before the operation proceeds.
 7. Methods of routine and emergency communication between undercover and backup personnel will be established. Routine methods may include calls to predetermined, dedicated phone numbers, pagers and radios, as well as face-to-face communication at safe locations. Emergency methods may include the above as well as code signs, actions or words which when monitored by backup officers indicate predetermined actions.
 8. Procedures for routine and emergency supply of necessary equipment such as body transmitters, batteries, radios, weapons, vehicles etc., will be established and understood prior to initiation of an operation.
 9. Undercover officers require reliable backup at all times. During an operation the number of backup officers will fluctuate. Arrangements must be made in advance to allow for personnel replacement or augmentation as the operation proceeds. In many cases, investigative personnel will be available in sufficient numbers to cover most manpower requirements. Should manpower requirements outweigh available personnel, the Operations Commander may request additional personnel from the Chief of Police. The additional personnel must be briefed sufficiently to provide them the background information necessary to accomplish their assigned tasks.
 10. The Operations Commander will monitor all operations to determine whether the objectives are being met or whether adjustments need to be made. The Commander is responsible for recommending to the Chief of Police the continuation or cessation of the operation.
 11. At the conclusion of the operation, the Commander and the Chief of Police will review the conduct of the operation and evaluate the performance of personnel involved and the results obtained. The review will identify the strengths and weakness of the operation to assist in planning future operations.

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B. Surveillance

1. Surveillance operations may be conducted as deemed appropriate by department supervisors.
2. The purpose of surveillance shall be to obtain intelligence information concerning the identities and illegal activities of individuals involved. Some of the objectives of surveillance operations are:
 - a. To protect and aid undercover officers and to provide corroborating testimony;
 - b. To provide admissible audio and/or visual evidence for court;
 - c. To locate and identify criminal and criminal networks;
 - d. To obtain probable cause for obtaining a search and/or arrest warrants by locating contraband;
 - e. To apprehend suspects involved in criminal acts and if possible, to prevent the commission of criminal acts;
 - f. To develop leads and corroborate information received from informants or concerned individuals;
3. The following are the minimum requirements to be followed and may be supplemented by a supervisor.
 - a. The surveillance team must appear to fit naturally into any environment.
 - b. All members should have previously displayed a high level of alertness and resourcefulness and be able to react properly to unforeseen circumstances.
 - c. All members shall be able to endure long periods of inactivity yet have exceptional powers of observation and recall.
 - d. All operations shall be planned and thoroughly discussed beforehand with all persons involved in the operation. All operations must be flexible enough to change according to the situation but shall not continue in an unplanned direction without supervisory approval. Each operation shall be based on a thorough review and analysis of circumstances and historical records, which support the need, and value of a surveillance operation. This analysis should include all victim and suspect information along with cost/benefit elements of conducting the operation.
 - e. No action shall be taken by any member that would hinder or threaten the success of the operation unless the safety of officers or citizens is at risk.
4. Prior to beginning an operation all members involved shall be briefed with all pertinent information such as:
 - a. Location and environment of target area(s) and all available photos of such.
 - b. Complete identities and identifiers of known targets past criminal activities or associations and methods of operations.
 - c. Known habits, haunts and actions of all target individuals.
 - d. Identification and description of target vehicles.
 - e. Weapons known to be carried or used by target individuals.



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- f. Methods of surveillance to be used and assignments of officers to those tasks (i.e. foot, vehicle, stationary, etc.).
 - g. Types of communication and equipment to be utilized, including but not limited to weapons, clothing and vehicles.
 - h. Projected duration of the operation and means of providing rotation of officers involved allowing for adequate rest and meals.
 - i. Expense funds for officers to utilize for approved expenditures necessary for continued surveillance.
 - j. Scope of the continued surveillance if mobile (i.e. out of jurisdiction or out of state).
 - k. Extent of contact between members and suspects.
 - l. The chain of command for all personnel involved.
 - m. Circumstances that would terminate the surveillance and upon whose authority this decision rests.
5. The following methods of surveillance, or any combination of, may be utilized:
- a. Foot surveillance, when used, should be conducted by at least two officers to reduce contact and the risk of losing the target. Tactics to avoid direct contact with the target yet allow for close following should be utilized. This will require periodic changing of the members who are close to the target. Officers should be aware of and continually gathering information that can be utilized at a later time. Officers should always be wary of counter-surveillance tactics by targets.
 - b. Vehicle surveillance, when used, should also be conducted with at least two officers and, if possible, at least two vehicles that are non-descript. Tactics are the same as for foot surveillance.
 - c. Fixed surveillance, when used, is conducted from a concealed vantage point that offers the maximum amount of observation. This may be from an adjacent building, a parked vehicle, or other locations that fit naturally with the environment.
 - d. Electronic surveillance, when used, shall always be conducted pursuant to law and court orders shall be used when required. Wire taps, mechanical listening devices or body microphones may be utilized upon approval through the chain of command and within applicable law.
6. At the conclusion of the operation, the Commander and Chief of Police, shall conduct a review of the operation and evaluate the performance of personnel involved and the results obtained. The review shall identify the strengths and weaknesses of the operation to assist in planning for future operations.
7. Any vehicle assigned to the police department may be used as a surveillance vehicle.
8. Circumstances may necessitate the need for vehicles not owned by the department such as leased or loaned vehicles from a dealership or other private entity.



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- a. Leased or borrowed vehicles are generally used in undercover or surveillance situations by officers assigned to these activities. Such vehicles are not to be used for normal investigative contacts.
 - b. The Operations Commander must approve the acquisition and use of such vehicles to ensure its usage is in accordance with department policy.
 - c. Personnel assigned to these vehicles shall be responsible for the care and maintenance of the vehicle and any damage shall be reported to the Commander.
 - d. Only portable equipment should be placed in the vehicles and no equipment shall be permanently installed.
9. Other types of surveillance vehicles may be available from other law enforcement agencies or military services. Any request for a surveillance vehicle must be submitted to the Chief of Police for approval. Some equipment which is readily available includes, but is not limited to:
- a. Aircraft from the Kansas Highway Patrol and Wichita Police Department.
 - b. Helicopters from the National Guard.