



# **UW-Madison Police Department**

## **Policy: 43.1**

**SUBJECT: VICE, DRUGS, & ORGANIZED CRIME**

**EFFECTIVE DATE: 06/01/10**

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### **POLICY:**

The UW-Madison Police Department shall establish procedures and responsibilities related to the investigative methods used in vice, drugs, and organized crime.

### **DEFINITIONS:**

“Deconfliction” is a process that allows investigators or officers to determine if a target of an investigation is currently being or has been investigated by another law enforcement agency. The intent is to bring these investigators or officers together to strengthen their individual investigations.

“Drugs” for the purposes of this policy refers to high level drug investigations as determined by the Investigative Services Captain or designee

“Human trafficking” as defined by Wis. Stat. 940.302 means recruiting, enticing, harboring, transporting, providing, or obtaining a person, or attempting to do any of the same, for the purposes of labor, or services, or a commercial sex act, and the same is done by any of the following: causing or threatening to cause bodily harm to any individual; causing or threatening to cause financial harm to any individual; restraining or threatening any individual; violating or threatening to violate a law; destroying, concealing, removing, confiscating, or possessing, or threatening to do any of the same, any actual or purported passport or any actual or purported official identification document of any individual.

“Target” is a person, business, vehicle, weapon, or email address

### **PROCEDURE:**

#### **43.1.1 RECEIVING, PROCESSING, AND INVESTIGATING COMPLAINTS OF CRIMINAL ACTIVITY**

- A. The Department may receive or initiate complaints of, vice, drugs, and organized crime activity in a variety of ways, including but not limited to: telephone calls to communications, patrol, investigative or administrative personnel; mail; direct observation, social media or other electronic means; and personal contact. All complaints shall be processed in a timely manner, using normal investigative routing methods.
- B. Patrol officers shall be responsible for conducting a preliminary investigation of vice, drugs, and organized crime activity when complaints are received through the communications center or directly observed.
- C. All preliminary reports on criminal activity are reviewed by the Investigative Services Captain or designee for follow-up investigation. The Investigative Services Captain routes cases involving vice, drugs, and organized crime to a detective.
- D. Follow-up investigations shall be conducted based upon an evaluation of the following: validity of the information received; criminal nature and relative importance of the reported problem; availability of leads, Departmental resources and techniques; and operational feasibility.

- E. The Department shall maintain records of all complaints of criminal activity received. Information shall be recorded on one or more Departmental forms including, but not limited to: dispositions, incident reports, and memoranda. Tips, such as Crime Stoppers Tips, should generally not be included in reports or dispositions.
- F. Cases involving active vice, drugs, and organized crime investigations are confidential and shall not be released without approval from the Chief of Police.
- G. When a crime is involved and an officer has taken action, the officer shall document all pertinent information in an incident report.
- H. The Investigative Services Captain or designee shall review unsubstantiated complaints of vice, drugs, or organized crime activity.
- I. The Investigative Services Captain or designee shall be responsible for maintaining a record of information conveyed to, and received from, outside agencies. Information received from another agency shall be recorded, reviewed, and stored on the records management system. Dissemination to other Departmental components shall occur as needed. Such information may be exchanged through shift briefings, memoranda, electronically or individual briefings. Information provided to another agency should be noted in the incident report and include the following: nature of the information conveyed; agency and person receiving the information; name of the conveying officer; and date/time the information was conveyed.
- J. The Investigative Services Captain shall inform the Chief of Police of all vice, drug and organized crime cases. Due to the sensitivity of these investigations the update may be verbal when necessary. In ongoing significant or long-term cases where an arrest has not been made, the Chief of Police shall be updated, as needed.

#### **43.1.2 MAINTAINING INVESTIGATIVE FILE SECURITY**

- A. All reports and documents regarding active vice, drugs, or organized crime investigations shall be maintained in a secure manner and be maintained separately from all other Department records. The Investigative Services Captain is responsible for the integrity of the files and access is limited to the following:
  - 1. Chief of Police
  - 2. Assistant Chief(s)
  - 3. Field Services Captain
  - 4. Investigative Services Captain
  - 5. Those individuals actively involved in vice, drugs, or organized crime investigations.
- B. Vice, drug, and organized crime case files shall be regularly reviewed, updated, corrected, and/or purged by detectives and approved and monitored by the Investigative Services Captain

#### **43.1.3 CONTROL AND USE OF SURVEILLANCE AND UNDERCOVER EQUIPMENT**

The following shall govern procedures associated with the authorization, distribution, and use of surveillance and undercover equipment:

- A. Special surveillance and undercover equipment shall be securely stored and/or maintained in a state of operational readiness. Such equipment may include listening and recording devices, cameras and related lenses, radios, telephones, night-scopes and binoculars, and service or duty accessories.
- B. The Investigative Services Captain or designee is responsible for authorization, distribution, and use of surveillance and undercover equipment. The Investigative Services Captain or designee shall maintain a check in/out list for surveillance and undercover equipment. This equipment includes but is not limited to the following: IP cameras, CCTV equipment, office decoy items, and alarm equipment. Only personnel assigned to the investigative camera team are authorized to deploy the equipment and only after approval from the Investigative Services Captain or designee. Use of equipment shall be limited to active and current investigations.
- C. The use of any specialized intelligence equipment is limited to those officers who have been trained in the safe, effective, and legal use of such equipment.

#### **43.1.4 SURVEILLANCE, UNDERCOVER, AND DECOY, OPERATIONS**

The following governs procedures regarding surveillance, undercover, and decoy operations for drug, vice and organized crime investigations:

- A. Surveillance, undercover, and decoy, operations regarding vice, drug, or organized crime investigations shall only be initiated with the approval of the Investigative Services Captain or designee.
- B. Prior to any undercover operation, every effort should be made to fully identify the target and to contact neighboring departments to ensure no other law enforcement agency has an active case on the same target.
- C. Prior to initiating surveillance, undercover, or decoy operations, the Investigative Services Captain, or designee shall:
  - 1. Analyze all available intelligence information pertaining to the operation. This information may include, but is not limited to:
    - a. Review files as they relate to victims and crimes.
    - b. Determine the range and extent of the criminal activity involved.
    - c. Identify the modus operandi of the crimes.
    - d. Determine the location of the criminal activity.
    - e. Determine the actions of the victims.
    - f. Be aware of any peculiarities identified with the victims.
    - g. Be aware of any peculiarities identified with the crime locations.
  - 2. Identify and analyze probable offenders, their habits, associates, vehicles, modus operandi and all other pertinent information. This information may include, but is not limited to:
    - a. Review files relating to offenders to determine names and aliases, physical descriptions, photographs when available, and known and suspected associates.
    - b. Determine the range and extent of suspected crimes and activities in which the offenders are involved, and include their modus operandi.
    - c. Be familiar with offenders' vehicle(s) and potential routes.
    - d. Be aware of other pertinent information such as personal habits, alcohol or narcotics use, tendency towards violence, knowledge or suspicion of police surveillance, and ability to elude police surveillance.
  - 3. Anticipate when and where initial contact with suspect(s) will be made.
  - 4. Analyze the neighborhood surrounding the target area. This information may include, but is not limited to:
    - a. Actual reconnaissance of the area.
    - b. Geographic and socio-economic make-up of the population.
    - c. Normal dress and language for the area.
    - d. Suitable vantage points.
    - e. Traffic conditions and patterns.
    - f. Areas which may prove hazardous to the undercover investigators.
  - 5. Secure necessary equipment to carry out the operations. This may include, but is not limited to:
    - a. Cover equipment so that investigators involved can blend into the area of the operation.
    - b. Cameras and binoculars.
    - c. Recording equipment and/or listening devices and radios.
    - d. Vehicles.
  - 6. Determine communication channel(s) or other appropriate communication methods, especially emergency communications.
  - 7. Determine legal ramifications of the operation seeking advice and/ or warrant from the District Attorney's Office when appropriate.
  - 8. Develop plans and guidelines, should an arrest result. This plan may include, but is not limited to:
    - a. When and where arrests are to be affected.
    - b. Who shall determine arrest situation.
    - c. Designation of arrest teams.
    - d. Who shall participate in arrests
    - e. Participation or nonparticipation of undercover investigator.
  - 9. Ensure adequate police personnel are available for the safety of personnel involved in surveillance, undercover, or decoy operations.
  - 10. Ensure adequate supervision is provided.
  - 11. Advise the on-duty supervisor and/or Officer in Charge (OIC) of operations. If the operation is to be conducted within another agency's jurisdiction, the OIC shall contact the OIC for that agency and provide prior notification.
  - 12. All operations shall be documented through an incident report.

#### **43.1.5 EVENT DECONFLICTION PROCESS**

- A. Qualifying Events
  - 1. Prior to any high-risk activities including undercover operations, surveillance, execution of search warrants or fugitive apprehension. Any identified conflicts shall be brought to the attention of the Investigative Services Captain or designee.
- B. Authorized Users and Administrators
  - 1. Any action requiring deconfliction shall be approved by the Investigative Services Captain or designee prior to implementation.
  - 2. The Investigative Services Captain or designee shall determine which outside agencies need to be notified of the department's actions and ensure notifications are made. Such agencies and contact resources include but are not limited to the following:
    - a. City of Madison Police Department
    - b. Dane County Sheriff's Office
    - c. Joint Terrorism Task Force (JTTF)
    - d. Dane County Narcotics Task Force (DCNTF)
- C. Authorized Information for Release
  - 1. At a minimum, the following information shall be provided to the deconfliction points of contact:
    - a. User information
    - b. Target details
    - c. Event location entry details, if applicable.
  - 2. If any additional information is known, which will aid in avoiding dangerous confrontations and/or unintentional consequences, this information shall be provided.
- D. System Contacts and Internal Distribution of Information
  - 1. The Investigative Services Captain or designee serves as the system contact.
  - 2. The Investigative Services Captain or designee shall inform the MOC prior to the start of any high-risk activity that may impact department operations and the safety of personnel.