



NORTH MIAMI POLICE DEPARTMENT

STANDARD OPERATING PROCEDURES



CRIME SUPPRESSION UNIT/CRIMINAL INTELLIGENCE 300.02

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APPROVED:


Chief of Police

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I. PURPOSE

To establish uniform practices throughout the Department for the proper handling of criminal intelligence pursuant to law, 28 CFR Part 23, and promote the safety of those involved in conducting criminal investigations to include organized and conspiratorial narcotics trafficking, street narcotics sales, vice crime, weapons sales, organized crime and racketeering.

II. POLICY

It is the policy of the Department's intelligence function to gather information from all sources in a manner consistent with Florida law, and with respect to the rights of individuals; to analyze that information to provide criminal intelligence on the existence, identities, and capabilities of criminal suspects and enterprises, generally; to identify trends/patterns for use by decision makers; and, in particular, to further crime prevention and enforcement objectives and priorities identified by this Agency.

III. SCOPE

This procedure applies to all sworn members of the Department.

IV. DEFINITIONS

- A. Criminal intelligence: Information compiled, analyzed, and/or disseminated to anticipate, prevent, or monitor criminal activity. The intent of criminal intelligence is to gather, analyze, and disseminate information about persons who are reasonably suspected of being engaged in or preparing to engage in some form of criminal activity. Criminal intelligence focuses on the activities and behaviors of individuals or organized groups of individuals in order to gather evidence for prosecution.
- B. Language Clarification:
- Should: Indicates a general or expected action, absent a rational basis for failing to conform.
 - Shall or Will: Indicates a mandatory action.

V. GENERAL PROCEDURE

All investigations conducted by Department members into organized and conspiratorial narcotics trafficking, street narcotics sales, vice crime, weapons sales, organized crime and racketeering offenses shall be coordinated by the Crime Suppression Unit (CSU). The CSU coordinates Departmental investigative activities involving the utilization of electronic and other forms of technical investigative equipment. All complaints involving the above-listed criminal activity received from any source in the City of North Miami will be recorded and investigated.

VI. CSU STAFFING

- A. The CSU is comprised of a group of investigators working under the control of the CSU Sergeant who follows the chain of command of the Investigative Section.
- B. A minimum of one investigator assigned to the CSU will serve as the Unit's Intelligence Officer. The Intelligence Officer, or another investigator acting in his/her place, will attend Investigative Section

meetings and Uniform Patrol roll calls when appropriate. This investigator will also ensure efficient communication is made with units performing similar functions internally and amongst other agencies.

VII. CSU ADMINISTRATION

A. WEEKLY UNIT ACTIVITY REPORTS:

1. The CSU Sergeant is responsible for the narrative and statistical data concerning Unit operations, criminal conduct, arrests, and seizure activities conducted by the Unit on a weekly basis. The CSU Sergeant, or his/her designee, will prepare a weekly activity report to be submitted to the Investigative Commander. This report will contain, but not be limited to:
 - a. All cases worked.
 - b. Search Warrants obtained.
 - c. Arrests and arrest warrants obtained.
 - d. Seizures of property and narcotics.

B. CASH FUNDS:

1. Background: Personnel of the CSU regularly make cash expenditures of public funds in furtherance of the Unit's mission. Accountability for each expenditure is a requirement for all Unit personnel. The CSU Sergeant will be responsible for the accounting system for confidential funds; assuring that all receipts, requests, ledger entries, and other activities related to such funds are accurately completed.
2. Storage of CSU Funds: Cash will be kept in the safe in the CSU Sergeant's office. The combination to the safe will be known to the CSU Sergeant and Commander of the Investigative Section only. All investigative funds will be signed out by either the CSU Sergeant or the Investigative Section Commander, or his/her designee.

C. CSU PETTY CASH FUNDS:

1. Only the Investigative Commander, or his/her designee, or the CSU Sergeant, or designee, can disburse or accept cash.
2. A Request for Reimbursement to Petty Cash Form, available in

PowerDMS, is used to record expenditures from that account. It is the CSU Sergeant's responsibility to maintain an accurate accounting for expenditures and balance of these funds. **CFA 5.05A**

3. Receipts from the CSU fund shall include the amount, investigator's name, informant's name (to remain confidential) or I.D. number, date, case number, item and/or material purchased, and the purpose of the payment. **CFA 5.05C**
4. Allowable expenditures shall include the purchase of evidence, information, and other such emergency investigative expenses, which may be necessary.
5. Investigative funds shall be used only for official business, i.e., transactions pertaining to purchases or expenditures that may be deemed necessary for the day-to-day operation of the Department, and shall not be utilized for personal reasons.
6. An investigator may request funds by notifying the CSU Sergeant, or the Investigative Section Commander, or his/her designee, in the absence of the CSU Sergeant. The supervisor will annotate the receipt with the purpose for which the funds were needed.
CFA 5.05B
7. The Investigative Commander and the CSU Sergeant will conduct a joint quarterly audit and will report the status of the fund, via Departmental memorandum, to the Investigative Section Major. In addition, the Investigative Commander will ensure the fund's balance sheet is current. **CFA 5.05E**

D. WORK SCHEDULES:

1. Due to the nature and unpredictability of CSU cases, flexible working hours may be required. Due to these demands, the CSU investigator may be called upon to adjust his/her normal working hours on short notice.
2. Established working hours for investigators shall be determined by the Investigative Commander and/or the CSU Sergeant.
3. It shall be the responsibility of every investigator when reporting for duty to notify the CSU Sergeant at the designated time.

VIII. SURVEILLANCE EQUIPMENT

Electronic surveillance equipment is regulated by law. As such, the Department will maintain a system of controls to monitor its use and the authorization of that use as follows: **CFA 19.01C**

- A. A CSU supervisor must approve the issuance of any surveillance or undercover equipment.
 - 1. Specialized equipment such as surveillance vehicles, visual monitoring equipment, audio monitoring or recording equipment, and other equipment used for this purpose, will be utilized in accordance with existing state and federal laws, which govern such methods.
 - 2. Sign-out sheets for electronic surveillance equipment will be maintained in the CSU office. When the equipment is signed out, the authorizing supervisor, and the case number will be noted in the "Remarks" column.

IX. SPECIAL OPERATIONS PROTOCOL

All surveillance operations, undercover operations, decoy operations, and/or raids will adhere to the following: **CFA 15.11 A-F**

- A. The CSU supervisor will submit all plans through the Chain of Command, with final approval designated by the Investigative Section Major.
- B. All operations will be commanded by the CSU Sergeant, or his/her designee.
- C. When applicable, and prior to the start of any operations, the Uniform Patrol supervisor and the Investigative Sergeant will be notified of the location, anticipated time of the operation, and any other pertinent information to maintain a safe environment for the officers in the area.
- D. Prior to any operation, a confirmation of the target location will be conducted by the CSU Sergeant.
- E. Proper identification of the suspects may be done by analysis of the available information and should include, but not be limited to:

CFA 15.11E

1. Suspect(s) activities, habits, vices, occupation, hobbies, and crimes.
2. Suspect(s) work and residential address, including the neighborhood environment using maps, aerial photos (including those obtained via an Unmanned Aerial Vehicle/Drone pursuant to the guidelines established in said policy, 400.21), and/or driving in the area, if possible.
3. Known vehicle(s).
4. Family, associates and friends.
5. Review of FI cards of persons who have had contact with the police.

XX. CONFIDENTIAL INFORMANTS

Confidential Informants (CI) are persons who cooperate with a law enforcement agency confidentially in order to protect the person or the agency's intelligence gathering or investigative efforts and:

- A. Seek to avoid being arrested or prosecuted for a crime, or mitigate punishment for a crime in which a sentence will be or has been imposed.
- B. Is able, by reason of his or her familiarity or close association with suspected criminals, to:
 1. Make a controlled buy or controlled sale of contraband, controlled substances, or other items that are material to a criminal investigation.
 2. Supply regular or constant information about suspected or actual criminal activities to a law enforcement agency.
 3. Otherwise provide information important to ongoing criminal intelligence gathering or investigative efforts.

XI. RECRUITMENT OF INFORMANTS

All officers who develop informants will contact a CSU investigator to evaluate, document, and potentially compensate the informant according to this policy.

- A. When a confidential informant is recruited, North Miami Police Department personnel will comply with FSS 914.28, a/k/a Rachel's Law,

available at:

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0900-0999/0914/Sections/0914.28.html

Personnel shall:

1. Inform each person who is requested to serve as a confidential informant that the agency cannot promise inducements such as a grant of immunity, dropped or reduced charge(s), reduced sentences or placement in exchange for serving as a confidential informant.
 2. Inform each prospective confidential informant that only the appropriate legal counsel can determine if any assistance may have an effect on pending criminal matters.
 3. Provide a person who is requested to serve as a confidential informant with an opportunity, at their own expense, to consult with legal counsel upon request before the person agrees to perform any activities as a confidential informant.
 4. Ensure that all personnel who are involved in the use or recruitment of confidential informants are trained in the law enforcement agency's policies and procedures. The Department shall keep documentation demonstrating the date of such training. **CFA 15.03I**
 5. Assure that operational decisions and actions assign the highest priority to the preservation of the safety of the confidential informant, law enforcement personnel, target offenders, and the public.
- B. The purchase of drugs, property, information, as well as the employment of confidential informants is essential to accomplish the goals of the CSU. The following are the standards by which informants will be handled, used, and controlled:
1. Factors to be considered in assessing the suitability of a confidential informant prior to the informant's utilization shall include, but are not limited to: **CFA 15.03B**
 - a. The informant's age and maturity.
 - b. The risk the informant poses to adversely affect a present or potential investigation or prosecution.

- c. The effect upon the agency efforts that the informant's cooperation becoming known in the community may have.
 - d. Whether the person is a substance abuser, has a history of substance abuse, or is known by the lead investigator or officer to be involved in a court-supervised drug treatment program or drug-related pretrial intervention program.
 - e. The risk of harm that may occur to the person, his or her immediate family, or close associates as a result of providing information or assistance, or upon the person's assistance becoming known in the community.
 - f. Whether the person has shown any indication of emotional instability, unreliability, or of furnishing false information.
 - g. The person's criminal history and/or prior criminal record.
 - h. Whether the nature of the matter being investigated is such that the use of the informant is important to, or vital to the success of the investigation.
- C. Investigators shall not release or distribute the identity or personal information of any confidential informant without the approval of the CSU supervisor. Every legal attempt shall be made by investigators to preserve the confidentiality of all informants through the use of CI numbers and/or fictitious names. **CFA 15.03D**
- D. It is the policy of the CSU to keep the relationship between the investigator and the informant non-personal and of a completely ethical nature. Investigators will not knowingly permit any illegal act by an informant. **CFA 15.03F**
- 1. Social contact shall be strictly avoided, unless necessary in an official investigation and then only with prior consent of the CSU Sergeant. Acceptance of a gratuity or gift from an informant shall be prohibited. **CFA 15.03F**
 - 2. All information obtained from informants shall be carefully screened as to its veracity and value. When contacting informants in person, the investigator shall arrange for the presence of another investigator. **CFA 19.01C**
 - 3. All informant information should be documented and corroborated. Whenever possible, all informant contacts with suspects will be monitored. When monitoring is not practical,

informants should be required to keep in close personal contact with the case investigator. **CFA 15.03F**

4. Informants should be debriefed regularly with regard to suspect contacts for providing an ongoing record of the case.
- E. Any pre-arranged personal contact with informants shall be accomplished with two investigators present. **CFA 15.03F,G**

XII. INFORMANT APPROVAL and FILE MANAGEMENT

- A. No informant will be used as confidential informant or an active participant in an investigation without the investigator first having the informant approved by the CSU Sergeant.
- B. After the initial assessment, the investigator shall submit a CI Personal History Report and obtain a CI number from the CSU Sergeant. The CI will then be entered in a master file under the control of the CSU Sergeant.
- C. The investigator will then open an active file on the CI. The file should contain the following: **CFA 15.03A,B**
 1. The CI Personal History Report and CI number.
 2. Interview report.
 3. Fingerprints: A full set of fingerprints.
 4. Photographs: A front facial.
 5. If the CI is a juvenile: **CFA 15.03G, H**
 - a. Approval must be given by the Investigative Commander, and a consent form must be signed by a parent or legal guardian giving permission.
 - b. The parent or guardian will be kept fully informed as to the use of the juvenile informant.
 - c. Officers will not place a juvenile in a position of possible danger or harm through the use of the information obtained.
 - d. Officers will not use a juvenile to take an active role in any

investigation without prior approval of the Chief of Police.

6. Any prearranged personal contact with informants of the opposite sex, or juvenile informants, shall be accomplished with two investigators present. **CFA 15.03F,G**
7. A signed authorization to install/monitor telephones, body transmitters, recording devices, etc.
8. A complete criminal history check.
9. Any activity on the part of the CI, such as cases worked or information given, should be noted in the file. **CFA 15.03B**
10. The CI waiver form needs to be signed by all relevant parties.
11. All payments to CIs need to be recorded in the file. Prior to payments being made to a CI, the following procedures will be made: **CFA 5.05B, 15.03E**
 - a. The CSU Sergeant will be notified prior to any controlled buys or receipt of vital information.
 - b. Investigators requesting the funds will then sign and receive authorized funds from the CSU account. Prior to the funds being disbursed, investigators will sign a Request for Petty Cash form. Funds will then be disbursed and recorded on the City of North Miami Request for Reimbursement to Petty Cash form.
12. Storage of Informant Files – To protect against unauthorized attempts to access, modify, remove, or destroy stored information, whether electronic or physical, informant files will be secured in a locked file cabinet, located in the CSU Sergeant's office. Only the CSU Sergeant and Investigative Commander are authorized to have access and will have the combination to the lock. **CFA 15.03C,D, 19.02C,D**
 - a. The CSU Sergeant shall maintain a tracking procedure consisting of a log for the accessing of confidential informant files. The log will include the following: **CFA 15.03K**
 - 1). The name of the employee who accessed the file.

- 2). The reason.
- 3). The date the records were accessed.

XIII. INFORMANT BUYS

Purchases of contraband by an informant shall be fully corroborated. Every informant buy will require the presence of an investigator for surveillance purposes. Each informant buy will be "controlled" in the following manner:

CFA 15.03E,F

- A. The informant will be thoroughly searched. If the informant's vehicle or residence is to be used, a search of the areas the informant has access to shall be conducted. All searches shall be conducted by a law enforcement officer of the same sex as the informant, when feasible.
- B. If possible, the informant will wear a transmitter so that he/she may be monitored.
- C. The serial numbers on the "buy money" will be recorded prior to giving the funds to the informant.
- D. Surveillance will be conducted, whenever possible, of the informant going to, during, and returning from the purchase.
- E. After the purchase, the informant will be searched again, as in 'A' above. All evidence and funds shall be retrieved from the informant. When possible, this should be done by the same investigator/witness that performed the initial search.
- F. The informant will then be thoroughly debriefed and a statement will be taken from the informant.

XIV. INFORMANT IDENTIFICATION and PAYMENT

- A. Informant Identification Number: Each informant shall be given an identification number. The ID number will be determined by the letters "CI" followed by the sequential number system, i.e., CI-00. **CFA 15.03B**
- B. Informant Payment: No money shall be paid to any informant unless the following conditions are satisfied:
 1. A receipt is signed with the informant's true name (to be kept

confidential) and the fictitious name.

2. The investigator making the payment will be accompanied by another investigator.
3. Prior approval has been obtained from the CSU Sergeant or the Investigative Commander for payments exceeding \$100.00. The CSU Sergeant must personally witness payments in excess of \$250.00. Any payments that exceed \$2,500.00 must be approved by the Chief of Police, or his/her designee. **CFA 5.05D**
4. Informants will be paid in amounts appropriate to the following criteria: **CFA 5.05F**
 - a. Nature and complexity of the investigation.
 - b. Impact of the investigation/arrest on the community.
 - c. Past reliability and work record of the informant.
 - d. The informant's willingness to testify in court.
 - e. The informant's investigation.

C. Informant Control **CFA 15.03D**

1. As a general rule, informants should only be in contact with their controlling investigator and that investigator's partner. No access to other investigators is permitted.
2. Informants shall not be given investigators' home addresses or home phone numbers. Contacts with them, if at all possible, should be made away from the police station.
3. The informant must be told that any deviation from the investigator's instructions may result in a deal being canceled.
4. As a general rule, known involvement in a new criminal offense will result in the termination of the informant's services.

D. Closing of Informant's File: When an informant is no longer working with the CSU, or has not worked with the Unit for over two years, a memorandum will be written to be placed in the file reflecting its deactivated status. The file with all the informant's information will be purged pursuant to law. **CFA 19.01D**

E. An annual documented review of the Agency's recruitment, control, and use of confidential informant practices will be conducted by the

Investigative Commander, forwarded to the Chief of Police, or his/her designee, to ensure conformity with policy, procedures and Florida Statutes. **CFA 15.03J**

XV. INVESTIGATIONS

An "investigation" shall be defined as: Any time an investigator, as part of his/her official duties, takes some type of official action against any person and/or establishment. Actions are defined as, but not limited to, a surveillance, records/background check, witness/informant interview, etc. All investigations will be conducted in an effort to gather facts necessary for the filing of criminal charges, or documentation of intelligence information regarding criminal activity.

- A. All investigations will be conducted within the legal guidelines of all local, state, and federal laws.
- B. The CSU is responsible for investigations related to organized crime, vice activity, intelligence gathering, and narcotics related crimes within the City of North Miami.
 - 1. Due to the nature and complexity of these cases, it may be necessary for the investigator to conduct parts of an investigation outside the city limits. If possible, it shall be the objective of all investigators to retain any investigations within the city limits.
- C. Investigative Targets: Information regarding criminal activity is derived from a variety of sources. The following procedure will be utilized when information is received which requires investigative attention:

CFA 19.01A

- 1. Upon receiving information from a source (identified or anonymous), the investigator will notify the CSU Sergeant. The Sergeant will evaluate the information and decide whether to proceed with the investigation, pass the information on to the Investigator, or file the information for possible later use. Evaluation will include information establishing possible leads, investigative techniques that might be implemented, agency resources needed and possible operational problems in the investigation. Other criteria that may be used to determine which cases are investigated include:
 - a. Source of information.
 - b. Amount of contraband involved.

- c. Type of crime involved.
 - d. Importance and/or significance of the problem to the community. **CFA 19.01A**
- 2. In the event the information develops to the point where there is a reliable complaint, a North Miami Police Department case number will be drawn and Department report forms will be used.
- 3. All vice, drug and organized crime-related files will contain at a minimum: **CFA 19.01B**
 - a. Source of information.
 - b. Date and time information received.
 - c. Synopsis of information received.
 - d. Investigator assigned for follow up investigation.
 - e. Current status of the investigation.
 - f. Record of information received from or sent to outside agencies.
- D. The CSU Sergeant will be responsible for briefing the Investigative Commander with regard to the status of vice, drug, or organized crime activity in the City on a weekly basis. When exigent circumstances exist, the Commander will be contacted immediately. **CFA 15.02**
- E. Vice Investigations: All CSU personnel will familiarize themselves with Florida State Statutes and current court decisions and related terminology dealing with the investigation of extortion, theft, fencing, gambling, prostitution and pornography.
- F. Evidence Handling: All CSU personnel will preserve the integrity of the chain of custody when involved in the handling of all evidence.
 - 1. At the conclusion of an investigation, all narcotics seized (if applicable) shall be processed as established in the Property/Evidence policy, 300.10, to include being weighed, chemically field tested, placed in a proper evidence container, sealed with evidence tape, and marked by the investigator for identification purposes. The evidence shall then be turned in to the Property/Evidence Custodian, or placed in the evidence lockers, as provided for by established procedures, by the end of the investigator's shift.
 - 2. All evidence shall be processed as soon as possible after the seizure occurs. Evidence shall not be left unattended at any time.

XVI. COVERT OPERATIONS and SEARCH WARRANTS

REVERSE OPERATIONS: A reverse investigation is an option, to be exercised when appropriate circumstances so dictate. Reverse investigations shall at no time be embarked on solely for the purpose of seizing assets and converting them for Departmental use. Prior to conducting a reverse investigation, the Unit supervisor will submit a plan through the chain of command for final approval by the Section Major. The supervisor or investigator in charge of the investigative operation will closely supervise the operation. **CFA 15.11A**

- A. The CSU's members must familiarize themselves with Florida State Statutes, court decisions, and existing departmental SOPs.
- B. Importance will be placed on selling contraband in approved quantities, when approval is given by the Investigative Commander.
- C. No reference to a percentage rate for an informant based on assets seized shall be made. Under no circumstances shall an informant be allowed to keep funds they have received from the subject under investigation.
- D. The supplying of controlled substances by the police, to prospective buyers, in the furtherance of a reverse investigation, has been established by the courts as permissible. The following guidelines, regarding the supplying of controlled substances, will be strictly adhered to:
 - 1. Samples will not be offered, but may be supplied upon demand.
 - 2. An unlimited amount of controlled substances may be shown. If a sample is required, investigators will make every effort to keep the amount as small as possible. The Investigative Section Major, on a case-by-case basis, shall determine the sample amount.
 - 3. When a sample is necessary, the following procedure will be utilized:
 - a. Investigators will obtain prior approval from the CSU Sergeant. The Sergeant will designate an investigator to be in charge of the operation. **CFA 15.11B**
 - b. All samples will be obtained from the Property/Evidence Room or a cooperating agency, and derived from inactive cases.

- c. All transactions of narcotics taken from the Property/Evidence Room, or other law enforcement agencies, will be documented by the CSU Sergeant and Property/Evidence Custodian (if obtained from our Agency).

UNDERCOVER/SURVEILLANCE OPERATIONS: These operations encompass secretive observation of persons, vehicles, places or objects to obtain information concerning the activities of suspected individuals. Because of the nature and complexity of the crimes the CSU investigates, there may be situations where the investigator will pose in a role that will enable him/her to gain the confidence of suspects.

A. Planning: The overriding concern in all aspects of planning and execution of an undercover/surveillance operation is officer safety, informant safety, and safety of the public. Every surveillance operation shall be closely supervised and preplanned. The CSU supervisor will submit any undercover operation plan through the chain-of-command for final approval by the Investigative Section Major. The CSU Sergeant will be responsible for the planning and coordination of the operation, and will be in command of the operation. **CFA 15.11A, B**

1. Every approved undercover/surveillance operation shall be preplanned, and the plan will include at least the following:
 - a. The specific objectives of the operation.
 - b. The establishment of signals or codes the undercover officer(s) can use to signal trouble or an arrest situation.
 - c. A briefing of all personnel involved in the operation wherein they are apprised of the facts of the case, descriptions of all known suspects and vehicles, danger potential, established danger signals, and the specific responsibilities of each officer.
 - d. Contingency plans for as many possible situations as can feasibly be anticipated.
 - e. The location of each undercover/surveillance operation should be viewed whenever possible. Selection of location shall take into account the tactical feasibility for the successful and safe culmination of the operation.

- f. The undercover investigators and confidential informant shall be viewed by all personnel in the operation.
- B. Other considerations that must be accomplished prior to conducting any plan will be:
 1. An analysis of the type of crime and its victim(s).
 2. A file will be started on the suspect(s) in the case. The file should include information on the suspect's habits, associates, vehicles, vessels, aircraft, and methods of operation, criminal histories, known intelligence, or any other pertinent information.
 3. The investigator will determine surveillance positions and operational procedures, including the selection of equipment and vehicles, after familiarization with the neighborhood or target area, and review these with the CSU supervisor. Any communication codes used will be distributed among all surveillance officers. An attempt will be made to identify any counter surveillance techniques and neutralize them, if possible. Relief of surveillance officers should also be considered. **CFA 19.01C**
 4. The legal ramifications of the operation will be discussed with the CSU Sergeant and any questions will be resolved by the State Attorney's Office.
 5. A detailed record of expenses incurred during the surveillance shall be kept, so that the investigator's fund may be replenished.
- C. Suspect Contacts: All planned undercover contacts with suspects will be planned in conformance with the following:
 1. A transmitter (body bug) will be worn whenever an undercover contact is made with a suspect, unless there is some compelling circumstance and the non-use of a transmitter has been approved by the CSU Sergeant.
 2. No contact will be made with suspects without the use of surveillance officers, i.e., backups.
 3. Each suspect contact will be documented in the narrative portion of the investigative report.

DECOY OPERATIONS: Various techniques for simulating real-life scenarios

with surveillance maintained by officers in a position to make arrests.

A. The following criteria will be followed when conducting decoy operations:

1. The CSU Sergeant or lead investigator will provide an analysis of the crimes involved, their locations of occurrence, and victims, if any.
2. The CSU Sergeant will provide the investigators involved with sufficient disguise for the assignment.
3. The CSU Sergeant will analyze the assignment, detailing backup officers and their locations. He/she will also detail the necessary resources, equipment, and vehicles, and Police Communications required, and will be in command of the operation. **CFA 15.11B**
4. The CSU Sergeant will consult with the Investigative Section Major and obtain approval to conduct the operation. **CFA 15.11A**
5. The CSU Sergeant will consult with an Assistant State Attorney (ASA) to make sure that all legal requirements are met so that successful prosecution of the offense can occur.

B. The CSU Sergeant will notify the on-duty Uniform Patrol Shift Commander and the on-duty Investigative Sergeant of the operation, location, anticipated time of the operation, as well as other pertinent information to maintain a safe environment for all in the area.

CFA 15.11C

C. The CSU Sergeant will conduct a briefing where all participating members must be present. Personnel will be given assignments, the visual and audio bust signals, as well as the radio channel routine/emergency that will be used. The CSU Sergeant will maintain close supervision during the operation. **CFA 15.11D**

D. Operational procedures used should be consistent with the following:

1. Observations: Determine a location, or means that provide the best access to activities, which also provide the least opportunity to be seen (jogging, walking a dog, maintenance work, etc., could be considered).
2. Arrests: Arrest situations should be planned beforehand, when possible. In all cases, enough backup support will be sought to

make the arrest as safe as possible.

E. Legal Considerations:

1. Undercover investigators will not commit any illegal acts without prior approval from the State Attorney's Office.
2. In the course of an undercover operation, investigators may observe or otherwise become aware of crimes for which enforcement actions will not be taken at the time, pending development of further evidence. In such instances, the concerned investigator will notify the CSU Sergeant as soon as practical.

F. Consumption of Alcoholic Beverages:

1. There are times when it is necessary to consume alcoholic beverages during an investigation. In order to comply with the Florida Statutes concerning the operation of a motor vehicle after consuming alcoholic beverages, certain limitations must be observed. In addition, it is necessary to limit the liability to the Department, when an officer is allowed to consume alcoholic beverages while on duty.
2. No investigator will consume alcoholic beverages to the extent that his/her normal faculties are impaired. Since the alcohol tolerance levels differ from one person to the next, it is the sole responsibility of the individual investigator to ensure that his/her normal faculties are not impaired. A rule of thumb is a maximum of (1) ounce of alcohol per hour, however, this may vary among individuals.

G. Use of Controlled Substances:

1. The undercover investigator may, during the course of the investigation, find him/herself faced with marijuana, or narcotics, being offered by a suspect for the investigator's consumption. The investigator must be prepared for this situation and be able to act reasonably in the suspect's eyes.
2. All CSU personnel should avoid any use of illegal narcotics, not only for the preservation of the investigation but for his/her health and safety.
3. Investigators who are offered marijuana or narcotics must

communicate said concerns to the CSU Sergeant as soon as practicable.

SEARCH WARRANTS: The execution of a search warrant is a critical element in criminal investigations. Failure to establish and follow sound search warrant execution techniques and procedures can result not only in the inadmissibility of evidence seized during the execution of the warrant, but also allegations of misconduct against the searching officers. **CFA 15.08C**

- A. The following procedures will be followed during the execution of a search warrant by the members of the Investigative Section, which may include personnel from other units or sections:
1. The CSU Sergeant: The Sergeant will be responsible for the planning and coordination required for any search warrant served and will be present at the execution.
 - **It will be the responsibility of the CSU Sergeant to confirm the target location. CFA 15.11D**
 2. The search warrant will be drafted by the lead investigator or his/her designee in conjunction with an Assistant State Attorney. All search warrant files will contain an Affirmations page, an Affidavit, and Search Warrant. The Affirmations page will include the following information: **CFA 15.08A**
 - a. The address to be searched.
 - b. The color of the structure.
 - c. Compass direction of entry door faces.
 - d. Structure number and where it is affixed.
 - e. Any distinguishing characteristics.
 - f. The side of the street the structure is located.
 - g. How many structures from the nearest intersection.
 3. The Affiant will explain the probable cause to believe that evidence, and any instrumentality and contraband relating to a felony, is located at the premises.
 4. The search warrant file will be reviewed by the Assistant State Attorney for any corrections. Upon approval, the Investigative Sergeant will swear in the Affiant and both will sign where required.
 5. The complete search warrant file will be forwarded to the

designated judge to be signed. Once signed by the designated judge, the search warrant may be executed.

6. All search warrants conducted by the Investigative Section must have prior approval of the Investigative Section Major or Investigative Commander. **CFA 15.08B**
- B. The procedures are herein established for the execution of search warrants. These procedures are within guidelines and parameters set by state law, court decisions, and Departmental rules, regulations, and procedures.
- C. Prior to the execution of a search warrant, a briefing will be conducted by the Investigative Sergeant, and the lead investigator of the case with all personnel involved, to plan the tactical execution of the warrant. All personnel will be advised of the items named in the warrant to be sought and the areas to be searched. The affiant of the search warrant will provide all information available to the respective supervisor, who will address the tactical and investigative aspects of the warrant prior to the briefing. **CFA 15.08D**

This information will include but not be limited to: **CFA 15.11E**

1. Confirmation of target location, including the address.
 2. Complete physical description of the exterior and interior of the structure including any fences, dogs, bars, etc., as well as areas which may be searched.
 3. Descriptions of all suspects and persons known to reside at the location. **CFA 15.08D, 15.11F**
 4. Weapons known to be available to person(s) at the location, as well as any other known hazards.
- D. Whenever feasible, surveillance at the target location should be conducted to monitor any activity at the location prior to execution of the warrant.
 - E. The CSU Sergeant will discuss and determine strategies and tactics for the warrant with participating personnel. The CSU Sergeant will conduct a pre-warrant briefing and ensure that a "Check List" has been filled out (see Operations Plan). They will plan the method of approach, method of entry, security, search, and exit from the target. The CSU Sergeant will

confirm target location and notify the on-duty shift supervisor of the operation. The CSU Sergeant will be responsible for the following:

CFA 15.11D

1. Proper equipment for surveillance, entry, searching, evidence control and documentation, and contraband testing should be provided. **CFA 19.01C**
 2. Determine if the use of support units is necessary. Seek approval of usage through the appropriate chain of command and develop methods of communicating with these units. **CFA 15.11D**
 3. Notify Miami-Dade Fire Rescue Department personnel to stand by in a safe, but close, location to assist with any injured suspects or officers. **CFA 15.11C**
 4. Develop a plan to handle the arrest of subjects, including transportation and processing. Ensure that only the force necessary to make arrests is used. In cases of multiple arrests, ensure that adequate personnel are available.
 5. Ensure that upon arrival the location about to be entered is the correct location listed and described/confirmed on the search warrant.
- F. After the structure has been entered, and deemed to be safe and secure by a supervisor, search teams shall be assigned to search designated areas of the structure. Investigators shall not search in areas not assigned to them unless approved by a supervisor. Should subjects be in the structure, they will be detained and turned over to the personnel conducting the warrant. **CFA 15.11F**
- G. The Crime Suppression Unit supervisor will assign an investigator to act as inventory officer. The inventory officer will be responsible for documenting all seized items. All seized items shall be documented on a property receipt and photographed on the scene.
- The final count of all monies seized will be confirmed by the CSU Sergeant. **CFA 15.08E**
- H. At the conclusion of the search, the investigator will sweep the structure to ensure that all Departmental equipment has been removed. The structure will further be checked for any conditions that may be hazardous, i.e., stove left on. If left unoccupied, the structure will be secured.

- I. The Search Warrant will be filed by the lead investigator within the prescribed time. A copy will be made for the file. Property receipts indicating items seized will be left on the scene. A copy of the Return of Inventory will be turned in to the Clerk of the Court within ten (10) days.
CFA 15.08E,F, 15.11G
- J. Any time a supervisor determines that a reasonably safe entry cannot be conducted by members of the Investigative Section, or other unsafe conditions exist, the SWAT Team will be utilized. The supervisor will request and coordinate the operations with the SWAT Team Commander.

XVII. INVESTIGATIVE RECORDINGS

- A. Audio/Visual recordings of conversations can be an effective tool in enhancing a criminal investigation and subsequent prosecution. Conversations are often constitutionally protected and as such, strict guidelines as to monitoring and recording must be observed.
- B. Unless a warrant is obtained, one party to a communication must give prior consent to the interception and made aware that the purpose of the intercept is to obtain evidence of a criminal act.
 - 1. The lead investigator will have a consent form completed by the confidential informant prior to any recording being conducted.
 - 2. Prior to the recording of any conversation, the concerned investigator will record the following information on the audio to be used:
 - a. Day, date, time.
 - b. Case Number.
 - b. Name of the investigator monitoring.
 - c. Location where the recording is to be conducted, and the telephone number that is being called.
 - 3. Following the conclusion of the recording, the concerned investigator will record a closing statement at the end of the audio file used. The closing statement will include:
 - a. Time the meeting or conversation concluded.
 - b. Precise location of the meeting or conversation.
 - c. Names and descriptions intercepted of all persons.
 - d. If the recording was a telephone call, the number of the

telephone to which the recorder was connected will be listed.

XVIII. SHARING OF INTELLIGENCE INFORMATION

- A. The CSU adheres to the concept that intelligence information can be shared between different agencies as well as internally. The CSU frequently practices this philosophy by collecting intelligence from other governmental law enforcement agencies and often provides other investigative agencies with useful information. The sharing of information must always conform to the "Third Agency Rule."
CFA 19.01B
- B. The sharing of intelligence information will be carried out in the following manner: **CFA 19.02B**
1. When an outside governmental agency requests information from this agency, an entry will be made on the Secondary Dissemination Log located in Communications. The agency, date, time, and investigator's name will be documented. A short synopsis will also be included.
 2. When computer information is obtained, or conveyed, a record of the request will also be documented as noted above, via the Secondary Dissemination Log.
 3. The "Third Agency Rule" will be adhered to in the conveyance of information. This rule dictates that when a third agency requests information, some of which is contained in intelligence reports from other law enforcement agencies, only that information from North Miami Police Department sources and from non-law enforcement sources can be released. The third agency must then be referred to the originating agency who may also have the information relating to the subject requested.
 4. Information will be shared with internal components, to include the Chief of Police, or his/her designee, during periodic meetings held on an as-needed basis.

XIX. CRIMINAL INTELLIGENCE

- A. Information relating to ongoing vice, drugs, organized crime, and other criminal conduct, that may present a threat to the community, may be maintained as criminal intelligence in the CSU Sergeant's office.

CFA 19.01A

1. Information gathering for intelligence purposes shall be premised on circumstances that provide a reasonable suspicion that specific individuals or organizations may be planning or engaging in criminal activity. Information-gathering techniques employed shall be lawful and only so intrusive as to gather sufficient information to prevent criminal conduct or the planning of criminal conduct.
 2. Criminal intelligence that shall be collected and maintained for legal purposes and sufficient information to conduct operations consists of the following, but is not limited to:
 - a. Subject, victim(s), witness(es) and complainant information.
 - b. Summary of suspected activity. **CFA 19.01B**
- B. CSU investigators who collect, analyze, disseminate, or otherwise handle criminal intelligence information, shall organize and analyze the information in a secure environment and will ensure that said information, whether in print or written form, is locked and secured when the investigator is no longer working on said information.
CFA 19.02A
- C. Any information intended to be stored as criminal intelligence, to include information on surveillance operations, undercover operations, decoy operations, or raids shall be documented in a criminal intelligence file.
CFA 15.11F
- D. Secure Storage of Criminal Intelligence Files: **CFA 19.02D**

To protect against unauthorized attempts to access, modify, remove, or destroy stored information, whether electronic or physical, the following shall occur:

1. Electronic criminal intelligence files shall be maintained in a secured, password protected manner with access only available to the investigator(s) working on the case, and the CSU Sergeant and Commander.
2. Physical copies of criminal intelligence files shall be maintained in a secured location within the CSU Sergeant's office.
3. All records relating to the CSU's activities shall be filed separately from the Records Unit. Files on investigations will be sent to the Records Unit when they are closed and no longer active. The remainder of any criminal intelligence file shall be maintained and/or purged as noted under Section XX of this policy.

CFA 19.01D

- E. Only the Investigative Commander, or designee, the CSU Sergeant, or investigators actively involved in a related criminal investigation may access criminal intelligence or confidential informant files.
- F. The CSU Sergeant, with notification to his/her Commander, will be responsible for determining and approving whether criminal intelligence gathered and maintained by the Department may be disseminated to another criminal justice agency for law enforcement investigative purposes. **CFA 19.02 B**
- G. Information received that involves criminal activity outside the City will be forwarded to the proper jurisdiction or agency.
- H. Investigators shall make every effort to ensure that information added to the criminal intelligence file is relevant to current or ongoing investigations and the product of dependable and trustworthy sources of information. A record shall be kept of the source of all information received and maintained by CSU Sergeant. In addition:
 - 1. Records should not include the name of any individual or organization that is not reasonably suspected of criminal activity, unless such name is clearly labeled as “non-criminal identifying information”.

XX. VALIDATION, REVIEW, AND RETENTION

- A. The Investigative Commander shall be responsible for the review of all criminal intelligence and confidential informant information on a yearly basis when requested by the Records Custodian to determine if such information still meets the validity and retention requirements. Information that is no longer relevant, or is misleading, obsolete, unreliable, or is of no further law enforcement interest shall be purged in accordance with 28 CFR, Part 23. **CFA 19.01D**
 - 1. The investigator must be able to articulate that the subject(s) in question is still suspected of criminal activity for a file to be considered validated. In no case shall criminal intelligence information be retained on file for more than 5 years without being validated. Updating identifying information about the subject(s) by itself shall not be considered validation.