

WINTER HAVEN POLICE DEPARTMENT

GENERAL ORDER 43.1

VICE, DRUGS AND ORGANIZED CRIME

ACCREDITATION STANDARDS: CALEA – 43.1.1; CFA –15.11

EFFECTIVE DATE: April 10, 1996

RESCINDS: G.O. 43.1, November 14, 2012 and all applicable Amended/Temporary Orders prior to January 5, 2018

REVISION: January 5, 2018

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POLICY

It shall be the policy of the Winter Haven Police Department to vigorously investigate, record and seek prosecution in all cases involving vice, drugs and organized crime.

PURPOSE

The purpose of this General Order is to establish guidelines and criteria for the receiving, processing, and investigating of vice, drugs and organized crime incidents.

SCOPE

This General Order shall apply to all Department members.

DISCUSSION

The Department is committed to the identification, apprehension and prosecution of persons and organizations involved in offenses related to vice, drugs and organized crime.

PROCEDURE

I. Documenting Information

- A.** When a complaint or information is received, the following shall apply:
- 1.** Officers shall document cases involving preliminary investigations or complaints. Raw information or unconfirmed reports that may require further investigation shall be recorded on an Intelligence Report Form (WHPD-21).
 - 2.** A "Tip-Line" telephone number shall be available to the public to leave information. The General Investigations Sergeant or their designee shall be responsible for checking the Tip-Line each work day when possible. The General Investigations Sergeant or their designee shall complete an intelligence report if necessary.
 - 3.** When receiving information/complaints, an effort to obtain detailed information should be attempted. An example of data desired is outlined in the Intelligence Report (WHPD-21). This information should be obtained whether completing an Intelligence Report or a case report. (CALEA 43.1.1a)
 - 4.** All Intelligence Reports shall be forwarded to the Investigative Services Lieutenant in a sealed envelope. Under no circumstances shall Intelligence Reports be forwarded to the Records Division.
 - 5.** All case/incident reports written by officers involving vice, drugs or organized crime information shall be forwarded to the Records Division. The submitting officer's supervisor shall forward a copy of the case/incident report to the Investigative Services Lieutenant.

II. Processing of Information/Intelligence Reports

- A.** Upon receiving case/incident or Intelligence Reports, the Investigative Services Lieutenant shall review all the information received to determine if a preliminary investigation is warranted based on the validity of the information, the nature of the problem, the importance of the problem, leads, resources, the techniques to be employed and the operational problems that might exist.
- B.** After reviewing Intelligence Reports, the Investigative Services Lieutenant shall forward the original Intelligence Report to the Intelligence Unit.
- C.** After processing vice, drugs or organized crime information contained in a case/incident report, the Investigative Services Lieutenant shall forward the report to the Intelligence Unit.
- D.** The Intelligence Unit shall be responsible for forwarding information to the appropriate Division or Unit supervisor (i.e. General Investigations, Tactical Patrol Unit, Special Investigations) for follow up investigation.
- E.** The review, processing, dissemination and security of Intelligence Reports and information shall be in accordance with General Order 51.1 (Criminal Intelligence).

- F. All selected cases shall be investigated in order to ensure that the facts are properly recorded, that there is no other additional information and to build public confidence.

III. Security of Files and Information

- A. All records and/or reports relating to active vice, drug or organized crime investigations shall be securely maintained in the assigned investigative files when not being utilized. Access to these records/reports shall be limited to the Chief of Police, Investigative Services Bureau Supervisors, the Intelligence Unit and the detective/officer assigned the case. (CALEA 43.1.2)
- B. Only closed cases shall be forwarded to the Records Division.
- C. Any information disseminated regarding an active investigation shall be on a need-to-know basis and only to authorized persons. This applies to written, electronic and verbal information.
- D. Any request or dissemination of criminal intelligence shall be in accordance with General Order 51.1.

IV. Operations

- A. Operation Plans shall be completed and approved for the following operations:
 - 1. Undercover and Decoy operations;
 - 2. Special Events requiring advanced coordination;
 - 3. Search warrant operations;
 - 4. Surveillance operation (does not include the mere photography of a target sight, verifying address or attempting to locate a suspect and/or vehicle);
 - 5. Recording and listening device operations; and
 - 6. Any other operation deemed necessary by a supervisor.
- B. Operation Plans shall contain the following: (CFA 15.11b)
 - 1. Case number for event or investigation;
 - 2. Date and time the operation will be conducted;
 - 3. Type of operation (i.e. search warrant, parade, etc.);
 - 4. Location where the operation or event is to take place;
 - 5. Subjects targeted by the operation to include name, date of birth, description, addresses, warrants check and criminal history. If subject has a criminal history the history shall be attached to the plan. (if applicable);
 - 6. Department members assigned to the operation;

7. Support personnel for the operation (i.e. outside agencies, other City Departments, etc.);
 8. The objective of the plan (will tell why the type of operation is needed);
 9. List any special problems or circumstances that may affect the operation;
 10. Narrative detailing all aspects of the operation to include but is not limited to: personnel responsibilities, communications, how the plan will be executed and any alternate plans for execution.
 11. Shall list the officer in charge of the operation; (CFA 15.11b)
 12. Shall identify communications to be used to include primary radio channel, radio channel to be used as backup and for emergency notifications and alternate communications (i.e. cell phone and numbers); (CFA 15.11c)
 13. Directions and locations for medical facilities;
 14. Date and time of notifications to include the following: (CFA 15.11d)
 - a. PCSO Communication Center;
 - b. Patrol supervisor (if this notification does not jeopardize the operation); (CFA 15.11d)
 - c. Staff Officer on-call (if applicable);
 - d. Other Jurisdictions (if applicable);
 - e. PCFR(if applicable);
 - f. WHFD (if applicable);
 - g. Medical Helicopter (if applicable).
 15. Documented approval by appropriate supervisors (i.e. sergeant, lieutenant, captain). (CFA 15.11a)
- C.** Operation Plans shall be approved by a Bureau Commander. The Chief of Police shall be briefed on all operation plans. (CFA 15.11a)
- D.** An after action report shall be completed on all events that require an operation plan. After action reports shall be forwarded to the Chief of Police for review. (CFA 15.11g)
- E.** Investigations that are on-going shall be documented by the case agent and/or officers involved in the investigation by case report, supplement report or a supplement Intelligence Report
- F.** If a surveillance, undercover or decoy operation is required, the case agent shall submit an operation plan to their supervisor. The supervisor shall ensure the operation plan:
1. Clearly identifies and describes the target area or location to include photographs, maps or diagrams. (CFA 15.11e)
 2. Clearly identifies and describes the target subjects to include photographs (if available), criminal history or lack of criminal history, history of weapons or violence, known associates, gang relations and vehicles. (CFA 15.11f)

3. Appropriate Department members are assigned to the operation.
 4. Identifies any support personnel or outside agencies that are needed for the operation.
 5. Identifies any special problems and solutions to overcome or avoid these problems.
 6. A written plan of action to include:
 - a. Specific responsibilities of members assigned to the operation;
 - b. Identifies the primary communication channel the operation will be carried out on, alternate means of communications (i.e. cell phone) and a channel to notify of emergency or to summon assistance (i.e. main dispatch channel);
 - c. Identifies and provides procedures for a team of officers for officer security or rescue (if applicable);
 - d. Identifies and provides procedures for a team of officers for apprehension of the suspect(s) (if applicable);
 - e. Identifies a clear take down or distress signal for undercover officers and the actions to be taken by assigned officers (if applicable);
 - f. Identifies any equipment needed for the operation;
 - g. Identifies a clear plan of action for emergency medical help;
 7. Clearly identifies the officer in charge of the operation.
- G.** Search warrants, arrest warrants and raids shall be conducted as outlined in General Order 74.2.
- H.** If it is determined that a fictitious identity is needed for an operation, the following shall apply:
1. A written request shall be forwarded through the chain of command to the Chief of Police.
 2. If the Chief of Police approves the request, the request shall be sent to the Florida Department of Highway Safety and Motor Vehicles for a fictitious driver's license to be issued.
 3. Other forms of fictitious identification shall be approved on a case by case basis.
 4. Fictitious identifications and/or covers shall only be used for official investigations that have been approved by the Chief of Police or Investigative Services Bureau Commander.

5. A list of fictitious identifications will be maintained by the Investigative Services Bureau Commander.
 6. Fictitious identification and cover shall remain confidential.
 7. The Investigative Services Bureau Commander or their designee shall initiate an investigation of any violation of the confidentiality of such identities.
 8. Any member found in violation of the confidentiality policy shall be subject to disciplinary action.
 9. The Investigative Services Bureau Commander is responsible for ensuring all fictitious identifications have been surrendered to Florida Department of Highway Safety and Motor Vehicles when no longer needed.
- I. The Department's budget provides for a fund to support the operation of the Vice, Drugs and Organized Crime control functions. The expenditure of these funds is outlined in G.O. 42.1. (CALEA 43.1.3)

V. Surveillance and Undercover Equipment

- A. Covert investigative equipment (night scopes, audio/video intelligence devices, etc) shall be assigned to the Investigative Services Bureau for their use. The use of such equipment shall be for Department approved investigative purposes only.
- B. The Investigative Services Bureau Lieutenant or their designee shall be responsible for ensuring that all equipment is maintained in operational condition. Any deficiency found by members shall be brought to the attention of the Investigative Services Bureau Lieutenant or their designee for correction.
- C. Any member outside the Investigative Services Bureau or other law enforcement agency needing use of covert equipment shall make a request to the Investigative Services Bureau Lieutenant or their designee explaining the type of equipment needed and the basis of the investigation being conducted. On approval of the request, the Investigative Services Bureau Lieutenant or their designee shall advise the requesting person of the approval and issue the requested equipment. This equipment shall be documented on the Surveillance and Undercover Equipment Log (WHPD-211).
- D. The member shall return the equipment to the Investigative Services Bureau Lieutenant or their designee and document this on the Surveillance and Undercover Equipment Log (WHPD-211). The equipment shall be inspected upon return to ensure its operation condition. Any operational concerns shall be brought to the attention of the returning member. (CALEA 43.1.4)

VI. Reporting Requirements

- A. The Investigative Services Bureau Commander shall submit a written activity report of investigations to the Chief of Police on a monthly basis. (CFA 15.11g)
- B. The Chief of Police, via the chain of command, shall be informed either verbally or in writing of any high profile or significant investigation.

APPROVED 

Charles E. Bird
CHIEF OF POLICE