THE POLICIES AND PROCEDURES INCLUDED IN THIS MANUAL ARE NOT A CONTRACT OF EMPLOYMENT AND SHOULD NOT BE RELIED ON AS SUCH. THESE POLICIES AND PROCEDURES ARE SUBJECT TO AND MAY BE CHANGED AT ANY TIME BY THE DEPARTMENT OF PUBLIC SAFETY, MEDICAL UNIVERSITY OF SOUTH CAROLINA.

(CALEA 43.1.5)

A. Purpose

To provide general guidelines and procedures for conducting or participating in undercover, decoy, and surveillance operations.

B. Policy

The Public Safety Department is committed to providing an environment that is conducive to learning. The department recognizes that it is sometimes necessary for officers to learn of, and develop evidence of crime by infiltrating an operation or associating with persons suspected of criminal activity. The department will, therefore, conduct decoy, undercover and surveillance operations, as necessary to combat all forms of vice, drugs, and organized crime.

C. Definitions

1. Surveillance is the covert observation of persons, places, vehicles, or objects and is an investigative technique to enhance the intelligence process or criminal investigation being conducted.

   A decoy operation is the placing of an undercover officer or device in an area or situation which enables the officer or device to blend in with the surroundings or situation.

POLICY AND PROCEDURE # 90
D. General Procedure

Employees of the Public Safety Department should utilize the following guidelines when conducting vice, drugs, organized crime, undercover, decoy and raid operations.

1. Undercover personnel shall be sworn officers carefully selected to assume identities or roles to enable them to covertly infiltrate criminal groups for the purpose of collecting intelligence and/or evidence of criminal activity.

2. Enforcement coordination, administration and direction of department activities concerning covert operations will be conducted by the Director’s Office (CALEA 43.1.1.d).

3. If a need develops at the department to utilize covert activities, the Senior Investigator will notify the Director or his designee as soon as possible.

4. The Director, or his designee, will appoint one individual to serve as the operation’s coordinator. The coordinator will keep the Director or his designee informed of significant developments as they occur and will provide close supervision to the operation.

E. Specific Procedures

Operations shall be planned in accordance with all department policies, procedures and guidelines.

1. Crime, Victim, and Suspect Analysis

Crimes and victims will be carefully analyzed by investigative personnel. All suspects that are a target or become the target of an undercover operation will be identified and analyzed by the operation’s coordinator. This identification and analysis should include a determination of the target’s criminal history, known associates, vehicles, methods of operation, weapons proficiency, and any other available background information.

2. Legal Ramifications

Any questions concerning the legal ramifications of the undercover operation will be referred to the appropriate Solicitor's Office prior to conducting the undercover activity.
3. Operation Objectives

The neighborhood or target area will be analyzed and physically surveyed prior to infiltration to determine and identify hazardous and potentially dangerous areas. Locations for surveillance points will also be identified. Undercover officers will be briefed of the operation’s objectives and details by the operation’s coordinator.

4. High Risk Concerns

As soon as possible, the coordinator will determine the operational procedures for observation and arrests to insure continuity between the planning and the conduct of the operation.

a. Contact will be made with a suspect only if necessary to gather information and develop probable cause. All reasonable precautions for officer’s safety should be taken prior to contact.

b. Depending on the purpose of the undercover operation, arrests should be made when all legal requirements to substantiate a legal arrest (probable cause) have been met.

c. A decision to delay an arrest will depend upon the purpose of the undercover operation, the need to identify additional suspects, officer safety, and/or to protect the identity of undercover officers or informants.

d. Surveillance and observation will be accomplished through the use of department issued surveillance equipment. Officers that routinely engage in surveillance activities will be trained in the proper use of equipment and surveillance tactics.

5. Communications

The coordinator of the undercover operation will ensure that all involved personnel are advised of the specific radio channel(s) for routine communication during the operation. Other communications equipment may be issued if necessary to achieve the operation objective. Any channel may be used for emergency communication to headquarters.

6. Equipment

The department has access to equipment to enhance the safety of law enforcement personnel involved in covert operations.
a. Undercover officers will be provided with the necessary equipment to conduct the operation, such as marked/unmarked vehicles, rental vehicles, bicycles, specialized communications equipment, etc. The equipment will be selected by the operation’s coordinator in consultation with the Director or his designee. *(CALEA 43.1.d)*

b. The use of surveillance equipment must be authorized by the Director or his designee. The Director’s Office will be responsible for the distribution of all such equipment. Certain equipment may be maintained by operational units after initial approval. *(CALEA 43.1.4)*

7. **Relief / Backup Security / Perimeter Protection**

Undercover personnel will be relieved, as necessary. Back up response to the undercover officer must be available at all times. At least one officer in the operation must be immediately available to provide assistance. Additional undercover or uniformed patrol officers may serve as additional backup and may provide perimeter security.

8. **False Identities**

Undercover personnel involved in a covert operation may be provided with a false identity, a disguise, and/or other necessary credentials as deemed necessary by the Director or his designee.

9. **Confidentiality of Operation**

The confidentiality of the operation and the identity of the undercover officer will be maintained at all times. Any divulged information may jeopardize the success of the operation and may endanger the safety of the undercover officer.

a. Only those officers directly involved in the operation, the Director, and/or designee will have information about the operation.

b. Copies of any false identification and/or credentials provided to the officers will be kept in a secure file in the Director’s Office.

10. **Authorization for Raids / Use of Force**

The authorization for a raid must be granted by the Director and/or his designee. Raids should be conducted in accordance with the Department’s Criminal Process
policy. All use of force, both lethal and non-lethal, must also be within the guidelines of department policies and procedures. (CALEA 43.1.1.d)

11. Search and Seizure

All searches and seizures shall be conducted in accordance with constitutional requirements and department policies and procedures. In most cases, and when time permits, officers should attempt to acquire a valid search warrant from a magistrate prior to the search.

12. Medical Assistance

Medical assistance for injuries occurring on campus will be obtained utilizing Meducare. If off campus, the appropriate emergency medical service or fire agency should be notified.

13. Coordination of Operations

The Director, or his designee, shall notify the Operations Support Commander or in his absence the shift supervisor of the nature and location of the operation when an arrest is planned and/or in cases when high risk activity can be reasonably anticipated. In joint agency operations, the operation’s coordinator will report activity to the joint agency coordinator. (CALEA 43.1.1.d.)