



Apex Police Department General Order



Title Drugs, Vice, and Organized Crime Investigations		Order Number 1105-21
Effective Date: April 9, 2021	Amends: 1105-14	
CALEA Standard: 43.1.1, 43.1.2, 43.1.4, 43.1.5	Rescinds:	
Reference: GO 1110 – Surveillance, Undercover, Decoy and Raid Operations	Pages: 5	
Forms: F1105 – Consent to Use Photo in an On-Line Undercover Investigation		

Drugs, Vice and Organized Crime Investigations

Purpose

The purpose of this General Order is to establish procedures and responsibilities related to the investigative methods used in drug, organized crime, and vice control operations.

Policy

It is the policy of the Apex Police Department that every sworn officer recognizes his/her responsibility to support law enforcement actions to suppress organized crime and various vice activities that violate the law. The drug, vice, organized crime, and intelligence control function will be the responsibility of the Criminal Investigations Division (CID).

Definitions

Decoy Operation – A technique that disguises a plainclothes police officer (decoy officer) as a potential crime victim (e.g., purse snatching, sexual assault) with constant surveillance being maintained by plainclothes police officers. The decoy officer's safety is of primary concern and the arrest of the offender(s) is secondary.

Undercover Operation – A form of investigation in which the investigator assumes a different and unofficial identity to obtain evidence or information. Examples include assuming the role of a clerk in a store targeted for a robbery; to purchase controlled substances, marijuana, or other illegal substances from a known drug dealer; as well as, but not limited to, gambling and prostitution investigations.

Procedure

Receiving and Processing Complaints (43.1.1 (a))

1. Any employee who receives either complaints or information pertaining to drugs, vice, or organized crime activity will forward such information to the CID Commander or Criminal Investigations Sergeant.
 - The information will be provided either verbally, through completion of a field interview card, or by entering it into the department's Records Management System (RMS).
2. The receiving supervisor will review the information and, if appropriate, assign it to an investigator for follow up or investigation.
 - Investigators assigned to follow up on drug, vice, or organized crime cases will conduct a thorough investigation and attempt to substantiate or refute the reported information.
3. To determine the accuracy and credibility of information received, the following aspects should be considered:
 - The validity of the information
 - The criminal nature of the problem
 - The significance of the problem
 - The sufficiency of investigative leads
 - The investigative techniques that can be used
 - The sufficiency of resources to investigate the complaint
 - The extent of any operational problems
 - The law enforcement agency that should have primary investigative responsibility

Documentation of Complaints (43.1.1 (b)(c))

1. A record of all drug, vice, and organized crime complaints will be documented in the appropriate module of the RMS. (43.1.2)
 - Access to this part of the system is limited to sworn personnel assigned to the CID.
 - Information on unsubstantiated complaints will be purged from the system in accordance with applicable records retention schedules and intelligence information directives.
2. Once a case has been concluded the case file will be forwarded to the master case file system.

Information Conveyed to and Received from Outside Agencies (43.1.1 (c))

1. Information that is received from an outside agency on drugs, vice, or organized crime activity will be forwarded to the CID Commander for appropriate review, assignment, and documented in accordance with this written directive.
2. Information that is received regarding drugs, vice, or organized crime activity that is occurring outside of the jurisdiction of the Apex Police Department will be forwarded to the most appropriate law enforcement agency with jurisdiction in the area where the activity is allegedly occurring and will be documented in accordance with this written directive.

Drug, Vice, and Organized Crime Status Reports (43.1.1 (d))

1. During division staff meetings, the CID Commander will advise the Chief of Police (if in attendance) and Deputy Chief of Police of any cases that relate to drug, vice, and organized crime activities. If the Chief of Police is not in attendance, or if due to the circumstances the case is not part of the staff meeting briefing or a pertinent aspect of the case occurs before the next meeting, the Deputy Chief of Police will advise the Chief of Police in the most appropriate manner.

Surveillance and Undercover Equipment – Authorization, Distribution, and Use (43.1.4)

1. All surveillance and undercover equipment owned or used by the department will be under the control and responsibility of the CID.
 - Surveillance and undercover equipment will be stored in a secured area within the CID.
 - If equipment is assigned to a specific employee, that employee will be responsible for ensuring the equipment is maintained in operational condition.
2. An inventory of all division equipment will be maintained and updated:
 - Whenever new equipment is received
 - Whenever equipment is disposed of
 - At least annually
3. All surveillance and undercover equipment assigned to the division will be maintained in a state of operational readiness, to include cleaning, preventative maintenance, repair, workability, and responsiveness.
4. Authorization
 - The CID Commander is responsible for authorizing the use of all division equipment.
 - Equipment may be assigned to a unit and placed under the direct responsibility of a

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CID supervisor.

- Equipment owned by the Apex Police Department will be used for official, authorized law enforcement activities only.

5. Distribution

- The CID Commander will ensure equipment is distributed and used according to proper investigative practices.
- Distribution to other department divisions is at the discretion of the CID Commander.
- Distribution of equipment will be documented on the CID monthly report and will include:
 - A description of the equipment issued
 - Date the equipment was issued
 - Employee who received the equipment

6. Use

- Surveillance and undercover equipment will be installed and used in accordance with the manufacturer's guidelines whenever possible and in keeping with law enforcement best practices.
- All equipment will be protected from loss, theft, or damage.
- Personnel signing out equipment will inspect the equipment and notify a CID supervisor of any issues related to operability, damage, etc. found or incurred during use.
- Use of equipment in furtherance of a criminal investigation will be documented in the appropriate case report, unless disclosure of such equipment or techniques would hinder the investigation or any future investigations.
- Unauthorized or personal use of any department-owned surveillance or undercover equipment is strictly prohibited.
- Requests for equipment to be used in other circumstances (i.e. long-term, multi-agency investigations) will be forwarded to the Chief of Police.

Surveillance, Undercover, Decoy, and Raid Operations (43.1.5)

1. Drug, vice, and organized crime surveillance and undercover, decoy, and raid operations will be conducted in a legally, justifiable manner and in accordance with the General Order 1110 – *Surveillance, Undercover, Decoy and Raid Operations*.

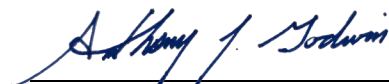
This information has been redacted pursuant to N.C. General Statute 132 - Public Record

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This information has been redacted pursuant to N.C. General Statute 132 - Public Records.

Text in “Green” denotes a significant change in policy

BY ORDER OF:

A handwritten signature in blue ink that reads "Anthony L. Godwin". The signature is written in a cursive style with a horizontal line underneath it.

Anthony L. Godwin

Chief of Police