

CHAPTER FORTY-TWO
VICE, DRUGS AND ORGANIZED CRIME

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CHAPTER FORTY-TWO

VICE, DRUGS AND ORGANIZED CRIME

I. PURPOSE

The purpose of this directive is to establish guidelines for the operation of the Vice, **Drugs** and Organized Crime component and other affected components.

II. DISCUSSION

This directive shall apply to all Sheriff's personnel. The Monroe County Sheriff's Office is committed to the suppression of vice, **drugs** and organized crime. It is also the responsibility of every member to suppress, and support the enforcement of vice, **drugs** and organized crime activities. The Vice, **Drugs** and Organized Crime component falls under the Special Investigations Division. The Unit is supervised by a **Captain**. The Unit is responsible for coordinating and overseeing vice, **drugs** and organized crime control and enforcement. The Vice, **Drugs** and Organized Crime component is responsible for controlling the following activities:

1. loan sharking
2. labor racketeering
3. corruption
4. extortion and/or bribery
5. theft / fencing rings
6. illegal sale and distribution of liquor and tobacco
7. illegal sale and distribution of controlled substances
8. illegal gambling operations
9. illegal prostitution and pornography
10. firearms
11. related criminal activity

III. POLICY AND PROCEDURE

A. Goals and Objectives of the Vice, **Drugs** and Organized Crime Unit - Proper goals and objectives will ultimately lead to increased productivity and greater overall proficiency of the Vice, **Drugs** and Organized Crime Unit.

1. Each Detective of the Vice, **Drugs** and Organized Crime Unit will:
 - a. Assess his/her own capabilities and resources.
 - b. Determine a reasonable, attainable, quantifiable and measurable goal. (Goals will be based on past performance.)
 - c. Work toward this goal and attempt to exceed these goals on a year-to-year basis.
 - d. Submit the proposal to the Unit **Sergeant** before the first of December of each year.

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2. Each Detective shall formalize his/her goals and objectives on a written memorandum and submit it to the Unit **Sergeant**.

3. The Unit **Sergeant** will review the memorandum and discuss it with the Detective. The goals and objective will either be accepted or rejected.
4. The Unit **Sergeant** will then forward their proposals through the chain of command for review.
5. A file shall be maintained of all approved goals and objectives.

B. Information "Conveyed to" and "Received by" the Vice, **Drugs** and Organized Crime Unit

1. The Intelligence Officer assigned to the Vice, **Drugs** and Organized Crime Unit shall maintain a log of information received from outside agencies or other components within the Office.
2. The Intelligence Officer assigned to the Vice, **Drugs** and Organized Crime Unit shall maintain a log of information sent to outside agencies or other components within the Office.
3. The proper person to which information is to be sent will be determined by the Unit **Sergeant**.
4. A log will be maintained of all information received and sent by the Intelligence Officer.

C. Criteria for an Organized Crime Unit Investigation - It is the Sheriff's policy that all information concerning possible violations of Vice, **Drugs** and Organized Crime laws, no matter how insignificant, shall be examined and brought to a logical conclusion. Investigations into Vice, **Drugs** and Organized Crime offenses can involve a tremendous expenditure of time, money and effort. By evaluating the accuracy and credibility of initial information, determining the scope and relative importance of the problem and establishing a solid data base, the criteria will determine what information or which offenses are investigated. All official investigations must be authorized and coordinated by the Unit **Lieutenant**. The following items shall be taken into consideration

1. When first receiving information, definite steps must be taken in order to establish the validity of such intelligence.
2. It must be established that the information concerns a criminal problem and, if so, what laws are being violated.
3. A decision must be made as to the importance of the problem For example: Information is received concerning an illegal poker game. Further inquiries confirm only pennies and elderly persons are involved. At this point, it would be wise to contact the individuals involved and advise them that their actions are a violation and request they stop gambling. Hopefully, the problem is solved at a minimum of expense without undue enforcement. On the other hand, if the original information uncovered a high stakes poker game run by members of Organized Crime, a full-scale investigation would be in order.
4. The lead information is very important in determining what the Vice, **Drugs** and Organized Crime Unit will examine.
5. The Detective and Unit **Sergeant** shall discuss and agree on what investigative techniques should be used.

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6. A determination must be made if the Vice, **Drugs** and Organized Crime Unit has sufficient resources to investigate the problem. It might be determined that a state or federal agency should be brought into the investigation.
7. All possible operational problems should be discussed and steps taken to counter all such problems.

8. A record of all vice, **drugs** and organized crime complaints made by citizens that are substantiated by investigation shall be maintained.

D. Receiving and Processing Vice, **Drugs and Organized Crime Complaints**

1. Vice, **Drugs** and Organized Crime complaints may be received by the following:

- a. Review of an original report
- b. Receiving a citizen's complaint
- c. Receiving citizen's information
- d. Directed by a supervisor
- e. Developed by a detective or deputy
- f. Received by other law enforcement agencies
- g. An on scene situation, (i.e., a "buy")

2. Regardless of the reporting source, all information concerning Vice, **Drugs** and Organized Crime complaints shall be reduced to a written memo and forwarded to the Unit **Sergeant**. The Unit **Sergeant** shall determine whether the case requires initial investigation or follow-up investigation.

- a. In cases of initial investigation the Unit **Sergeant** shall:

- 1) Insure the proper case assignments are made.
- 2) Require an initial investigation to be completed on the Monroe County Sheriff's Office Standard investigation report form / offense form.
- 3) Maintain a good accounting of all investigations.
- 4) Determine after initial investigation whether the case is unfounded or needs further investigation.
- 5) Insure a case number has been assigned.
- 6) Maintain the Vice, **Drugs** and Organized Crime Unit's assignment log, which will contain:
 - a) Case number;
 - b) Date of assignment;
 - c) Address;
 - d) Suspect's name;
 - e) Complainant's name; and
 - f) Disposition of the case.

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- b. In cases of initial investigations, Detectives shall:

- 1) Insure that all appropriate forms as well as Vice, **Drugs** and Organized Crime forms are completed on the day of the offense.
- 2) Each report shall furnish a complete and accurate description of the initial investigation in a form useful to Vice, **Drugs** and Organized Crime personnel and prosecutors.

- 3) All offense reports that result in an arrest are to be handled as a priority and supplemented within twenty-four (24) hours of an arrest.
- 4) All non-priority supplements are to be completed no later than three (3) working days after the offense.
- 5) Each report shall conform to the Florida Public Information and Confidentiality Statutes. (Reference Chapter 119 Florida Statutes)
- 6) Each report should aid Detectives in giving testimony in Court.
- 7) All offense reports shall conform to the directive on offense reports of the Monroe County Sheriff's Office.

c. In cases of follow-up investigation the detective shall:

- 1) Read the original report and review the preliminary investigation.
- 2) Determine whether any leads or suspects exist.
- 3) Determine if there is any additional information via the originating Deputy, other Deputies, informants, witnesses, and neighborhood interviews.
- 4) Disseminate information relative to crimes and suspect(s) (if any) throughout the Monroe County Sheriff's Office and other concerned agencies in the form of written alerts.
- 5) If necessary, conduct search for witnesses, evidence, victims, or suspects.
- 6) If necessary, use surveillance to apprehend the suspect or gain additional information.
- 7) Utilize Monroe County Sheriff's Office records, laboratories, crime analysis, pawn files, and field interrogation reports to develop and identify suspects.
- 8) Utilize outside support facilities (i.e., utility checks, drivers license checks, vehicle registration checks, criminal history checks, and probation and parole checks).
- 9) Examine any physical evidence located, and:
 - a) Conduct the proper collection, preservation, and submission of evidence.
 - b) Maintain the proper chain of evidence.
 - c) Review all results of lab exams.

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- 10) When a suspect is established, the detective shall abide by the guidelines, restrictions, and requirements of the following:
 - a) Constitution of the United States
 - b) Bill of Rights
 - c) Florida State Laws
 - d) Monroe County Sheriff's Office Directives
- 11) If a suspect is established, attempt to secure a documented confession through a thorough interrogation, also determine the existence of and identify any co-defendants.

- 12) If an accomplice or co-defendant is developed then the Detective should proceed with the other investigative steps outlined herein regarding this subject.
- 13) Notify the proper law enforcement agency if a suspect indicates involvement in their respective jurisdictions.
- 14) Conduct background investigations on suspects via criminal records, criminal history files, and any other established sources.
- 15) The Detective should determine if the suspect / defendant can be utilized as a confidential informant:
 - a) Follow directive relating to informants.
 - b) The use of juvenile informants is prohibitive unless the juvenile's custodian, parents, Courts, DCF, or foster parents grant permission.
 - c) If permission is granted extreme caution should be used to avoid exposing the juvenile to dangerous situations.
- 16) If necessary, use a search warrant or in approved instances the consent to search form to legally recover items of evidentiary value or stolen property.
- 17) If necessary, the victim should be contacted for additional interviews.
- 18) The Detective's supplement report should indicate the disposition and status of any property or evidence in Monroe County Sheriff's Office custody:
 - a) The victim should be advised of final disposition of the case or any change in the case status.
 - b) Supplement the case regarding final disposition.
- 19) Organize in an orderly fashion, all notes, evidence, photographs, supplements, lab findings for Court presentation and make the prosecutor aware of all pertinent facts of the case and of the criminal history background of the defendant including any history of the defendant being a habitual or serious offender.

d. The Unit **Sergeant** shall be responsible for the following:

- 1) Daily review of all incoming offense reports.
- (REVISED ON 12-27-00)
- 2) Assigning investigations to the appropriate Detective.
 - 3) Maintaining a case assignment log for each Detective.
 - 4) Preparing a monthly activity report of the Unit.
 - 5) The Case Assignment Log shall contain the following:
 - a) Detective assigned
 - b) The date the case is assigned
 - c) Grid of the offense
 - d) Report case number

- e) Victim's name
- f) Location of offense
- g) Type of offense
- h) Final disposition of investigation
- i) Date of the final disposition of the investigation

6) Monthly Activity Report

a) Shall contain, by the type of offenses, the number of investigations:

- (1) Assigned
- (2) Cleared by arrest
- (3) Exceptionally cleared
- (4) Unfounded
- (5) Total cases cleared

b) Shall contain, the total:

- (1) Cases assigned
- (2) Cases cleared
- (3) Percentage of cases cleared
- (4) Warrants issued
- (5) Juvenile arrests
- (6) Adult arrests

E. Records

All records relating to active Vice, Drugs and Organized Crime investigations shall be maintained separately from central records **at the Special Investigations Office in Marathon.**

F. Informant File

The Intelligence Officer shall maintain a confidential file on each informant, which shall conform to the standards established in Chapter 41, and include:

- 1. Biographical and background information
- 2. Criminal history record, if any

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- 3. Payments made to informants (Chapter 41)
- 4. Information received from informant
- 5. Informant's involvement in operations
- 6. Code name or number of each informant; and
- 7. Secured, restricted and controlled access

G. Coordination / Communication

Once a month the District Commanders and Special Crimes and **Investigations** Commander will hold a meeting to discuss and coordinate efforts between the intelligence, patrol, criminal investigation and vice, **drugs**

and organized crime functions. Open lines of cooperation and coordination shall be maintained between all components. **With vice, undercover, surveillance and decoy operations, and raids the case agent shall notify the Patrol Commander of the affected District of the pending action.** [CFA 18:13 D]

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H. Surveillance Operations

Surveillance is the secretive watching of persons, vehicles, places, or objects to obtain information concerning the activities of individual.

1. It will be the Unit **Sergeant's** responsibility to cause an analysis of the various crimes and their victims in order to identify probable offenders, habits, associates, vehicles, methods of operation, and any other pertinent information.
2. After a thorough review of all the circumstances of the investigation, the proper method of surveillance will be decided. **The unit Detective Sergeant has the authority to approve or disapprove a surveillance operation. In the absence of the Detective Sergeant, the case agent is the designated person to command the operation.** [CFA 18:13 A & B]

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3. When the proper method of surveillance has been decided, the Unit **Sergeant** will:
 - a. Ensure that the necessary funds are available.
 - b. Verify that all communications equipment is working properly.
 - c. That the necessary equipment has been issued to the proper Detectives.
 - d. Ensure that all Detectives have the proper equipment and vehicles.
 - e. After a reasonable time the Unit **Sergeant** shall provide for relief.
 - f. Provide direction.
 - g. If, at any time during the surveillance, a situation arises that has possible legal ramifications, the State Attorney's Office will be contacted.
 - h. **The detective sergeant shall confirm the target/location of the surveillance with all team members prior to conducting the surveillance.**

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4. Surveillance files

- a. Subjects
 - 1) Names and addresses
 - 2) Description, including known characteristics and mannerisms
 - 3) Associates
- b. Neighborhood
 - 1) Type
 - 2) Dress
- c. Specific locations known or suspected frequented by subject:

- 1) Meeting places
- 2) Restaurants and taverns

d. Vehicle(s) used by subject:

- 1) Description
- 2) License and registration number
- 3) Routes frequented

5. The Deputies performing the surveillance shall make a survey of the area to determine:

- a. Traffic conditions
- b. Suitable vantage points
- c. Names and locations of streets in area, including locations of dead end streets, etc.
- d. Supplemental information not in files

6. Appearance of Deputies performing surveillance

- a. Dress should match demeanor of local people
- b. Avoid conspicuous jewelry and other distinctive articles

7. Methods

a. If several Deputies are engaged in surveillance, a system of tactics and communication will be devised and thoroughly understood by all participants.

b. If surveillance is likely to be lengthy, arrangements will be made for suitable relief.

c. The case agent shall communicate with all other involved personnel on the Special Investigations Division Encrypted channel (SID-ENC). In case of emergency, including medical emergencies, the Detectives shall switch to the primary channel which is monitored by the Communications Division.
[CFA 18:13 C]

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d. Documentation

1) Careful notes of observations, including descriptions of all individuals involved shall be taken.

2) A chronological surveillance log shall be maintained by the case agent and submitted to the Detective Sergeant monthly. [CFA 18:13 G]

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8. Contact with suspect

1. Every effort shall be made, within reason, to avoid overt contact with the suspect during a surveillance operation.

2. If the unit sergeant determines that contact will be made with the suspect, the following factors shall be taken into consideration:

- a. **Deputies' safety is of utmost importance**
- b. **Two deputies, whenever possible, shall make contact with the suspect**
- c. **The deputies shall identify themselves as law enforcement officers**
- d. **The necessary/appropriate enforcement action will be taken.**

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I. Vice and Undercover Operations

1. Detectives shall identify and analyze possible suspects of crimes investigated by the Vice, **Drugs** and Organized Crime Unit.
2. The Unit **Sergeant** will have primary responsibility for analyzing the neighborhood or target areas where Detectives will work. **The unit sergeant will confirm the target/location of the undercover/vice operation with all team members prior to conducting the vice/undercover operation.**

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3. **The unit Detective Sergeant has the authority to approve or disapprove a vice or undercover operation. In the absence of the Detective Sergeant, the case agent is the designated person to command the operation.** [CFA 18:13 A & B]

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4. Detectives requiring false identity and necessary credentials shall:
 - a. Submit a written request, via the Chain of Command, to the Undersheriff, who, upon approval, shall cause to have a request sent to the Florida Highway Patrol for a fictitious driver's license.
 - b. Other forms of fictitious identification will be approved on a case per case basis.
 - c. The fictitious identifications are kept confidential.
 - d. The Undersheriff shall initiate an investigation of any violation of the confidentiality of such identities.
 - e. Any member found in violation of the confidentiality policy will be subject to disciplinary action.
5. Detectives will be provided with expense funds as provided for in the Sheriff's Office procedures.
6. Detectives will have equipment supplied to them as required when necessary
7. Detectives shall conduct investigations and contact suspects.

8. Contact with suspect

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- a. **Deputies' safety is of utmost importance**
- b. **Two deputies, whenever possible, shall work undercover together**
- c. **A deputy not directly contacting the suspect shall serve as a cover deputy.**
- d. **If the undercover/vice operation involves purchasing drugs that are not considered street level quantities, it is preferable that undercover deputies play the role of "middlemen" or secondary advisors in the drug deal. This basic "rule of negotiations" allows you more options in convincing the suspect to do the deal the way it was planned by law enforcement**
- e. **During undercover meetings, deputies shall position themselves and/or their vehicles in the "open" where it will be easier for cover deputies to see what is occurring.**
- f. **When "flashing" money, do not allow the suspect to handle the money unless absolutely necessary**
- g. **If the suspect robs or attempts to rob the undercover deputy during the operation, the undercover deputy shall freely give up the money or drugs. The undercover deputy shall try**

to calm the robbery suspect as much as possible and wait for the cover team to assist. The undercover deputy shall raise his/her hands during the robbery.

- h. If the contact with a suspect during an undercover/vice operation occurs inside of a building, the undercover deputy shall not remain inside of the building longer than the maximum time decided upon the unit sergeant prior to entering the building. If additional time is needed with the suspect, the undercover deputy will phone the cover team.

- 8. Vice and undercover Detectives shall maintain both routine and emergency contact with Communications via radio during all active operations. Such operations shall be handled and monitored over a specified radio channel. [CFA 18:13C]
In case of emergency, including medical emergencies, the detectives shall switch to the primary channel which is monitored by the Communications Division.

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- 9. Detectives will utilize a body transmitter when the need arises.

10. The State Attorney's Office will be contacted as to the legal ramifications of an operation.

11. When applicable, the Sheriff's legal counsel will be contacted for possible civil litigation.

12. The Unit **Sergeant** shall be in charge of Undercover Operations.

13. The Unit **Sergeant** shall ensure back-up security for Detectives.

14. The Unit **Sergeant** will provide the proper guidelines for arrest.

15. All vice and undercover operations shall be documented on an offense report. [CFA 18:13 G]

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J. Decoy Operations

- 1. The unit Detective Sergeant has the authority to approve or disapprove a decoy operation. In the absence of the Detective Sergeant, the case agent is the designated person to command the operation. [CFA 18:13 A & B]

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- 2. A determination will be made for the target of operation. The detective sergeant will confirm the target/location of the decoy operation with all team members prior to conducting the decoy operation.

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- 3. Decoy operations shall be conducted only after an analysis has been made of:

- a. Victims
- b. Crimes
- c. Crime locations

- 4. Detectives assigned to the operation will make provisions for disguising themselves to resemble potential victims of crimes.

5. The Unit **Sergeant** shall evaluate the situation.

6. Contact with suspect

- a. Proper back up for the security and protection of the under- cover Deputy will be provided by the Unit **Sergeant**.

- b. Deputies' safety is of utmost importance

c. Two deputies, whenever possible, shall make contact with the suspect

d. The deputies shall identify themselves as law enforcement officers

e. The necessary/appropriate enforcement action will be taken.

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7. Procedures for the arrest and identification of the suspect by designation will be discussed and planned in advance.

8. The State Attorney's Office shall be contacted in advance in order to determine the legal ramifications of the operation.

9. The Sheriff's General Counsel shall be contacted when items of a civil nature are a factor.

10. The Unit Sergeant shall ensure that all participants of the decoy operations have adequate communications. Decoy Operation Detectives shall maintain both routine and emergency contact with Communications via radio during all active operations. Such operations shall be handled and monitored over a specified radio channel. [CFA 18:13 C]

In case of emergency, including medical emergencies, the detectives shall switch to the primary channel which is monitored by the Communications Division.

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11. The division Commander will be notified of the decoy operations in his/her Division.

12. During a decoy operation, a supervisor will be present.

13. All decoy operations shall be documented on an offense report. [CFA 18:13 G]

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K. Raids

1. All raids must be planned and co-authorized by the Lieutenant of the Special Crimes and Operations Division. [CFA 18:13 A]

2. The coordinator of the raid will be the case detective with supervision by the Unit Sergeant. [CFA 18:13 B]

3. Raid Operation Detectives shall maintain both routine and emergency contact with Communications via radio during all active operations. Such operations shall be handled and monitored over a specified radio channel. [CFA 18:13 C]

In case of emergency, including medical emergencies, the detectives shall switch to the primary channel which is monitored by the Communications Division.

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4. The following points must be taken into consideration when coordinating a raid:

a. The development of strategies and tactics for approaching, entering, securing, and leaving the target area.

b. When possible, the strategies shall be in writing so that each detective is aware of his/her assigned task.

c. The Sheriff's Special Operations team shall participate in all raids that are of a high-risk nature.

d. Selection of equipment (raid hat and jacket, video equipment, bullet proof vests, monitors, etc.) for the safety of all members.

[CALEA 41.3.6]

e. When possible, notify EMS prior to the raid for availability.

f. The respective Division Commander will be contacted prior to any raids in his/her Division.

g. When a raid is conducted in any other law enforcement jurisdiction, the appropriate agency will be notified.

h. In each case, the Unit Sergeant will brief the detectives and deputies involved in the raid of the legality regarding the use of force.

i. **Prior to the raid, proper arrest charges filed on persons to be arrested and arrest packets with criminal affidavit as well as suspect photo should be prepared when possible.**

1) All contact with known or potential suspects during a raid will be handled with the deputies' safety as the primary importance

2) All persons will be ordered to the floor/ground

3) All persons will remain, face down, on the floor/ground

4) All persons will be handcuffed and searched

5) The unit sergeant and/or case agent will determine if each person will be arrested or released

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j. The Unit Sergeant will assign detectives to the search and seizure of evidence and/or contraband in designated areas.

4. **Either the District or the Unit Lieutenant shall confirm that the location of the raid and the location named in the warrant are one and the same prior to entry.** [CFA 18:13 E]

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5 . **All raids shall be documented on an offense report.** [CFA 18:13 G]

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6. A press release of the raid shall be prepared by the Community Relations Officer after the raid is complete.

L. Surveillance and Undercover Equipment

1. All Vice, **Drugs** and Organized Crime Unit surveillance and undercover equipment will be maintained within a locked cabinet or a secured room **at the Special Investigations Division.**

2. The Unit **Sergeant** must authorize in writing the use of such equipment.

3. Only supervisors shall have access to the secured areas.

4. When equipment is checked out by a Detective, he/she must sign an equipment control log that will be posted within the secured areas.

5. Upon return, the Detective must "sign in" the equipment and list the date and time.
6. The Detective using the equipment is directly responsible for its use and care.

M. Confidential Funds

Confidential funds to support the operations of vice and organized crime control functions are budgeted in the Office budget. The Special Investigations Division will maintain a working account. Additional funds shall be requested through the chain of command to the Finance Director and approved by the Sheriff or his designee. These funds will be subject to continuous audit.

N. Covert Operations

Vice, **drugs** and organized crime offenses, by their nature, often require members to learn of and develop evidence of crime by infiltration an operation or associating with persons suspected of criminal activity. Therefore, covert operations for the control of vice and/or organized crime violations are authorized. Prior to any covert operation taking place, the Undersheriff shall be notified and give approval.

(REVISED ON 12-27-00)

- O. The Special Crimes and Operations Supervisor shall submit a written **report on the status of the section to the Sheriff, through chain of command, at least on a quarterly basis. This report shall include, but not limited to, information concerning current narcotics, vice and organized crime problems and actions taken to control those problems, investigations initiated, arrest made, and any other significant data available.**

(REVISED ON 10-31-01)