



Series 200 Operations	Effective Date 07/01/08	Review Date Two Years	Directive Number 203.6
Chapter 203 - Criminal Investigations			
Reviewing Office Criminal Investigations Bureau			<input type="checkbox"/> New Directive <input checked="" type="checkbox"/> Replaces-2003
References CALEA 42.2.1; 43.1.3; 43.1.5			
Chief of Police			

SURVEILLANCE

203.6 - 1 POLICY

The freedom to speak, or to dissent, write and publish, and to associate privately and publicly for any lawful purpose, without governmental interference or impairment, is a constitutional guarantee that is to be scrupulously honored by all members of this department. It is intended that surveillance shall be undertaken only in connection with the police department's law enforcement activities.

203.6 - 2 Prohibited Acts

1. The police department shall not engage in the collection, indexing, maintenance or dissemination of information dealing with beliefs, opinions, association, or expressions of any individual, group or organization, except in connection with such law enforcement activities as it has under the charter and ordinances of the city of Detroit and the constitution and laws of the state of Michigan and the United States.
2. Surveillance or investigation which has as its purpose the collection, indexing or dissemination of the beliefs, opinions, attitudes, statements, associations and activities of persons, groups or organizations who are violating no law and who are not reasonably suspected of violation of law or a conspiracy to violate any law of the United States or any subdivision thereof, is prohibited.

203.6 - 3 Review of Procedures

The chief of police shall conduct a thorough review of departmental procedures and practices to insure that the letter and spirit of this section are being complied with, and shall submit a quarterly written report to the Board of Police Commissioners promptly upon completion of such review.

203.6 Surveillance**203.6 - 4 Fixed Surveillance**

1. The dual responsibility for conducting fixed surveillance in most instances shall be with Assistant Chief Operations Portfolio and the commanding officer of the district or command establishing the surveillance operation. It is imperative that all members are trained in, and have a working understanding of, all the guidelines and procedures set forth in this section.
2. Before a fixed surveillance may be established in a business place, or in any place accessible to the general public, prior approval must be obtained from the command or district commander. If the appropriate commander is not immediately available, the highest-ranking officer on duty may approve an emergency fixed surveillance. In all cases where a fixed surveillance has been established, the concerned deputy chief shall be apprised of such surveillance during normal working hours. The field duty officer shall be notified during all other hours.
3. When an officer is assigned to a fixed surveillance, a supervisor shall notify Communications Operations of the surveillance location and name of the command responsible for it. This notification shall be made prior to the establishment of a fixed surveillance or as soon as possible thereafter. Communications Operations shall notify the Control Desk of this information. Such notification shall also be made, at the termination of the surveillance operation. Supervisors shall consider the following criteria when selecting individual officers for surveillance operations.
 - a. **Mental Attributes:** Personnel selected should have perseverance and the capacity to wait for hours at a time while showing no signs of impatience or irritation. They should also be capable of performing effectively without close supervision.
 - b. **Physical Attributes:** When possible, supervisors should select members whose physical appearance is commensurate with the surrounding environment of the surveillance area. Such things as age, race, sex, and dress, should be considered.
 - c. **Past Experience:** Supervisors should utilize members who have exercised good sound judgment in the past and who have had previous experience in surveillance operations, whenever possible.
 - d. **Training:** Surveillance supervisors shall ensure that personnel assigned to surveillance operations have been instructed in the proper use of department approved surveillance equipment and weapons.

203.6 Surveillance**203.6 - 4.1 Supervisory actions and responsibilities**

1. A supervisor shall be designated as the officer in charge of the surveillance operation. To ensure continuity of operations and information flow, an alternate supervisor should be available in appropriate circumstances. Upon receipt of information regarding a location where criminal activity is reported to be occurring, a wanted felon is being harbored, or criminal activity is expected, the supervisor shall carefully evaluate all information before establishing a fixed surveillance.
2. Before implementing procedures to establish a fixed surveillance, the supervisor shall survey the location. The supervisor shall determine personnel and equipment needs as well as their deployment.
3. A minimum of two (two-officer units) should be assigned to outside fixed surveillance area in a position where they can immediately responded if needed. No less than two officers shall be assigned to inside fixed surveillance.
4. In emergency surveillance, and in those instances where time is an important factor, such as in kidnapping, or a money drop, a fixed surveillance may be established by dispatching personnel directly to the location. Officers dispatched directly to a scene or coming upon a scene where they initiate a fixed surveillance shall contact the supervisor immediately. The supervisor shall respond directly to the scene and make a determination of whether the surveillance should be continued. If the supervisor determines that the surveillance should be continued, the survey sheet shall be completed at the earliest possible time prior to the end of the supervisor's tour of duty. In addition, surveillance supervisors are responsible for the following:
 - a. **Visiting Surveillance Locations:** Generally, a supervisor shall visit the surveillance location and ensure that the officers are properly deployed and equipped. The supervisor shall park a reasonable distance away and inconspicuously approach or enter the surveillance location. In cases where it is advisable to keep the surveillance location free of activity, the supervisor may opt not to visit. When visiting or equipping surveillance locations, it is imperative that care be exercised to prevent disclosure to anyone in the area that a surveillance is in operation;
 - b. **Check of Fixed Surveillance:** The officer in charge of a district or command shall assure that a supervisory officer of each surveillance team at each location makes a minimum of one check per shift. A supervisor may use any communication deemed applicable to check a surveillance team, but care and discretion must be used to prevent disclosure of the surveillance location. If procedures are used other than a physical visit, a pre-arranged code shall be used. The supervisor will ascertain the punctuality, alertness, preparedness and physical comfort of the officers and will give instructions, counseling and guidance to the surveillance team as the need arises;

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- c. **Reviewing a Fixed Surveillance:** After each eight-hour tour of duty, the surveillance supervisor shall report all pertinent information and observations to the officer in charge of the command supervising the surveillance operation. The officer in charge of such command shall review the supervisor's report to determine if the surveillance operation should be continued;
 - d. **Fixed Surveillance Equipment:** When vehicles are to be used in fixed surveillance, a vehicle of popular model and color shall be used. If possible, a change of vehicles shall be made each day.
5. In fixed surveillance situations where it is advantageous to use a backup vehicle, two officers shall man such vehicle. The backup vehicle shall make any necessary investigations away from the surveillance location. Also, if necessary, the backup vehicle shall be used to relieve other officers assigned to the surveillance operation.
 6. The supervisor's survey will determine the type of weapons surveillance personnel will be armed with, in addition to their assigned or department approved handguns. Members shall adhere to department firearms procedures. In those instances where the officers are involved in a shooting incident, it shall be the responsibility of the officers involved to notify the dispatcher and protect the crime scene until a supervisor or investigator responds to the scene.
 7. Each member assigned to a surveillance detail shall be equipped with a PREP radio if feasible. The PREP radios shall be issued with attached earphones. Surveillance vehicles shall be equipped with mobile radios.
 8. All radio equipment shall be tested before and after personnel deployment to make certain the radio is functional. \
 9. If a telephone is available at the location of the surveillance, the number shall be given to all commands involved. When communicating by telephone, only the pre-arranged code shall be used. If the surveillance is being conducted at a business place during business hours, the surveillance code should be given to the owner or manager of the business when necessary for the owner or manager to identify the caller and for the owner's or manager's use in instructing employees who need to know.
 10. When possible, minimize radio transmissions by relaying pertinent developments via telephone either to or from the surveillance team.
 11. All personnel assigned to fixed surveillance details shall wear body armor. Body armor may be of the type worn under the shirt. When worn on top of the shirt, body armor shall be clearly marked "DETROIT POLICE" in bold letters across both the front and back of the armor.
 12. All plainclothes members assigned to inside fixed surveillance details shall carry with them their badge and department issued identification and be prepared to identify themselves as required.

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13. In certain situations, cameras should be available with the capability of taking distinct contrast photographs at both long and short range.
14. Binoculars should be used for long-range observations. This will allow the surveillance team to be farther away from the suspected location and still keep the location under close surveillance. Also, infrared scopes should be considered for night surveillance. When practical, closed circuit portable television shall be considered.

203.6 - 4.2 Instructions

1. Instructions shall be given to police personnel, prior to any commitment of personnel, to minimize unusual activity at the surveillance location, except in circumstances where personnel are dispatched directly to the scene or in self-initiated fixed surveillance.
2. All participating police personnel will be thoroughly instructed by the supervisor as to the pertinent details of the surveillance, including the reason the individual is wanted, the individual's physical description, location of support personnel, action to be taken should the individual appear or be observed inside the surveillance location, etc. There will be no shooting inside the building where civilians are present, except in extreme circumstances.
3. Supervisors shall instruct members assigned to fixed surveillance details that a complete Activity Log, D.P.D. 250, shall be prepared for their tour of duty. Should the length of the surveillance operation necessitate deployment of a relief team, each relieving team shall prepare an Activity Log. The Activity Log shall be concise and shall include all unusual activities and pertinent observations throughout the surveillance operation. The officer in charge of the command, which is supervising the surveillance operation, shall review the Activity Logs at the end of each tour of duty. The logs shall be retained for a period of three years.
4. When police personnel are conducting surveillance in business places during business hours, the civilians affected shall be instructed as to the procedures to be followed in case a holdup or shooting occurs.

203.6 - 4.3 Advising the patrol force

After a decision made to establish a fixed surveillance, the officer in charge of the district station desk shall ensure that the district's patrol force is notified at roll call and any necessary or special instructions shall be disseminated at that time. The communications supervisor shall be notified by telephone as to the pertinent surveillance information. When a fixed surveillance is established after roll call, district patrol personnel shall be notified via radio to contact their district station. A supervisor shall apprise them of the location and code number of the surveillance operation. All personnel aware of, but not assigned to, the surveillance operation should avoid that location unless otherwise directed.

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203.6 - 4.4 Radio runs to fixed surveillance locations

If a dispatcher receives information, which necessitates a radio run to a surveillance location, the dispatcher shall designate a patrol unit to dial the dispatcher's number. The patrol unit shall be informed as to the nature of the run and that the run is to be handled in a normal manner, but to be alert to the probability that someone may be attempting to determine if a surveillance is in operation at that location. The dispatcher shall then advise the surveillance team that a patrol unit will be responding to investigate the complaint.

203.6 - 4.5 Operating procedures

1. All fixed surveillance shall have a code number assigned by a Communications Operations supervisor. Assigned personnel shall refer to the surveillance by code number only. Police radio scanners are easily available to the public, and assigning a code number will minimize the chances of revealing the nature and location of a surveillance. All members shall adhere to department rules, regulations, and procedures regarding conduct. Officers, when assigned to a fixed surveillance of a business place, shall not:
 - a. Prevent or interfere in any way with normal business conducted or the routine duties of employees except in the course of their assigned duties;
 - b. Use the telephone or other business facilities, unless necessary to receive or transmit information pertaining to their assigned duties, or
 - c. Become involved in other matters not related to their assignment except in extreme circumstances as set forth below.
2. Officers shall not leave surveillance assignments except under the following conditions:
 - a. When directed by a supervisor either in person, by radio or other approved means of communication;
 - b. When an officer becomes ill. In such cases the officer shall notify the officer in charge before leaving the assignment, or
 - c. When the officer observes a serious crime or has reasonable cause to believe that a serious crime is being committed, such as rape, murder, robbery, arson, or when the officer has been dispatched to an "officer in trouble" incident occurring in or near the assignment.

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203.6 - 4.6 Termination

1. If an arrest is made in pursuit of surveillance objectives, the surveillance will be maintained until a supervisor terminates it.
2. If the surveillance location is inside a building and there is no responsible adult to assume control, a supervisor will ensure that the assigned personnel properly secure it before leaving the location.
3. After the conclusion of each surveillance situation, the officer in charge of the surveillance operation and the commanding officer in order to determine the effectiveness of surveillance deployment and operating procedures shall conduct a debriefing and evaluation review. The officer in charge of the surveillance shall make a written summary report of the surveillance outcome on Inter-Office Memorandum, D.P.D. 568, which shall be forwarded through official channels to the concerned deputy chief for review.