



POLICY & PROCEDURE

ELKHART LAKE POLICE DEPARTMENT

SUBJECT: **SPECIAL INVESTIGATIONS**

SCOPE: All Sworn Personnel

DISTRIBUTION: Policy & Procedure Manual

REFERENCE:

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RESCINDS

AMENDS

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INDEX AS: Asset Forfeiture, State and Federal
Confidential Informants/Funds
Drug Crimes
Organized Crime
Search Warrants, Special Investigations
Special Investigations
Vice Crimes

PURPOSE: The purpose of this Policy & Procedure is to establish guidelines for the organization, administration, and implementation of the Elkhart Lake Police Department's vice, drug, special, and organized crime investigations.

This Policy & Procedure consists of the following numbered sections:

- I. POLICY
- II. PROCEDURE

I. POLICY

- A. It is the policy of the Elkhart Lake Police Department that its officers are responsible for investigating and suppressing illegal vice, narcotics, special, and organized crime activities within the community by identifying persons active in these illegal activities; developing intelligence on these activities; and assisting in the prosecution of such offenders.

The Department places special emphasis on those illegal activities that target the youth of the community. On a case-by-case basis some investigations may be referred to other investigative agencies with concurrent jurisdiction.

II. PROCEDURE

A. Goals and Objectives

1. To conduct investigations that will lead to the arrest and successful prosecution of persons involved in drug trafficking, vice, and organized crime, which will deter individuals from conducting such activities in the Village of Elkhart Lake.
2. To establish and maintain a comprehensive intelligence network of persons involved in drugs, vice, and organized crime in and around our community and to disseminate this intelligence to other officers in other jurisdictions, as necessary.
3. To educate the community to the consequences of use and abuse of dangerous drugs.
4. To encourage community support of the Department's efforts in the enforcement of drugs, vice, and organized crime.

B. Authorization

1. All sworn officers of the Elkhart Lake Police Department are authorized to enforce all laws dealing with drugs, vice, and organized crime; however investigations will be primarily the responsibility of the assigned members.
2. Investigations into drugs, vice, and organized crime, will be coordinated by a Department supervisor. The Chief of Police shall be informed of all investigations.
3. Special investigations will be coordinated and assigned by department administration. These investigations may require the use of outside agencies.

C. Administration Responsibilities:

1. To assign complaints for investigation of drugs, vice, special investigations, and organized crime.
2. Serve as liaison to drug, vice, and organized crime officers/units in other jurisdictions.
3. Supervise, direct, and assist any officer conducting investigations involving drugs, vice, special investigations and organized crime.
4. Keep current of legal and technical issues concerning the enforcement of drugs, vice, special investigations and organized crime.

5. Arrange and/or perform training to department personnel relative to drugs, special investigations, vice, and organized crime.
6. Establish and maintain an intelligence file.
7. Control informant registration and activities.
8. Control disbursements of confidential funds.

D. Procedures for Receiving and Processing Complaint

1. When a call taker answers a telephone call where the caller is giving information regarding drugs, vice, special investigations or organized crime, the call taker will forward the call to a sworn Elkhart Lake officer or supervisor of the Department.
 - a) The officer will obtain as detailed information as possible and either forwards the information to his/her immediate supervisor by memo, or leave an incident report considering the confidentiality.
 - b) If the caller refuses to speak to anyone other than the call taker, the call taker will get as detailed information as possible, and forward this information by memo to an immediate supervisor, who will assign the incident for investigation.
 - c) Information conveyed to and received from outside agencies regarding drugs, vice, special investigations or organized crime will be handled in the same manner.

E. Officers Receiving Complaints in Person

1. Officers receiving information about drugs, vice, special investigations, or organized crime while on patrol, on a call for service, or while doing other activity will obtain as detailed information as possible. Depending on the circumstances, officers may act on the information, have a call for service entered by the dispatcher and other units assigned, or forward the information by incident report to the investigator. This will depend on the urgency, how complicated the investigation will be, or the need for confidentiality.
2. The need for specialization in certain investigations is recognized. Should patrol officers encounter matters beyond their expertise, or if investigations that involve drugs, vice, special investigations, or organized crime are going to be extended in duration, a supervisor should be contacted to assign appropriate personnel.

F. Maintaining Records

1. Active investigations shall remain open until the investigation is completed and all arrests made.

2. Open records requests regarding reports pertaining to drugs, vice, special investigations or organized crime shall be brought to the attention of the assigned supervisor and records custodian prior to release of those records.

G. Confidential Funds

1. Confidential funds will be available for purchasing contraband/evidence, paying informants, and investigative expenses not otherwise covered by other department monies. Also refer to Policy & Procedure 6.12: Informants.
2. The confidential funds and detailed records pertaining to such shall be kept by the assigned supervisor and shall be audited quarterly and checked for accuracy.
3. Confidential Village of Elkhart Lake money used will be monitored by the Chief of Police.

H. State and Federal Asset Forfeiture

1. The assigned supervisor will see that all matters pertaining to asset forfeiture will be properly dealt with according to state and/or federal laws.

I. Undercover Operations

1. Due to inherent risks involved in undercover operations, officers working in an undercover capacity will receive additional training and instruction to minimize those risks.
2. Officers working in an undercover capacity shall have at least one back-up/surveillance officer assisting them at all times while working in an undercover capacity.
3. When working undercover officers may consume alcoholic beverages in accordance with other Departmental Policy & Procedures as well as state laws. When involved in this duty related drinking, minimum consumption is expected and undercover officers shall not allow themselves to become intoxicated.

J. Consumption of Controlled Substances

1. Consumption of controlled substances while working in an undercover capacity is prohibited unless the officer believes that they are in imminent danger and that their life is in danger if they don't consume these substances.
2. If an officer working undercover is forced to consume any controlled substances, an injury report will be filed and the officer will be taken to a hospital immediately for examination. The assigned supervisor will then notify the Chief of Police, or the Chief's designee to determine if the officer should remain in the investigation.

K. Execution of Search Warrants

1. Due to the potential risks involved in the execution of search warrants, the supervisor in charge of a search warrant being executed will determine whether or not to utilize the Sheboygan County SWAT. Also refer to Policy & Procedure 6.37: Search Warrant for all warrants, especially no-knock search warrants.

All search warrants that are considered to be high risk will automatically be a SWAT response. Low risk search warrants can be executed by other officers available and instructed in detail by the supervisor in charge as to their assignments and responsibilities at the pre-search warrant briefing.

2. The Chief of Police or his designee will be informed of all applications for Search Warrants and subpoenas.
3. Due to the inherent risks involved all search warrants for controlled substances should be executed using the minimum of a five (5) officer entry team and two (2) additional officers to conduct perimeter security. Exceptions to this manpower requirement will only be justified in extenuating circumstances such as storage lockers not occupied by people, very small apartments, unoccupied vehicles, etc.
4. SWAT search warrant entries at times will warrant the use of specialized weapons and/or equipment, and procedures. The procedures and types of weapons and equipment used will be determined by the SWAT OIC after consultation with Chief of Police or his designee.
5. Search Warrant Attire: All officers participating in a search warrant execution will be in uniform or if in plainclothes, they will wear a visible badge, I.D. card, etc. used to identify them as a police officer.
 - a) Search Warrant Briefing: A pre-search warrant meeting shall be held to develop strategies and tactics for approaching, entering, securing, and leaving the target location. A post search warrant briefing should be held to discuss and evaluate the search warrant execution.
6. Authorization for the use of force will be restricted by Policy & Procedures 5.01 through 5.05. Any special use of force considerations will be discussed and highlighted during the pre-search warrant briefing.

Michael Meeusen
Chief of Police

This Policy & Procedure cancels and supersedes any and all written directives relative to the subject matter contained herein.

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