

## Salisbury University Police Department

### CHAPTER 43 – VICE, DRUGS AND ORGANIZED CRIME

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*This Directive relates to the control of vice, drugs and organized crime. These control functions deal with activities that may or may not be related but use investigative methods that are closely related.*

#### 43.1 Administration and Operations

##### 43.1.1 Receiving and Processing Vice, Drug and Organized Crime Complaints

The University Police Department is committed to the suppression of vice, drug and organized crime activities that may occur within the University community. All officers within the agency have the responsibility to identify, investigate and suppress organized crime, vice activity and any illegal drug trafficking and related offenses. In some instances, department personnel may require the additional resources of specialized units or personnel (ie. Wicomico County Narcotics Task Force). The assistance of these units will be requested and authorized by the Chief of Police.

- A. Procedures for Receiving and Processing Complaints and
- B. Maintaining a Record of Complaints Received:
  - 1. Any officer receiving a complaint regarding vice, drug and/or organized crime activities will complete the Criminal Intelligence form 023; identifying all pertinent information such as suspects, type of activity/offense, location of offenses, dates and times of activities, etc. Additionally, the officer should ascertain the complainant's motive, if any, for providing the information; complainant's source of information, credibility of the information and any other pertinent information the complainant can provide.
  - 2. The Criminal Intelligence form 023 will be forwarded to the *Criminal Investigator* for an intelligence control number and assignment. All documentation will follow agency procedures for preliminary and follow-up reports using the records management system unless determined by the *Criminal Investigator, upon consultation with the Investigative/Support Services Commander*, that the information should not be contained therein due to the sensitivity of the information.

Refer to 42.1.4 – Preliminary and Follow-up Criminal Investigations

All complaints involving vice, drug and/or organized crime activities shall be forwarded to and investigated by the Criminal Investigator unless otherwise assigned to another officer. All information collected will be limited to criminal conduct or serious University policy violations and/or relate to activities that present a threat to the University community. The following criteria will be used to determine if such an investigation should be initiated or continued:

- a. Is the information valid and what is the nature of the activity/offense(s)?
- b. How important is the activity/offense to campus security?
- c. What leads currently exist?
- d. What investigative techniques may be used and does the department have sufficient resources?

3. Information concerning complaints of this nature will be distributed within the department and to other law enforcement/intelligence agencies only on a need-to-know basis as determined by the *Criminal Investigator/Division Commander* and/or Chief of Police.
  4. If, due the sensitivity of the information, the *Investigative/Support Services Commander* determines that the information should not be documented in the automated records management system, all information will be held in hardcopy form, assigned with a Criminal Intelligence Control number and maintained by the *Criminal Investigator*.
  5. The Criminal Investigator will maintain a separate, secure locked file in which current information and active case files pertaining to vice, drug and organized crime activities are maintained. These files will only be accessible by the *Investigative/Support Services Commander*, the Chief of Police and the Criminal Investigator, as necessary. Suspended or closed case files which do not contain sensitive source information will be secured in the Records Section.
  6. The Criminal Investigator will maintain a criminal intelligence complaint filing system with a provision for purging after one year. When reviewing the cases, one of the following dispositions will be made:
    - a. **Active** – investigation is on-going.
    - b. **Inactive** – no recent information has been developed but may be used in the future.
    - c. **Closed** – information no longer serves a legitimate intelligence or enforcement purpose and will be purged.
- C. Maintaining a Record of Information Conveyed to/Received from Outside Agencies:
1. The *Investigative/Support Services Commander* or his/her designee will maintain liaison with Federal, State and/or local law enforcement agencies or entities for the purpose of information exchange in cases of mutual concern or for planning joint enforcement activities.
  2. Information received or requested by other law enforcement agencies, the Eastern Shore Information Center, Maryland Coordinated Analysis Center, etc. will be handled by the *Criminal Investigator* who will document the date, agency's name, officer's name and a brief summary of the information conveyed or received relative the vice, drugs and/or organized crime.
- D. The *Investigative/Support Services Commander*, or in his/her absence the Criminal Investigator, will be responsible for advising the Chief of Police on matters concerning vice, drug and organized crime activities, actions taken or planned to address the activities as well as summarizing complaints, investigations and/or arrests. Notification will be made via email, voice mail or verbally to the Chief of Police.

Refer to 42.1.6 – Criminal Intelligence

### 43.1.2 Records and Reports Relating to Vice, Drug and Organized Crime Investigations

Refer to 43.1.1

### 43.1.3 Confidential Funds to Support Operations

Salisbury University maintains stringent controls over all funds used by the University Police Department. While confidential funds are not specifically provided to the department, the Chief of Police will ensure that all funds and their purpose, to include confidential funds, if necessary, are authorized by the Vice-President of Administration and Finance who will identify the actual funding source.

In situations where departmental funds are needed for the investigation of offenses within the jurisdiction of the University Police Department; vice, drug or organized crime activities, etc, the *Investigative/Support Services Commander* shall be responsible for coordinating these investigations.

Investigative funds will only be used for instances such as purchasing contraband, paying informants, and paying for minor, covert expenses. All other related expenses, such as meals, parking, etc. will be reimbursed consistent with the university's regular reimbursement procedures.

- A. Issued, but unexpended investigative cash funds:
  - 1. Are subject to immediate recall at any time by the Chief of Police and
  - 2. Must be returned if officers will be on leave, including regular days off.
  
- B. The *Investigative/Support Services Commander* has investigative cash fund duties and responsibilities that include, but are not limited to:
  - 1. Serving as the point of contact between the cash fund custodian (Administrative Assistant) and officers requesting and using investigative cash funds;
  - 2. Disbursing cash received from the fund custodian to requesting officers;
  - 3. Ensuring all transactions are appropriately documented;
  - 4. Assisting with investigative fund audits.
  
- C. Informants may be compensated for information given, services rendered, or expenses incurred.
  
- D. All plea bargaining will be conducted by representatives from the WCSAO. Agreements must be documented in informants' files and include the names of authorizing officials.

Before any payments are made:

- 1. It must be determined that the information concerns crimes within this agency's jurisdiction;
- 2. The Patrol Commander must determine the value of the information, services, or expenses as related to investigations; and
- 3. Officers must verify the reliability of information to the satisfaction of the Patrol Commander and the Chief of Police.

E. Criteria used to determine how much informants will be paid include, but are not limited to:

1. Relative importance or involvement of targeted individuals, organizations, or operations;
2. Value or quantity of actual or potential seized materials;
3. Significance of informants' involvement and contribution to achieving desired investigative objectives; and
4. Legitimate expenses incurred by informants;

F. Payments:

1. Will be documented by officers on receipts and on Confidential Informant Contact Report, form 018.
2. Will not be paid up-front or in advance;
3. Should not be made until cases are completed or the information is verified;
4. Will not be contingent on the success of the investigation or prosecution, but the reliability of the information, services, etc.;
5. Must be witnessed by at least two officers.
  - a. Informants who refuse to sign receipts will not be paid.
  - b. Signatures of informants signing for payments must reasonably compare with signatures contained in their informant files.

G. The *Investigative/Support Services Commander* will establish a ledger page for each officer who is issued investigative funds. This ledger will contain the following information:

1. Officer's name/ID# and signature to whom funds were given;
2. The amount and date funds were distributed;
3. Criminal Intelligence control number;
4. Purpose/Description of the expenditure;
5. Confidential Informant number, if applicable;
6. Receipt for expenditure.

All expenditures by receiving officers must be documented on their ledger sheets as soon as possible, but not more than 48 hours after expenditures have been made.

H. Funds will be photocopied before being used as evidence of purchasing contraband.

1. Photocopies will be processed and retained as evidence.
2. Officers will compare the serial numbers of seized currency to that of cash previously expended during the investigation any time currency is seized.
3. Seized cash that has been verified as coming from the investigative fund will be photocopied and submitted as evidence.
4. After cases have been adjudicated, cash from investigative funds will:
  - a. If already replaced by reimbursement, be deposited back in the university's designated account;
  - b. If not replaced by reimbursement, be returned to investigative fund and recorded on the master ledger as "recovered funds," but not on the individual officer's ledger sheet.

Refer to 17.4.2 - Cash Fund Accounts

Refer to 42.2.7 - Informants

#### **43.1.4 Surveillance and Undercover Equipment**

The University Police Department does not maintain surveillance or undercover equipment beyond the video surveillance system placed in strategic locations in and round the university campus. If special equipment is necessary for a particular investigation, the Chief of Police may contact another law enforcement agency or specialized investigative unit (ie. Wicomico County Narcotics Task Force) for their assistance with any investigation relative to vice, drug and organized crime with the jurisdiction of the University Police Department.

#### **43.1.5 Procedures for Conducting Surveillance, Undercover, Decoy and Raid Operations**

The University Police Department's *Investigative/Support Services Commander* will coordinate all efforts of agency personnel involved in surveillance, undercover, decoy and/or raid operations on University-owned property or facilities. While these operations may involve personnel from other allied police agencies, the *Investigative/Support Services Commander* shall ensure that department personnel needed for any joint operation are assigned accordingly.

##### **A. Liaison with Outside Agencies**

1. Where investigations lead into other police jurisdictions, the *Investigative/Support Services Commander*, or his/her designee, shall contact the appropriate Commander of that police department's investigations unit as soon as practical. Whenever possible, we shall partner with the appropriate agency regarding all issues on University property or facilities.
2. Any member of this agency, receiving information related to criminal activity on our campus from an outside agency, shall forward such information to the Patrol Commander.
3. An operational plan will be written, with input from the *Investigative/Support Services Commander*, regarding any operation that may affect the campus community. In consideration of the complexity of a criminal case in which a search and seizure warrant shall be executed, UPD shall request the assistance of an allied agency and/or the Wicomico County Narcotics Task Force which has the expertise and additional resources, if necessary.

##### **B. Surveillance, Undercover and Decoy Operations**

Due to the inherent risks involved in Surveillance, Undercover, Decoy and Raid Operations, an extensive plan shall be formulated prior to undertaking any such operation. The plan shall include procedures for conducting or participating in surveillance, undercover, decoy and raid operations which will be made on a case-to-case basis. However, each plan will incorporate input from all involved agencies and will consider, at a minimum, provisions for the following:

1. Analyzing crimes, victims, and suspects;
2. Determining legal ramifications;
3. Familiarizing officers with the objective and details of the operation, the neighborhood, or target area;
4. Determining operational procedures for observation, arrests, surveillance, high-risk entries, documentation and/or video/audio recording;

5. Supplying officers with expense funds;
6. Establishing means of routine and emergency communication;
7. Selecting equipment or vehicles;
8. Providing relief, backup security, and perimeter protection for officers;
9. Supplying officers with false identity, disguises, and necessary credentials;
10. Maintaining overall confidentiality and cover;
11. Obtaining authorization for the raid and use of force;
12. Designating a single person as supervisor and coordinator;
13. Providing close supervision;
14. Making contacts with suspects;
15. Searching for and seizing evidence and/or contraband;
16. Requesting medical assistance;
17. Obtaining coordination and assistance from others both inside and outside of the agency; and
18. Minimizing risk to the campus community.

Refer to 42.2.7 – Confidential Informants

### **C. Search and Seizure Warrant Execution**

The application for and execution of Search and Seizure Warrants is governed by Maryland Rule 4-601. Whenever possible, officers will apply for a search/seizure warrant unless a warrantless search is authorized by law or such search is consistent with policies outlined in 1.2.1.

A Search and Seizure Warrant is a document signed by a judge that authorizes officers to whom the document is addressed to search a house, building, vehicle, areas, container, or any place or thing therein specified for a person(s), stolen property, contraband, or illicit property and seize it.

The life of a Search and Seizure Warrant is 15 days from the date that the document is signed being counted as day number one. After the 15th day, the document is automatically null and void.

The execution plan for search warrants involving drugs or other large conspiracy crimes should be standardized as much as possible and will include:

1. Designating a single individual as supervisor and coordinator of the warrant execution;
2. Designating individual officers as recorders, searchers, photographer and collectors of evidence;
3. Conducting a pre-raid briefing to develop strategies and tactics for approaching, entering, securing and leaving the target;
4. Arranging for photos to be taken of the target immediately upon entering, after the scene is secured and upon leaving, thus showing the condition of the target before and after the raid was completed;
5. Ensuring that all participants wear bulletproof vests;
6. Arranging for support units as deemed necessary by the supervisor and arranging communications;
7. Assigning the lead investigator to file the return of the search warrant with the court; and completion of the necessary supplemental investigator reports;
8. Placing medical assistance on a standby basis, when appropriate;

9. Selecting equipment;
10. Assigning who will take suspects into custody and be responsible for their security; and
11. Following statutory requirements for all incidents involving forced entry.

The execution of a search & seizure warrant will be closely supervised and the following procedures, under the direction of the *Investigative/Support Services Commander or his/her designee*, shall be adhered to:

1. Prior to the warrant's execution, the *Investigative/Support Services* Division Commander shall prepare or review the operational plan and make certain that all of the information contained therein is available and that sufficient sworn personnel are assigned to the operation. Requests from allied agencies shall be made in the event of staffing shortages within this agency.
2. Using a Briefing and Operational Packet form 040, the *Investigative/Support Services* Commander, or his/her designee, will conduct a pre-search briefing during which the execution of the warrant will be planned and discussed, and members of the search team will receive their assignments, etc. If necessary, a Tactical Team from an allied police agency will be utilized for their expertise and assistance in consideration of safety concerns and the operation.
3. Prior to gaining entry to execute the warrant, the *Investigative/Support Services* Commander or Squad Supervisor will ensure that the Communications Center is notified of the search, its location, time of projected execution and the number of officers involved, and if necessary request emergency radio transmissions only until entry is gained and the scene stabilized.
4. After entry has been gained and the scene stabilized, the *Investigative/Support Services* Commander will ensure that the Communications is notified in order to record same in the ARMS system.
5. The search will be conducted in a manner that is systematic and maximizes officer safety.
6. Any property seized will be accounted for on the inventory, labeled, and appropriately packaged consistent with department policies outlined in Chapters 83 and 84.
7. The *Investigative/Support Services* Commander will ensure that the search warrant return is completed and submitted to the issuing judge within 10 working days of the warrant's execution.
8. If the case in which property of a person was seized pursuant to the warrant is disposed of by way of a nolle prosequi, dismissal, acquittal, or if the State does not appeal such a criminal case or if the time for appeal has expired, all property belonging to the person (except for contraband, other property not recoverable by law, and/or property in which ownership is in dispute) will be returned if authorized by the State Attorney's Office.

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Edwin Lashley  
Chief of Police