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1789

COMMUNITY RESPONSE UNIT GENERAL ORDER NO: 3.6.00

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PURPOSE: The purpose of this policy is to establish general guidelines for the operation of the Community Response Unit (CRU) which serves as the department's gun, vice and organized crime component.

POLICY: It is the policy of the Albany Police Department to actively seek to reduce vice and organized criminal activity through enforcement efforts. These efforts include pro-active covert investigations and community involvement in an attempt to reduce gun, vice, illegal drug sales, and related organized crime.

DEFINITIONS: **Criminal Intelligence** – Criminal intelligence means the collection, processing and dissemination of information regarding specific criminal activity to include gun crimes, organized crime, vice, drug trafficking, terrorism, gangs, civil disorders and other criminal information that is relative to the safety of the community and department personnel.

Confidential Informant – Confidential Informant (CI) means any person who provides information that is useful for Informant investigative purposes and has expectations for receiving personal benefit.

Covert Operations – Covert operations means specialized police investigations that target illegal guns, vice, drug and organized criminal activity. Investigative techniques include, but are not limited to surveillance, undercover, decoy, and raid procedures. Covert operations may be used to gather criminal intelligence information.

Undercover Operation – Undercover operation means a form of investigation in which the detective assumes a different and unofficial identity in order 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.

Decoy Operation – Decoy operation means a technique that disguises a plainclothes police officer as a potential crime victim (e.g., purse snatching, sexual assaults) 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.

COMMUNITY RESPONSE UNIT

- A.** The Community Response Unit (CRU) is under the direct command of the Commander of Investigations.
- B.** The CRU Lieutenant is responsible for overseeing and coordinating vice, organized crime, drug, gang, and gun related investigations.
 - 1. The CRU Lieutenant shall provide the Commander of Investigations with investigative updates.
 - 2. The Commander of Investigations shall communicate these investigative updates to the Chief of Police at daily crime meetings, or as deemed appropriate.
- C.** CRU Sergeants shall be responsible for the assignment of CRU detectives to conduct criminal investigations into allegations of the following:
 - 1. Gun Related Investigations;
 - 2. Vice Activities:
 - a. Gambling; and
 - b. Prostitution.
 - 3. Organized Crime:
 - a. Criminal enterprises with an illegal drugs nexus;
 - b. Illegal sale and/or possession of firearms or other weapons; and
 - c. Gangs and gang related activity.
 - 4. Illegal Drugs:
 - a. Possession;
 - b. Distribution; and
 - c. Manufacturing.
 - 5. Any other specialized assignments, as determined by the Chief of Police or direct supervisor.

I. COMPLAINT MANAGEMENT

- A.** Procedures for receiving and processing gun, vice, drug, and organized crime complaint activities:
 - 1. Anonymous and known complaints reported by or to the City of Albany Police Department shall be recorded and investigated, including:
 - a. Non-emergency complaints reported to Communications at (518 438 4000);

- b. Emergency incidents reported via 911;
- c. Complaints reported through the Albany Police Department Drug Tip Line at (518 462 8035);
- d. Complaints reported through the Albany Police Department Online Tip Form;
- e. Complaints reported through the department's email tip line.
- f. Complaints reported via the City of Albany SeeClickFix site.
 - i. SeeClickFix is a web tool, and associated free mobile phone application, that allows citizens to report non-emergency neighborhood issues as a form of community activism.
 - ii. The site allows for anonymity of reporting as a way to encourage more people to report issues.
 - iii. The tool centers on a web-based map that displays all reported user complaints and comments. All users may add comments, suggest resolutions, or add video and picture documentation.
 - iv. Users can also elect to receive email alerts based on "Watch Areas" by geographical area and may filter reports by keyword.
- g. Complaints received based on information received from confidential informants, and other outside sources of information, including other state, federal, county or local law enforcement agencies.

- 2. Information that requires an immediate response shall be logged into the Computer Aided Dispatch System (CAD) and a record maintained of what action was taken by field units.
- 3. Information that does not require an immediate response or those situations that will necessitate a substantial amount of investigation are to be referred to CRU for further action. Such information shall be maintained in an Information Registration Form (IRF – Microsoft database) retained by CRU.

B. Receiving and Disseminating Gun, Vice, Drug, and Organized Crime Related Information to and/or from Outside Agencies:

- 1. When a request is made from an outside agency for information relating to CRU investigations, said information shall not be released until prior authorization is obtained from a CRU supervisor.
- 2. A record of information conveyed to and received from an outside agency on an active investigation shall be added to the appropriate investigative case file.
- 3. When new information is received from an outside agency the information shall be recorded on an Investigation Report and followed up by CRU detectives.

II. COVERT SURVEILLANCE, UNDERCOVER, DECOY, AND WARRANT SERVICE OPERATIONS

- A. A CRU supervisor shall be present for all surveillance, undercover, decoy and warrant service operations.

1. A CRU Sergeant shall be responsible for coordinating and planning CRU operations.

B. Surveillance Operations:

1. Surveillance operations should be planned prior to implementation. Planning criteria should include:

- a. Nature and scope of personnel, necessary equipment, and activities required to safely and effectively conduct the operation.
- b. [REDACTED]
- c. [REDACTED]
- d. [REDACTED]
- e. [REDACTED]
- i. [REDACTED]
- ii. Depending on the purpose of an undercover operation, arrests may be delayed until a later date.
- f. Routine and emergency communications shall be established prior to the activity.
- g. Equipment [REDACTED] appropriate for the operation shall be determined prior to the operation.
- h. Relief officer(s) shall be made available if the surveillance continues over an extended period of time.

1. The CRU supervisor in charge of the surveillance shall closely supervise the activity.
2. The CRU supervisor shall determine if it is appropriate to notify the on-duty patrol supervisor of the nature and location of the operation.

C. Undercover Operations:

1. Undercover operations shall include provisions for the following:
 - a. Identifying and analyzing suspects;
 - b. [REDACTED]
 - c. [REDACTED]
 - d. [REDACTED]
 - e. [REDACTED]

- f. [REDACTED]
- g. [REDACTED]
- h. [REDACTED]
- i. [REDACTED]
- j. [REDACTED]
- k. [REDACTED]
- l. Providing for close supervision.

D. Decoy Operations:

- 1. Decoy operations shall include provisions for the following:
 - a. Analyzing victims, crimes, and crime locations;
 - b. [REDACTED]
 - c. [REDACTED]
 - d. [REDACTED]
 - e. [REDACTED]
 - f. [REDACTED]
 - g. [REDACTED]
 - h. Notifying patrol personnel responsible for the target area; and
 - i. Providing close supervision.

E. Warrant Service Operations:

- 1. Warrant service operations shall include provisions for the following:
 - a. Granting authorization for the crime raid;
 - b. Designating a single person as supervisor and coordinator;
 - c. [REDACTED]
 - d. Identifying residents, including if any children are present;
 - e. Searching for and seizing evidence and contraband;
 - f. Selecting and communicating with specialized support units;
 - g. Arresting suspects;
 - h. Authorizing use of force;
 - i. Requesting medical assistance; and
 - j. Providing for documentation.
- 2. Authorization for a high-risk warrant service conducted by and/or in accordance with the Emergency Services Team (EST) shall be granted by the Deputy Chief of Operations based on risk factors involved.
 - a. EST personnel shall follow designated EST Operational Procedures when conducting warrant services.
 - b. Strategies and tactics shall be developed prior to service.
 - c. An entry shall be considered "high risk" when:
 - i. Known violent suspects are involved;
 - ii. Firearm(s) or assault type weapon(s) are involved;

- iii. Credible threats have been made against the lives of individuals; and/or
 - iv. There are possible booby traps or other serious threats to officer safety or the safety of residents in the area.
- d. All uses of force are required to be within Department Policies and Procedures.
 - e. Search and seizure of evidence and/or contraband shall be in accordance with Department Policies and Procedures.
 - f. Documentation of activities is required in the form of an incident report, booking reports (if applicable), and supplemental reports as needed.

F. Controlled Buys:

- 1. Confidential Informants (CIs) shall be [REDACTED]
- 2. If the CI's [REDACTED]
- 3. CIs shall be [REDACTED] any contraband.
 - a. The informant [REDACTED]
 - b. [REDACTED]
 - c. [REDACTED]
- 4. When possible, [REDACTED]
- 5. The CRU Sergeant shall be responsible for coordinating and planning of when and where to take the suspect into custody.
 - a. Strategies and tactics shall be developed prior to the controlled buy.
- 6. The informant shall be thoroughly debriefed after each controlled buy.
 - a. Each buy [REDACTED]
 - b. [REDACTED]
 - c. [REDACTED]
 - d. CIs participating in controlled buys shall know that their testimony may be crucial and if testimony becomes necessary, their

confidentiality cannot be maintained.

- e. If a written report is not practical at that time, a verbal statement shall include a complete description of the suspect, a detailed account of all circumstances and conversations involved in the transaction, and any other facts that may be of importance.
- f. Full written documentation must follow as soon as practical.

III. CONFIDENTIAL INFORMANTS

A. Confidential informants (CIs) are not employed as law enforcement officers and are utilized for active intelligence gathering activity. Each CI shall only freely and voluntarily participate in providing intelligence and/or participating in operations.

B. CRU shall be responsible for developing and maintaining CI files and a CI indexing system.

1. All CI files [REDACTED]

C. CI files shall be utilized in order to:

1. Provide a source of background information on the informant;
2. Provide a complete history of information received from the informant;
3. Enable review and evaluation, by the appropriate supervisor, of information provided by the informant;
4. Minimize incidents that could be used to question the integrity of detectives or the reliability of the informant; and
5. To provide a record of all currency transactions involving the CI (e.g., buys, expenses, payments, etc.).

D. A master file shall be maintained on each CI utilized by members of this department. Each file shall be [REDACTED] and shall contain the following information:

1. CI's name;
2. Name of the officer initiating the use of the CI;
3. CI's photograph, prints, and criminal history data, if any;
4. Briefs on information furnished by the CI and its subsequent reliability; and
5. Signed agreement.

E. A CI history summary, [REDACTED], shall be prepared to correspond to each CI file and include the following information:

1. Pertinent identification data (date of birth, social security number, height, weight, tattoos, etc.);
2. Current address;
3. Current employer;
4. Phone numbers; and
5. Vehicles.

F. In order to protect the identity of informants, [REDACTED]

[REDACTED] in case reports and documentation.

1. The only exception shall consist of CI receipts and CI signatures on paperwork. In these cases, the CI's name shall be utilized [REDACTED]
[REDACTED]
- G.** Only when requested by the Chief of Police, a CRU supervisor, the prosecuting attorney, or a court of competent jurisdiction shall the name of a CI be revealed.
- H.** Access to the CI files shall be restricted to the Chief of Police, Commander of Detectives, Commander of Professional Standards and CRU supervisors. Personnel may review a CI file with good cause and upon approval of an above listed supervisor.
- I. Use of Informants:**
1. Before using an individual as a CI, personnel must receive initial approval from a supervisor.
 - a. When the CI is cooperating due to pending criminal charges, approval to use the CI shall be obtained from the appropriate prosecuting attorney's office prior to use.
 - b. After initial approval, a CI file shall be generated, as established in this policy.
 2. Personnel shall compile sufficient information through a background investigation in order to determine the reliability and credibility of the individual.
 3. If a CI file is established and it is later determined the CI is unsuitable for use, their file shall be marked accordingly and their status placed as inactive.
 4. Personnel wishing to use a CI that has been deemed unreliable or unsuitable in the past shall receive prior approval from the Commander of Investigations prior to use.
 5. Juveniles shall not be utilized as CIs.
 6. CI files should be reviewed every six (6) months to determine if they are still suitable as active CI's.
- J. Guidelines for Handling Informants:**
1. All CIs are required to sign and abide by the provisions of the department's confidential informant agreement.
 - a. Personnel utilizing the CI shall discuss each of the provisions of the agreement with the confidential informant.
 2. It shall be emphasized to the CI that they are not law enforcement officers.
 - a. They have no arrest powers;
 - b. They are not permitted to conduct searches or seizures; and
 - c. They shall not carry weapons.

3. If found engaging in any illegal activity, CIs shall be arrested and their cooperation with the department shall be terminated. They shall receive no special legal consideration.
4. CIs and personnel of this department who are managing the CI shall ensure they do not engage in entrapment.
5. No member of this department shall maintain a social relationship with a known CI while on or off duty or otherwise become personally involved with CI.
 - a. Members of this department shall not solicit, accept gratuities, or engage in any private business transaction with an informant.
6. ██████████ shall be present at all times when meeting with any CI.
 - a. Any deviation from this practice shall be approved by a supervisor.
7. Officers shall not make promises that will not or cannot be kept.
8. CIs shall never be allowed to dictate the direction of an investigation and shall only be informed of case details that are crucial to their successful cooperation.
9. Personnel shall ensure that each informant is handled in accordance with all court mandates, rulings, or policies, regulating their use.

K. Use of Probationers and Parolees as Confidential Informants:

1. Personnel shall not allow a parolee or probationer to become a CI without prior approval of a CRU supervisor, and the appropriate prosecuting attorney's office.
 - a. When applicable, the appropriate prosecuting attorney's office shall obtain approval for a probationer to cooperate from the sentencing court.
 - b. When applicable, the appropriate prosecuting attorney's office shall obtain approval for a parolee to cooperate from the Department of Corrections.
 - c. The use of parolees and probationers as CIs can only be justified by the most compelling circumstances.
2. Personnel shall not make any promises, threats, or inducements to parolees or probationers for the purpose of involving them in any active intelligence gathering activity.
3. Federal parolees may not be used as CIs without a waiver from the Federal Parole Commission.
4. Federal probationers may not be used as CIs without a waiver from a Federal Court.
5. None of the above shall be construed to eliminate the use of parolees and probationers from providing general information as to criminal activities freely and voluntarily.

IV. CONFIDENTIAL FUNDS

- A. The department's budget provides for a confidential fund to support the investigation of gun, drug, vice, and/or organized crimes.
 - 1. Monies in the confidential funds account come from seized assets.
- B. Criteria for payment of confidential funds to CIs shall be determined on a case by case basis by a CRU supervisor. Payment criteria may include but not be limited to the following:
 - 1. Usefulness of the information;
 - 2. Time commitment of the CI;
 - 3. Amount of information provided; and
 - 4. Whether the CI is receiving any other benefit such as consideration on pending charges.
- C. Funds from this account may be expended by detectives at the direction and control of the CRU Detective/Lieutenant or the CRU Detective/Sergeants, in accordance with General Order 2.6.20 – Confidential Funds.

V. CRIMINAL EXPENSE FUND

- A. Funds from this account may be expended by detectives at the direction and control of the CRU Detective/Lieutenant or the CRU Detective/Sergeants, in accordance with General Order 2.6.00 – Fiscal Management.

VI. FOLLOW-UP INVESTIGATIVE STEPS

- A. Follow-up investigation steps shall be in accordance with department policies and procedures outlined in General Order 3.5.05 – Criminal Investigations: Operations.

VII. LINE-UPS/SHOW-UPS

- A. Line-ups and show-ups shall be in accordance with department policies and procedures outlined in General Order 3.5.05 – Criminal Investigations: Operations.

VIII. INTERVIEW AND PROCESSING ROOMS/AREAS

- A. Personnel shall follow current department policies and procedures outlined in General Order 3.5.05 – Criminal Investigations: Operations regarding interview and processing rooms/areas.

IX. AIDS FOR DETECTING DECEPTION

- A. Polygraph examinations shall be in accordance with department policies and procedures outlined in General Order 3.5.05 – Criminal Investigations: Operations.

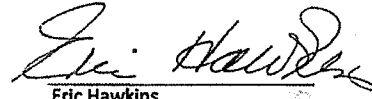
X. EQUIPMENT AUTHORIZATION AND CONTROL

- A. Surveillance and undercover equipment may be provided by the department for use in drug, vice, and/or, organized crime investigations.
1. The CRU Sergeant will be responsible for ensuring that detectives are properly training in the equipment use.
 2. Access to this equipment and the appropriate usage will be controlled by the CRU Sergeant/designee to reduce the risk of loss or damage to expensive and sophisticated equipment, and to prevent unauthorized use.
 - a. The CRU Sergeant/designee will establish a system to ensure the authorization, distribution, appropriate use, and return of this equipment.
 - b. Quarterly inspections shall be performed by the CRU Lieutenant to evaluate equipment presence and operational readiness.
 - i. The quarterly inspection shall be documented on an Albany Police Department Memorandum, APD Form # [REDACTED], and completed in accordance with the following time frames:
 - a) January 1st;
 - b) April 1st;
 - c) August 1st; and
 - d) December 1st.
 - c. Defects or repairs shall be reported, as soon as practical, to the CRU Sergeant/designee for repair or replacement.

XI. RECORDS STORAGE AND SECURITY

- A. Investigations of vice, organized crime, and drug activity shall be considered sensitive and not for routine dissemination.
- B. The CRU Lieutenant shall be responsible for the storage and security of records and reports relating to active gun, vice, drug, and organized crime investigations.
[REDACTED]
1. Detective cases relating to vice activities or other sensitive investigations shall be maintained in a secured area [REDACTED]
 2. Access to these files and information is limited to those members of CRU, the Commander of the Detective Division, the Commander of Professional Standards, and the Chief of Police.
- C. CIs and CI files shall be maintained by CRU, which will provide an up-to-date file of this information to the Chief of Police when requested.
1. Personnel who develop a CI shall contact a supervisor from CRU.
 2. The CRU supervisor shall assign [REDACTED] and file.

3. Access to CI files shall be limited to the Chief of Police, Deputy Chief, Commander of Investigations, and Commander of Professional Standards.



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