

<b>YORK-POQUOSON SHERIFF'S OFFICE</b>	<b>GENERAL ORDERS</b>
<b>SUBJECT: Vice and Organized Crime</b>	<b>NUMBER: GO 2-27</b>
<b>EFFECTIVE DATE: January 1, 2023</b>	<b>LAST MODIFIED DATE: August 8, 2018</b>
<b>AMENDS/SUPERSEDES: GO 2-7, July 1, 2003</b>	<b>APPROVED:</b> <u><i>R.G. Murphy</i></u> Sheriff
<b>VLEPSC: OPR.03.01, OPR.03.02, OPR.03.03, OPR.03.04</b>	

1 **INDEX WORDS**

2  
3 Confidential funds/Special Investigations (SIU) Funds  
4 Decoy operations  
5 Equipment, special surveillance/recording  
6 Intelligence  
7 Organized crime  
8 Raids  
9 Vice  
10 Undercover operations

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12 **POLICY**

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14 The York-Poquoson Sheriff's Office is charged with the enforcement of all criminal statutes  
15 relating to drugs, vice, and organized crime. The Sheriff is firmly committed to the suppression  
16 of all types of these crimes. To prevent the spread of vice conditions, deputies will take  
17 aggressive enforcement against all vice activities. See [GO 2-16](#), Drug Enforcement, for  
18 additional information specifically related to illegal drug/narcotics enforcement.

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20 **PURPOSE**

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22 To provide investigative guidelines and to establish procedures and policies regarding vice, drug,  
23 and organized crime.

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25 **PROCEDURES**

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- In its commitment to suppress vice, drugs, and organized crime in York County, the Sheriff's Office focus will include:
    - Organized crime activities that may include, but are not limited to: loan sharking, labor racketeering, corruption, extortion and/or bribery, theft/fencing rings; illegal sale and distribution of liquor and tobacco, illegal sale and distribution of controlled substances, illegal gambling operations, illegal prostitution and pornography, or firearms violations.
    - Vice crime activities may include, but are not limited to: illegal sale and distribution of liquor, tobacco, or controlled substances (drugs); illegal gambling operation; or prostitution and pornography.
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- 37                   ▪ All deputies will share the responsibility to suppress and enforce the laws against  
38                   drugs, organized crime and vice activities.

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- 40                   • The Sheriff has assigned responsibility for organized crime and vice enforcement  
41                   operations to the Investigations Division Commander. He or she will function as the  
42                   primary contact point of coordination and planning for vice, drug, and organized crime  
43                   enforcement activities.
- 44                   • The Investigations Division Commander will brief the Sheriff on all major operations  
45                   pertaining to Vice/Narcotics and Organized Crime.
- 46                   • Organized crime activities listed above are primary targets for agency enforcement,  
47                   investigative, and suppression efforts. Such activities are not restricted to large urban  
48                   areas, but can exist in any community where it is possible for a group of persons to  
49                   establish an organization for criminal activity that provides a continuing financial profit.
- 50                   • Vice activities listed above will be primary targets for agency enforcement, investigative,  
51                   and suppression efforts. Vice activities may be under the control of organized crime or  
52                   may be run as strictly a local operation.
- 53                   • The Investigations Division Commander and Uniform Patrol Division Commander will  
54                   coordinate efforts to ensure that vice, drug, and organized crime complaints are properly  
55                   received, processed, and investigated.
- 56                   • Deputy sheriffs and non-sworn personnel will report all information coming to their  
57                   attention concerning organized crime, drug, or vice crime activities directly to either the  
58                   Investigations Division Commander, Investigations Lieutenant or a York County Drug  
59                   Enforcement Officer. Information from the public will be directed through the same  
60                   channels.
- 61                   • A file shall be kept in a secure location of initial complaints on drug, vice and organized  
62                   crime activities.
- 63                   • Such reports may be oral or in writing and will be kept completely, confidential.
- 64                   • Such information will become the basis for investigative efforts as appropriate. Results  
65                   should be communicated back to originating deputies who provide useful information  
66                   when possible, without disclosing sensitive information or jeopardizing investigative  
67                   outcomes.
- 68                   • Upon review by the Investigations Division Commander, organized crime and vice/  
69                   narcotics investigations or enforcement activities, may be assigned for investigation to  
70                   patrol shift supervisors and their assigned deputies. Strict confidentiality of information  
71                   will be maintained and only those with a need-to-know will be informed of such  
72                   enforcement activity.

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74                   **VICE, DRUG, ORGANIZED CRIME, AND INTELLIGENCE ACTIVITIES**

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- 76                   • The Investigations Division Commander serves as the Sheriff's Office focal point for the  
77                   coordination of vice, drug, organized crime, and intelligence activity.
- 78                   • Information will be received from patrol deputies and investigators, as well as from  
79                   citizen complaints or informants.

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- The Investigations Division Commander and/or the Investigative Lieutenant will evaluate such information and determine the appropriate investigative response using, but not limited to, the following criteria:
    - Perceived accuracy and validity of the information;
    - Nature of criminal activity;
    - Scope and relative importance of the problem;
    - Quantity of information and leads available;
    - Investigative techniques necessary;
    - Sheriff's Office resources available;
    - Operational problems, if any.
  
  - The Sheriff's Office's capacity to conduct special operations for the control of vice, drug, and/or organized crime or to conduct intelligence operations is limited. However, through cooperative relationships with federal, state, and other local law enforcement agencies special operations such as decoy, undercover, and surveillance activity can be effectively planned and accomplished.
  - Normally, drug enforcement officers will be responsible for the preparation of written operations plans for approval by the Commander of Investigations or his designee. Plan prerequisites are listed below.
  - Decoy operations plans will include, at a minimum:
    - Analyzing victims, crimes, and crime locations;
    - Disguising deputy to resemble victims;
    - Determining the number of backup deputies for security and protection;
    - Developing operational procedures such as observation and arrest;
    - Determining legal ramifications;
    - Establishing constant communications;
    - Identification by designation;
    - Notifying the shift supervisor and deputy responsible for the target area;
    - Providing close supervision and identifying how to request medical assistance.
  
  - Undercover operations plans will include, at a minimum:
    - Identifying and analyzing suspects;
    - Making contacts with suspects;
    - Analyzing neighborhood or target areas where operations will be conducted;
    - Supplying deputies with false identity and necessary credentials;
    - Maintaining confidentiality of deputy's false identity;
    - Supplying deputies with expense funds;
    - Supplying deputies with adequate equipment;
    - Establishing a means for routine and emergency communication;
    - Determining legal ramifications;
    - Providing guidelines for arrest;
    - Providing back up security for deputies;
    - Providing for close supervision;
    - Providing perimeter protection;

- 124           ○ Designating a single person as supervisor and coordinator.  
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- 126       ● Crime surveillance operations plans will include, at a minimum:  
127           ○ Analyzing crimes and victims;  
128           ○ Identifying and analyzing probable offenders and their habits, associates, vehicles,  
129           methods of operation, or any other pertinent information;  
130           ○ Familiarizing the deputy with the neighborhood or target area;  
131           ○ Determining operational procedures for observation, arrest, and "tails";  
132           ○ Supplying deputies with expense funds;  
133           ○ Establishing a constant means of communication;  
134           ○ Selecting equipment or vehicles;  
135           ○ Providing relief, and  
136           ○ Determining legal ramifications.
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- 138       ● Raids may also be conducted in support of vice, organized crime or intelligence  
139       operations.
- 140       ● All raid plans require the advance approval of the Commander of Investigations or his  
141       designee, and will include at a minimum:  
142           ○ Designating a single person as supervisor and coordinator;  
143           ○ Developing strategies and tactics for approaching, entering, securing, and leaving  
144           target;  
145           ○ Searching for and seizing evidence and/or contraband;  
146           ○ Selecting equipment; personal equipment will include wearing body armor;  
147           ○ Selecting and communicating with specialized support units  
148           ○ Arresting suspects;  
149           ○ Authorizing use of force;  
150           ○ Requesting medical assistance; and  
151           ○ Providing for documentation.
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- 153       ● The Investigations Commander or his designee shall provide to the Sheriff the status of  
154       major on-going investigations concerning vice, organized crime, and intelligence  
155       problems, actions taken or planned to control, and summarizing complaints,  
156       investigations, and arrests.
- 157       ● The commanding officer of the regional drug task force or the drug enforcement section  
158       leader shall submit a written report to the Sheriff on a quarterly basis outlining activities  
159       specifically relating to illegal drug enforcement.
- 160       ● The Investigations Commander will maintain separate, secure files in which current  
161       intelligence information and active case files pertaining to vice, drug, organized crime,  
162       and intelligence activities are maintained.
- 163       ● Security of vice, organized crime, and intelligence information is essential. Such  
164       information should be distributed within the department and to other criminal justice  
165       agencies only on a need-to-know basis.

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- The Investigations Commander is responsible to maintain liaison with federal, state and local law enforcement agencies for the exchange of intelligence and for the planning of any joint enforcement activities.
  - The Investigations Commander will brief the Patrol Commander and any affected shift supervisors on special operations; however, discretion may be used in disseminating information in instances that may jeopardize a tactical operation.

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## **CONFIDENTIAL FUNDS**

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- Expenditures justified in the investigations budget provide for the establishment of a confidential/SIU fund to support the operation and investigation of vice, drug, and organized crime control functions such as, but not limited to, paying informants, purchasing contraband as evidence, and expenses for surveillance activities and equipment. (See [GO 2-16, Drug Enforcement](#)).
  - The Investigations Commander is responsible for administration and disbursement of confidential/SIU funds and:
    - Maintain and secure the funds according to local policies and all appropriate laws.
    - Properly disburse and deposit funds and maintain appropriate bookkeeping and banking practices.
    - Maintain a secure file of all transactions (with restricted access) and purge records as legally required.
    - The Investigations Division Commander shall not expend more than \$ 1,000.00 on any single purchase without the specific authorization of the Sheriff or his designee.
    - The Chief Deputy shall conduct a quarterly audit of the confidential fund.
    - The confidential funds custodian may disburse funds for the following purposes:
      - Payments to informants.
      - Purchase of illegal drugs, contraband, or other evidence to advance an investigation.
      - Expenditures for undercover operations.
      - Flash money
      - Purchases of food and beverages for informants.
      - Purchase of equipment on an as needed basis. This may include, but not limited to: batteries, audio/video tapes, and wiring for electronic equipment repair.
        - ❖ Purchases should not exceed \$75.00 without approval of the confidential funds custodian.
    - In the furtherance of any investigation when deemed necessary by the Investigations Division Commander, Chief Deputy or Sheriff.
    - Temporary funds for extraditions which are reimbursed by the Secretary of the Supreme Court of Virginia.
    - Any other purpose as deemed necessary by the Sheriff or his designee.
  - Documentation
    - Deputies may request confidential/SIU funds either verbally or in writing.

- 210 ○ The Investigations Division Commander shall prepare a receipt and the requesting  
211 deputy shall sign the receipt upon receiving the funds.
- 212 ○ Deputies who receive confidential funds shall prepare an expense report to account for  
213 all money received from the account. Receipts for purchases shall be obtained. The  
214 report shall include:
- 215     ▪ Informant control number if funds were used to pay an informant or name of  
216 individual funds was paid to if not a registered confidential informant.
- 217     ▪ Signature of witness when funds are paid to an informant.
- 218     ▪ Date of the expenditure.
- 219     ▪ Name of business where funds were spent
- 220     ▪ Copies of receipts.
- 221     ▪ Type of investigation.
- 222     ▪ Case number.
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- 224 ○ The deputy expending confidential/SIU funds shall prepare the expense report as soon  
225 as practical and submit it to the Investigations Division Commander.
- 226 ○ When practical, the informant shall initial a receipt of funds on the expense report.
- 227 ○ [GO 2-11, Informants](#), requires deputies to have the informant sign for money received,  
228 along with a witness, whenever possible.
- 229 ○ Unexpended funds shall be returned to the custodian who shall issue the deputy a  
230 receipt.
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## 232 **SURVEILLANCE EQUIPMENT**

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- 234 ● Organized crime and vice investigations often require special surveillance and recording  
235 equipment.
- 236 ● The Investigations Commander is responsible for determining equipment needs,  
237 authorizing, inventorying, distributing, and monitoring the use of specialized equipment.  
238 Further, he or she shall ensure the timely reporting of damage or loss, and ensure that all  
239 specialized equipment is in proper working order.
- 240 ● The Investigations Division maintains a limited amount of surveillance equipment  
241 including but not limited to:
- 242     ○ Audio transmitters
- 243     ○ Audio/video recording systems
- 244     ○ GPS tracking devices
- 245 ● The Investigations Division Commander or his designee shall:
- 246     ○ Assign surveillance equipment on a permanent or temporary basis as needed.
- 247     ○ Determine the best location to limit access to unused surveillance equipment.
- 248     ○ Be responsible for the tracking and inventory or surveillance equipment.
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- 250 ● Procedures
- 251     ○ If any deputy of the York County Sheriff's Office or any other agency has a need to  
252 use any surveillance equipment currently assigned to the Investigations Division, they  
253 shall:

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- Request either verbally or in writing from the Investigations Division Commander or his/her designee, Authorization for the use of the equipment.
  - Under no circumstances shall surveillance equipment be loaned to any outside agency without the authorization of the Investigations Division Commander.
- Loan of surveillance equipment outside of agency
    - Generally, the lending of equipment outside the agency will be strongly discouraged.
    - In the event that it is approved, the procedures outlined below shall be followed:
      - ❖ The requesting agency shall submit a written request to the Sheriff or his designee for approval.
      - ❖ If the requested equipment requires a York-Poquoson Sheriff's Office employee to be present to operate the equipment. This request will be handled in accordance with existing Mutual Aid Agreements.
      - ❖ Equipment shall only be loaned for a specified time period.
      - ❖ When the equipment is returned, it will be inspected and tested.
- Use of surveillance equipment
    - Once appropriate authorization is given, the individual assigned to operate or install the equipment undertakes the full responsibility for proper and legal use of all equipment.
    - Operations involving the use of surveillance equipment shall be kept confidential.
    - **The constitutional rights of individuals being surveilled are paramount. Therefore, if required, search warrants or court orders shall be obtained prior to the use of surveillance equipment.**
    - This policy is in no way meant to discourage the use of the available electronic equipment. It is meant to assure that the proper and legal applications according to the Code of Virginia and Federal Statutes are abided by every member of the York-Poquoson Sheriff's Office.