

PREFACE

Pursuant to H. B. 1239 passed by the 79th Regular Session of the Texas Legislature, the Department of Public Safety Narcotics Service has produced this manual to document the operational policies and procedures required by the statute governing the operation of multi-county drug task forces. These policies and procedures are intended to provide standardized operational procedures by which multi-county drug task forces will operate in Texas. Nothing in these policies is intended to preclude the establishment of more restrictive operational policies by any task force. The purpose of these policies is to comply with H. B 1239 and provide uniform drug law enforcement to the citizens of the State of Texas. It is the responsibility of the Project Director to ensure that all task force personnel receive and review this policy manual.

TABLE OF CONTENTS

I.	Professional Conduct	3
II.	Task Force Background Checks	6
III.	Job Performance Evaluations	6
IV.	Investigative Reports	7
V.	Drug Evidence Storage	9
VI.	Entrusted Property	10
VII.	Search Warrant Operations	12
VIII.	Undercover Operations	13
IX.	Operational Plans	14
X.	Deconfliction	14
XI.	Interdiction	15
XII.	Controlled Deliveries	17
XIII.	Reverse Role Undercover Operations	17
XIV.	Cooperating Individuals	19
XV.	Narcotic Detector Canine Units Procedures	29

I. PROFESSIONAL CONDUCT

A. Task Force Officer Responsibilities.

- 1) This policy covers General Responsibility; Personal Conduct; Off-Duty Conduct; Court Appearance; Other Conduct; and Acceptance of Rewards, Gratuities, and Contributions. Task Force officers realize their obligation to the community and should strive to act in a professional manner in order to inspire the public trust and confidence. Maintaining professionalism should be a primary goal of Task Force officers and will ensure the continued trust and respect of the community. All officers are public servants and shall keep all contacts with the public professional and courteous.
- 2) All officers have a responsibility to the community, to their agency, and to themselves.

B. Personal Conduct

All officers are subject to public scrutiny and shall strive to present themselves as leaders and professionals within the community, whether on or off-duty.

- 1) All officers and personnel will abide by Task Force Operational Policies and Procedures. Failure to do so will subject Task Force officers and personnel to recall to their parent agency. Task Force Commanders will investigate or refer for investigation to parent agencies, personal conduct by Task Force officers or personnel when: the situation involves a criminal act; the performance of the officer or personnel is affected; discredit is brought to the Task Force; the operation of the Task Force is impaired. **The Project Director shall notify the director in writing, within five calendar days of the arrest, of the identity of any personnel that are arrested, the reason for the arrest, and any resulting action taken by the task force.**

C. Off-Duty Conduct

The responsibility placed upon officers requires that their conduct be exemplary at all times to project a positive image to the community.

- 1) Officers are to maintain the same professional demeanor both on-duty and off-duty. Officers may be recalled to duty at any time. It is the responsibility of each Task Force officer to notify his/her Task Force Commander or supervisor if they are unable to report to duty and are not physically and mentally fit to perform their duties.

- 2) A situation may arise at any time when an officer may find it necessary to take some type of law enforcement action.
 - a. Officers must have in their possession at all times their official identification cards and their badges. An exception to this policy would be in those instances where, in specific undercover operations, it would not be feasible to have such items in their possession.
 - b. All Officers should be armed while on duty with a firearm with which they have demonstrated proficiency and has been approved by their parent agency. No Task Force officer may carry a Class III firearm, including fully automatic firearms and short barrel rifles without the permission of the Project Director.
 - c. The display of the official identification card and badge while off-duty is limited to only those situations where an officer is taking police action.
 - d. Officers may find themselves in circumstances, while off-duty, when the exercise of police action is warranted. All officers taking such police action, while off-duty, should be guided by any applicable parent agency policies. Off-duty police action taken by officers shall be reported immediately to the appropriate supervisor.
 - e. When circumstances do not permit police action, the off-duty officer shall attempt to gather all useful information and relay it to the appropriate law enforcement agency at the earliest opportunity.

D. Court Appearance

- 1) All officers and personnel shall respond to all summons and subpoenas issued by any judge or court of law with competent jurisdiction.
- 2) Failure to appear at court will be considered dereliction of duty. It is the officer's responsibility to notify the court and his/her supervisor when, for a valid reason, he/she is unable to appear in court as scheduled. All officers shall comply with any instructions provided by the court or prosecutor.
- 3) If an officer determines that they will be unable to appear for court at the designated time, whether on- or off-duty, it is his/her responsibility to notify the court.

- 4) All officers shall verify their necessity to appear in court with either the court or prosecutor within 24 hours or on the business day prior to the court appearance.
- 5) All officers shall wear appropriate business attire or employing agency uniform when called to testify in court.
- 6) When any officer is served with a subpoena to testify on behalf of a defendant in a criminal case, said officer shall promptly notify his chain of command and the prosecuting attorney.

E. Other Conduct

- 1) Professional Referrals
 - a. During the course of employment or official duties, an officer shall not refer any party to an attorney; tow company; bondsman; hospital or doctor; insurance company; or another professional person, group, or organization.
- 2) Relationship with Supervisors
 - a. All officers shall obey lawful orders, directed to them by supervisors, which are necessary for the efficient conduct of Task Force business.
- 3) Relationship with Subordinates
 - a. Supervisors will conduct themselves in such a manner to elicit performance by subordinates, which are consistent with the goals and objectives of the Task Force.

F. Acceptance of Rewards, Gratuities, and Contributions

Seeking or accepting special privileges or favors is forbidden conduct and reflects discredit on the law enforcement profession. Officers and personnel shall not place themselves in a position of compromise by soliciting or accepting gratuities.

- 1) Retail merchants
 - a. In cases when merchants refuse to accept full payment from officers for goods and services rendered, officers, without creating a disturbance or public spectacle, shall make every effort to pay for the services and goods and explain the Task Force policy.
- 2) Contributions from Outside Sources
 - a. Money or any other type of contribution received from a source outside the Task Force which is intended to benefit a particular

fund or community activity will be directed toward the appropriate Task Force fund or function.

- b. All requests to accept donated equipment or other contributions shall be forwarded to the Project Director or his designee.
- 3) No officer or employee shall appropriate for their personal use any evidence, lost, found or stolen property, issued or Task Force property, or entrusted property.

II. TASK FORCE BACKGROUND CHECKS

- A. All potential candidates or appointees considered for assignment to a multi-county drug task force, regardless of rank (including non-commissioned personnel), must have a standardized task force background investigation completed that must include a fingerprint based background check through DPS and the FBI. (This policy applies to those currently employed by a law enforcement agency.)
- B. Once the candidate or appointee has provided the personal information needed to perform the background investigation, the Task Force Commander, or his designee, will conduct the designated background checks and review prior work history, as appropriate. Task Force Commanders who need assistance in verifying the submitted information may request the assistance of the appropriate DPS District Captain.
- C. The background investigation should be completed within ten (10) working days from the date the candidate or appointee has provided the personal information needed to perform the background investigation. A copy of all background surveys will be maintained in the Task Force office, subject to review by appropriate DPS personnel.
- D. The Task Force Commander and/or the Project Director may utilize the background investigation as an administrative aid in formulating a final determination regarding a candidate's assignment to the Task Force.
- E. DPS retains the right to assess the suitability of personnel assigned to the Task Force as part of the review of the composition of the task force and require changes in any assignment to include return of any personnel to the parent agency.

III. JOB PERFORMANCE EVALUATIONS

The Task Force has a responsibility to each Task Force officer to provide them with an accurate assessment of their job performance. A job performance evaluation should also provide an ongoing skills development program to enhance each

officer's contribution to the Task Force. Such Task Force performance evaluations are intended for the purpose of enhancing Task Force operations.

- A. The Task Force Commander may utilize parent agency evaluation formats in performing the assessment of job performance.
- B. Task Force performance evaluation is not intended to replace any performance evaluation used by a member's parent agency or to determine promotions or pay-for-performance reviews by that agency.
- C. All Task Force officers will maintain an acceptable level of job performance in their assigned duties. Any officer who cannot maintain an acceptable level of job performance, as determined by the Task Force Commander, will be subject to return to their parent agency.
- D. The Task Force job performance evaluation system is designed to achieve the following objectives:
 - 1) Help improve job performance through supervisor/subordinate counseling/coaching and goal setting.
 - 2) Promote job satisfaction through self-knowledge of competency and progress toward desired goals.
 - 3) Identification of weaknesses and need for training.
- E. It will be the responsibility of the Task Force Commander to ensure performance evaluations are conducted for each Task Force employee on an annual basis. The Task Force Commander may designate appropriate supervisory Task Force personnel to conduct such evaluations. All Task Force performance evaluations will be reviewed and approved by the Task Force Commander.
- F. Task Force performance evaluations are a function of Task Force administrative operations and, as such, will be retained by the Task Force Commander subject to review by appropriate DPS personnel. Copies of Task Force performance evaluations will be made available to parent agency employers upon request. Such requests should be made in writing from the member's Agency head or his/her designee. This written request may be in the form of a one-time, on-going request to receive all subsequent evaluations.
- G. All Task Force performance evaluations will be conducted in private between the Task Force employee and a Task Force supervisor and will remain confidential. A copy of the performance evaluation will be made available to the Task Force member.

IV. INVESTIGATIVE REPORTS

A. A Task Force supervisor must review and approve all investigative reports, which are prepared and submitted by Task Force officers. Once approved, all investigative reports will become a part of a numbered investigative file. Task Forces may utilize their own investigative report format provided the following described criteria are met.

- 1) Task Force officers must include all relevant information in investigative reports concerning:
 - a. Criminal activity
 - b. Suspect identification and disposition
 - c. Contraband information and identification
 - d. All monies expended for evidence.
 - e. Description and disposition of all property seized for forfeiture.
 - (1) Make, model, serial number, size, weight or any other significant identifier will be utilized to describe all such property.
 - (2) All property seized for forfeiture shall be specifically designated as such in the investigative report.
- 2) Completed case files for prosecution and/or forfeiture will include the following:
 - a. Offense reports
 - b. Investigative reports
 - c. Supporting documents from all participating agencies
 - d. Copies of search warrants, arrest warrants, supporting affidavits and returns
 - e. Certificate of magistrates
 - f. Confessions or witness affidavits
 - g. Consent to search forms
 - h. Booking dockets and arrest suspect supplements
 - i. Criminal histories
 - j. Vehicle registration returns
 - k. Chain of evidence documentation
 - l. Evidence and crime lab reports
 - m. Photo proof sheets
 - n. Civil and/or criminal disposition documents
- 3) All investigative reports and related documents, civil or criminal, will be considered permanent records of the Task Force. Each Task Force is responsible for maintaining, on-site, a readily accessible copy of every Task Force generated investigative report. Investigative reports must be maintained for three years following the final disposition of all persons and property involved. **The Project Director's agency will be responsible for maintaining all records pursuant to**

that agency's record retention policy should the task force dissolve or discontinue operations.

V. DRUG EVIDENCE STORAGE

During the course of any Narcotics Investigation, the seizure of drugs is mandatory. In some cases, large seizures will be made. Most cases, however, will be in an amount that is manageable. The key to any seizure is that accountability is followed and that sound policies and state law are followed to assure a proper chain of custody is maintained. Task Force officers will adhere to the following procedures relating to drug evidence storage.

- A. Only initial temporary storage of drug evidence will be permitted at task force offices. The seizing officer, within five (5) working days of the seizure, will submit drug evidence to a laboratory holding DPS accreditation appropriate for the evidence being analyzed. In those instances where submissions are delayed due to reasons such as pending fingerprint analysis, a form memo stating such should be signed by the Task Force Commander or supervisory designee and included in the case file. Any lab holding the appropriate DPS accreditation as noted above may be utilized to analyze drug evidence so long as the drug evidence remains with that lab or another law enforcement agency with a suitable evidence storage facility. Drug evidence is not to be returned to the Task Force offices for storage. U.S. Mail will be permitted for small exhibits utilizing registered/return receipt mail.
- B. All drug evidence temporarily stored at Task Force offices shall be secured in a restricted access area with adequate security to provide for proper safekeeping.
- C. For cases involving large seizures, Labs should take random samples and destroy excess quantities pursuant to applicable State statute. In those instances, the use of photographic equipment (i.e. still photos and/or video) of large seizures is strongly encouraged.
- D. The institution of an appropriate chain of custody record and evidence tracking mechanisms should be in place. Such records should adequately document custody transfers of drug evidence from its seizure until its submission for laboratory analysis.
- E. Controlled substances utilized as "show dope" for reversals will not be maintained or kept at task force offices. If needed, these items will be made available from one of the parent agencies from controlled substances awarded to such agency for that purpose pursuant to a valid court order or, in certain instances, from other agency crime laboratories. This will ensure that

all Task Forces are in compliance with Sec. 481.159 of the Health and Safety Code as it relates to the Disposition of Controlled Substance or Plant.

- F. Limited quantities of controlled substances may be maintained at Task Force offices for utilization in K-9 training. These substances must have been awarded to the appropriate law enforcement agency by an appropriate court for official use. Such controlled substances will be maintained in a safe, in the custody of the Task Force Commander or his supervisory designee. These controlled substances will be logged out of the safe and provided to K-9 training officers when needed and returned upon completion of the training.

Controlled substances utilized for such training should be properly packaged to prevent damage, loss or accidental ingestion by dogs during training. All K-9 training officers will retain sole custody of such controlled substances in a secure environment. Any loss of controlled substances during training shall be immediately reported to the Task Force Commander and documented in writing for supervisory and DPS review.

- G. The timely destruction of drug evidence is crucial. The use of an appropriate court order should expedite the destruction process and still maintain the mandatory accountability of these items. Task Force Commanders will ensure that pending cases are routinely checked to determine final case dispositions and provide for timely destruction of evidence.
- H. The Project Director' Agency will be responsible for the storage and destruction of all evidence seized by the task force should the task force dissolve or cease operations.

VI. ENTRUSTED PROPERTY

- A. Police power to seize the personal property of citizens is the exercise of authority that should never be taken lightly. Citizens are ordinarily under no obligation to prove ownership of any property found in their possession. Conversely, the burden is upon the officer to prove that property is not legally in possession of the citizen. Unless investigation can establish otherwise, it should be presumed that property found in the possession of any citizen is that citizen's property. If such property is seized for any reason, the citizen is entitled to recover that property when there is no longer a bona fide reason for the Task Force to retain it. (This policy includes weapons; it excludes any contraband.) It is, therefore, Task Force policy to seize and impound property only when a legitimate need so requires and to retain such property only so long as that need is served.

- 1) Only evidentiary items will be seized (i.e. items of contraband, evidence, stolen property or property that is believed to be from the sale of drug proceeds.) This should be based on probable cause that

exists at the time of seizure. Task Force officers shall abide by all legal requirements set forth in Article 59.03, Code of Criminal Procedure, regarding seal, notification and disposition of property seized under this authority.

- 2) Proper and consistent documentation of **ALL** seized property is crucial. A complete inventory of all items seized will be made as soon as is practicable and will be maintained as a part of the applicable case file. In the case of a search warrant, along with a copy of the search warrant, a copy of an inventory of seized items will be left at the scene.
- 3) When property is seized and brought to the respective task force office, a complete and thorough log will be maintained. Entrusted property will be maintained in a secure property room. Only designated officers (i.e. entrusted property officer) will have access to the entrusted property room.
- 4) Along with the proper inventory of seized property, the entrusted property room officer will maintain a detailed property room log. In addition, all property will be tagged with a property tag when logged into the property room. This will ensure accountability of all items seized as well as a readily available means to check any seized items. The property log and the property room will be subject to inspection by the appropriate DPS personnel.
- 5) All items seized need to have a proper and timely disposition through the court system.
- 6) All Task Force officers shall be in compliance with State statute prohibiting officers from obtaining disclaimers from individuals for seized property.
- 7) Task Force members will, at no time, use any entrusted property for personal use.
- 8) All Task Force officers are prohibited from seizing, or allowing to be seized, any firearm which will be sold for asset forfeiture purposes. Should a Task Force desire to seize a firearm which is intended to be placed in service, then the written approval of the Project Director must be obtained prior to the filing of forfeiture. Any firearm which is intended to be placed into service must have the firearm awarded to the Project Director's Agency. Additionally, the court order must require that the weapon be used for official purposes only and then destroyed when there is no longer a need to have the weapon.

B. Seized currency

- 1) All seized money or currency will have a timely transfer to the appropriate local entity responsible for depositing the currency into an appropriate account, pursuant to Article 59.03, Code of Criminal Procedure. If currency is to be held at the office for any period of time, then it will be secured in a locked safe until such transfer can be made.
- 3) As with seized property, the proper documentation of all seized currency will be maintained.
- 4) All necessary documentation will be maintained as to the current status and disposition of the currency.
- 4) The aforementioned documentation will readily show the “chain of custody” of all seized currency from the initial seizure through final disposition.

VII. SEARCH WARRANT OPERATIONS

Officers will comply with Amendment IV of the United States Constitution and Article 1, Section 9, of the Texas Constitution in every instance of search and/or seizure. Officers will ensure that, at a minimum, the following procedures are followed:

- A. The search warrant affidavit will be reviewed by a supervisor, his designee or a prosecuting attorney before the affidavit is presented to the appropriate magistrate.
- B. An operational plan will be produced and reviewed by a supervisor or his designee prior to the execution of the search warrant. A copy of the operational plan will be provided to all participating officers at the raid plan briefing.
- C. A raid plan briefing will be conducted prior to the execution of the search warrant. Only officers participating in the briefing shall be permitted to participate in the entry phase of the search warrant.
- D. Participating officers shall be clearly identified as police officers with raid jackets or law enforcement agency uniforms and shall wear protective vests.
- E. Officers participating in search or arrest warrants, “buy-bust” arrests or any other enforcement operations shall not wear masks. Task Force Commanders will insure a sufficient number of officers are available to conduct enforcement operations without the utilization of personnel whose

identity should not be revealed. This policy does not preclude the use of nomex protective hoods by officers participating in the seizure of clandestine laboratories.

- F. Officers will seize only contraband or that property which has evidentiary value and will produce a detailed inventory of items seized. A copy of the inventoried items shall remain at the scene. All seized property will be transferred to the custody of the case agent or his designee for proper processing and safekeeping.
- G. Officers will submit a copy of the inventory along with the search warrant return to the issuing magistrate within the statutory time limit.

VIII. UNDERCOVER OPERATIONS

Covert undercover operations are an effective investigative technique in establishing admissible, credible evidence in support of a criminal prosecution against drug trafficking suspects. The ultimate goal of any undercover operation is a criminal conviction. To that end, every aspect of undercover operations should be well planned, deliberate and performed in compliance with all applicable policies. The actions of undercover officers should always be appropriate, under the circumstances, and easily justified to prosecutors, judges and juries. Officers conducting covert investigations to obtain evidence for criminal prosecution will conduct such investigations under the following guidelines:

- A. Officers will obtain the approval of a supervisor prior to the initiation of an undercover investigation.
- B. Officers will corroborate undercover investigations with the assistance of other officers conducting surveillance of the case officer, informants and suspect(s).
- C. When possible, officers will utilize audio and/or video recording systems when negotiating with suspects. All videotapes or audiotapes shall be considered as evidence and handled as such, regardless of the quality of the recording. Videotapes and audiotapes, which are evidence in criminal offenses, shall be retained until such cases receive final disposition.
- D. It is understood that in certain undercover operations the consumption of alcoholic beverages may be necessary. Officers, in such situations, will at all times be physically and mentally fit to perform their duties. Officers shall not operate a motor vehicle while intoxicated or impaired.
- E. Officers shall not use or physically simulate the use of any type of narcotics except when physical harm could come to the officers if they do not simulate use of the narcotics. In these instances the officer will immediately after, and

when safe to do so, contact his immediate supervisor and advise him of all the facts of the situation.

IX. OPERATIONAL PLANS

Operational plans are prepared to guide officers through the execution of an enforcement action. They provide for the assignment of personnel, identification of suspects, vehicles and locations and play a significant role in the safety of officers involved.

- A. An operational plan will be prepared for each significant tactical or enforcement operation.
- B. The operational plan will be generated on an established format and shall note case and event deconfliction procedures taken. The operational plan will state a clear objective and detail the specific roles and assignments of each participating officer. The plan shall also include emergency contingency information.
- C. The operational plan will be reviewed by a supervisor or his designee prior to the execution of the enforcement action.
- D. Operational plans will be provided to all officers participating in the enforcement action for which they are prepared.
- E. Operational plans shall be kept on file in the investigative case file or other repository site, subject to review by appropriate DPS personnel.

X. DECONFLICTION

Narcotics investigations have the very real potential for multiple agencies to be conducting parallel investigations on the same criminal suspects or organizations at any given time. There are serious safety considerations in such situations that may bring law enforcement Investigators into high-risk situations without realizing the presence of other law enforcement Investigators. Similarly, such parallel investigations, conducted independently, are less efficient and effective than cooperative law enforcement efforts conducted in a coordinated manner.

- A. All officers will utilize the services of an “event” deconfliction center for all significant enforcement actions. The Case Agent or the Case Agent’s supervisor will be responsible for providing the deconfliction center with information about known suspects, vehicles and locations from operational plans to avoid the potential of conflicting police enforcement actions occurring at or near the same location. Officers should utilize existing HIDTA deconfliction centers in Dallas, Houston, El Paso or San Antonio for

search warrant execution, controlled deliveries, reverse role investigations, buy busts, significant arrests and similar high-risk situations.

- B. All officers should attempt to utilize the deconfliction center, where practicable, for significant investigative efforts such as long term or planned surveillances or undercover operations.
- C. Where a formal deconfliction center does not cover the location of the intended enforcement operation, the Case Agent, or his supervisor, should notify the appropriate law enforcement agencies within the area of operation to ensure appropriate deconfliction has been conducted.
- D. On any investigative activity conducted by an officer outside his assigned area of responsibility, the Task Force Commander supervising that officer shall notify the affected law enforcement agencies of the desired investigative efforts within their area. This notification should occur prior to beginning the investigative activity. It shall be the responsibility of the Task Force Commander to ensure proper deconfliction is conducted.
- E. Any investigative activity that takes an officer out of his assigned area of responsibility will require prior notification of the appropriate law enforcement agencies within the area of operation.

XI. INTERDICTION

Criminal drug traffickers and organizations must have the ability to transport illegal drugs, contraband and currency or assets to successfully continue their operations. Aggressive criminal interdiction conducted by trained and experienced officers can be successfully utilized in strategic locations to thwart the efforts of criminals in their illegal acts.

- A. All highway interdiction stops must be lawful and based on the observation of a violation of law or probable cause to believe that some law has been or is being violated. All investigative reports should adequately set out the observations, facts, information or circumstances for searches and probable cause for all arrests and seizures.
- B. All agencies shall adopt strict written policies that prohibit racial profiling in making stops. (Refer to Texas CCP article 2.131 and 2.132.) All agencies shall adopt a reporting form for recording data required in Texas CCP Article 2.133 in making traffic and pedestrian stops. All information shall be reported by the parent agency as required by law.
- C. Task Force officers shall not engage in racial profiling. Racial profiling is defined as “a law enforcement action” based on an individual’s race,

ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity. Racial profiling is illegal, inconsistent with the principles of American Policing, and an indefensible public protection strategy.

- D. It is the task of supervision, at every level, to ensure that officers are not engaged in racial profiling and that they clearly understand that racial profiling will not be tolerated. Officers found to be engaged in racial profiling, as well as supervisors found to have condoned, encouraged or ignored patterns of racial profiling, will be subject to disciplinary action.
- E. An exception is granted under Article 2.135 of the Texas Code of Criminal Procedure for agencies making use of a video camera in recording traffic or pedestrian stops. All videotapes or audiotapes shall be retained for a minimum of 90 days. Supervisors should randomly review videotaped stops to insure that all stops are lawful and within policy. Videotapes or audiotapes, which are evidence in criminal offenses, shall be retained until such cases receive final disposition. A videotape or audiotape shall be considered as evidence regardless of the quality of the recording.
- F. All vehicular traffic stops made during interdiction efforts shall be made in vehicles bearing the official markings of a participating law enforcement agency and equipped with police emergency lights. The seal or marking of the assigned officer's law enforcement agency, such as "Town Police Department" or "County Sheriff's Office", shall be clearly and prominently displayed on the vehicle. Narcotic Task Forces are not considered law enforcement "agencies" within the definition assigned by the Code of Criminal Procedure; however, nothing in this policy is intended to prohibit a Narcotic Task Force from including their name or markings in addition to the law enforcement agency markings.
- G. All officers initiating vehicular traffic stops shall be in an appropriate, readily identifiable uniform that is consistent with local community standards and displays the badge or patch of his/her employing law enforcement agency. All officers engaged in highway interdiction stops should maintain an appropriate personal appearance for uniformed law enforcement officers.
- H. All officers making interdiction stops should take appropriate enforcement action when violations are encountered. Citations and written warnings should be completed and include information on race/sex and whether searches were conducted.
- I. A written consent to search or videotaped consent to search is preferable when conducting consent searches.

- J. Seizures of currency or assets must be lawful and within current State or Federal statute. Pursuant to Texas CCP Article 59.03, at the time of seizure, no officer shall request, require or in any manner induce a person to execute any document that purports to waive their interest in the seized asset. The use of such waiver or disclaimer in forfeiture investigations is prohibited. The seizure of currency or assets must be treated as any other seizure of contraband and a sufficient investigation conducted to determine the suitability of continuing with forfeiture proceedings. The generation of revenue for funding should not be the goal of any asset forfeiture. A thorough and adequate criminal investigation should also be conducted in currency seizures to determine if there is merit to any criminal charges being filed.

XII. CONTROLLED DELIVERIES

Narcotics investigations involving the use of controlled deliveries present special concerns for law enforcement personnel in regard to the security of controlled substances. This enforcement tool, when used properly, can be a valuable asset for identifying significant suspects involved in the smuggling of narcotics. The following policies and procedures will assist Task Force officers in conducting controlled deliveries:

- A. Controlled delivery investigations will require prior notification to the appropriate law enforcement agencies within the area of operation.
- B. Controlled delivery investigations will require the completion of a detailed Operational Plan reviewed by a supervisor.
- C. Controlled delivery investigations will require approval from originating prosecutor and concurrence and approval from affected prosecutor.
- D. All officers will conduct proper and thorough deconfliction with area law enforcement officers.
- E. Controlled delivery investigations will require concurrence and assistance from law enforcement agencies with appropriate jurisdiction.
- F. Officers will ensure that all reasonable and prudent measures are instituted to secure controlled substances.

XIII. REVERSE ROLE UNDERCOVER OPERATIONS

Reverse role undercover operations are an appropriate investigative tool to strike at the financial base of drug traffickers. Such operations involve numerous physical and legal hazards beyond those customarily found in normal undercover operations. A uniform procedure will assist officers in producing prosecutable cases and ensure integrity and security of the operation.

Reversals should generally be directed against significant, identified narcotics traffickers. Focusing upon known violators allows for proper targeting and planning thus reducing the possibility of robbery attempts or inadvertent involvement in another agency's narcotics investigation. Reversals often result in the seizure of assets from the drug trafficker. Since the objective of such operations is the immobilization and incarceration of the narcotics trafficker, asset seizures should be secondary in the decision to proceed with this technique. Asset seizures, per se, should not be grounds for initiating a reversal operation.

A. Definitions

- 1) Reverse Role Undercover Operation – A variation of a traditional investigation in which the undercover investigator poses as a drug seller rather than a drug buyer. **The absence of “flash dope” or other contraband during any undercover meetings and subsequent investigation does not negate this definition nor preclude the following of this policy.**
- 2) Major Trafficking Organization – An illicit business enterprise composed of one or more members whose documented liquid assets permit procurement of narcotics in amounts of a value of at least the minimum requirements for the filing of charges under the Illegal Investment Statute HSC 481.126.

B. Reversal Policy and Procedures

- 1) Reverse role undercover investigations will require prior notification of the appropriate law enforcement agencies within the area of operation.
- 2) Completion of a written memo submitted to the Project Director documenting the following:
 - a. Positive identification of all known suspects and documentation that suspects are members of a major trafficking organization.
 - b. Type, quantity, and quality of controlled substances needed for operation.
 - c. Proposed time, date, and location of the operations.
 - d. Security measures instituted to protect undercover investigators, controlled substances, and ensure apprehension of suspects.
 - e. Prior written concurrence with appropriate federal or state prosecutor.
 - f. Deconfliction with all area law enforcement agencies.

- 3) All officers will conduct proper and thorough deconfliction with area law enforcement officers.
- 4) Reverse role undercover investigations will require the completion of a detailed Operational Plan reviewed by a supervisor.
- 5) All controlled substances utilized in a reverse role undercover operation will be obtained from a law enforcement agency in compliance with Section 481.159, Health and Safety Code.
- 6) All officers should ensure that conversations with suspects will be recorded (audio/video) to eliminate entrapment claims.
- 7) On any investigative activity conducted by an officer outside his assigned area of responsibility, the Task Force Commander supervising that officer shall notify the appropriate law enforcement agencies within the area of operation of the desired investigative efforts within their area. This notification should occur prior to beginning the investigative activity.
- 8) Investigative activities conducted in other jurisdictions will only occur with full cooperation and assistance of authorized law enforcement agencies.
- 9) Illegal investment HSC 481.126 charges will be pursued against all suspects.

XIV. DEVELOPMENT AND USE OF COOPERATING INDIVIDUALS

Information is vital to the investigative process. Today, as in centuries past, people are the most often utilized and most valuable sources of information. Cooperating individuals are motivated to reveal information to authorities for a variety of reasons. All Task Forces should strive to utilize cooperating individuals in an efficient, cost-effective way to secure intelligence and information necessary to investigate, arrest, and prosecute criminals. Additionally, it is the intent that this be done in a manner designed to maintain the highest professional standards. In those cases where a more restrictive policy is in effect, that policy will supercede those described below.

Development of Sources of Information:

Investigative personnel assigned to multi-jurisdictional drug task forces are expected to continuously develop worthwhile sources of information in the performance of their duties. Individuals from all segments of our society are potentially valuable in this regard. The proper use of confidential sources to assist in gathering intelligence and in developing prosecutable cases is crucial to accomplishing Task Force overall goals. However, while the use of information provided by cooperating individuals to solve or prevent crime is a recognized and accepted law enforcement technique, it is

often looked upon with great scrutiny by many. Task Force officers will adhere to the established policies and procedures described herein regarding the development, use, management and control of cooperating individuals.

In this policy, special attention has been devoted to proper procedures, reports, forms, records and files. To ensure that agency and employee integrity is not compromised, Task Force officers at every level must be diligent in maintaining a cooperating individual program that is ethical and moral while contributing to the accomplishment of Task Force goals.

A. Definitions

- 1) Cooperating Individuals fall into the following two classes:
 - a. *Class I Cooperating Individual.* This class consists of all persons who have a criminal record, reputation for involvement or association with individuals in the criminal underworld, or who have a prior state or federal criminal conviction. Both defendants and non-defendants will be included if they meet this basic definition.
 - b. *Class II Cooperating Individual.* This class consists of persons who do not have a criminal record or reputation for involvement in or association with individuals in the criminal underworld. Examples of Class II individuals include hotel clerks, airport employees, business owners, and concerned citizens who observe activities as a course of their daily business.
- 2) Establishment means the appropriate documentation regarding the identification, background, criminal record check, photograph, and debriefing of cooperating individuals.

B. Establishment Procedures

Prior to the establishment of any cooperating individual, Task Force investigators will provide the full name and identifying data to the Task Force Commander for approval. The Task Force Commander will be responsible for submitting that information through the local DPS Captain to DPS so that a query will be performed to determine if the individual has been terminated by DPS or any other law enforcement agency. (Terminated cooperating individuals are discussed later in this document)

- 1) Class I Cooperating Individuals. Class I cooperating individuals must be identified by:
 - a. original set of fingerprints or
 - b. State Identification Number (SID) or DPS number and
 - c. recent photograph

- (1) Class I cooperating individual shall be debriefed by a Task Force officer and a supervisor. During the initial debriefing, the cooperating individual should be informed that the possibility exists that he may be subject to court subpoena and testimony in future judicial proceedings. It will be documented whether or not the cooperating individual is willing to testify in these proceedings. The cooperating individual will read, complete, and sign an Agreement of Understanding between the cooperating individual and the Task Force.
 - (2) Class I cooperating individuals will not be utilized without the prior approval of a Task Force supervisor and the Task Force Commander.
 - (3) Class I cooperating individuals will be assigned a cooperating individual number. Additionally, at the discretion of the Task Force Commander, an alias name may also be assigned. All cooperating individuals will undergo periodic debriefing in order that their potential may be established, priorities assigned, and effectiveness evaluated. Task Force supervisors will be directly involved with investigative personnel in this ongoing process.
- 2) Class II Cooperating Individuals. The use of Class II cooperating individuals, acting under the specific direction of a task force investigator, requires prior supervisory approval and the submission of an establishment report.
- a. Class II cooperating individuals will be assigned a cooperating individual number. As with Class I cooperating individuals, an alias name may be assigned at the discretion of the Task Force Commander. Full establishment is required if rewards or reimbursements are paid to Class II cooperating individuals.

C. Utilization of Cooperating Individuals

- 1) A Cooperating Individual is a useful asset in conducting criminal investigations. All Cooperating Individuals should be fully debriefed as to their knowledge of illegal drug activities, other non-drug criminal activities, possible terrorist activities and related terrorist signature crimes and this information documented during the establishment. When appropriate this intelligence information should be shared with appropriate law enforcement agencies to further enhance criminal investigations.

- 2) The potential uses for a Cooperating Individual include the development of criminal intelligence information on criminal activity, enhancing investigative efforts, including the development of probable cause for search warrants and purchases of evidence for establishing credibility and furthering investigations.
- 3) Cooperating Individuals have also been used for “controlled buys” (purchases of evidence) for the purpose of filing criminal charges against suspects. This utilization should not be considered a “Best Practice” and should be used judiciously. The utilization of “controlled buys” for the purposes of filing charges should be avoided except in those investigations where other investigative techniques have been attempted and failed or are likely to fail.
- 4) Cooperating Individuals should not be used for “controlled buys” unless the handling officer has directed the efforts of the Cooperating Individual towards specific identified suspects. The Project Director and the appropriate District Attorney should be informed of any investigations where a Cooperating Individual is being used for “controlled buys” to file criminal charges prior to the utilization of this technique.
- 5) Article 38.141 of the Code of Criminal Procedure requires that corroboration be provided for the testimony of any person who is acting covertly at the direction of a peace officer. All officers should insure that sufficient corroboration is established in any “controlled buy” to facilitate a successful prosecution. All investigations that utilize a “controlled buy” for the filing of criminal charges shall include the method of identification of the suspect and a signed written statement from the Cooperating Individual setting forth the elements of the criminal activity being documented.

D. Cooperating Individual Reports

Task Force officers will document the original establishment of cooperating individuals.

All investigative activities resulting from the utilization of a cooperating individual shall be properly documented in an investigative report and will be subject to review by appropriate DPS personnel. This includes not only the reporting of information obtained for prosecution of criminal cases but also for documenting intelligence information.

In preparing reports that are likely to be used in criminal prosecutions, it is preferable to refer to sources as “cooperating individuals.” However, it is permissible to refer to cooperating individuals by their assigned number. The

respective Task Force Commanders may establish more detailed and specific reporting procedures in this regard.

1) Establishment Report

The original establishment of a cooperating individual will be documented. When completed, this establishment report will be submitted to the Task Force Commander or his supervisory designee for approval. A copy of the report should be maintained at the appropriate Task Force office.

Instructions for documenting a cooperating individual. The documenting report shall be completed to the fullest extent possible.

- a. *Identification of the Individual.* This section includes the primary identifying information about the cooperating individual. Complete this portion as thoroughly as possible.
- b. *Background.* This section includes general information about the cooperating individual as well as his spouse (if applicable). Determine whether or not the subject has a criminal history or has outstanding warrants. Attach a copy of the criminal history printout, whether or not there is an actual criminal record. Also make a determination that no outstanding warrants exist on the cooperating individual. Information relating to his probation, parole, or conditional release will be recorded in this section.

If the person being established as a cooperating individual is currently a defendant in any investigative file, the investigative file number shall be included in the establishment report.

- c. *Information Expected.* Include a brief summary describing the type of information provided by the cooperating individual. Divide this section into categories such as:
 - (1) drug intelligence
 - (2) non-drug intelligence
- d. *Motivation.* Briefly set forth the reasons for the individual's cooperation. Include any pending criminal charges for which the cooperating individual may be requesting special consideration.
- e. *Utilization.* Describe briefly the manner in which the individual will be utilized. This includes but is not limited to intelligence gathering, undercover introductions, undercover purchases, etc. Include priorities or specific direction that may be provided the individual. Additionally, document any agreements regarding

expenditure of investigative funds for rewards, advances, or expenses.

2) Cooperating Individual Status Report

A task force form will be utilized to provide a status report on the cooperating individual. These status reports will include Updates, Re-establishments, and Termination. Each of these reports is described below:

3) Update Reports

Update Reports for Class I and Class II cooperating individuals are required at twelve-month intervals. These reports summarize the activity of the individual since the last reporting date and will include the following information at a minimum: additional intelligence provided, investigations initiated, cases initiated, and monies paid. Also include a recommendation as to continued utilization. Document supervisory participation in the cooperating individual debriefings as required. If the cooperating individual is a defendant in a criminal proceeding, report any change of legal status in the case.

If the required annual update report is not submitted prior to the end of the twelve-month period, the cooperating individual automatically reverts to inactive status. Cooperating individuals may be carried on inactive status for an indefinite period of time. However, once a cooperating individual becomes inactive, he must be re-established prior to further utilization.

A supervisor will participate in at least one debriefing interview with each Class I cooperating individual assigned to an investigator under his supervisory control during each six-month period. Update Reports will document supervisory participation in the debriefing of the cooperating individual.

4) Re-establishment Reports

The re-establishment report will include the same basic information required in the original establishment report. The information should be updated as appropriate to include a recent criminal history check and wanted check.

5) Termination Reports

In the event an individual is determined to be unsuitable for further utilization as a cooperating individual, a task force form will be completed and forwarded through channels to the Task Force Commander. This form will only be completed when the supervising officer believes that the Cooperating Individual is unsuitable for use by himself or other officers. The form will indicate the recommendation for termination and will include adequate details why the cooperating individual is not suitable for further utilization. If there is cause to terminate a cooperating individual, a form should be submitted even if the status of the individual has become inactive.

This termination will remain in effect unless and until rescinded in writing. These individuals will not again be utilized without the approval of the Task Force Commander and the Project Director.

A copy of the form will be filed in the Task Force office to insure that the subject is not utilized in the future.

If the cooperating individual's actions leading to a termination recommendation could jeopardize pending cases, the Task Force will cause the appropriate prosecutor to be notified.

Any cooperating individual who is terminated shall have that information reported to the DPS Narcotics Service Commander in a timely manner. Sufficient identifying information about the cooperating individual as well as the reasons for termination should be included in the report.

E. Relationship of Investigator with Cooperating Individual

Task Force officers shall operate within legal boundaries when working with cooperating individuals. All contact with a cooperating individual shall be lawful and in compliance with established policies.

- 1) The relationship between Task Force officers and cooperating Individuals will remain ethical and professional at all times. The purpose for using a cooperating individual is to assist in the detection, apprehension, and prosecution of individuals violating the law. Less than ethical or professional conduct on the part of officers with regard to cooperating individuals may jeopardize prosecution and will not be tolerated. At no time will any officer solicit or accept anything of value from a cooperating individual.

- 2) All officers shall maintain a professional relationship with the cooperating individual. Off-duty fraternizing or social contact with the criminal-type cooperating individual is prohibited. Examples of prohibitive behavior include, but are not limited to, the following:
 - a. Engaging in any business or personal financial dealing with a cooperating individual.
 - b. Romantic involvement with a cooperating individual (including cohabitation and intimate relationships).
 - c. Giving to, receiving gifts, gratuities, or loans from a cooperating individual.
 - d. Interaction between any officer and a cooperating individual that is not duty-related.

Illegal Conduct by Cooperating Individual

Task Force personnel will not suggest, condone, or knowingly allow involvement of cooperating individuals in illegal activities outside the scope of an approved criminal investigation. However, in furtherance of an ongoing criminal investigation, Task Force personnel expressly controlling the investigation may direct a cooperating individual to violate certain laws. Examples of such directed actions, in furtherance of a criminal investigation, include the purchase or possession of drugs, stolen property or other contraband. If a cooperating individual commits a crime outside the scope of an approved criminal investigation, that individual will be at risk of criminal prosecution.

F. Special Requirements

- 1) *TYPES OF INDIVIDUALS REQUIRING PRIOR APPROVAL:*

There are additional restrictions applicable to the utilization of certain types of cooperating individuals regardless of the cooperating individual's classification. Prior to the utilization of cooperating individuals in the following circumstances, an establishment report with a written justification should be submitted to the Project Director for approval when:

 - a. The proposed utilization of a person of either sex who has not attained the age of 17 years. This request will be accompanied by written consent of either one or both parents, or the legal guardian.
 - b. The proposed reinstatement of any person who has been declared as unreliable or unsatisfactory.
 - c. The continued utilization of any person who is arrested for a felony in either federal or state court while in use as a cooperating individual.

The continued utilization of any person who is arrested for a felony by either federal or state officers while in use as a cooperating individual will require prior approval from the Task Force Commander and the Project Director. Additionally, the defendant will only be utilized upon the approval and concurrence of the federal or state prosecutor responsible for the prosecution of the pending charge.

Note: In instances where there is insufficient time to submit written justification for prior approval, verbal approval will be acceptable. The written justification must be subsequently forwarded through channels for approval as prescribed above.

- 2) *COOPERATING INDIVIDUALS OF THE OPPOSITE GENDER.*
All interviews or meetings with a cooperating individual of the opposite gender should, whenever possible, include two investigators.
- 3) *INDIVIDUALS ON PROBATION, PAROLE OR CONDITIONAL RELEASE.*
Approval must be obtained from the appropriate state or federal official prior to utilizing a cooperating individual who is on probation, parole, or who has been conditionally released from a prison unit. Approval to use such an individual should be in writing and should be included with the Establishment Report.

Exception: In situations where written approval is not immediately possible, an investigator or supervisor may obtain verbal approval from the appropriate state or federal official. The following information will be included in the Establishment Report:

- a. the name of the state or federal official from whom approval was received;
- b. the Task Force Officer who secured the approval; and
- c. any restrictions placed on the utilization of the cooperating individual.

G. Payments to cooperating individuals

All payments to cooperating individuals will be made in accordance with policies and subject to the availability of funds. No payments will be made to individuals who have not been properly established.

- 1) Types of payments:

Payments to cooperating individuals generally fall into the following categories:

- a. Payments for information and/or active participation. This category pertains to payments for information and assistance necessary to the development of a case or for intelligence information. Payments for information leading to a seizure of contraband, with no defendants, should be held to a minimum.
- b. Payments for security. Any payments for a cooperating individual's personal security may be in lump sum or for actual expenses as they occur. These expenses include:
 - (1) travel to relocate the cooperating individual and his family;
 - (2) movement and storage of household goods; and
 - (3) living expenses at a new location for a stated period of time.
- c. Payments to informants of another agency. Such payments are permitted if established as an informant by the task force. These payments should not be a duplication of a payment from another agency; however, sharing a payment is acceptable.

All payments to cooperating individuals will be documented on task force cash expenditure report.

2) Records of payments:

The task force form will be used to document all payments made to a cooperating individual and placed in the cooperating individual's file at the task force office. These records will assist in the preparation of required "update reports" on each cooperating individual. Entries on this form should correspond with information reflected on the task force expenditure report that is used to document payments to cooperating individuals. These records should provide the ability to determine, at any given time, the total amount of money paid to a particular cooperating individual.

3) Receipts and witnesses:

Signed receipts shall be obtained from cooperating individuals for any cash payment or reward made by Task Force officers. Cooperating individuals will utilize either their true name or, at the discretion of the Task Force Commander, a designated alias name when signing all receipts. Any receipt where the signature is not legible or an alias signature is utilized shall include a fingerprint and a notation of which print is made shown on the receipt. The signing of receipts by a cooperating individual should be witnessed by two officers. A supervisor or other law enforcement officer may be utilized as one of these witnesses. Purchases of food, gas, or other miscellaneous items for cooperating individuals do not require

signed receipts, but shall be recorded in appropriate categories on the task force expenditure report. The original of any receipts will be forwarded to the Task Force Commander for inclusion in individual cooperating individual files.

H. Legal or Administrative proceedings involving cooperating individuals

- 1) Appearance on behalf of Cooperating Individuals.
 - a. All Task Force officers will obtain approval from the Task Force Commander prior to appearing or making representations at legal or administrative proceedings in behalf of an active, former, or potential cooperating individual.
 - b. Details of any officer or employee appearing or representing on behalf of a cooperating individual will be documented by memorandum and included in the cooperating individual's task force file.
- 2) Recommendations regarding prosecution.
 - a. Task Force supervisors are authorized, in appropriate cases, to communicate with federal, state and county prosecutors to explain the extent of cooperation rendered by a cooperating individual. As a general rule, if representations are to be made on behalf of a cooperating individual in any legal proceeding, all supervisors will notify and coordinate such representations with other affected agencies and prosecutors.
- 3) Security of cooperating individual files and related documents.
 - a. All original files related to the establishment, updating, and re-establishment of a cooperating individual will be maintained at the task force office. The Task Force office should maintain a copy of the documentation in a separate and secure file. This file is administrative in nature and should not be used as a repository for investigative information.

XV. OPERATING PROCEDURES FOR NARCOTICS DETECTOR CANINE UNITS

The purpose of the following operational procedures is to provide policy for the operation and management of multi-county drug task force narcotics detector canine units. These policies and procedures are intended to provide standardized minimum operational procedures by which all multi-county drug task forces will operate in Texas.

A. Application

- 1) These policies apply to all multi-county drug task force narcotics detector canines.
- 2) In those cases where a canine handler's parent agency has a more restrictive policy in effect, the narcotics detector canine/handler team will be governed by the more restrictive policy.
- 3) All narcotics detector canines and canine handlers must meet minimum requirements of certification and training. To insure the integrity of task force criminal cases, all task force officers will only utilize narcotics detector canines that meet or exceed the following policies and procedures.

B. Initial Training and Certification

- 1) Each narcotics detector canine/handler team will be certified by an approved outside agency that is designated by the Task Force Commander. This outside agency should also be qualified to provide annual re-certification.

C. Continued Training

- 1) The Task Force Commander will insure the narcotics detector canine/handler team completes regularly scheduled, high-quality training. The handlers must maintain written records and documents of all scheduled training.
- 2) The Task Force Commander will periodically review these written training records. These records are the property of the task force and will be held at the task force.

D. Proficiency Training Evaluations

- 1) After completion of basic canine/handler team certification and during regularly scheduled training each canine/handler team will be subject to proficiency evaluations.
- 2) These proficiency evaluations will be scheduled evaluations as well as unannounced evaluations.
- 3) The Task Force Commander or his designee will be responsible for conducting these evaluations.

- 4) Failure to meet adequate standards as determined by the Task Force Commander or his designee by either the handler or the canine will result in the team being placed out of service.
- 5) Being placed out of service may result in one or more of the following:
 - a. Additional training exercises.
 - b. Disciplinary action against the handler.
 - c. Removal of the canine from service.
- 6) Once the Task Force Commander or his designee has determined that additional training and successful evaluations have been completed the team may return to service.

E. Training Aids

- 1) Limited quantities of controlled substances may be maintained at Task Force offices for utilization in canine training. These controlled substances should vary in weight to provide realistic training for the canine.
- 2) These substances must have been awarded to the appropriate law enforcement agency by an appropriate court order. The order should state that the substances are awarded for official law enforcement purposes and destruction.
- 3) Such controlled substances will be maintained in a locked safe, in the custody of the Task Force Commander or his supervisory designee. These controlled substances will be logged out of the safe and provided to the canine handler when needed and returned upon completion of the training.
- 4) Controlled substances utilized for such training should be properly stored, packaged and handled to prevent cross-contamination, damage, loss or accidental ingestion by dogs during training.
- 5) Any loss of controlled substances during training shall be immediately reported to the Task Force Commander and documented in writing for supervisory review. This does not apply to minuscule amounts spilled by the canine/handler during training.
- 6) Nothing in this policy prohibits the utilization of pseudo-cocaine or pseudo-heroin prepared and utilized under guidelines developed by Bureau of Immigration and Customs Enforcement (BICE).

F. Procedure for Acquisition of Training Aids

- 1) Controlled substances to be utilized for canine training aids will be acquired from a law enforcement agency laboratory in compliance with Health and Safety Code, Section 481.159 (Disposition of Controlled Substance Property or Plant).
- 2) The Task Force Commander will submit a written request to the Project Director for acquisition of controlled substances for training aids. In the written request, the Task Force Commander will verify that the canine/handler team is currently certified to train with the controlled substances requested. The Task Force Commander will identify where the training aids will be obtained from and certify that the training aids will be acquired in compliance with Health and Safety Code, Section 481.159 (Disposition of Controlled Substance Property or Plant).
- 3) A written record of accountability regarding the acquisition and transfer of K-9 training aids will be maintained. In turn, the record will document the transfer to the Canine Handler. This transfer will be completed on each transaction and a copy of this written transfer will be kept on file with the Task Force.
- 4) When the controlled substances can no longer be utilized for training purposes due to deterioration, age, etc the training aids will be destroyed according to the policies of the Project Director's agency. A copy of the form documenting the destruction of the training aids will be attached to the copy of the original request letter and retained by the Task Force Commander.

G. Documentation of Canine Searches

- 1) Laws of search and seizure apply to narcotics detector canine/handler teams and as such canine handlers will insure that a valid legal basis exists before a canine is utilized.
- 2) The canine handler will properly document each instance in which a narcotics detector canine/handler team was utilized and will forward this documentation to the Task Force Commander for approval and placement in the canine file.

H. Veterinary Checkups

- 1) The Task Force Commander will ensure that canines are scheduled annually for a veterinary checkup.

- 2) The Task Force Commander will also ensure that any other required checkups are completed as needed.

I. Injury to Persons and Damage to Property

- 1) Any injury to a person or damage to personal property will be reported to the Task Force Commander immediately.
- 2) A written record of the circumstances involving the incident will be prepared and submitted to the Task Force Commander as soon as practical.

J. Canine Bites

- 1) In the event a canine bites or scratches where it breaks the skin of any person, the handler will immediately notify the Task Force Commander.
- 2) The handler will complete a report documenting the circumstances of the incident and submit to the Task Force Commander as soon as practical.
- 3) When a canine is involved in a bite situation, the canine handler will take the canine, within 24 hours, to an approved veterinarian for inspection.
- 4) The canine handler will also take the canine back to the approved veterinarian after the ten (10) day waiting period for a follow-up inspection.
- 5) The canine handler will ensure that all bites are properly documented with appropriate photographs when necessary.

K. Other Operational Procedures

- 1) Under no circumstances will a police canine be utilized to search a person for illegal narcotics.
- 2) During the utilization of a canine, the canine handler will always maintain sufficient control of the canine to minimize property damage and/or personal injury.
- 3) All written records involving canine certification, training, proficiency evaluations, searches, personal injury or property damage, training aids, and veterinary check-ups will be kept in a separate canine file by the Task Force Commander.