

Specialized Investigators’ Basic Course Workbook Series Student Materials

Learning Domain 60

Surveillance

Version 2.1

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Basic Course Workbook Series
Student Materials
Learning Domain 60
Surveillance
Version 2.1**

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THE ACADEMY TRAINING MISSION

The primary mission of basic training is to prepare students mentally, morally, and physically to advance into a field training program, assume the responsibilities, and execute the duties of a peace officer in society.

FOREWORD

The California Commission on Peace Officer Standards and Training sincerely appreciates the efforts of the many curriculum consultants, academy instructors, directors and coordinators who contributed to the development of this workbook. The Commission extends its thanks to California law enforcement agency executives who offered personnel to participate in the development of these training materials.

This student workbook is part of the POST Basic Course Training System. The workbook component of this system provides a self-study document for every learning domain in the Basic Course. Each workbook is intended to be a supplement to, not a substitute for, classroom instruction. The objective of the system is to improve academy student learning and information retention.

The content of each workbook is organized into sequenced learning modules to meet requirements as prescribed both by California law and the POST Training and Testing Specifications for the Basic Course.

It is our hope that the collective wisdom and experience of all who contributed to this workbook will help you, the student, to successfully complete the Basic Course and to enjoy a safe and rewarding career as a peace officer serving the communities of California.

A handwritten signature in black ink, appearing to read 'Paul Cappitelli', with a stylized flourish at the end.

PAUL CAPPITELLI
Executive Director

LD 60: Surveillance

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Preface

Introduction

Student workbooks

The student workbooks are part of the POST Basic Course Instructional System. This system is designed to provide students with a self-study document to be used in preparation for classroom training.

Specialized Investigators' Basic Course training requirement

All law enforcement officers occupying positions as peace officers, as recognized by the California Penal Code and where the POST-required standard is the POST Specialized Investigators' Basic Course, must complete the course prior to the exercise of peace officer powers. The Specialized Investigators' Basic Course is comprised of 42 instructional units, called learning domains (LD), from the Regular Basic Course, and four LDs specifically developed for the Specialized Investigators' Basic Course.

The content of each workbook is organized into sequenced learning modules designed to meet the requirements of the training specification document for the Specialized Investigators' Basic Course.

Student workbook elements

The following elements are included in each workbook:

- chapter contents, including a synopsis of key points,
 - supplementary material, and
 - a glossary of terms used in this workbook.
-

How to Use the Student Workbook

Introduction

This workbook provides an introduction to the training requirements for this Learning Domain. You may use the workbook in several ways: for initial learning, for test preparation, and for remedial training.

Workbook format

To use the workbook most effectively, follow the steps listed below.

| Step | Action |
|------|---|
| 1 | Begin by reading the: Preface and How to Use the Workbook, which provide an overview of how the workbook fits into the POST training program and how it should be used. |
| 2 | Refer to the Chapter Synopsis section at the end of each chapter to review the key points that support the chapter objectives. |
| 3 | Read the text. |
| 4 | Complete the workbook learning activities at the end of each chapter. These activities reinforce the material taught in the chapter. |
| 5 | Refer to the Glossary section for a definition of important terms. The terms appear throughout the text and are bolded and underlined (e.g., <u>term</u>). |

Chapter 1

Methodology of Surveillance

Overview

Learning need Investigators need to know the components of a successful surveillance operation.

Learning objectives The chart below identifies the student learning objectives for this chapter.

| After completing study of this chapter, the student will be able to: | E. O. Code |
|--|-------------------|
| <ul style="list-style-type: none">• explain the Constitutional protections associated with surveillance operations to include:<ul style="list-style-type: none">- the impact of legal discovery rules- ethical leadership by peace officers | 60.01.EO1 |
| <ul style="list-style-type: none">• define the terminology commonly used in surveillance operations including:<ul style="list-style-type: none">- burned- cover- fresh/stale- lane designations- point/eye- paralleling- set-up/perimeter- target/primary | 60.01.EO3 |
| <ul style="list-style-type: none">• describe the components of an operational plan. | 60.01.EO4 |
| <ul style="list-style-type: none">• describe personnel assignments in surveillance operations. | 60.01.EO5 |

Continued on next page

Overview, Continued

Learning objectives
(continued)

| After completing study of this chapter, the student will be able to: | E. O. Code |
|--|-------------------|
| <ul style="list-style-type: none">• discuss the information concerning a target that should be disseminated at a pre-operation briefing. | 60.01.EO6 |
| <ul style="list-style-type: none">• describe the importance of inter-agency cooperation in surveillance operations. | 60.01.EO7 |
| <ul style="list-style-type: none">• describe the primary responsibility of the point. | 60.01.EO8 |
| <ul style="list-style-type: none">• discuss the procedures in setting up on the target. | 60.01.EO9 |
| <ul style="list-style-type: none">• demonstrate the fundamentals of fixed-point surveillance. | 60.01.EO10 |
| <ul style="list-style-type: none">• demonstrate the fundamentals of foot and vehicle surveillance. | 60.01.EO11 |
| <ul style="list-style-type: none">• discuss the need for a contingency plan. | 60.01.EO13 |
| <ul style="list-style-type: none">• describe the methods of counter-surveillance. | 60.01.EO14 |

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Overview, Continued

In this chapter

This chapter focuses on the principles upon which law enforcement search and seizure practices are based. Refer to the following chart for specific topics.

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NOTE: This Learning Domain is supplemental to Chapters 1, 2, and 3 of Learning Domain 19: *Vehicle Operations*. Learning Domain 19 should be completed before training is started on this learning domain.

Legal Principles of Surveillance

[60.01.EO1]

Introduction

Investigators must be aware of certain legal principles that may impact the scope of a surveillance operation.

Privacy rights

Individuals who are the target(s) of surveillance retain all Constitutional protections, including the Fourth Amendment privacy rights. Any information gathered during a surveillance operation must not violate an individual's right to privacy in his or her person, residence, and effects. The Fourth Amendment is violated when the government infringes upon an individual's reasonable expectation of privacy.

Reasonable expectation of privacy

A **reasonable expectation of privacy** exists if both of the following are true:

- an individual exhibits his or her personal (subjective) expectation of privacy in the object or area (e.g., closing the shades, building a fence); and
- the individual's subjective expectation of privacy is legitimate and reasonable in the eyes of society.

To determine whether an individual has a reasonable expectation of privacy, the courts must look at the totality of the circumstances and balance the individual's right to privacy against the government's need to gather evidence and apprehend criminals.

NOTE: Please refer to LD 16: *Search & Seizure* for more information regarding plain view, plain view seizures, and use of sensory aids.

Continued on next page

Legal Principles of Surveillance, Continued

Ethics

There are certain universal truths and moral standards of right and wrong that govern the behavior of all people in all settings. The law enforcement profession rejects ethical relativism in favor of the universal view. The common universal values include: trustworthiness, respect, responsibility, fairness, caring and good citizenship.

Discovery

Under the California Penal Code, all observations, recordings, items, identities, etc., involved in the course of a surveillance operation may be revealed during the judicial procedures at some point in the future. This can include notes, audio or video tapes, photographs, and diagrams. The identity of an undercover officer or informant may also be subject to rules of discovery.

Examples

Example: An investigator submitted a completed case to the prosecutor for charging. The prosecutor filed multiple charges against a defendant. The investigator's report will be provided to the defendant's attorney at the time of arraignment.

Example: An investigator received an anonymous tip about a possible fraud scheme, and conducted surveillance on the suspects' apartment. After the investigator completed her investigation, charges were filed against two defendants. All investigator notes, recordings, and observations from the surveillance will be subject to discovery.

Continued on next page

Legal Principles of Surveillance, Continued

Examples
(continued)

Non-example: Investigators conducted an extensive surveillance operation of multiple targets. No charges were ever filed against the targets. None of the investigators' notes, recordings, or observations are subject to discovery since no charges were ever brought.

Traffic laws

Mere involvement in a surveillance operation does not afford an investigator any immunity to traffic laws. Refer to your agency policy.

Surveillance Terminology

[60.01.EO3]

Terminology

Investigators should become familiar with terms commonly used in surveillance operations.

| Term | Definition |
|----------------------------------|---|
| <u>Burned</u> | When any surveillance member has been compromised |
| <u>Cover</u> | Something that conceals the investigator from the direct view of the target (e.g., vehicles, buildings, vegetation, etc.) |
| <u>Fresh / Stale</u> | The anticipated length of time remaining in a traffic light cycle |
| <u>Lane designations</u> | Lanes are numbered from left to right, with the left-most lane designated as the number one lane (except high occupancy vehicle lane) |
| <u>Point / Eye</u> | The investigator who maintains constant visual contact with the target and who informs the team of the target's location and activities |
| <u>Paralleling</u> | Conducting surveillance by moving along a route parallel to the target's route |
| <u>Set-up / Perimeter</u> | Positioning of investigators around a stationary target in order to cover all directions of travel or to contain the target |
| <u>Target/ Primary</u> | The subject or object of the surveillance (e.g., an individual, structure, vehicle, location, etc.) |
| <u>Static</u> | Positioning investigators at the beginning and end of the expected route of a particular target |

Continued on next page

Surveillance Terminology, Continued

Examples

- Example: During a vehicle surveillance, the target stopped at a restaurant to eat lunch. The investigators positioned themselves around the restaurant and target's car. This is the set-up, or perimeter.
- Example: A case investigator planned and held a briefing for the surveillance of a house. One investigator was told to position herself during the set-up so that she could see the front of the house and to inform the other team members of the target's movements and direction of travel. This investigator has the point, or eye.
- Example: The point followed the target to an intersection. Noting the light had just turned red, he advised the other team members of the fresh red light.
- Example: While following the target through a park, the investigator used shrubbery to avoid being seen by the target. The vegetation provides cover.
- Non-example: While on a vehicle surveillance, an investigator was asked to parallel the target if the target turned. The investigator then drove ahead of the target and traveled in the target's lane. The investigator did not parallel the target because he did not use a route parallel to the target's route.
- Non-example: During a surveillance along the three northbound lanes of a highway, the target moved to the far right lane. The point informed the other investigators that the target was in the number one lane. The point has given the wrong lane designation.
-

Operational Planning

[60.01.EO4, 60.01.EO5, 60.01.EO6, 60.01.EO7]

Introduction

Operational planning is important to ensure the safety of investigators and the public during surveillance operations.

Operational plan

An **operational plan** is designed to accommodate a wide range of anticipated situations and to maintain a systematic approach to planning and documentation. An operational plan should include the following components:

- suspects or subjects,
 - target history,
 - case history,
 - mission,
 - execution,
 - personnel resources,
 - personnel assignments,
 - communications,
 - equipment considerations,
 - law enforcement coordination,
 - contingency plans, and
 - chain of command.
-

Case history

The **case history** is a synopsis of the investigation. It is usually prepared by the case investigator.

Mission

The **mission** is the goal of the surveillance operation (e.g., build probable cause for a search warrant, identify other suspects and locations, make an arrest, etc.).

Continued on next page

Operational Planning, Continued

Execution **Execution** is how the operational plan is conducted. This may include the type of surveillance (fixed or mobile), number of personnel involved, and duration.

Target history The **target history** is the criminal record, history of violence, known associates.

Individual target(s) Each investigator participating in a surveillance should recognize and know the appearance of the target. When the target is an individual, provide the following information:

| Information | Example |
|----------------------------------|--|
| Description | Physical description, including recent photographs, distinguishing characteristics (e.g., tattoos) |
| Name and identifying information | All known names, aliases, date(s) of birth, and addresses |
| Criminal history | Convictions, arrest history, and related information, including history of weapons or violence |
| Associates | Names, identifying information and descriptions of any known or suspected associates |
| Vehicle(s) | Year, color, make, model, license number, and ownership/possessor information |
| Additional considerations | Languages spoken |

Continued on next page

Operational Planning, Continued

Building or location target(s)

When the target is a building or location, provide the following information:

| Information | Example |
|---------------------------|---|
| Description | Detailed description of physical appearance, including maps, diagrams, blueprints, or photographs |
| Criminal history | Known or suspected use for criminal purposes |
| Associated vehicles | Year, color, make, model, license number, and ownership/possessor information |
| Additional considerations | Fortifications, dogs, weapons, surveillance cameras, presence of children. |

Personnel resources

The following information about the participating personnel should be collected and distributed to other members of the operation:

- name,
 - agency,
 - vehicle description,
 - radio call sign,
 - portable electronic devices,
 - cell phone numbers, and
 - transmission/reception device identifiers (email).
-

Continued on next page

Operational Planning, Continued

Personnel assignments

Determine personnel assignments and responsibilities in order to facilitate the smooth flow of information. To record and preserve the information gained in the surveillance, make the following personnel assignments.

| Assignment | Responsibility |
|--|---|
| Case investigator/ co-case investigator | Assumes leadership role and coordinates and manages the investigation |
| Note-taker | Records the chronology of events |
| Report writer | Prepares written report of investigation |
| Photographer | Documents operation with camera or video |
| Arrest team member | Properly equipped and responsible for arrests |
| Undercover operative | Works in an undercover capacity |
| Body wire monitor | Monitors audio and/or video transmissions |
| Security team member | Ensures safety of designated team members or property |
| Records/Notification | Compiles documentation, warrant checks, criminal histories, etc. |

Continued on next page

Operational Planning, Continued

Undercover personnel

When undercover investigators are involved in a surveillance operation, additional security precautions need to be undertaken for their safety. The following chart lists examples of safety precautions.

| Safety Precaution | Example |
|---|---|
| Identify undercover personnel | View undercover investigator in person, or provide photo and description of clothing to be worn during operation, and vehicle information if applicable |
| Body wire | One-way monitoring of undercover investigator's activities and conversations |
| Communication with undercover personnel | Two-way communication via cell phone or other portable electronic devices |
| Help/Arrest signals | Visual and auditory signals to communicate hostage, arrest, or emergency |

Examples

Example: During the operational briefing, an undercover investigator was assigned to wear a body wire. The case investigator assigned one team member to monitor and record the body wire to ensure the investigator's safety.

Example: While planning an undercover operation, the undercover investigator and security team personnel agreed that when the undercover investigator removed his hat, the arrest team would make an arrest. It was also agreed that if the undercover investigator raised his hands in the air, that would be a sign of distress and that help was needed. These are examples of help/arrest signals.

Continued on next page

Operational Planning, Continued

Examples (continued)

Non-example: A case agent investigator conducted a briefing for a surveillance operation involving purchase of fraudulent government documents. The assigned undercover investigator was not present at the briefing and the case investigator did not provide a photograph of her. The case investigator has failed to provide the necessary information to ensure the safety of the undercover investigator.

Radio use

Designate specific channels for radio communication.

| Channel | Use |
|-----------|--|
| Primary | Designated frequency for the surveillance operation |
| Secondary | Back-up frequency for split teams and alternate communications |
| Emergency | Designated dispatch frequency |

NOTE: Use plain language during multi-agency operations. Do not use 10 Code (slang).

Continued on next page

Operational Planning, Continued

Contingency plan

Identify and provide contact information for available medical resources, including the following:

| Resource | Contact Information |
|------------------------|---|
| 911/Dispatch | Police, fire, emergency medical services, agency chain of command |
| Hospital/Trauma center | Address, phone number, location, and directions |

Allied agency coordination

To ensure officer safety and to avoid interagency complications, notify other law enforcement agencies of surveillance operations in their jurisdictions.

| Whom to notify | Purpose |
|--|--|
| Local law enforcement agencies (e.g., local, state, federal) | Prevent conflicting law enforcement activities |
| Intelligence centers/other state agencies (i.e., W.S.I. Network, CHP, L.A. Clear) (EM management styles) | Identify ongoing investigations |

Continued on next page

Operational Planning, Continued

Equipment considerations

Prepare an equipment checklist before beginning the operation.

| Equipment | Example |
|--------------|--|
| Safety | Weapon, ballistic vest, two-way radio, handcuffs, raid jacket |
| Surveillance | Camera, spotting scopes, night vision devices, binoculars, flashlight, extra batteries |
| Personal | Snacks, water, change of clothes |

Briefing

Conduct a briefing with all involved personnel to review the operational plan.

- Identify all target(s).
- Criminal histories of target(s).
- Set the staging time and location.
- Advise if field briefing is necessary.
- Discuss the operational plan.
- Review contingency plans.
- Answer questions.
- Debrief after conclusion of operation.

NOTE: Confidential informants should not be included in briefings or debriefings to protect sensitive information.

Continued on next page

Operational Planning, Continued

Termination The case investigator should terminate the surveillance when the mission has been achieved or the operation has been compromised.

Debriefing Debrief as soon as possible to ensure information is accurately exchanged and preserved.

- Advise allied agencies participating in the surveillance that the operation is complete.
 - Discuss and critique the operation.
 - Review and collect all notes.
-

Conducting a Surveillance

[60.01.EO8, 60.01.EO9, 60.01.EO10, 60.01.EO11]

Introduction

Surveillance is an important and effective tool for gathering information to confirm or dispel suspicion of criminal activity.

Point primary responsibility

Surveillance operations depend on accurate information from the point. The investigator who has the point relates a step by step account of events that informs the team of the target's activities and locations. This investigator should not relinquish the point until relieved by another investigator. The investigator should exercise leadership and demonstrate technical proficiency.

Setting up on the target

Due to poor perimeter coverage, most targets are lost during the first few minutes of the surveillance. Perimeter team members must stay alert and remain aware of the target's movements at all times. The following is a list of recommendations while setting up on the target:

- Establish the point.
- Cover all escape routes.
- Stay aware of the locations and activities of the target and other investigators.

NOTE: The point should not move when the target becomes mobile until after the target has left the area, because the target may look back to see if someone leaves, thus revealing the point and compromising the operation.

Continued on next page

Conducting a Surveillance, Continued

Fixed-point surveillance

Fixed-point surveillance is a surveillance operation conducted on a stationary target.

Fundamentals of fixed-point surveillance

The following chart lists recommended considerations while conducting a fixed point surveillance operation.

| Topic | Example |
|---------------------|--|
| Investigator safety | <ul style="list-style-type: none">• Location awareness.• Keep windows up to reduce audible radio traffic.• Turn off the engine, if feasible.• Lock the doors. |
| Communications | <ul style="list-style-type: none">• Keep radio communications short, to the point, and essential.• Keep the microphone, portable radio or other portable electronic devices (PDA, computers) out of sight.• Use cell phones for discussions. |
| Operations | <ul style="list-style-type: none">• Use sun shade and/or visor to shield from view.• Keep foot off the brake.• Don't back into stalls or driveways.• Use mirrors when possible to view the target.• Don't park in open lots, on deserted streets, or on the wrong side of the street.• Be aware of your interior lighting.• Avoid having several units meet in one spot.• Rotate the point regularly in operations of long duration.• For extended surveillance operations, consider using buildings, pole camera, etc., for point location. |

Continued on next page

Conducting a Surveillance, Continued

Foot surveillance

Foot surveillance is a mobile surveillance operation involving a target and/or investigator who is on foot.

Fundamentals of foot surveillance

The following chart lists recommended considerations while conducting a foot surveillance operation:

| Topic | Example |
|----------------|---|
| Communications | <ul style="list-style-type: none">• Advise which investigator(s) is/are on foot.• Use cell phone whenever possible.• Conceal radio and lower the volume. |
| Operations | <ul style="list-style-type: none">• Blend with the environment.• Consider carrying props (hat, construction vest, backpack, etc.).• If a target enters a building, cover all exits.• Avoid personal and eye contact with the target. |

Vehicle surveillance

Vehicle surveillance is a mobile surveillance operation involving investigators and targets in vehicles.

Continued on next page

Conducting a Surveillance, Continued

Freeway surveillance

The following chart lists recommended considerations while conducting a mobile surveillance operation on a freeway:

| Topic | Example |
|----------------|---|
| Communications | <ul style="list-style-type: none"> • Use landmarks and exits to maintain orientation. • Relay all communication to trailing units. |
| Operations | <ul style="list-style-type: none"> • When possible, travel in the target's blind spot. • Rotate point. • Select types of vehicles. • Remain in the common lanes at interchanges. • Avoid changing lanes or pulling over with the target. • Avoid changing lanes with the target or making abrupt movements in the target's view. • Avoid following a target through a U-turn. • Avoid passing the point car unless requested. • Maintain space between the surveillance vehicles; don't follow too closely behind the target vehicle. • Rotate the point. • Maintain orientation to the area of operation. • Monitor fuel status. • Stay closer in heavy traffic. • Maintain appropriate speed on the freeway. • If the target exits, one investigator should exit with the target, and the remaining investigators should stop short of the off-ramp if out of view of the target. |

NOTE: When stopping short of the off-ramp, investigators should comply with the Vehicle and/or Penal Code to avoid compromising traffic safety.

Continued on next page

Conducting a Surveillance, Continued

Urban area locations

The following chart lists recommended considerations while conducting a mobile surveillance operation in an urban area:

| Topic | Example |
|---------------------|---|
| Investigator safety | <ul style="list-style-type: none">• Designate investigators for possible foot surveillance.• Blend into the environment. |
| Communications | <ul style="list-style-type: none">• Provide frequent updates on target location.• Advise team members of one-way or dead-end streets. |
| Operations | <ul style="list-style-type: none">• Be aware of pedestrians, bicyclists, etc.• Be aware of speed limits.• Stay closer to the target in heavy traffic. |

Rural area locations

The following chart lists recommended considerations while conducting a mobile surveillance operation in a rural area.

| Topic | Example |
|----------------|---|
| Communications | <ul style="list-style-type: none">• Relay all communication to trailing units.• Use landmarks and mile markers to maintain orientation. |
| Operations | <ul style="list-style-type: none">• Use vehicles that fit with the area.• Space out the secondary vehicle so that the point vehicle is barely visible. |

Special Considerations

[60.01.EO13, 60.01.EO14]

Introduction Investigators should be aware that, in any surveillance, unexpected events occur which may impact the operation.

Contingency plans Investigators should recognize that surveillance is inherently unpredictable and necessitates planning for the unexpected. It is important to have at least one contingency plan. Commonly encountered events requiring contingency plans may include multiple targets, lost target(s), traffic collisions, crimes in progress, unexpected contacts, equipment malfunctions and/or **counter-surveillance**.

Multiple targets In the event multiple targets are encountered, investigators should consider the following:

- split the team as necessary;
 - designate case investigators; and
 - designate team assignments (e.g., note taker/recorder, photographer).
-

Lost target In the event contact with the target is lost:

- immediately notify other investigators,
 - conduct a systematic search from the last known location, and
 - send investigators to other locations known to be associated with the target.
-

Traffic collisions Unless a collision forces termination of the surveillance operation, traffic collisions should be handled by the investigator(s) involved. In the event of a traffic collision, notify the case investigator and/or supervisor, and follow specific agency guidelines.

Continued on next page

Special Considerations, Continued

Crimes in progress

In the event of a crime in progress, follow specific agency guidelines.

Unexpected contacts

If contacted by law enforcement, an investigator should comply with all lawful demands and identify himself/herself as an on-duty law enforcement investigator. If contacted by a citizen, the investigator should provide whatever information is appropriate to deal with the situation.

Equipment malfunctions

Equipment malfunctions may hamper the surveillance operation. Institute a system that makes communication still possible to aid the investigator in this situation. Examples may include carrying extra batteries, additional radios, or using cell phones to ensure continued communications.

Counter-surveillance

Targets may conduct some form of counter-surveillance. The following chart lists examples of counter-surveillance techniques:

| Technique | Example |
|-----------------------|---|
| Covert communications | Cell phones, scanners, citizen band radios |
| Spotters | Vehicle, pedestrian, or bicyclist |
| Traffic flow | Driving faster or slower than flow of traffic |
| Driving maneuvers | Lane changes, turns, U-turns, pulling to the side of the road, driving on less traveled roads |
| Traffic violations | Driving through red lights or stop signs, illegal turns |
| Monitoring | Checking mirrors, using video cameras |

Continued on next page

Special Considerations, Continued

Examples

- Example: During a vehicle surveillance, the target made a U-turn in a residential area and pulled over to the side of the road. After looking around and waiting for several seconds, the target then continued in the opposite direction of travel. The point recognized this counter-surveillance technique and relayed the information to the trailing team members.
- Example: The target of a surveillance drove along the freeway in the number one lane. Suddenly, she exited the freeway by cutting sharply across four lanes of traffic. At the bottom of the exit ramp, she made an illegal U-turn and reentered the freeway to continue in her original direction of travel. A passenger in the target's vehicle looked out of the rear window during all these maneuvers to identify any vehicle that might be following. The target is conducting counter-surveillance.
- Non-example: While conducting a mobile surveillance, the point noticed the target pulling over to the side of the road. The target looked at a map and then proceeded on her way. Half an hour later, the target stopped at a gas station and appeared to ask for directions. The target is not conducting counter-surveillance, since it appears to be lost.
-

Continued on next page

Special Considerations, Continued

Environment Environmental conditions beyond the investigator's control may include the following.

| Condition | Example |
|------------------|---|
| Weather | Snow, rain, extreme heat or cold, wind |
| Road conditions | Ice, gravel, dirt, construction |
| Visibility | Fog, darkness, heavy rain |
| Traffic | Commuters, sports event, concert, accidents |
| Fatigue | Physical and mental |

Examples Example: Investigators identified an individual they believed was counterfeiting various forms of government identification documents. They initiated a surveillance on the individual's residence in an effort to follow him to the clandestine printing site. After several hours, an unidentified citizen approached the point vehicle and suspiciously questioned the investigator about his presence on the street. The investigator was prepared for this unexpected contact and explained the circumstances to reassure the citizen's concerns.

Continued on next page

Special Considerations, Continued

Examples (continued)

Example: Six investigators were conducting a surveillance of a target vehicle in a residential neighborhood. Suddenly, a car backed out of a driveway, striking one of the surveillance units. The target vehicle continued up the street. Per prior agreement, four investigators continued the operation while two investigators remained at the scene of the traffic collision.

Non-example: Investigators received information that the target of their ongoing investigation was about to deliver precursor chemicals to a clandestine lab. They surveilled the target for several hours, eventually following him into a remote area. One investigator's vehicle got a flat tire. Because none of the investigators were prepared for this contingency, the surveillance had to be terminated.

Chapter Synopsis

Learning need Investigators need to know the components of a successful surveillance operation.

Privacy rights
[60.01.EO1] Individuals who are the target(s) of surveillance retain all Constitutional protections, including the Fourth Amendment privacy rights. Any information gathered during a surveillance operation must not violate an individual's right to privacy in his or her person, residence, and effects. The Fourth Amendment is violated when the government infringes upon an individual's reasonable expectation of privacy.

Terminology
[60.01.EO3] Investigators should become familiar with terms commonly used in surveillance operations, such as burned, cover, fresh or stale, lane designations, point, eye, paralleling, set-up, perimeter, target/primary, and static.

Operational plan
[60.01.EO4] An operational plan is designed to accommodate a wide range of anticipated situations and to maintain a systematic approach to planning and documentation.

Personnel assignments
[60.01.EO5] Determine personnel assignments and responsibilities in order to facilitate the smooth flow of information.

Continued on next page

Chapter Synopsis, Continued

Target(s)
[60.01.EO6]

Each participating investigator should recognize the name and appearance of the target. When the target is an individual, provide a description, any name and identifying information, criminal history and associates.

When the target is a building or location, provide a description, any criminal history, associated vehicles or any additional considerations.

Law enforcement coordination
[60.01.EO7]

To ensure officer safety and to avoid inter-agency complications, notify other law enforcement agencies of surveillance operations in their jurisdictions.

Point primary responsibility
[60.01.EO8]

Surveillance operations depend on accurate information from the point. The investigator who has the point relates a step by step account of events that informs the team of the target's activities and locations. That investigator should not relinquish the point until relieved by another investigator.

Setting up on the target
[60.01.EO9]

Due to poor perimeter coverage, most targets are lost during the first few minutes of the surveillance. Perimeter team members must stay alert and remain aware of the target's movements at all times.

Fundamentals of fixed-point surveillance
[60.01.EO10]

The recommended considerations while conducting a fixed point surveillance operation should include investigator safety, communications and an operations overview.

Fundamentals of foot and vehicle surveillance
[60.01.EO11]

The recommended considerations while conducting either a foot or a vehicle surveillance operation include communication with the investigator and target who are on foot or in vehicles.

Continued on next page

Chapter Synopsis, Continued

**Contingency
plans**
[60.01.EO13]

Investigators should recognize that surveillance is inherently unpredictable, and necessitates planning for the unexpected. It is important to have at least one contingency plan. Commonly encountered events requiring contingency plans include multiple targets, lost target(s), traffic collisions, crimes in progress, unexpected contacts, counter-surveillance, and equipment malfunctions.

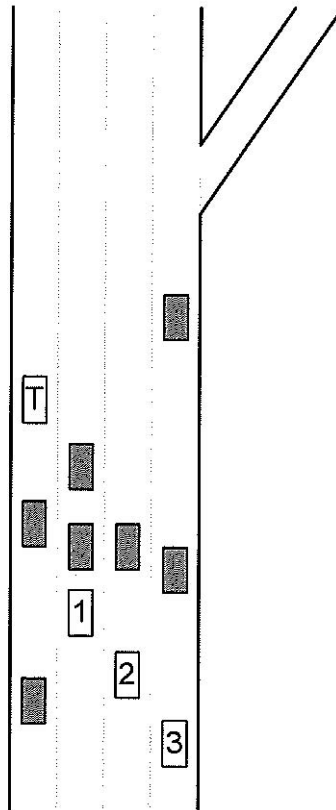
**Counter-
surveillance**
[60.01.EO14]

Targets may conduct some form of counter-surveillance. Examples of counter-surveillance techniques include covert communications, spotters, traffic flow, driving maneuvers, traffic violations, and monitoring.

Workbook Learning Activities, Continued

Activity questions
(continued)

2. In the following diagram, explain the position and responsibilities of each investigator (1, 2, 3) in relation to the target (T).

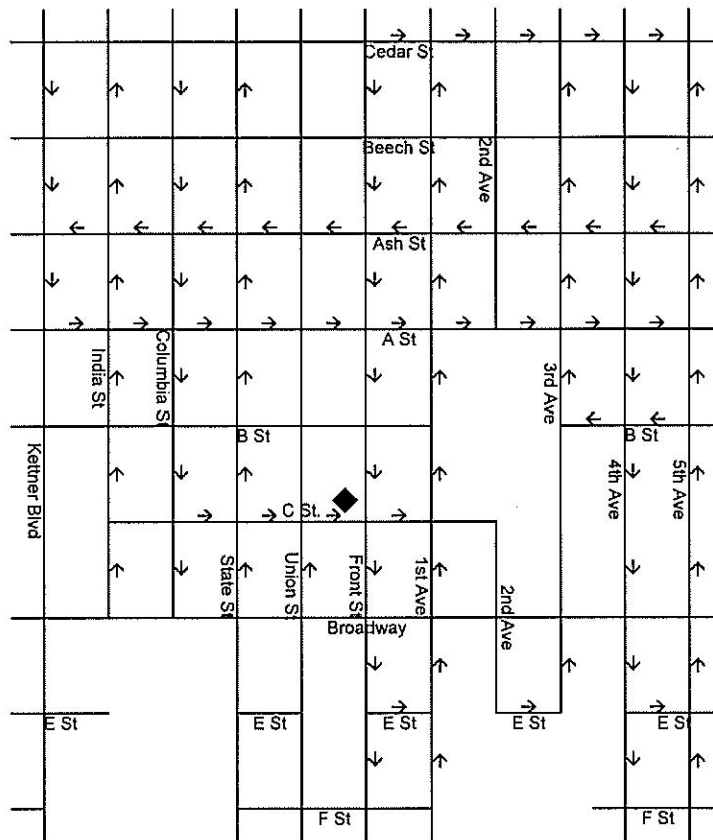


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Workbook Learning Activities, Continued

Activity questions (continued)

- The local narcotics investigation unit has received information from a reliable confidential informant that Smith is supplying chemicals and glassware for several methamphetamine manufacturers. Smith is supposed to be released from the San Diego County Jail (C St. & Front St.) tomorrow morning at 11:00 a.m. It is believed Smith will meet with someone after being released from custody. Smith will be picked up by his girlfriend in a vehicle, a light blue compact, which is parked across the street from the jail. You have six investigators and six vehicles. Referring to the map below, discuss how you would set up for a surveillance operation to follow Smith from the jail to his source.



Continued on next page

Workbook Learning Activities, Continued

Student notes

Glossary

Introduction **The following glossary terms apply only to Learning Domain 60: Surveillance.**

burned When any surveillance member has been compromised

case history A synopsis of the investigation

common lanes A lane that provides equal access to either roadway at an interchange

counter-surveillance The attempt of a target to identify any surveillance they may be under by a law enforcement agency

cover Something that conceals the investigator from the direct view of the target (e.g., vehicles, buildings, vegetation, etc.)

execution How the operational plan is conducted

fixed-point surveillance A surveillance operation conducted on a stationary target

foot surveillance A surveillance operation involving a target and/or investigator who is on foot

Continued on next page

Glossary, Continued

| | |
|--|--|
| fresh/stale | The anticipated length of time remaining in a traffic light cycle |
| lane designations | Lanes are numbered from left to right, with the left-most lane designated as the number one lane, not including the high occupancy vehicle (carpool) lane. |
| mission | The goal of the surveillance operation (e.g., build probable cause for a search warrant, identify other suspects and locations, arrest, etc.) |
| operational plan | A plan designed to accommodate a wide range of anticipated situations and to maintain a systematic approach to planning and documentation. |
| paralleling | Conducting surveillance by moving along a route parallel to the target's route |
| point/eye | The investigator who maintains constant visual contact with the target, and who informs the team of the target's locations and activities |
| reasonable expectation of privacy | A privacy expectation that exists if both of the following are true: <ul style="list-style-type: none">• an individual exhibits his or her personal (subjective) expectation of privacy in the object or area (e.g., closing the shades, building a fence), and• the individual's subjective expectation of privacy is legitimate and reasonable in the eyes of society |
| set-up / perimeter | Positioning of investigators around a stationary target in order to cover all directions of travel |

Continued on next page

Glossary, Continued

static Positioning investigators/agents at the beginning and end of the expected route of a particular target

target history The criminal record, history of violence, and known associates of a target

target/primary The subject or object of the surveillance (e.g., an individual, structure, vehicle, location, etc.)

vehicle surveillance A surveillance operation involving investigators and targets in vehicles
