

# BERKELEY POLICE DEPARTMENT

DATE ISSUED: September 5, 1995

GENERAL ORDER S-3

SUBJECT: SURVEILLANCE

## PURPOSE

- 1 - The purpose of this General Order is to establish policies and procedures for conducting surveillance.

## DEFINITION

- 2 - "Surveillance" is that covert activity which is directed at a particular person or location and intended to gather evidence of, or prevent, criminal activity. The routine investigation and watch of a suspect, vehicle or location by uniformed personnel is not considered "surveillance."

## POLICY

- 3 - It is the policy of this Department that surveillance will only be conducted in conjunction with criminal offenses under investigation **or to corroborate reported criminal activity.\***

## PROCEDURES

- 4 - Under normal circumstances, surveillance will be conducted by non-uniformed, sworn personnel assigned to the Detective **Bureau\*** or Special Enforcement Unit. In special circumstances, surveillance may be conducted by Patrol Division Officers with approval of a Commanding Officer, **or in their absence, a Patrol Division Supervisor.\***
- 5 - Personnel assigned to a surveillance should notify the Communications Center Supervisor and the Patrol Division **"Watch"**\* Commander of their location and purpose prior to the start of each separate surveillance.
  - (a) Depending on the need for secrecy, the Patrol Division Commander shall only notify those personnel necessary to provide an appropriate response in the event of an emergency. The Communications Center Supervisor so informed shall not disclose surveillance details to any person, except as may be necessary if an emergency occurs at the surveillance location.
- 6 - Personnel observing non-life threatening criminal activity shall not jeopardize the investigation by disclosing their location unless necessary to prevent bodily injury to a citizen or officer. In most cases, the incident should be reported to uniformed Patrol Officers for investigation and reporting.
- 7 - Uniformed officers observing plainclothes personnel outside the Hall of Justice shall not do or say anything which could jeopardize a surveillance unless they are first addressed by the plainclothes personnel.

Reference: CALEA Standards

\*Highlighted text is new