

Columbus Police Division Directive	EFFECTIVE	NUMBER
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Surveillance/Stakeouts/Encountering Out-Of-Uniform Personnel		



I. Policy Statements

- A. Except in exigent circumstances, Division personnel recognizing and encountering possible covert personnel shall not:
1. Give any verbal or physical sign of recognition to covert personnel unless covert personnel speak first.
 2. Speak to covert personnel when there is any doubt as to whether the covert personnel has given a sign of recognition.
 3. Disclose the presence or identity of covert personnel to any non-police personnel.
 4. Engage in any act that could in any way jeopardize a covert police operation.
- B. The responsibility for a safe response is shared by all parties in situations involving sworn personnel encountering an individual claiming to be an off-duty, undercover, or a plain-clothed law enforcement officer. The challenging personnel have a responsibility to use reasonable tactics and sound judgment in approaching the situation, whereas the challenged individual has the responsibility for a safe response to the challenge.
- C. When practical, out-of-uniform personnel responding to a request for police service shall notify the dispatcher and provide a description of themselves and/or their vehicle. When there is a reasonable belief that the call for service involves the infliction, or threatened infliction, of serious physical harm, personnel shall provide police service as soon as practical. Otherwise, the preferred course of action is for the out-of-uniform personnel to observe the scene until uniformed personnel arrive.
- D. Sworn personnel shall not conduct surveillance or stakeout activities in a covert vehicle or covert capacity without receiving prior training.***
- E. Notifications
1. The Division has an interest in maintaining confidentiality and officer safety. Investigations or arrests may be hampered if too many people have knowledge of a situation. In weighing these competing interests, officer safety shall outweigh the need for confidentiality.
 2. In order to guard against unintentional interference by other officers, to have assistance available when it is needed, and/or to ensure officer safety, it may be necessary to inform others within the Division that a particular activity is taking place. If working outside the City of Columbus, the applicable police agency should be notified.

3. When sworn personnel reasonably anticipate that a stakeout and/or surveillance activity may create a situation in which there is a risk of serious harm to law enforcement personnel, or that a dangerous felony may occur, the unit supervisor shall ensure the **zone dispatcher** is notified before any operations begin.
4. The sworn supervisor in charge of any raids or planned events **that may create a situation in which there is a risk of serious physical harm to law enforcement personnel or others** shall ensure the **zone dispatcher** is notified prior to the event.
5. Upon notification of any of the above:
 - a. **The zone dispatcher** shall inform the **ECC Supervisor**. The **ECC Supervisor** shall forward the information to the **covering zone lieutenant**, and if necessary, any adjoining foreign agency.
 - b. **The covering zone lieutenant may forward the information to affected personnel at his or her discretion based on the circumstances.**
 - c. The information should not be broadcast over the police radio, nor shall it be forwarded to individuals who do not need to know.
6. Bureau commanders may authorize deviation from the above policies if the circumstances of the surveillance, stakeout, raid, **or planned event** are highly sensitive or demand a higher degree of confidentiality than usual.

II. Procedures

- A. Personnel Challenging Possible Out-of-Uniform Law Enforcement Personnel
 1. Approach cautiously and identify yourself as a police officer.
 2. Give clear, concise, and non-conflicting orders.
 3. Instruct individuals claiming to be law enforcement personnel **and** whose identity you are not able to immediately confirm to disarm in a safe manner and then produce their agency's identification. If the individual refuses to comply, treat the situation as any other encounter with an armed individual.
- B. Out-of-Uniform Personnel Being Challenged
 1. Remain motionless and react professionally. Respond to the commands of the challenging personnel even if it means allowing a suspect to escape.
 2. Identify yourself as a police officer. **Inform** the challenging officer whether you are armed and where your weapon, police badge, and ID are located.
 3. When instructed to do so produce your badge and ID, or inform the challenging officer that you are going to retrieve your badge and ID. Reach for your badge and ID using slow deliberate motions.
 4. Avoid turning and facing the challenging personnel until told to do so, especially if doing so would reveal a firearm in hand.