



DETROIT POLICE DEPARTMENT

MANUAL

Series	Effective Date	Review Date	Directive Number
200 Operations	TBD	Three Years	203.6
Chapter 203 - Criminal Investigations			
Reviewing Office Detective Bureau			<div><input type="checkbox"/> New <input checked="" type="checkbox"/> Directive</div> <div>Revised Printed in <i>Italics</i></div>
References MLEAC 4.5.2 Special Investigative Operations			

SURVEILLANCE

203.6 – 1 Purpose

The Detroit Police Department (DPD) utilizes sworn members trained in surveillance to gather Intelligence, aid in apprehending individuals suspected of criminal activity, and to ensure the recovery of stolen property; also, to establish clear guidelines for lawful and ethical surveillance, ensuring adherence to constitutional protections that enhance public trust and promote safety for both DPD members and the community.

203.6 - Policy

Department members must honor peoples' right to speak dissent, write, publish, and associate freely. Additionally, this policy ensures that surveillance should only occur for law enforcement purposes. Under no circumstances shall surveillance be used to interfere with or suppress lawful speech, expression, assembly, or association.

203.6 - 2 Definitions [MLEAC 4.5.2]

Electronic Tracking Device

Any device capable of transmitting a signal remotely (GPS Tracker, Apple AirTag, etc.) so that its location can be monitored.

Fixed Surveillance

Surveillance conducted on a specific location, residence, or business for an undetermined amount of time for the purpose of gathering intelligence on suspected criminal activity or individual(s) at the location. Fixed surveillances shall be de-conflicted with HIDTA, notification made to communications, and the commanding officer of the respective precinct or unit.

HIDTA De-confliction

High Intensity Drug Trafficking Area (HIDTA) de-confliction is an invaluable tool that is used to avoid "blue on blue" incidents, and also to prevent a case worked by another DPD member or outside agency from being compromised. HIDTA de-confliction involves notification, by email or phone, to the HIDTA Intelligence center that members

203.6 Surveillance

are conducting a fixed surveillance. HIDTA de-confliction forms are posted on the DPD Intranet.

Mobile Surveillance

Surveillance conducted on a specific individual while traveling from one location to another, either on foot, or in a vehicle, where the surveillance operation travels with the target. Mobile surveillance should not be conducted by members who are not specifically trained and equipped to do so.

Spot Check

A brief check of a location to determine the presence of a surveillance target, or to gather intelligence. Spot checks do not require HIDTA de-confliction unless the determination is made to transition into a fixed surveillance.

203.6 - 3 Prohibited Acts:

1. **Unauthorized Information Collection:** The Detroit Police Department shall not engage in the collection, indexing, maintenance, or dissemination of information dealing with beliefs, opinions, associations, or expressions of any individual, group, or organization, except in connection with such law enforcement activities as it has under the charter and ordinances of the city of Detroit and the constitution and laws of the state of Michigan and the United States.
2. **Surveillance of Lawful Activities:** Surveillance or investigation, which has as its purpose, the collection, indexing, or dissemination of the beliefs, opinions, attitudes, statements, associations, and activities of persons, groups, or organizations who are violating no law and who are not reasonably suspected of violation of law or a conspiracy to violate any law of the United States or any subdivision thereof, is prohibited.
3. **Unauthorized Electronic Tracking Devices:** Members can only utilize department-issued or authorized electronic tracking that has been authorized by a search warrant.
4. **Biased Surveillance:** Surveillance based solely on race, ethnicity, religion, or political affiliation is prohibited.
5. **Warrantless Electronic Tracking:** The use of electronic tracking devices without a valid warrant or a recognized exception to the warrant requirement is prohibited.

203.6 - 4 Fixed Surveillance

1. **Command Responsibility:** The responsibility for conducting fixed surveillance in most instances shall be with the commanding officer of the precinct or command establishing the surveillance operation. It is imperative that all

203.6 Surveillance

members are trained in, and have a working understanding of all the guidelines and procedures set forth in this section.

2. **Approval for Fixed Surveillance:** Before a fixed surveillance may be established in a business place, or in any place accessible to the general public, prior approval must be obtained from the commanding officer of the precinct, command, or specialized unit. If the appropriate commanding officer is not immediately available, the highest-ranking officer on duty may approve an emergency fixed surveillance.
3. **Communications Notification:** When a member is assigned to a fixed surveillance, a supervisor shall notify Communications Operations of the surveillance location and the name of the command responsible for it. This notification shall be made prior to the establishment of a fixed surveillance or as soon as possible thereafter. Such notification shall also be made at the termination of the surveillance operation.
4. **Prohibition on Police Action:** Absent exigent circumstances, members assigned to fixed surveillance are prohibited from taking police action. Members conducting surveillance have the primary responsibility to observe and document activity.

Mobile Surveillance

Proper mobile surveillance requires multiple surveillance vehicles, and a dedicated radio channel for communication. Mobile surveillance is unpredictable and rapidly evolving. Coordinating the activity of a sufficient number of members and vehicles to effectively conduct a mobile surveillance operation presents unique challenges and dangers. Members conducting a mobile surveillance are responsible for the safe operation of their department vehicle. In the event that the subject being surveilled is operating their vehicle in a manner deemed unsafe, members shall disengage surveillance.

203.6 - 4.1 Supervisory Actions and Responsibilities [\[MLEAC 4.5.2\]](#)

1. **Supervisor Designation:** A supervisor shall be designated as the officer-in-charge (OIC) of the surveillance operation. To ensure continuity of operations and information flow, an alternate supervisor should be available in appropriate circumstances. Upon receipt of information regarding a location where criminal activity is reported to be occurring, a wanted felon is being harbored, or criminal activity is expected, the supervisor shall carefully evaluate all information before establishing a fixed surveillance.
2. **HIDTA De-confliction Requirement:** Prior to establishing any fixed surveillance, a supervisor shall notify the office of HIDTA for de-confliction. Current HIDTA de-confliction forms are posted on the intranet. A completed form shall include the cell phone numbers of the supervisor and members on surveillance. Once it is

203.6 Surveillance

verified with HIDTA that there are no conflicts with other DPD units or outside agencies, the surveillance may be established.

3. **Surveillance Reporting:** If the supervisor determines that the surveillance should be continued, the supervisor shall ensure that the surveilling Officer's Daily Report shall be completed at the earliest possible time prior to the end of the supervisor's tour of duty.
4. **Minimum Staffing Requirements:** A supervisor shall ensure that no less than two (2) members shall be assigned to a fixed surveillance.
5. **Ongoing Supervisory Responsibilities:** In addition, surveillance supervisors are responsible for the following:
 - a. **Visiting Surveillance Locations:** Generally, a supervisor shall visit the surveillance location and ensure that the officers are properly deployed. When visiting or equipping surveillance locations, it is imperative that care be exercised to prevent disclosure to anyone in the area that a surveillance is in operation;
 - b. **Check of Fixed Surveillance:** The surveillance supervisor shall make a minimum of one (1) check on each surveillance team at each location per shift. A supervisor may use any communication deemed applicable to check a surveillance team, but care and discretion must be used to prevent disclosure of the surveillance location. If procedures are used other than a physical visit, a pre-arranged code shall be used. The supervisor will ascertain the punctuality, alertness, preparedness, and physical comfort of the officers and will give instructions, counseling, and guidance to the surveillance team as the need arises.
 - c. **Reviewing a Fixed Surveillance:** After each tour of duty, the surveillance supervisor shall report all pertinent information and observations to the OIC of the command supervising the surveillance operation. The OIC of such command shall review the supervisor's report to determine if the surveillance operation should be continued.
 - d. **Fixed Surveillance Equipment:** When vehicles are to be used in fixed surveillance, a vehicle of popular model and color shall be used. If possible, a change of vehicles shall be made each day in order to minimize a compromise of surveilling Officers.
6. The supervisor's survey will determine the type of weapons surveillance personnel will be armed with, in addition to their assigned or Department approved handguns. Members shall adhere to Department firearms procedures.
7. In those instances where the officers are involved in a shooting incident, it shall be the responsibility of the officers involved to notify the dispatcher and protect the crime scene until a supervisor or investigator responds to the scene.

203.6 Surveillance

8. Each member assigned to a surveillance detail shall be equipped with a PREP radio. All radio equipment shall be tested before and after personnel deployment to make certain the radio is functional. One member assigned to the detail shall keep a PREP radio on the appropriate radio channel for the precinct in which they are operating in.
9. The surveillance team should have priority radio traffic, and relay information via radio to the takedown team and other members assigned to the detail. Non-essential radio traffic should be kept to a minimum.
10. All personnel assigned to fixed surveillance details shall keep with them, and have readily available, their department issued body armor. Members shall also keep with them, and have readily available, a garment that is clearly marked "POLICE" in bold letters across both the front and back (body armor, t-shirt, jacket, etc.)
11. All plainclothes members assigned to inside fixed surveillance details shall carry with them their badge and Department issued identification and be prepared to identify themselves as required. Every effort shall be made to maintain a low profile. Badges on neck chains, PREP radio remote mics or earpieces, external vest carriers, CEW's, flashlights, or other common police equipment should be removed or concealed. Members must not consider tinted windows on a surveillance vehicle an adequate measure to conceal their identity.

203.6 - 4.2 Instructions

1. Instructions shall be given to police personnel, prior to any commitment of personnel, to minimize unusual activity at the surveillance location, except in circumstances where personnel are dispatched directly to the scene or in self-initiated fixed surveillance.
2. All participating police personnel will be thoroughly instructed by the supervisor as to the pertinent details of the surveillance, including the reason the individual is wanted, the individual's physical description, location of support personnel, action to be taken should the individual appear or be observed inside the surveillance location, etc.
3. Supervisors shall instruct members assigned to fixed surveillance details that a complete Officer's daily report shall be prepared for their tour of duty in accordance with command procedures.
4. The OIC of the command that is supervising the surveillance operation, shall review each member's Officer Daily Report at the end of each tour of duty. The logs shall be retained in accordance with Policy 101.11 - Record Retention.

203.6 - 4.3 Advising the Patrol Force

After a decision is made to establish a fixed surveillance, the OIC of the surveillance detail, if applicable, shall notify the precinct station desk OIC who shall ensure that the precinct's patrol force is notified at roll call and any necessary or special instructions shall be disseminated at that time. The communications supervisor shall be notified by

203.6 Surveillance

telephone as to the pertinent surveillance information. When a fixed surveillance is established after roll call, the precinct patrol personnel shall be notified via radio to contact their precinct station. A supervisor shall apprise them of the location and code number of the surveillance operation. All personnel aware of but not assigned to the surveillance operation should avoid that location unless otherwise directed.

203.6 - 4.4 Radio Runs to Fixed Surveillance Locations

If a dispatcher receives information that necessitates a radio run to a surveillance location, the dispatcher shall designate a patrol unit to dial the dispatcher's number. The patrol unit shall be informed as to the nature of the run and that the run is to be handled in a normal manner, but to be alert to the probability that someone may be attempting to determine if a surveillance is in operation at that location. The dispatcher shall then advise the surveillance team that a patrol unit will be responding to investigate the complaint.

203.6 - 4.5 Operating Procedures

1. All fixed surveillance shall have a code number assigned by a Communications Operations Supervisor. Assigned personnel shall refer to the surveillance by code number only. Police radio scanners are easily available to the public, and assigning a code number will minimize the chances of revealing the nature and location of a surveillance.
2. All members shall adhere to Department rules, regulations, and procedures regarding conduct. Officers, when assigned to a fixed surveillance of a business place, shall not:
 - a. Prevent or interfere in any way with normal business conducted or the routine duties of employees except in the course of their assigned duties;
 - b. Use the telephone or other business facilities, unless necessary to receive or transmit information pertaining to their assigned duties; or
 - c. Become involved in other matters not related to their assignment except in extreme circumstances as set forth below.
3. Members shall not leave surveillance assignments except under the following conditions:
 - a. When directed by a supervisor either in person, by radio or other approved means of communication;
 - b. When the officer observes a serious crime or has reasonable cause to believe that a serious crime is being committed, such as rape, murder, robbery,

203.6 Surveillance

arson, or when the officer has been dispatched to an "officer in trouble" incident occurring in or near the assignment.

203.6 - 4.6 Traffic Stops in Conjunction with Surveillance Operations

All traffic stops made in conjunction with or in response to any surveillance operation, (fixed surveillance, identifications, OTE operations, narcotics, warrants, PC arrests, etc.) also known as "Takedown Stops", shall be made by uniformed members in a marked police vehicle. If a marked unit is not readily available and/or a part of the operation, a marked unit shall be requested via the zone dispatcher. Any marked police vehicle conducting a Takedown Stop shall be occupied by two (2) uniformed members.

203.6 – 4.7 Electronic Tracking Devices

Electronic tracking devices can be a valuable surveillance tool. Placing or removing these devices on a vehicle can be an inherently dangerous activity. Members trained to conduct a surveillance operation that utilizes an electronic tracking device shall not engage in such activity unless permission is obtained from a supervisor. A court order must be obtained prior to affixing a tracking device to any motor vehicle. An exception is the affixing a tracking device to a stolen motor vehicle where there is not reasonable expectation of privacy for anyone in possession of a stolen motor vehicle.

203.6 - 4.8 Surveillance Termination

1. If an arrest is made in pursuit of surveillance objectives, the surveillance will be maintained until a supervisor terminates it.
2. If the surveillance location is inside a building and there is no responsible adult to assume control of the location, a supervisor will ensure that the assigned personnel properly secure it before leaving.
3. After the conclusion of each surveillance situation, the OIC of the surveillance operation and the commanding officer shall determine the effectiveness of the surveillance deployment and operating procedures. The OIC and commanding officer shall conduct a debriefing and evaluation review.

RELATED POLICIES:

Policy 101.11 – Record Retention Schedule

Policy 101.12 – Data Sharing, Retention and Dissemination

Directive 102.8 – Department Internet Usage/Web Pages/Social Networking