

DALTON POLICE DEPARTMENT

		Effective Date	Number
			GO03-7.7
Subject Surveillance and Undercover Procedures			
Reference		Revised	
		January 24, 2017 <u>February 26, 2019</u>	
Distribution	Re-evaluation Date	No. Pages	
All Personnel	January 24, 2019 <u>February 2021</u>	4	

I. Policy

It is the policy of the Dalton Police Department to detect and deter criminal activity. In order to do so, surveillance and undercover guidelines must be followed to accomplish the mission, ensure the safety of both civilians and officers, and to protect the Constitutional rights of all citizens.

II. Operations Plans

Surveillance or undercover operations which meet the following criteria shall require an operations plan:

- A. "Buy / Bust" operations where, once a purchase is made, an arrest will be affected immediately.
- B. Any operation where an Officer of the Dalton Police Department or an undercover Officer from another agency is directly involved in the transaction.
- C. An operation with a known violent offender or known armed offenders, or where current information suggests an elevated risk to Officers.
- D. Any operation where an illegal substance or item is purchased in an amount that requires authorization from the Chief of Police or his / her designee.
- E. Any surveillance operation where the intent is to affect an arrest during the operation.

III. Surveillance Operations

A. Preparation

A detailed plan of the surveillance target is a critical beginning to every successful surveillance or stakeout operation.

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DALTON POLICE DEPARTMENT

		<i>Effective Date</i> February 24, 2004	<i>Number</i> GO03-7.8
<i>Subject</i> Covert Electronic Recording and Monitoring			
<i>Reference</i> O.C.G.A. 16-11-64		<i>Revised</i> January 24, 2017 <u>February 26, 2019</u>	
<i>Distribution</i> All Personnel	<i>Re-evaluation Date</i> January 24, 2019 <u>February 2021</u>	<i>No. Pages</i> 3	

I. Policy

It is the policy of the Dalton Police Department to restrict covert electronic monitoring or recording activities to investigations where a reasonable suspicion of criminal activity exists.

II. Definitions

- A. *Covert* - An electronic device is *covert*, when it is hidden from normal view or otherwise secreted away, and at least one of the individuals to be recorded has a reasonable expectation of privacy. Examples of covert recording devices are body recorders or transmitters, miniature closed circuit television [CCTV], or parabolic microphones.
- B. *Consensual Monitoring and / or Recording* - Monitoring and / or recording of private conversations of an individual, or group of individuals, and the consenting party is present during the monitoring and / or recording of such conversations. This may be achieved by telephone recorders, body recorders, or transmitters that are recorded on magnetic tape, digital media, or other electronic recording equipment. To be consensual, at least one of the parties to the conversation(s) must be aware that the conversation(s) is being electronically monitored or recorded, and agree to the monitoring or recording.
- C. *Non-Consensual Monitoring and / or Recording* - The monitoring and / or recording of private conversations of individuals or groups of individuals and where no party involved in the conversation consents to the recording or such monitoring of the conversation.
- D. *Overt surveillance* - Is the use of electronic or photographic equipment that is not hidden from general view, regardless of whether or not the suspect actually sees the monitoring device or knows of its' existence. Examples of overt surveillance devices include:
 1. Video / Audio recording equipment mounted in interview rooms, hallways, parking lots, waiting rooms, etc;

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- B. ~~All original recordings tapes will be duplicated as needed, sealed and stored as evidence.~~ Recordings made on digital devices ~~not using removable memory cards~~ will be downloaded to a Departmental computer with a CD writer. The recording will then be saved on the CD and the CD will be treated as the original recording for evidence. In addition, recordings may be stored on a secure portion of the Department's computer system.
- C. The Officer will complete a thorough investigative report after each operation in which a covert monitoring / recording device is used.
- D. Information gathered by covert electronic monitoring / recording devices will only be disseminated on a strict need to know basis.

V. **Approval and Device Inventory Control**

- A. Approval for the use of any Departmental covert monitoring / recording device in a criminal investigation will be given by the unit Supervisor of the investigating Officer.
- B. The approving Supervisor will insure that the requesting Officer uses the device in accordance with Departmental policy and the manufacturer's recommended procedures.
- C. The Criminal Investigations Division Commander, or his / her designee, will maintain a log and inventory of all Departmental covert electronic monitoring / recording equipment maintained in the Criminal Investigations Division. The Patrol Division Commander, or his / her designee, will maintain a log and inventory of all Departmental covert monitoring / recording equipment maintained in the Patrol Division.

VI. **Non-Consensual Covert Surveillance**

- A. Prior to using any covert recording device in a non-consensual surveillance, the Officer, through the prosecuting attorney having jurisdiction or the Attorney General, will obtain a court order in compliance with O.C.G.A. 16-11-64.
- B. Under no circumstances will an Officer of this Department conduct or be associated with a non-consensual covert monitoring or recording activity that is not authorized by a court order.

This policy supersedes any previous policies issued.

BY ORDER OF

CHIEF OF POLICE

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DALTON POLICE DEPARTMENT

		Effective Date February 24, 2004	Number GO03-7.9
Subject Overt Electronic Recording and Monitoring			
Reference		Revised January 24, 2017 <u>February 26, 2019</u>	
Distribution All Personnel	Re-evaluation Date January 24, 2019 <u>February 2021</u>		No. Pages 7

I. Policy

It is the policy of the Dalton Police Department that mobile video / audio recording equipment in patrol vehicles be routinely used for the purposes of collecting evidence, which could be used in prosecuting those who violate the law, to evaluate an Officer's performance, and as a training aid. Other overt electronic surveillance techniques and equipment will be used whenever reasonably necessary to deter crime and provide a record of events that might be used as evidence in a criminal case.

II. Definitions

- A. *Covert* - An electronic device is *covert*, when it is hidden from normal view or otherwise secreted away, and at least one of the individuals to be recorded has a reasonable expectation of privacy. Examples of covert recording devices are body recorders or transmitters, miniature closed circuit television [CCTV], or parabolic microphones. For Department guidelines on covert surveillance see GO03-7.8, Covert Electronic Recording and Monitoring.
- B. *Overt* surveillance - Is the use of electronic or photographic equipment that is not hidden from general view, regardless of whether or not the suspect actually sees the monitoring device or knows of its existence. Examples of overt surveillance devices include:
1. Video / Audio recording equipment mounted in interview rooms, hallways, parking lots, waiting rooms, etc;
 2. Recording devices used openly and in a non-concealed manner;
 3. Video / Audio recording equipment mounted in a patrol car; or
 4. Use of handheld video camera.
- C. *No or low expectation of privacy* – In some instances persons have no or low expectation of privacy to include but not limited to:

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DALTON POLICE DEPARTMENT

		<i>Effective Date</i> January 27, 2004	<i>Number</i> GO04-4.6
<i>Subject</i> Search of Motor Vehicles			
<i>Reference</i> 		<i>Revised</i> July 25, 2017 February 26, 2019	
<i>Distribution</i> 	All Personnel	<i>Re-evaluation Date</i> July 25, 2019 February 2021	<i>No. Pages</i> 4

I. Policy

The Dalton Police Department will only conduct searches that are legal and thorough, while strictly observing the constitutional rights of drivers and other occupants. Searches will only be conducted with due regard for the safety of officers, other persons, and the property involved.

II. Procedures

A. Officer Safety

Officers **will not search vehicles alone**. At least two (2) Officers will be present in order to allow one (1) Officer to search and one (1) Officer to monitor vehicle occupants. Officers may make all occupants exit the vehicle while interviewing or searching, in order to protect their safety.

B. General Provisions for Vehicle Searches

There are three conditions under which law enforcement Officers may search a vehicle. These conditions are *warrant*, *warrantless*, and *consent searches*. When conducting a vehicle search, officers of the Dalton Police Department will:

1. Obtain a search warrant, if feasible. If a warrant is used then all search warrant guidelines shall be used;
2. Request owner or operator's consent, if feasible;
3. Avoid vehicle damage unless reasonably necessary to carry out a safe and thorough search;
4. Search all areas of the vehicle, unless specified otherwise in the warrant, or in the consent; and
5. With the exception of the items seized, leave the vehicle and its contents in the same condition as found.

C. Warrant Searches

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DALTON POLICE DEPARTMENT

		<i>Effective Date</i> February 24, 2004	<i>Number</i> GO04-4.24
<i>Subject</i> Arrest and Detection of Persons Driving Under the Influence			
<i>Reference</i>		<i>Revised</i> July 25, 2017 February 26, 2019	
<i>Distribution</i> All Personnel	<i>Re-evaluation Date</i> July 25, 2019 February 2021		<i>No. Pages</i> 4

I. Policy

To reduce the total number of crashes and injuries the Dalton Police Department will actively investigate and enforce all suspected cases of persons driving under the influence of alcohol and / or drugs.

II. Detection of Impaired Drivers

The detection of impaired driver's begins with the Officer's perception that the person's driving behavior is indicative of driving under the influence of alcohol and / or drugs. These indicators include, but are not limited to:

- A. Weaving
- B. Straddling the lane line
- C. Turning with wide radius
- D. Almost striking a vehicle or another object
- E. Swerving
- F. Drifting
- G. Problems with stopping
- H. Accelerating or decelerating for no apparent reason
- I. Varying speed
- J. Slow speed (10 or more mph under the limit)
- K. Driving in opposite lanes
- L. Driving the wrong way on a one way street
- M. Slow response to traffic signals
- N. Slow or failure to respond to officer's signals

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DALTON POLICE DEPARTMENT

		Effective Date July 26, 2005	Number GO05-3.17
Subject Performance Evaluations			
Reference		Revised March 28, 2017 <u>February 26, 2019</u>	
Distribution All Personnel	Re-evaluation Date March 28, 2019 <u>February 2021</u>		No. Pages 5

I. Policy

It is the policy of the Dalton Police Department to conduct annual, and more often if necessary, evaluations of work performance of all employees in order to assess proficiency and provide employees with feedback to improve work performance.

II. Definitions

A. *Performance Evaluation* - The process of periodically evaluating an employee's job performance.

B. *Performance ~~Evaluation~~ Tracking Software* - Computer software used to track and assess employee job performance.

C. *Job Task Analysis* - The process of determining essential employee job tasks, and their criticality and frequency performed.

~~D. *Task Weight* - The process of determining the weight (value for scoring purposes) of each task and function measured during a performance evaluation.~~

~~E. D.~~ *Task* - An essential function the employee is expected to perform as part of regular duties.

~~F. E.~~ *Proficiency Rating* - This is the level of efficiency to which an employee performs a job task or a related function of that task.

~~G. F.~~ *Rater* - A Departmental Supervisor.

III. Procedures

A. Rater Training

1. All Departmental Supervisors and System Administrators will receive training on the proper operation of the performance ~~evaluation~~ tracking software.

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2. Supervisors shall review the performance evaluation process and performance ~~evaluation~~-tracking software at the beginning of each evaluation period with each employee they will be evaluating.

B. Measurement Criteria

1. Employee job performance will be measured against pre-established standards in the areas of job tasks; policy compliance; proficiency; and individual yearly goals.
2. The pre-established standards are based on a job task analysis completed for each respective position.
3. All employees will be notified in writing concerning the performance standards for his / her position.
4. All criteria used in the performance evaluation must be specific to the assignment of the employee for the rating period.

C. Measurement Definitions

The Supervisor will enter the appropriate rating into the system for each area according to the following scale:

1. Excellent: An employee who receives this rating has consistently demonstrated performance which rises to a level of excellence that when demonstrated sets him / her apart from others in that he / she deserves special praise or awards.
- ~~4.~~ 2. Above Standard: An employee who receives this rating has consistently demonstrated effective performance above and beyond the normal, expected level of achievement. When this rating is assigned, the employee's Supervisor shall provide explanatory comments as to why the employee received the rating.
- ~~2.~~ 3. Meets Standard: An employee who receives this rating meets the standard for this area according to the position and assignment during the evaluation period. The standard required for this rating will be defined in each task area.
- ~~3.~~ 4. Below Standard: An employee who receives this rating has demonstrated performance that is below the normal expectations, but not requiring formal corrective action beyond supervisory guidance.
5. Requires Improvement: This rating is assigned when an employee fails to perform a task or proficiency according to standard. When this rating is assigned, the employee's Supervisor shall provide explanatory comments as to why the employee received the rating to include, at a minimum:
 - a. The date of the incident that caused the rating

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- b. Any remedial training
- c. The date of expected improvement
- d. The resolution plan
- e. Whether it was accomplished and, if so, when

4.6. ~~Not Evaluated:-~~ Not Observed: Supervisors will assign this rating to areas where the employee did not complete the task during the rating period, or the Supervisor did not observe / cannot verify the employee performed the task.

5.7. Not Applicable: Supervisors will assign this rating when the task or dimension being evaluated does not apply to the employee's position and / or assignment. Note: If this rating is assigned, the System Administrator should be notified to modify the job position description.

D. Notations and Entries to the System

- 1. A fair and equitable evaluation relies on the observations and notations into the ~~software evaluation program-~~ performance tracking software by Departmental Supervisors.
- 2. Supervisors will constantly monitor employee performance and make corresponding entries into the system when employees are observed performing a task or other evaluated dimension.
- 3. ~~Entries-~~ Comments or information entered by Supervisors or peers will be placed into the comments section of ~~each individual task or dimension observed~~ any created entry within the performance tracking software.
- 4. These entries will include the date the duty or task was performed and specific comments or facts surrounding the entry, ~~and the Supervisor's employee number.~~
- 5. ~~Other entries may be made into the Notes section of the evaluation, but this requires transfer of this data to a specific task or dimension prior to scoring the evaluation at the end of the rating period.~~
- 6.5. Any Supervisor or peer may make entries and notations to evaluation folders of employees to which they have authorization through the system.

E. Frequency of Evaluation

- 1. Formal ~~computer-scored-~~ weighted evaluations will be conducted with all full-time Departmental Personnel at least annually, with the exception of the Chief of Police. Except for probationary employees, the evaluation period will cover one year, beginning and ending on their employment anniversary.

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2. Probationary employees and Department members on promotional probation shall have a quarterly performance report completed and signed each quarter and attached to the evaluation system by their current supervisor.
3. Supervisors will conduct documented quarterly performance meetings with employees to provide feedback on work performance and progress towards goals.
4. Supervisors will notify employees in a timely manner whenever their performance is deemed to be unsatisfactory. When providing this notice, Supervisors will make a notation in the ~~PMP-and/or-Guardian~~ [performance tracking](#) software of any problem(s) that currently exist and provide a copy to the employee.

F. Conclusion of Rating Period

1. At the conclusion of each rating period, and at least annually, employees will be counseled by their Supervisor on matters to include the following:
 - a. Results of the performance evaluation just completed;
 - b. Level of performance expected, rating criteria or goals for the new reporting period; and
 - c. Career counseling relative to such topics as advancement, specialization, or training appropriate for the employee's position.
2. The employee shall sign and date the evaluation. This signature does not necessarily mean that the employee agrees with the evaluation, only that it has been discussed with him / her.
3. Space shall be provided on the performance evaluation for the employee to write any comments concerning the evaluation. Additional sheets may be attached if required.
4. Employees shall be given a copy of the completed performance evaluation after it is approved by the Chief of Police.
5. All formal evaluations will be reviewed and signed by the rater's Supervisor prior to becoming final.
6. All performance evaluations shall be retained in accordance with the State of Georgia's retention guidelines.
7. To ensure uniform, fair, and impartial evaluations; raters shall be monitored and evaluated by their Supervisors. Raters will be evaluated on their ability to be fair and impartial as well as their ability to carry out their role as a rater.

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DALTON POLICE DEPARTMENT

		Effective Date	May 1, 1998	Number	GO95-7.13
Subject Polygraph Examination Procedures					
Reference				Revised January 24, 2017 <u>February 26, 2019</u>	
Distribution All Personnel		Re-evaluation Date January 24, 2019 <u>February 2021</u>		No. Pages 5	

I. Policy

It is the policy of the Dalton Police Department to maintain the highest level of criminal and background investigations. This directive is to establish procedures for polygraph examinations. The polygraph examination will be used as a supplement to the criminal investigation, but not as a substitute for sound investigative practices.

II. Administration

- A. The polygraph section of the Dalton Police Department shall fall under the direct supervision of the Commander of the division to which they are assigned.
- B. Personnel assigned as polygraph examiners shall have successfully completed a basic course of polygraph instruction at a polygraph school accredited by the American Polygraph Association and meet all requirements set forth by the American Polygraph Association.
- C. Examiners must conduct their official duties in a manner, which reflects the highest standards of ethical conduct as a polygraph examiner and Peace Officer.
- D. The function of the polygraph examiner is to gather all facts concerning the details of the examination in both pre-employment and specific issue exams.
 1. Review all facts with the examinee prior to the examination and all questions to be asked
 2. Record chart tracings and interpret the results of examination
 3. Advise examinee of the results
 4. Generate and maintain all required documents concerning examination

III. Operational Procedures

- A. There are two types of polygraph examinations, issue examinations and pre-employment examinations.

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