

 City of Norfolk	Operational General Order - 690		Plainclothes/Non Uniformed Regulations
	Department of Police General Order		
	CALEA:	43.1.4	
VLEPSC:	OPR.03.03		
LEGAL REVIEW DATE:	October 7, 2010	PRESCRIBED DATE:	1-4-11 ^{Chg}
City Attorney:	Wayne King	City Manager/Director of Public Safety:	[Signature]
APPROVED BY THE AUTHORITY OF THE CHIEF OF POLICE:		[Signature]	

Office of Preparation: Strategic Management Division (acb)

Purpose

This order provides departmental requirements and procedures for law enforcement officers participating in plainclothes/non uniformed details, undercover assignments, and decoy operations.

Policy

The utilization of law enforcement officers working in civilian attire is an essential operational tactic used by police agencies. Officers dressed in plainclothes can access areas in which the Department has operational objectives, giving the officer the capability to mingle with members of the community in order to monitor, identify and/or apprehend criminals. Because plainclothes officers may not be readily recognized as police officers by citizens or other law enforcement officers, officers shall adhere to their training and department procedures for officer safety.

Supersedes:

1. G.O. OPR-690, dated May 14, 2009
2. Any previously issued directive conflicting with this order

Order Contents:

- I. Training
- II. Equipment and Clothing
- III. Plainclothes Details, Assignments, and Operations
- IV. Responding to Incidents
- V. Identification
- VI. Compliance Procedures

I. Training

- A. All Norfolk law enforcement officers shall complete the department approved plainclothes training prior to working any plainclothes/non uniformed details, undercover assignments, and decoy operations.
- B. Officers shall not be assigned to any detail or operation without having completed additional departmental approved training specific to such law enforcement activities, such as stake-out, or surveillance.
- C. Training will be provided to new officers during their Academy Training course.

II. Equipment and Clothing (CALEA 41.3.5) (VLEPSC OPR.03.03.a,b,c)

- A. On-duty plainclothes law enforcement officers shall carry/wear the following department's mandatory equipment and clothing, unless exempt by Standard Operating Procedures (SOP) or their immediate supervisor, after receiving proper approval:
 - 1. Norfolk Department of Police badge with neck chain and identification card
 - 2. Issued firearm and holster
 - 3. Portable police radio
 - 4. Handcuffs and key
 - 5. Oleoresin capsicum (OC) canister and case
 - 6. Soft body armor (refer to G.O. ADM-560: Soft Body Armor, for guidelines)
 - 7. Police raid jackets, jump jerseys, or other issued clothing that identifies the plainclothes officer as a law enforcement officer
 - 8. Suitable Clothing
 - a. Clothing shall allow the viewing of the police badge and/or other police identifying device should the need arise for display.
 - b. When possible, long pants and full shoes or boots should be worn in order to protect from potential minor injuries and unnecessary pathogen exposure.
 - c. Clothing that could be considered offensive or unprofessional, including but not limited to, t-shirts with sexual or provocative slogans or images are not permitted.
- B. Immediate supervisors shall receive specific prior approval from the commanding officer or designee responsible for the plainclothes/non uniformed details, undercover assignments, and decoy operations before exempting an officer from carrying/wearing mandatory equipment or clothing.

- C. In either case, exemptions shall be based on operational tactics; whether the carrying or wearing of mandatory equipment or clothing is impractical, may pose a threat to the officer, or compromise the operation.

III. Plainclothes Details, Assignments, and Operations (VLEPSC OPR.03.03.a,b,c)

A. Investigative Services Bureau

Commanding officers shall ensure that law enforcement officers assigned to their investigative commands receive the appropriate training, equipment, and clothing before allowing officers to participate in any plainclothes/non uniformed details, undercover assignments, and decoy operations.

B. Other Bureaus and Divisions

1. All undercover and decoy operations will be coordinated through the Detective or Vice and Narcotics Divisions.
2. Commanding officers shall receive specific prior approval from their respective Bureau Chief before authorizing any plainclothes/non uniformed details, undercover assignments, and decoy operations.

C. Supervisors in charge of details or operations shall:

1. Ensure selected officers have completed the appropriate training and understand specific objectives and operational tactics, including:
 - a. Goals, objectives, and expected outcome of the detail or operation.
 - b. Limitation on activities to include responding to crimes outside their area of responsibility. Officers must acknowledge that he/she shall receive permission from their immediate supervisor prior to responding to a reported crime or incident located outside their assigned area or responsibility.
 - c. Measures to be taken to monitor officer, to include providing adequate cover officers.
 - d. Safety and rescue procedures, to include the proper carry/concealment methods for items such as badges and firearms.
2. Monitor the activities of plainclothes officers so as to ensure compliance with departmental/divisional regulations and operational instructions.

IV. Responding to Incidents

- A. On-duty plainclothes officers shall not respond to or remain at the scene of a crime or incident, when the responsibility has already been assigned to uniformed members of the Department, unless.

1. Responding to a distress call from a public safety officer.
 2. They are in close proximity as to cause reasonable belief of arriving at the scene before responding uniform units, thereby increasing the likelihood of preventing injury to citizens or the escape of a suspect.
 3. The officer/investigator is a witness, has taken police action, or has the responsibility to investigate that particular crime or incident.
 4. Their presence has been requested by the officer-in-charge of the scene or by a supervisor.
- B. Plainclothes officers who are responding to or on the scene of a reported crime or incident shall:
1. Advise the telecommunicator and report that they are in plainclothes.
 2. Immediately affix their badge and other issued police identifiers so that it is clearly visible to the public and to other law enforcement officers.

V. Identification

- A. Law enforcement officers wearing plainclothes, on or off-duty, shall never assume that citizens or other law enforcement officers know who they are unless this acknowledgement is clear and unequivocal.
- B. Officers should have their Norfolk Department of Police badge and identification card available for display while carrying any firearm off-duty.
- C. Should it become necessary for a plainclothes officer to respond to a crime scene and/or publicly exercise their duty as a law enforcement officer, the plainclothes officer shall identify themselves as a police officer to the general public, as well as other law enforcement officers, so as to prevent false reports, minimize confusion at crime scenes, and eliminate erroneous identification as armed criminals.

VI. Compliance Procedures

- A. When a plainclothes officer, on or off-duty, is confronted by a law enforcement officer, the plainclothes officer shall comply with all lawful commands given by the officer.
- B. Plainclothes officers shall, when appropriate, attempt to identify themselves verbally.
- C. If the plainclothes officer has their weapon displayed, the plainclothes officer shall immediately comply with any law enforcement officer's commands to put the weapon down or re-holster the weapon, being extremely careful not to point the weapon in the direction of civilians or other law enforcement officers.

- D. When the plainclothes officer is challenged by another law enforcement officer, the plainclothes officer shall raise their hands straight above their head and cross their arms at the wrist, palms facing forward and fingers spread open. This should be considered a recognition signal to the other law enforcement officer that they may be dealing with a police officer.

Definitions

Plainclothes: The act of wearing civilian attire by a law enforcement officer.

Plainclothes Detail: The temporary assignment of a law enforcement officer dressed in plainclothes to perform a specific crime-fighting police activity.

Plainclothes Assignment: For the purpose of this order, assigning a law enforcement officer by the means of a transfer to a position within the Police Department in which the officer regularly wears civilian attire while performing investigative activities.

Undercover: The placing of a law enforcement officer dressed in plainclothes in an area or situation where the officer assumes the identity or physical appearance of an individual involved in criminal activity, e.g., drug user or seller, etc., or of an individual not involved or associated with any law enforcement agency.

Decoy: An investigative method whereby a law enforcement officer dressed in plainclothes assumes the identity or physical appearance of a victim or potential victim with the goal of apprehending a suspect in the commission of a crime.

Related Documents:

1. G.O. ADM-320: Dress and Personal Appearance
2. G.O. ADM-560: Soft Body Armor
3. G.O. ADM-620: Specialized and Advanced Training
4. Police Officer's Manual, Article II, Sections 12 and 16