

# General Order

## Houston Police Department



ISSUE DATE:

May 22, 2017

NO.

600-24

REFERENCE: Supersedes all prior conflicting Circulars and Directives, and General Order 600-24, dated May 7, 2013

**SUBJECT: DECONFLICTING COVERT AND NARCOTICS RELATED OPERATIONS**

### POLICY

Any division or unit intending to involve itself in a major or sensitive investigation or operation ordinarily handled by a specialized division shall coordinate that involvement with the specialized division. Also, whenever a police officer or investigator makes an arrest in which the circumstances indicate that another specialized division should be involved, the officer shall contact the second division to see if a "Hold" will be accepted.

This General Order does not circumvent routine patrol operations for calls for service, on-view incidents that are reactive in nature, or *open-air investigations/operations*.

This General Order applies to classified employees only.

### DEFINITIONS

**Blue-on-Blue Incident.** Action by one officer at a location resulting in a confrontation with another officer at that same location without realizing the other was an officer. Such events occur when a plainclothes officer is involved in an investigation and another officer (either in plainclothes or in uniform) attempts to take enforcement action against the officer, not knowing the officer is involved in a *covert investigation*.

**Case Explorer.** The program used for *deconfliction of events* by the department's Narcotics Operations Control Center (NOCC).

**Case Explorer Security Request Form.** A form (available from the NOCC) completed by each officer or agent who is designated by a supervisor to be a point of contact and authorized to call the NOCC for *deconfliction of covert investigations or operations*.

[REDACTED]

**Deconfliction.** This term refers to the process of ensuring investigations do not overlap spans of authority or control and a conflict does not occur.

[REDACTED]

**Deconfliction Radius.** A requester can request to have an event deconflicted for any distance measured in feet or miles. [REDACTED]

**Event.** Investigative action at a specific location.

**Event Address.** The incident location (address or GPS coordinates), which shall include as many identifiers as possible. Identifiers include the location's street number, street name, city, and state or the Global Positioning System (GPS) latitude and longitude coordinates. If the street number is unknown, the street name with a cross street name can be searched. Other information that may be helpful would be the building number and zip code.

**Event Code.** A set of alpha and numeric characters issued to a requester for a specific event.

**Event Deconfliction.** Ensuring that two separate enforcement actions or investigations are not occurring at the same location or within the same immediate vicinity at the same time.

**Event Deconfliction Operation Plan.** A form (available from the NOCC) to be completed by a requester when multiple (more than one) investigation locations require entry into the deconfliction database. This allows NOCC personnel to process multiple deconfliction requests without tying up the telephone lines to enter each individual event, which could otherwise delay an immediate investigative or enforcement action.

**Event Number.** Number issued by the NOCC to the requester to track the event. This number is synonymous with the terms "NOCC Number" or "Validation Number" as used by past programs (e.g., Saf-T-Net and HIBIS/NINJAS).

**Event Term.** The start and end times and dates for the duration of an event. The requester can request that the event be active for a period of one hour to a maximum of 30 *calendar* days. The requester may continue any investigation that is intended to last more than 30 *calendar* days by contacting the NOCC and requesting a new event number for a new active period. An event continuation request may be made within 24 hours in advance of the event's end date and time. This will prevent any conflict between requests.

**Event Type.** The type of action or investigation that is intended at a location. Types can be any of the following: Arrest, Buy, Buy-Bust, Buy-Walk, C/I or C/S Buy, Consent to Search, Controlled Delivery, Investigation, Knock and Talk, Meeting, Other, Pick Up, Reverse Undercover, Search Warrant, Sell, Surveillance, Trash Pull, or Warrantless Visit.

**GPS or GPS Coordinates.** Refers to the latitude and longitude coordinates of specific locations retrieved via satellite and the Global Positioning System.

**NOCC (Narcotics Operations Control Center).** A unit within the Narcotics Division that manages narcotics related holds, conducts quality control inspections on narcotics evidence submissions, and facilitates the deconfliction process.

[REDACTED]

[REDACTED]

**Requester.** The officer calling the NOCC to notify of pending enforcement or investigative activity at a specific location. This person is the point of contact during the incident.

**Reversal.** A variation of a traditional investigative technique in which an undercover agent poses as a drug seller rather than as a drug buyer. This technique is frequently referred to as a reversal or sting operation.

**1 GENERAL PROVISIONS**

When coordinating with a specialized division concerning a major or sensitive investigation or operation, the coordination shall include notification to the shift lieutenant or the division commander of that specialized division prior to initiating the investigation. An on-duty supervisor of the unit performing the investigation or operation shall make the notification.

When it has been determined that another specialized division should become involved in an investigation in which an arrest has been made and a hold has already been accepted, the original case officer or investigator shall file a supplemental report describing the officer's actions. The case and the suspect shall become the responsibility of the lead specialized division for continued investigation and disposition.

**2 NARCOTICS REVERSALS**

Reversals may be conducted by only officers assigned to the Narcotics Division and shall not be conducted without the approval of the Narcotics Division commander. [REDACTED] shall not be conducted without the written approval of the Chief of Police or the chief's designee.

For the purpose of this General Order, the term reversal does not include sting operations conducted for any investigation other than narcotics investigations. Solicitation of controlled substance Class C operations do not require the approval of the Chief of Police, but may be conducted by only the Narcotics Division.

**3 PURCHASING NARCOTICS**

The purchase of narcotics (e.g., Buy, Buy-Bust, or Buy-Walk operations) may be conducted by only personnel assigned to the Narcotics Division. However, due to the related environments of covert investigations, certain circumstances in the Vice Division qualify as an exception to this policy. [REDACTED]

[REDACTED]

[REDACTED]

#### 4 DECONFLICTION REQUIREMENT

[REDACTED]

#### 5 DECONFLICTION PROCESS

For security reasons, each person who calls the NOCC to request an event number for deconfliction shall first be approved and entered as a requester within the system.

The following are required when utilizing the NOCC deconfliction system:

- a. Each requester shall first submit a *Case Explorer Security Request Form*. Once the information has been verified and entered into the secured Case Explorer program database, the requester shall then be eligible to contact the NOCC for the deconfliction of an event.
- b. Requesters shall provide their name, event location, deconfliction radius, event term, event type, and supervisor's name and cellular telephone contact number. The requesters shall be asked for the last four digits of their social security number for verification.
- c. The NOCC officer shall enter the event information into the Case Explorer event deconfliction program and verify the location with the requester by confirmation of the geographically mapped display or by the GPS coordinates. If a requester contacts the NOCC for an event number and it is determined that no conflict of locations exists, the officer or agent shall be given an event number as well as an event code. The officer shall maintain both the event number and the event code for the duration of the event.

The Case Explorer program searches for any other active events that are located within the search radius boundaries of the request. If any other active events are identified, a conflict will result. Likewise, if the location falls within any previously issued event's search radius, the system will see the new request as an encroachment and a conflict will result.

- d. In cases of a conflict, the requesting officer shall be informed that an event already exists. The officer making the new request (conflicting event) shall be given the other officer's event number and contact telephone number. The officer shall then be instructed by the NOCC officer to contact the officer in conflict who maintains an active event number so the coordination can be made.

If the officer in possession of an active event code determines the requesting officer's investigation does not interfere with the active investigation, the officer shall verbally give the requesting officer the event code so that officer can return the call to the NOCC to

complete the request. Once the NOCC officer receives the event code, then the request that resulted in a conflict can be resolved and processed.

If the officer who has the conflict does not return a call to the NOCC within 24 hours, the new request shall be cancelled and the requester shall not obtain an event number to continue with the investigation. It is the new requesting officer's responsibility to continue contacting the originating officer until the decode key can be obtained. However, if the originating officer cannot be contacted within a reasonable time, the conflicting officer may call the NOCC. The NOCC officer can contact the originating officer's supervisor and if approval is obtained the NOCC officer may override the conflict (for exigent operations).

- e. If any officer or agent who has been issued an event number and event code fails to retain a record of an active event number and event code throughout an event term, thus preventing the sharing of that information for purposes of deconfliction, or fails to respond to contact attempts, or cannot be contacted, then the requester's supervisor shall be contacted to determine if an override can be authorized to allow a newly requested investigation to continue. This shall be done only in exigent circumstances to prevent unnecessary delay of critical investigations. If it is determined that any requester of an active event fails to respond to a deconfliction call (by not being able to be contacted or by failure to retain the event code) that officer's requester status shall be subject to review. It may result in that officer being deleted as a requester for future events.

## **6 SPATIAL AWARENESS**

The issuance of an event number does not mean that the requester is securing all locations in the entire geographical area within the requested search radius upon initial request of the event; nor does it mean that the requester is clear to work any other locations within that search radius. The initial search is conducted only to determine if there are any other active events (locations) in the area of the search radius at the time of the request.

However, should anyone contact the NOCC to deconflict a location for a new event that falls within the boundaries of the original search parameters, a conflict will be recognized and the new requester shall not be issued an event number to proceed until approved by the original event holder.

The Case Explorer event deconfliction program continues to alert the NOCC of any encroachment of an event request throughout the entire active term of the issued event. Therefore, before any officer is issued an event number for any location that falls within the boundaries of the event, that officer shall be notified that a conflict has occurred and it shall be the decision of the original event holder whether or not to give the new requester the event code for conflict resolution. Officers shall always cooperate with all new requesters and share information and release their event code unless doing so would present a blue-on-blue incident or would compromise investigative efforts or any confidentiality requirements for that investigation.

## **7 MULTIPLE EVENT REQUESTS**

A requester shall call the NOCC for each single event. A separate event number shall be issued for each event location. No event number or event code shall be issued to cover multiple

event locations or types. If a requester wants to obtain event numbers on more than one location, the requester shall submit an *Event Deconfliction Operation Plan* form listing the location for each event or investigation with as much advance notice as possible. The *Event Deconfliction Operation Plan* form may be faxed or submitted to the NOCC. The NOCC personnel shall enter all of the locations listed on the *Event Deconfliction Operation Plan* form and shall contact the requester with all event numbers and event codes upon completion of the entries. This shall prevent possible delays in obtaining event numbers for other investigations.

## 8 EXCEPTIONS TO COORDINATION, SURVEILLANCE, AND DECONFLICTION

Certain Criminal Intelligence Division (CID) task force members conduct investigations under the authority of the Attorney General of the United States that are top secret in nature and associated with national security. These investigations are exempt from the requirements of this General Order. However, in order to ensure deconfliction, the CID division commander or the lieutenant designee may at any time contact the NOCC and inquire about investigative operations occurring within a geographical area to avoid a blue-on-blue incident.

## 9 BLUE-ON-BLUE INCIDENTS

In addition to any other General Order requirements, if any officer is involved in or becomes aware of a blue-on-blue incident, the officer shall notify the NOCC so an investigation can be initiated to determine if event numbers were requested for a location and why there was a conflict.

When a blue-on-blue incident occurs, the covert officer shall immediately comply with the requests and demands by the identifying officer.



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Chief of Police