

UNDERCOVER OPERATIONS

610.1 Purpose and Scope

The Santa Cruz Police Department supports the right of citizens to freely associate without government interference and respects the protections afforded Americans by the First and Fourth Amendments to the Constitution of the United States. The following policy has been established for undercover operations.

610.2

Members of the Santa Cruz Police Department shall not undertake undercover operations within community organizations unless there is reasonable cause to believe that the group, or individuals within the group, are involved in the planning of or intending to, engage in illegal and/or violent activity. The Police Department will seek to gather information about these types of activity by members of these organizations through direct and open communication with them or their members, and/or make use of other less intrusive tactics, whenever possible, before engaging in undercover operations within such groups. Tactics employed by police personnel will comply with existing law, will not constitute entrapment, nor further criminal acts when dealing with community organizations.

610.3 Documentation

The Police Department shall keep no files or information on community organizations or their members gathered by undercover operations unless they are directly related to the planning of illegal and/or violent action. The maintenance of any files, documentation, photographs, etc. shall comply with all state and federal laws and disposed of pursuant to the Public Records Act and the City of Santa Cruz Records Retention Schedule. This provision does not interfere with police filming or photographing public events where police engagement is reasonably expected.

610.4 Approval-Reporting

Prior approval by a Deputy Chief is required before any operations are conducted involving community organizations. On an annual basis, the Chief of Police shall report to the Public Safety Committee of the City Council the number of undercover operations conducted inside of community groups during the previous year.



HOWARD SKERRY

Chief of Police