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| <p><b>RABUN COUNTY SHERIFF'S OFFICE</b></p>  <p><b>General Order Number: 7.05</b></p> | <p><b>Date of Issue</b></p> <p><b>2/23/2016</b></p> | <p><b>Effective Date</b></p> <p><b>2/23/2016</b></p> | <p><b>Revision Date</b></p> |
| <p>Subject: <b>ELECTRONIC SURVEILLANCE EQUIPMENT</b></p>   | <p>Amends:</p>                                      | <p>Rescinds:</p>                                     |                             |
| <p>Index as:</p>   | <p>State Certification Standards:</p>               |  |                             |

Special Instructions:

**PURPOSE**

The purpose of this General Order is to prescribe the policies and procedures of the Habersham County Sheriff's Office regarding the Use of Electronic Surveillance Equipment.

**STATEMENT OF POLICY**

It shall be the policy of the Habersham County Sheriff's Office to conduct electronic surveillance in order to gather evidence or information as needed and to conduct this surveillance in accordance with statute and case law.

**DISCUSSION**

The use of electronic surveillance equipment can provide invaluable information during investigations by law enforcement agencies. Certain statute and case laws have to be followed to ensure that all evidence obtained by electronic surveillance equipment can be used in court.

**DEFINITIONS**

Surveillance — Clandestine observation of persons, places or objects to obtain information concerning the activities and/or identities of individuals

Electronic Surveillance Equipment — Electronic equipment used to conduct covert surveillance operations. This equipment includes but is not limited to Audio and Video transmitters/repeaters, receivers, covert electronic audio and video transmitters (AKA "bug" devices) and telephonic taping devices.

## **I. GENERAL OBJECTIVES**

The following may be some of the objectives in the use of electronic surveillance:

1. To maintain the safety of Undercover Deputies and/or Confidential Sources;
2. To obtain evidence of a crime;
3. To identify or locate persons;
4. To check the reliability of informants;
5. To obtain probable cause for a search warrant;
6. To apprehend persons in the commission of a crime;
7. To develop leads or information for use in an interview;
8. To obtain evidence for court.

## **II. GENERAL PROCEDURES**

1. Surveillance operations should not be initiated unless there is articulate suspicion that the person or location placed under surveillance is engaged or may become engaged in criminal activity.
2. Prior to initiating a surveillance operation a supervisor with the rank of sergeant or higher shall:
  - A. Analyze all available intelligence information pertaining to the operation;
  - B. Familiarize assigned deputies with targeted areas for surveillance as well as any known targeted offenders;
  - C. Establish a means of communications;
  - D. When appropriate, contact the district attorney's office for legal advice;
  - E. Provide expense funds for surveillance teams (e.g. admission fees, cover charges, etc.)
3. Electronic Surveillance
  - A. All electronic surveillance shall be conducted with legal authority.
  - B. Wiretaps shall only be conducted pursuant to a valid court order.
  - C. In order to gather information or evidence on a suspect, conversations between informants and offenders where undercover deputies are utilized may be recorded with the knowledge of one person participating in the conversation. The knowledge of the participating undercover deputy(s) is acceptable.

### III. SURVEILLANCE EQUIPMENT

1. To prevent loss and maintain control of surveillance equipment the Commander of the Criminal Investigations Division shall appoint an Electronic Technician Investigator who shall maintain any electronic surveillance equipment used by the Criminal Investigation Division.
2. The Electronic Technician Investigator shall maintain a current log of electronic surveillance equipment as to its status and operating condition.
3. If any electronic surveillance equipment is loaned out to another Division or Sheriff's Office the Electronic Technician Investigator shall clear this through Investigations Division Commander prior to the equipment being loaned.
4. The Electronic Technician Investigator will maintain a log sheet when equipment is checked out or loaned to another Division or Sheriff's Office. The following information will be placed on the log sheet:
  - A. The individual to whom the equipment is checked out or loaned to;
  - B. That individual's Division or Sheriff's Office;
  - C. The purpose and reason for the loan;
  - D. The projected date of return.



By Order of the Sheriff: **Chad K. Nichols**  
Sheriff, Rabun County