Operations Planning and Deconfliction

608.1 PURPOSE AND SCOPE

This policy provides guidelines for planning, deconfliction and execution of high-risk operations. Additional guidance on planning and serving high-risk warrants is provided in the Warrant Service Policy (607).

608.1.1 DEFINITIONS

Definitions related to this policy include:

High-risk operations - Operations, including service of search and arrest warrants and sting operations that are likely to present higher risks than are commonly faced by members on a daily basis. This includes suspected fortified locations, reasonable risk of violence or confrontation with multiple persons, hazardous environments or reason to suspect that persons anticipate the operation.

608.2 POLICY

It is the policy of the Fargo Police Department to properly plan and carry out high-risk operations, including participation in a regional deconfliction system, in order to provide coordination, enhance the safety of members and the public, decrease the risk of compromising investigations and prevent duplicating efforts.

608.3 OPERATIONS DIRECTOR

The Criminal Investigations Division, Special Operations Unit (CID-SOU) commander is designated as the Department Operations Director for purposes of this and other related department policies. The operations director is responsible for the planning and deconfliction of high risk operations and reports to the incident commander of the high risk operation.

The operations director shall develop and maintain a risk assessment form to assess, plan, and coordinate operations. This form should provide a process to identify high-risk operations.

The operations director shall review risk assessment forms with involved commanders and supervisors to determine whether a particular incident qualifies as a high-risk operation. The director shall also have the responsibility for coordinating operations that are categorized as high risk.

608.4 RISK ASSESSMENT

A risk assessment shall be conducted on all higher risk warrants regardless of the circumstances. This will help to ensure department members are identifying safety issues and minimizing hazards.

608.4.1 RISK ASSESSMENT FORM PREPARATION

Members assigned as operational leads for any operation that may qualify as a high-risk operation shall complete a risk assessment form.

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When preparing the form, the member should query all relevant and reasonably available intelligence resources for information about the subject of investigation and persons or threats that may be present at the involved location. These sources may include regional intelligence and criminal justice databases, target deconfliction systems, firearm records, commercial databases and property records. Where appropriate, the officer should also submit information to these resources.

The officer should gather available information that includes, but is not limited to:

(a) Photographs, including aerial photographs, if available, of the involved location, neighboring yards and obstacles.

(b) Maps of the location.

(c) Diagrams of any property and the interior of any buildings that are involved.

(d) Historical information about the subject of investigation (e.g., history of weapon possession or use, known mental illness, known drug use, threats against police, gang affiliation, criminal history).

(e) Historical information about others who may be present at the location (e.g., other criminals, innocent third parties, dependent adults, children, animals).

(f) Obstacles associated with the location (e.g., fortification, booby traps, reinforced doors/windows, surveillance measures, number and type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations).

(g) Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service).

(h) Other available options that may minimize the risk to members and others (e.g., making an off-site arrest or detention of the subject of investigation).

608.4.2 RISK ASSESSMENT REVIEW

Members shall present the risk assessment form and other relevant documents (such as copies of search warrants and affidavits and arrest warrants) to their supervisor and the operations director.

The supervisor and operations director shall confer and determine the level of risk. Supervisors should take reasonable actions if there is a change in circumstances that elevates the risks associated with the operation.

608.4.3 HIGH-RISK OPERATIONS

If the operations director, after consultation with the involved supervisor, determines that the operation is high risk, the operations director shall determine what resources will be needed at the location, and contact and/or place on standby any of the following appropriate and available resources:

(a) Red River Valley SWAT Team (RRVST)

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(b) Additional personnel

(c) Outside agency assistance

(d) Special equipment

(e) Medical personnel

(f) Persons trained in negotiation

(g) Additional surveillance

(h) Canines

(i) Evidence and Property Unit personnel to assist with cataloguing seizures.

(j) Intelligence and Analysis Unit (IAU) personnel to provide real time intelligence.

(k) Forensic specialists

(l) Specialized mapping for larger or complex locations.

(m) Contact the appropriate department members or other agencies as warranted to begin preparation.

(n) Ensure that all legal documents such as search warrants are complete and have any modifications reasonably necessary to support the operation.

(o) Coordinate the actual operation.

608.5 DECONFLICTION

Deconfliction systems are designed to identify persons and locations associated with investigations or law enforcement operations and alert participating agencies when others are planning or conducting operations in close proximity or time or are investigating the same individuals, groups or locations.

The member who is the operations lead shall ensure the subject of investigation and operations information have been entered in an applicable deconfliction system to determine if there is reported conflicting activity. This should occur as early in the process as practicable, but no later than prior to the commencement of the operation. The member should also enter relevant updated information when it is received.

If any conflict is discovered, the supervisor shall contact the involved jurisdiction and resolve the potential conflict before proceeding.

608.6 OPERATIONS PLAN

The operations director should ensure that a written operations plan is developed for all high-risk operations. Plans should also be considered for other operations that would benefit from having a formal plan.

The plan should address such issues as:

(a) Operation goals, objectives and strategies.

(b) Operation location and people:

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1. The subject(s) of the investigation (e.g., history of weapon possession/use, known mental illness issues, known drug use, threats against police, gang affiliation, criminal history)
2. The location (e.g., fortification, booby traps, reinforced doors/windows, surveillance cameras and/or lookouts, number/type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations), including aerial photos, if available, and maps of neighboring yards and obstacles, diagrams and other visual aids
3. Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service)
4. Identification of other people who may be present in or around the operation, such as other criminal suspects, innocent third parties and children

(c) Information from the risk assessment form by attaching a completed copy in the operational plan.

1. The volume or complexity of the information may indicate that the plan includes a synopsis of the information contained on the risk assessment form to ensure clarity and highlighting of critical information.

(d) Participants and their roles.

1. An adequate number of uniformed officers should be included in the operation team to provide reasonable notice of a legitimate law enforcement operation.
2. How all participants will be identified as law enforcement.

(e) Whether deconfliction submissions are current and all involved individuals, groups and locations have been deconflicted to the extent reasonably practicable.

(f) Identification of all communications channels and call-signs.

(g) Use of force issues.

(h) Contingencies for handling medical emergencies (e.g., services available at the location, closest hospital, closest trauma center).

(i) Plans for detaining people who are not under arrest.

(j) Contingencies for handling children, dependent adults, animals and other people who might be at the location in accordance with the Child Abuse (315), Adult Abuse (313), Child and Dependent Adult Safety (337) and Animal Control (806)policies.

(k) Communications plan

(l) Responsibilities for writing, collecting, reviewing and approving reports.

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608.6.1 OPERATIONS PLAN RETENTION
Since the operations plan contains intelligence information and descriptions of law enforcement tactics, it shall not be filed with the report. The operations plan shall be stored separately and retained in accordance with the Criminal Intelligence and Organizations policy (420) and retained as an exempt record, which may not be released without the approval of the Chief of Police (NDCC 44-04-18.7).

608.7 OPERATIONS BRIEFING

A briefing shall be held prior to the commencement of any high-risk operation to allow all participants to understand the operation, see and identify each other, identify roles and responsibilities and ask questions or seek clarification as needed. Anyone who is not present at the briefing shall not respond to the operation location without specific supervisory approval.

(a) The briefing shall include a verbal review of plan elements, using visual aids, to enhance the participants' understanding of the operations plan.

(b) All participants shall be provided a copy of the operations plan and search warrant, if applicable. Participating personnel, who will be directly involved with the search for property, shall be directed to read the search warrant. Any items to be seized shall be identified at the briefing.

(c) The operations director shall ensure that all participants are visually identifiable as law enforcement officers.

1. Exceptions may be made by the operations director for officers who are conducting surveillance or working in an undercover capacity. However, those members exempt from visual identification should be able to transition to a visible law enforcement indicator at the time of enforcement actions, such as entries or arrests, if necessary.

(d) The briefing shall include details of the communications plan.

1. It is the responsibility of the operations director to ensure that the Red River Valley Dispatch Center (RRRDC) is notified of the time and location of the operation.
2. The radio channel for the operation shall be monitored by Dispatch.
3. The briefing shall include a communications check to ensure that all participants are able to communicate with the available equipment on the designated radio channel.

608.8 RRVST PARTICIPATION

If the operations director determines that SWAT participation is appropriate, the director and the RRVST commander shall work together to develop a written plan. The SWAT commander or designee shall assume operational control of the execution of the high risk entry. The incident commander shall have overall control and responsibility of the incident.

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608.9 MEDIA ACCESS

No advance information regarding planned operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy (323).

608.10 OPERATIONS DEBRIEFING

High-risk operations should be debriefed as soon as reasonably practicable. The debriefing should include as many participants as possible. This debrief may be separate from any SWAT debriefing.

608.11 TRAINING

The Training and Development Unit (TDU) commander shallwork collaboratively with the operations director to ensuremembers assigned to the RRVST or who participate in operations subject to this policy receive periodic training including, but not limited to, topics such as legal issues, deconfliction practices, operations planning concepts and reporting requirements.

608.12 REVISION DATE 03/25/2025

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