

Drug / Narcotic Investigations: Legal Issues & Best Practices “Beyond the Investigation”

Critical Tasks in Narcotics Operations: This session will focus on the critical tasks of a narcotics operation and identify the specific tasks that will expose the investigators and the agency to liability.

Search Warrants: This session focuses on the state of the law related to search warrants as well as the exceptions to the warrant requirement. It should be recognized that when officers breach the rules of criminal procedure, they risk the possibility of a lawsuit under 42 U.S.C. § 1983. Participants will identify the constitutional mandates related to search warrants and the warrant exceptions.

The Concept of Particularity and Specificity: The session will begin with a review of the United States Supreme Court's recent decision in *Groh v. Ramirez* and its impact on the drafting of defensible search warrants.

Pre-Raid Planning: The failure to develop a sound pre-raid plan quickly becomes an issue when officers conducting the raid are faced with resistance and forced to react. In cases where reaction is required plaintiff's expert will attempt to testify as to how the failure of a pre-raid plan created the need for a police reaction. This session will focus on issues related to pre-raid planning and the “best police practices” related to these plans.

Knock and Announce: Where are we? The trilogy of cases from the United States Supreme Court on the concept of “knock and announce” provides the framework for when officers may dispense the requirement of knocking as well as how quickly they can move forward after knocking and announcing. This session will analyze the current rules and provide participants with a formula for making defensible decisions with respect to knocking and announcing.

Special Legal Issues in Narcotics Investigations: The use of informants can lead to dramatic liability. This session will begin by looking at cases involving the protection of informants. Examples such as *Butera v. District of Columbia* where the initial jury award (since vacated) against the District was 98 million dollars will be used to discuss investigator and agency obligations to informants. The session will also discuss additional legal issues such as liability related to the seizure of property as well as funds held by narcotics units.

Audits and Inspections: Agencies cannot afford to wait until enduring the worst case scenario to determine if their operations are consistent with the best police practices. This session will focus on the concept of audits and inspections as a means to detect deficiencies before the crisis. Participants will review audits and inspections material specifically related to the narcotics function that may be implemented to identify areas of improvement that will help reduce liability.

Policy Development for Narcotics Units: Policy Development: Developing the most defensible policy and training for narcotics units. This session will focus on sound policy development that will make officers and agencies a more difficult target for plaintiff's attorney.

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May 6 & 7, 2019 • Denver, Colorado

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Mark Waterfill, President



National Criminal Justice
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Denver, Colorado

Training Seminar Drug / Narcotic Investigations: Legal Issues & Best Practices “Beyond the Investigation”

Instructor:
Shaun Santos, Attorney

Sgt. Santos has been a law enforcement officer for 20 years, with over 15 years experience as a Narcotics Detective. He has extensive experience working with the Drug Enforcement Administration conducting electronic surveillance investigations in to the Drug Trafficking Organizations. Shaun is currently assigned to the DEA's Financial Investigations Team (FIT), anti-money laundering group, responsible for conducting large international money laundering investigations. He has experience with foreign and domestic money pick-ups, international bank wire transfers, familiarity with Black Market Peso Exchange, and Attorney General Exempt Operations (AGEO), allowing for the laundering of drug proceeds in furtherance of narcotics investigations.

Shaun has received his Bachelor Degree in Criminal Justice, University of Massachusetts, Lowell, MA; Masters Degree from Anna Maria College; and Juris Doctorate from Suffolk University Law School.

May 6 & 7, 2019
Denver, Colorado

Register online at: www.patc.com

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Course Overview

One of the most critical tasks in law enforcement involves narcotics investigations and operations. While the success of these operations requires extensive training and proper equipment; success also requires sound decision making from the moment the decision is made to undertake a narcotics operation.

Over the last decade, narcotics operations have come under the scrutiny of the media and the courts. This scrutiny is largely the results of lawsuits filed against agencies and officers following a narcotics operation that has not been successful or that has led to injuries to suspects and/or informants. These cases have focused on law enforcement agencies and their overall narcotics enforcement operation. The purpose of this program is to highlight the state of the law with respect to narcotics units and operations. Much of the developing law can be found in reported decisions of the federal courts. The course utilizes the case-study approach in order to identify the important policy and practice considerations that will assist narcotics unit commanders; supervisors and officers make legally defensible decisions without compromising operations during narcotics investigations. The materials will also provide officers with legally defensible practices that will enhance their ability to bring admissible evidence before the courts.

The program takes a three-tier approach. First, participants will be presented with the legal cases that impact law enforcement liability from the standpoint of the agency and individual officers and supervisors. Second, participants will be presented with cases specifically related to the operation of narcotics investigations. Finally, the training turns toward the policy and training issues that will enhance the ability of officers, supervisors and agencies in avoiding liability while at the same time reducing the possibility of the suppression of evidence in criminal prosecutions.

The course is unique in the fact that it takes a practical approach to legal principles impacting narcotics operations and provides a road map to an operational implementation of the legal principles without hindering operations or compromising officer safety.

Course Objectives

Participants will gain knowledge in the following areas:

Liability in Law Enforcement Operations: This session focuses on civil liability for individual officers in the various law enforcement tasks. Using the task oriented approach; the session will be limited to those areas that are also applicable to the narcotics officer.

Agency Liability: This session reviews the law with respect to agency liability. Students will be presented with the law relating to civil rights claims brought against an agency as the result of an officer's conduct.

Training: This session examines the law relating to an agency's failure to train officers for recurring (foreseeable) police tasks.

Liability in Narcotics Operations: This session utilizes the principles from the previous sessions in reviewing cases with direct application to Narcotics Operations.

Seminar Agenda Drug / Narcotic Investigations: Legal Issues & Best Practices “Beyond the Investigation”

May 6 & 7, 2019 • Denver, Colorado

Monday, May 6, 2019

- 8:00 a.m.-8:30 a.m. **Registration**
- 8:30 a.m.-9:00 a.m. Introductions and Course Overview
- 9:00 a.m.-10:00 a.m. Liability in Law Enforcement Operations
- 10:00 a.m.-11:00 a.m. Agency Liability
- 11:00 a.m.-12:00 p.m. Narcotics Operations Liability Overview
- 12:00 p.m.-1:00 p.m. **Lunch (On Your Own)**
- 1:00 p.m.-3:00 p.m. Critical Tasks in Narcotics Operations
- 3:00 p.m.-4:00 p.m. Search Warrants-Liability Issues Related to Warrants

Tuesday, May 7, 2019

- 8:00 a.m.-10:00 a.m. Particularity and Specificity-The Implications of Groh v. Ramirez
- 10:00 a.m.-11:00 a.m. Pre-Raid Planning and related liability issues
- 11:00 a.m.-12:00 a.m. Knock and Announce-United States v. Banks
- 11:30 a.m.-12:30 p.m. **Lunch (On Your Own)**
- 12:30 p.m.-3:00 p.m. Special Legal Issues in Narcotics Operations-Protection of Informants, Care custody and control of informant funds, high risk warrant service.
- 3:00 p.m.-4:00 p.m. Policy Development and Revision for Narcotics Units
- 4:00 p.m. **Certificate Presentation**

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3 Ways to Register for a Seminar!

1. **Register Online** at www.patc.com — Yellow link in upper left corner
2. **Fax Form** to Public Agency Training Council **FAX: 1-317-821-5096**
3. **Mail Form** to

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*** Pre-payment is not required to register ***

Upon receiving your registration we will send an invoice to the department or agency .

Checks, Claim Forms, Purchase Orders should be made payable to:

Public Agency Training Council

If you have any questions please call
317-821-5085 (Indianapolis)
800-365-0119 (Outside Indianapolis)



Seminar Title: Drugs / Narcotic Investigations:
Legal Issues & Best Practices

Instructor: Shaun Santos

Seminar Location: Denver Police Department
Training Academy
2155 North Akron Way
Denver, Colorado 80238

When: May 6 & 7, 2019

Registration Time: 8:00 A.M. (May 6, 2019)

Hotel Reservations: Renaissance Denver Hotel
3801 Quebec Street
Denver, Colorado 80207
1-303-399-7500
Call Hotel For Current Rates (plus tax)

Registration Fee: \$325.00 Includes Drugs/ Narcotic Investigations: Legal Issues & Best Practices Course Material, Coffee Breaks, and Certificate of Completion.

**Seminar ID
#16265**

Note:
To receive special room rates, please identify yourself with **Current Rates**

Names of Attendees 1. _____

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3. _____

4. _____

Agency _____

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