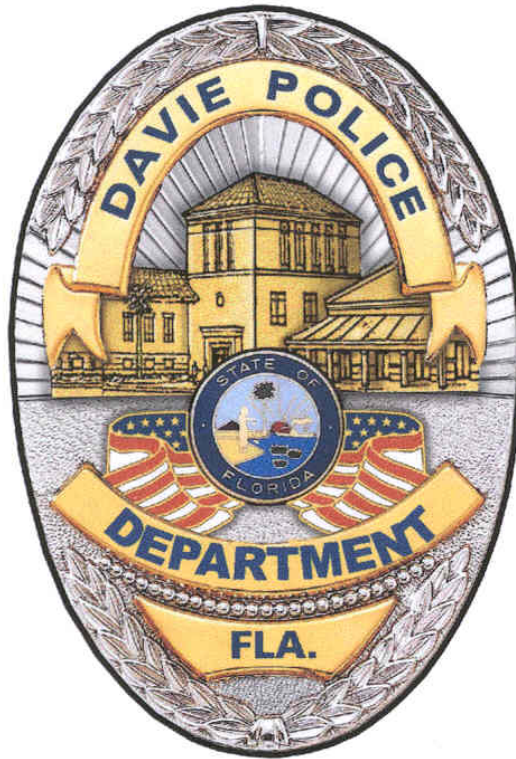


# DAVIE POLICE DEPARTMENT



## GENERAL ORDERS MANUAL

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# **DAVIE POLICE DEPARTMENT GENERAL ORDERS MANUAL**

## **-INTRODUCTION-**

The Davie Police Department expects high standards and a professional work ethic from its members. Accordingly, this General Orders Manual is issued to all Department members as a means to provide direction and guidance throughout their employment.

Members shall acknowledge receipt of this Manual by signing for it at their time of hire as a new employee and shall adhere to its contents.

The contents of this Manual may be changed or revised from time to time, and new policies will be created and issued. Members will receive a copy of policy changes for inclusion in their Manual, and are held personally accountable for complying with the directives.

If any part of this Manual is deemed to be in conflict with any state or federal law, or held unconstitutional for any reason, the conflict will be resolved in favor of the applicable state or federal law, or constitutional provision. This decision will not affect the remaining portions of the Manual.

If any part of this Manual conflicts with any provisions of a collective bargaining agreement, the conflict will be resolved in favor of the collective bargaining agreement for any covered members.

Members who need clarification of policies contained in their Manual are directed to contact their immediate supervisor.

**Patrick Lynn  
Chief of Police**

## **VISION STATEMENT**

The Davie Police Department is committed to the enhancement of the quality of life for the citizens of the Town of Davie. We will partnership through our Community policing and our community, to address problems and fight crime in an environment of trust, professional pride, personal responsibility, integrity, and service.

## **VALUES STATEMENT**

The Davie Police Department's service to its citizens is founded on an ideal of respect for the rights of each individual. Department members shall maintain the highest standards of personal integrity and ethics, and a sense of community interaction that focuses on solutions to citizen and community problems. Our members recognize that all incidents and issues that may be encountered in the line of duty are to be treated in the spirit and manner that best exemplifies the values of compassion, integrity, thorough attention, resolve, and accountability.

## **MISSION STATEMENT**

The Davie Police Department exists to serve and protect its citizens. The Department is committed to work in partnership with the citizens for the mutual purpose of promoting safe streets and neighborhoods, creating a community free from the fear of crime, and improving the overall quality of life.

Patrick Lynn  
Chief of Police

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>DOMESTIC VIOLENCE</b>	GENERAL ORDER NO. <b>440</b>
RESCINDS: G. O. 440 issued 03/18/2008	ISSUE DATE: 08/07/2008
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 09/07/2008

### 440.1 PURPOSE

The purpose of this policy and procedure is to establish guidelines for all members of the Davie Police Department for providing information and assistance to victims of Domestic Violence as defined by Florida Law. An effective policy in this area, one which combines arrest and detention and brings the perpetrators of domestic violence under the control of the criminal justice system, has been shown to reduce repeated police response and further violence. Law Enforcement intervention is vital to the process of breaking the cycle of violence.

### 440.2 POLICY

It shall be the policy of the Davie Police Department to provide victims of domestic violence with protection and support from a combination of law enforcement and community services. This General Order shall prescribe courses of action for officers in handling incidents of domestic violence and domestic disturbances. The primary objectives of the Davie Police Department's response to incidents involving domestic violence are the separation of the parties involved, the timely intervention in all criminal acts, and the prevention of future violence. In responding to incidents of domestic violence, officers should use tactics designed to ensure the safety of themselves and the victim, preserve the scene, and apprehend the offender.

### 440.3 DEFINITIONS

Domestic Violence – means any assault, aggravated assault, battery, aggravated battery, sexual assault, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another who is or was residing in the same single dwelling unit.

Family or household member – means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who have a child in common regardless of whether they have been married or have resided together at any time.

Petition for Injunction for Protection against Domestic Violence – Court order obtained pursuant to F.S.S. 741.30 establishing certain restriction upon the respondent.

Petition for Injunction for Protection against Repeat Violence or Dating Violence – Court order obtained pursuant to F.S.S. 784.046 establishing certain restrictions upon the respondent.

Petitioner – Person who obtains injunction for protection.

Respondent – Person against whom the injunction is obtained.

Proof of Service Form – a form in the nature of an affidavit which evidences proof of service or non-service. This form must be completely filled out by the officer serving the injunction and promptly returned. The officer serving the injunction will note the date and time of service on the form. The proof of service form is issued by B.S.O. and is included in the service package provided to the petitioner by the clerk.

Service of an Injunction – means handing it to the party to be served (the respondent) or, should the party refuse to accept same, dropping the injunction at the party's feet after identifying the document as an injunction and stating "You have been served". This is personal service of an injunction which must be effectuated prior to enforcing the terms and conditions of an injunction.

## 440.4 PROCEDURES

### A. Duties and Responsibilities of sworn members:

#### Initial Officer Response:

1. Incidents of domestic violence should be treated as violent criminal activity. Officers should therefore respond based upon the information they receive from the Dispatcher in accordance with the rules regarding non-routine response driving, under the General Order governing vehicle operation.
2. Officers should take the necessary actions to provide safety to all parties concerned, including the safety of all responding officers. Officers should have bystanders move away from the immediate area to ensure their safety.
3. Officers shall ascertain from dispatch specific information, if known, that will assist in the safe entry to the domestic violence scene. Officers should utilize tactical approach procedures such as a silent approach, requesting radio silence, parking away from the scene, and using an indirect foot approach.
4. If the occupants do not allow entry and the victim appears to be in imminent danger, the responding officers should enter with caution. An officer can enter the premises without a warrant under exigent circumstances to protect individuals in distress, assist victims of crimes, investigate a felony in progress, or to investigate suspicious signs of impending danger.
5. **Immediately stop any violence and separate the parties involved.**

6. Medical treatment should be requested for any victims that sustained injury.
7. After the incident has stabilized, the responding officer(s) should initiate an investigation into any allegation of domestic violence.

On-scene Investigation and arrest procedures:

1. All parties, including victims and witnesses, should be interviewed. Whenever probable cause exists that a domestic violence related crime occurred sworn taped statements shall be taken from all parties concerned, including the victim, witnesses, and defendant if still on scene.
2. If the officer establishes that an act of Domestic Violence has occurred and probable cause exists for a lawful arrest, an arrest is the preferred course of action.
3. Officers will make every effort to ascertain which person involved in a Domestic Violence call was the primary aggressor. F.S.S. 741.28(4)(b) addresses dual arrests as follows: When there are allegations that each party assaulted the other, the officer will determine whether there is sufficient evidence to conclude that one of the parties is the primary aggressor. Arrest is the preferred response only with respect to the primary aggressor.
4. The decision to arrest and charge shall not require the consent of the victim.
5. Photographs of both the victim and offender and photographs of their respective injuries and of the crime scene shall be taken. Photographs documenting evidence of injury should be treated as evidence and therefore be submitted to the Evidence/Property Room with a completed Property Receipt.
6. Items of evidentiary value shall be documented, photographed, collected, and submitted to the Evidence Property Room with a Property Receipt as appropriate. Evidence of domestic violence can include weapons; blood; common household items such as pulled out phone cords, lighters, etc.; and damaged or destroyed personal property.
7. Misdemeanor domestic violence cases are handled by the SAO Domestic Violence Unit. Taped statements on cassette must be logged in the Cassette Transcription Log specifying Domestic Violence (not just simple battery). Cassette tapes are then copied by the person responsible for transcription and sent to the Domestic Violence Unit by the Case Filing Specialist.
8. A **Domestic Violence Tape Request Form** may be faxed to BSO Communications requesting audio/dispatch tapes from 911 calls.
9. When investigating cases of domestic violence, officers should also screen for indicators of child/elderly abuse or neglect.

10. The responding officer should in every instance identify whether a child is present and so indicate on the incident report. The reporting officer should identify the child's name, sex, race, date of birth, and the school they attend.
11. Officers shall locate and assess the welfare of any children that may be on scene. Children present during the incident should be interviewed, if possible, along with any other witnesses.
12. Officers should also attempt to ascertain whether a female victim is pregnant and, whether and how the suspect is aware of her condition. This can be accomplished through questioning of the victim, the offender, relatives, neighbors, and through general observation. This is a necessary element in charging under F.S.S. 784.045(1)(b).

Follow-up Investigation:

1. If it is determined that a crime has been committed and the suspect has left the scene, the officers shall:
  - a. Conduct a search of the area for the subject;
  - b. Obtain information from the victim and witnesses as to where the suspect might be located and check those areas;
  - c. Arrest the suspect when probable cause exists and the suspect is located at a later time;
  - d. Prepare a complaint affidavit which can be placed on the briefing board or with dispatch where it is believed that the suspect might return and the victim may have to call officers back to the scene.
  - e. If the suspect is not located and arrested based upon the probable cause within 24 hours of the incident, the complaint affidavit should be routed appropriately for referral to the SAO;
  - f. Felony investigations should be forwarded to the Criminal Investigative Unit for further follow-up.

B. Victim Assistance:

1. Officers responding to calls of domestic disturbances or incidents of domestic violence shall provide assistance to the victims as prescribed by the General Order governing Victim Assistance.
2. All officers shall provide to the victim a **Victim's Right Brochure** which includes the case number to the report.
3. Officers will give victims immediate notice of legal rights and remedies available in a **Domestic Violence Pamphlet**. The Domestic Violence Pamphlet lists the phone numbers of Domestic Violence Centers available; provides an outline statement of the victim's rights and procedures under the law; and contains information on how to apply for an injunction for protection against Domestic Violence under F.S.S. 741.30 and Repeat or Dating Violence under F.S.S. 784.046.
4. Officers shall advise victims of the existence of local Domestic Violence Centers as outlined in the Domestic Violence Pamphlet.

Officers may provide or arrange through the Department's Victim Advocate transportation to such facility as necessary.

5. Officers will have the victim sign a receipt for the Domestic Violence Pamphlet and attach the receipt to their written report.
6. Pursuant to F.S.S. Ch. 119, all officers will have the victims sign a **Disclosure of Victim Information Form** for the purposes of confidentiality when pertaining to Domestic Violence related cases.
7. All officers when making the initial arrest, shall have the victim complete a **Victim's Notification Form** which will travel with the booking information to serve as notification to the victim upon the offender's release from any detention facility.

C. Reporting:

1. **Officers who investigate an allegation of Domestic Violence shall initiate a written report whether or not an arrest is made.**
2. Florida Law requires that each report of alleged Domestic Violence contain the following information:
  - a. Clearly indicates that the alleged offense was an incident of domestic violence.
  - b. A description of physical injuries observed.
  - c. A statement indicating that a copy of the legal rights and remedies notice was given to the victim.
  - d. If an arrest was not made, the reason why the arrest was not made.
3. When an arrest is made, officers will stamp all copies of the Probable Cause Affidavit in red with a "Domestic Violence" stamp across the Offense Charge section.
4. An arresting officer shall mark the probable cause affidavit with a red "JUVENILE" stamp when a child is the subject matter of the abuse or when the child is a witness to domestic violence.

D. Duties and Responsibilities of Records Unit Personnel:

1. Upon receipt, the custodian of Records or designee will within 24 hours provide copies of Offense/Incident Reports related to incidents of Domestic Violence or Domestic Disturbances to the Victim Advocate for review pursuant to F.S.S. Ch. 960.
2. Records Unit personnel shall take great care to ensure the confidentiality of records and files containing victim/witness information in accordance with F.S.S. Ch. 119.
3. Records personnel will send a copy of the offense incident report, excluding any victim/witness statements deemed to be part of an active criminal investigation to Women in Distress within 24 hours of the agency's receipt of the report.



## E. Duties and Responsibilities of Communications Personnel:

1. Non-sworn members working in the Dispatch or Records Unit functions are responsible for being knowledgeable about victim/witness services available.
2. Manuals with phone contact numbers for referral services will be maintained in the Dispatch Unit immediately available to Communications personnel on a 24 hour basis.
3. Although the Davie Police Department routes all calls for service through the Broward Sheriff's Office CDC there are times when calls of an emergency nature or crimes in progress are received which require immediate priority and shall be dispatched over the police radio by the Department's Dispatch Unit. In situations such as these, the Dispatcher should take the following steps:
  - a. Determine the initial facts of the situation, whether or not the caller or others are in immediate danger or in need of emergency medical attention, and call for emergency medical assistance as necessary.
  - b. Dispatch at least two police units to each incident of domestic violence (a primary and a back-up unit).
  - c. Obtain general information including: the caller's name, address, phone number, location, current status of the victim, the suspect's actions and whether there are weapons involved.
  - d. If there is immediate danger, advise the victim to move to a safe location if possible. Obtain a phone number of where the caller can be reached at the new location.
  - e. If the victim can not move to a safe location, dispatchers should keep the complainant on the phone and/or ask the caller not to hang up the phone. If the call is disconnected, the dispatcher shall attempt to call back to get an update on the status of events and relay this information to responding units.
  - f. Whenever a victim/caller cancels a request for police response on a domestic violence call, the Dispatchers should not cancel the responding units, but should relay this information to the officers via the radio.
  - g. In addition to information normally gathered, dispatchers should attempt to gain and relay to responding officers the following:
    1. If the suspect is still present and, if not, the suspect's name, relationship to the victim, description and possible whereabouts.
    2. The suspect's actions against the victim.
    3. The suspect's use and/or possession of a weapon.
    4. Whether the offender is under the influence of drugs or alcohol.

5. Whether there is anyone else at the scene including children.
6. Whether there exists a current injunction or equivalent order.
7. The complaint history at the location.
8. Use the call history at that location, criminal history checks, and other available databases to provide responding officers with crucial criminal and civil information with regard to firearm possession prohibitions, outstanding warrants, protective orders, extra watches, probation or conditions of release information or other information regarding the suspect's dangerousness and specifics about the incident.
9. If dispatch personnel receive a call for assistance at a scene where a member of this Department is alleged to be a domestic violence offender or victim, an on-duty supervisor shall be notified immediately.

#### **440.5 DEPARTMENT MEMBER INVOLVED IN DOMESTIC VIOLENCE OR DOMESTIC DISTURBANCE RELATED CASES**

##### A. Domestic Violence or Domestic related incidents involving Department members:

1. Any member who witnesses or otherwise has first-hand or well founded knowledge of a Domestic Violence or Domestic Disturbance related incident involving a Department member (whether as a victim or offender) or involving a sworn member of any other law enforcement agency will immediately report the incident to their supervisor.
2. Any member who responds to the scene of a Domestic Violence or Domestic Disturbance related call involving a member (whether as a victim or offender) of this Department or a sworn member of any other law enforcement agency will report the incident to their supervisor as soon as practical.
3. When a member is involved in a Domestic Violence incident or Domestic Disturbance that is investigated by another law enforcement agency, the member shall notify their immediate supervisor prior to the beginning of his or her next work shift and further shall keep his or her immediate supervisor advised of the status of the case and any ongoing proceedings.
4. When a member (whether as a victim or offender) of this Department or a sworn member of any other law enforcement agency is involved in a Domestic Violence or Domestic Disturbance related incident, the supervisor will respond to the scene to ensure that the investigation is handled in a manner consistent with the procedures used in handling all domestic violence cases as outlined in this General Order.
5. When a Department member is the subject of a criminal investigation related to this or any other type of offense, the criminal investigation shall be completed prior to any interviewing of the subject by

Professional Compliance Unit personnel for purposes of the administrative investigation.

6. An administrative investigation may be initiated to determine whether the member violated any Department policies. Internal affairs personnel shall follow the administrative investigation procedures as governed by the Internal Affairs policy.
  7. If an officer is arrested for a domestic violence related incident by another law enforcement agency he or she must notify the Chief via chain of command immediately as governed by G.O. 301, Standards of Conduct.
  8. When an on-duty supervisor is made aware of a Department member being arrested, by this or another agency, they must immediately notify their Division Commander as well as the Chief. A PCU Investigator will be notified by the Office of the Chief and will respond to the scene if a sworn member has been or is about to be arrested.
  9. If an officer has been arrested and/or charged with a Domestic Violence related crime by this or any other agency, the officer will be placed on restricted duty and not be allowed to carry their Department issued firearm. Notwithstanding any protective court orders or injunctions, the officer may be able to possess their Department issued firearm and return to full-duty status at the discretion of the Chief after a period of time when the nature and substance of the complaint has been reviewed.
  10. Pursuant to current federal law, it is illegal for any person, including a law enforcement officer, who has been **convicted** of a misdemeanor crime involving domestic violence to possess a firearm for any purpose, including the performance of their official duties. It is unlawful for anyone convicted of a misdemeanor crime of domestic violence to possess, use, or receive firearms or ammunition.
  11. The employment status of a Department member convicted of a misdemeanor domestic violence related offense will be determined in accordance with current state and federal laws as well as other applicable Town rules and regulations.
- B. Domestic Violence involving sworn members of other law enforcement agencies:
1. When a member of another law enforcement agency is a suspect in an active investigation by this Department, the decision as to when to notify the suspect's employing agency will be in the best interests of the case and/or victim.
  2. When a member of another law enforcement agency has been arrested and/or charged with a Domestic Violence related offense by our Department, **the employing agency will be notified prior to the end of the shift**. Said notification should include the time of the incident, the specific crime charged, and our Department case number.

## 440.6 SERVICE OF INJUNCTIONS AND PROTECTIVE ORDERS

- A. Service of Injunctions: This section applies to both temporary and final domestic violence injunctions, repeat violence, and dating violence injunctions involving F.S.S. 741.31 or 784.047.
1. Sworn members are authorized under Florida Law to serve certified copies of protective orders and injunctions which are signed by a judge.
  2. All service, execution, or attempts to serve civil process shall be documented on an offense report and will include the following information:
    - a. the date and time service was attempted or executed;
    - b. the name of the Department member/server;
    - c. the reason for non-service, if applicable;
    - d. the method of service;
    - e. the location where service was achieved or attempted;
    - f. to whom the process was served or executed.
  3. Upon request from the petitioner, a sworn Department member will serve an injunction for protection against domestic violence and otherwise assist in placing the petitioner in possession of the dwelling or residence.
  4. In order for the Department to serve a domestic/repeat/dating violence injunction, the petitioner will present the Department member with a complete service package provided by the Clerk of the Court.
  5. The packet will contain a copy of the petition, notice of hearings, an injunction, and a **Proof of Service**. The proof of service form generated by the Broward Sheriff's Office will identify the petitioner and respondent and contain detailed instructions for the officer in the proper handling and service of the injunction.
  6. The member should verify that the respondent was not previously served via dispatch teletype. Personal service is required. Verify the identity of the subject to assure that the person is the respondent.
  7. Detach and retain the proof of service form from the petitioner's packet. Read or explain provisions of the injunction to the respondent with special attention to notice of hearing, child custody, provisions with respect to exclusive use and occupancy of the home, and that the respondent shall have no contact whatsoever with petitioner, directly or indirectly, until further order of the court.
  8. If the respondent is ordered to vacate the shared premises, allow the opportunity for the collection of a few personal items. Assure that the respondent leaves and understands that a return to the premises is unlawful and may result in arrest.

9. Record the date, time, and serving officer's signature on the face of the injunction prior to physically handing the injunction to the respondent.
  10. Provide the respondent with a copy of the injunction. If the respondent is unwilling to accept the injunction, a "drop service" may be rendered by stating "You have been served" and drop the injunction at the respondent's feet, after advising that the document is an injunction and he/she has been served. This is personal service. Be sure to note on the proof of service form that the respondent refused to accept hand-delivery of the injunction. The injunction can not be left with a relative or left at the respondent's home or business.
  11. The member should then complete the proof of service form with special attention given to the respondent's physical description and date of birth. The narrative portion should contain relevant information not previously documented (i.e. respondent refused to accept service, "drop service" at feet, or respondent was served in hand and left the residence without incident).
  12. **Within two (2) hours of the actual service, the proof of service form should be faxed to BSO.** BSO will then ensure that the Statewide Verification System is updated to reflect that service has been made. This will prevent the injunction from being unnecessarily served a second time.
- B. Out of state protective orders: This Department shall enforce foreign (i.e. out of-state and tribal nations) injunctions in the same manner as if they originated in Florida. Members shall use reasonable efforts to verify service of process for foreign protection orders via dispatch teletype.
- C. Service of injunctions on law enforcement officers:
1. It is unlawful under federal law for persons subject to certain restraining orders issued by a court to possess firearms. It is the policy of this Department to strictly adhere to any explicit language written into a court order for protection against domestic/repeat violence.
  2. If a sworn member of this Department is served as a respondent with a domestic/repeat violence injunction, the member will immediately notify the Chief via chain of command and provide a copy of the injunction to the Chief or his designee.
  3. The member will be placed on restricted duty and not be allowed to carry their Department issued firearm until after a period of time that the provisions of the injunction and specifically any restrictions on the carrying of firearms have been reviewed.
  4. The status of an affected member should be taken into consideration prior to approving any on or off duty assignments or details.
  5. A determination shall be made by the Chief in accordance with other Department policies and Town rules and regulations whether the member will undergo psychological evaluation to determine fitness for duty and/or be referred to a batterer's intervention program, if warranted.

## 440.7 ARRESTS BASED UPON INJUNCTIONS

- A. Arrests based on violations of injunctions: This section applies to violations of both temporary and final domestic violence injunctions, repeat violence and dating violence injunctions involving F.S.S. 741.31 or 784.047.
1. After proper service of an injunction upon a respondent, the injunction is valid and enforceable in all counties of the State of Florida and the United States. Officers must verify that the respondent has been served prior to arrest via dispatch teletype and/or by contacting BSO directly.
  2. Upon determination of probable cause, an officer may make a physical arrest of the respondent if he or she willfully and knowingly violates a term of an injunction by:
    - g. refusing to vacate the shared premises within the time limits stated on the injunction;
    - h. going to the petitioner's residence, school, place of employment, or a specified place frequented regularly by the petitioner and/or any named family member or household member;
    - i. committing an act of domestic violence against the petitioner;
    - j. committing any other violation of the injunction through an intentional unlawful threat, word, or act to do violence to the petitioner;
    - k. telephoning, contact, or otherwise communicating with the petitioner directly or indirectly unless the injunction specifically allows indirect contact through a third party; or
    - l. being in possession of a firearm or ammunition while under an injunction.
  3. An officer shall make an arrest for a criminal violation of the terms of an injunction pursuant to F.S.S. Ch. 741 (domestic violence injunctions) or Ch. 784 (repeat or dating violence injunctions). This is a court order and not subject to the officer's discretion.
  4. Officer's may **not** arrest persons for civil violations, unless specified in the court order. For civil violations, the petitioner should be referred to the Clerk of the Court. (Examples of civil violations include failure to comply with financial obligations, failing to attend the Batterer's Intervention Program, or failing to take some action like returning the petitioner's property, etc.)

**440.8 TRAINING**

- A. All sworn Department members shall receive in-service domestic violence awareness training in compliance with the mandatory re-training provisions set forth by the CJSTC.
- B. Training regarding the familiarization with the Department's Victim's Advocate Unit and victim assistance programs as prescribed by F.S.S. will be provided to new members during in-service training.

**440.9 GOOD FAITH IMMUNITY**

- A. A law enforcement officer who acts in good faith, in any civil action, will not be held liable for an arrest based upon probable cause, enforcement in good faith of a court order, or service of process in good faith arising from an alleged incident of domestic violence brought by a party to the incident. A law enforcement officer who acts in good faith and exercises due care in making an arrest is immune from civil liability that otherwise might result by reason of his or her action.

**DAVIE POLICE DEPARTMENT  
GENERAL ORDER**

SUBJECT: <b>ACCREDITATION MANAGEMENT</b>	GENERAL ORDER NO. <b>102</b>
RESCINDS: N/A	ISSUE DATE: 07/25/2003
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

**102.1 PURPOSE**

The purpose of this policy and procedure is to establish an Accreditation Management system which provides direction to personnel associated with the Accreditation process and guidelines of the program for all members of the Department.

**102.2 POLICY**

It shall be the policy of the Davie Police Department to achieve and maintain accredited status in an effort to constantly improve professionalism throughout the agency. The Department shall maintain a system that includes planning and research, reports and reviews, inspections, policy development, training, and other activities required to ensure compliance with the set of standards established by the accrediting organization.

**102.3 DEFINITIONS**

Accreditation – The bestowing of credentials symbolizing approval from a professional organization upon practitioners or specific institutions. It is a progressive and time-proven way of helping organizations evaluate and improve their overall performance.

Commission for Florida Law Enforcement Accreditation (CFA) – An accrediting body established in 1993 per F.S.S. 943.125 which directed the Florida Sheriff's Association and the Florida Chief's Association to create a voluntary law enforcement accreditation program. The Commission meets regularly to oversee the accreditation program and to officially accredit agencies that have passed the rigorous review process.

The Commission on Accreditation for Law Enforcement Agencies (CALEA) – An accrediting body founded in 1979, created through the combined efforts of four major law enforcement organizations for the purposes of strengthening crime prevention and control capabilities; formalize essential management procedures; establish fair and nondiscriminatory personnel practices; improve service delivery; solidify interagency cooperation and coordination; and boost citizen and staff confidence in the agency.

CALEA Recognition – This program offered through affiliates such as CFA offers national professional credentialing to agencies that are able to prove compliance with the required standards.



## 102.4 PROCEDURES

- A. Authority of Accreditation Manager:
  - 1. The Accreditation Manager is selected by and reports directly to the Chief of Police. The authority of the Accreditation Manager is delegated directly from the Office of the Chief.
  - 2. The Accreditation Manager and staff are organized within the Professional Standards Unit to ensure consistency and proper coordination with personnel selection, orientation, training, policy development, and adherence to mandated standards of the accrediting body.
  - 3. The Accreditation Manager is considered a facilitator and coordinator for agency personnel as well as the liaison to the accrediting organization.
  - 4. The Accreditation Manager shall be granted direct access to Division Commanders and other members whose expertise or authority is needed for the successful execution of the accreditation process.
  
- B. Duties and Responsibilities of Accreditation Manager:
  - 1. The Accreditation Manager shall assist in the design of new programs, systems, procedures, or equipment to improve the performance of the Department in compliance with applicable standards.
  - 2. The Accreditation Manager will review a wide variety of complex and technical issues concerning law enforcement standards and the accreditation process.
  - 3. Keep abreast of all aspects of the accreditation process, including proposed changes to the standards and assess the impact of changes on current policies and procedures of the agency.
  - 4. Shall develop, update, and revise Department policies in accordance with the accrediting organization's requirements; organizational and procedural changes within the Department; and legal updates; and submit proposed policies to the appropriate and affected authorities for review and implementation.
  - 5. The Accreditation Manager will create and maintain appropriate files and records to demonstrate compliance with professional standards.
  - 6. Properly prepare and submit required reports to the accrediting organization.
  - 7. Inform Department members regarding any planned on-site inspections and assist with the preparation of the Department for both mock and actual on-site inspections of the agency, the facility, personnel, and equipment.

8. Keep the Chief of Police updated and submit reports as to the status of the accreditation process.
9. The Accreditation Manager shall provide information to the Chief of Police and Department members regarding any changes to the status of accreditation through memorandums and updates.
10. The Accreditation Manager shall develop systems and be provided sufficient staff to ensure continued compliance with standards and to achieve Reaccreditation status.

C. Duties and Responsibilities of Division/Unit Supervisors:

1. All Department supervisors are responsible for ensuring that all of their respective Divisions/Units are in compliance with all applicable standards.
2. All Division/Unit Supervisors are responsible for periodically reviewing Department policies to ensure operational procedures are current and accurate. Committees of personnel must be appointed to review such policies and shall forward a copy of their proposals for amendments or changes to the Professional Standards Unit to be reviewed by the Accreditation Manager.
3. Every supervisor must comply, on a timely basis, with any requests for proofs of compliance of the standards by the Accreditation Manager.

D. Duties and Responsibilities of Department Members:

1. All Department members shall be issued a Department Policy Manual upon being hired and shall become knowledgeable regarding the official policies and procedures of the Davie Police Department in accordance with the policies governing Standards of Conduct and the Written Directives System.
2. All Department members who seek to establish a standard operating procedure or propose revisions or amendments to policies and procedures must forward copies of their proposals through their chain-of-command to the Professional Standards Unit to be reviewed by the Accreditation Manager.

E. Duties and Responsibilities of the Training Unit:

1. The role of Department training, including both in-service and mandatory training, has significant impact on the accreditation process. The members assigned to the Training Unit shall become specifically familiar with those aspects of the accreditation process that are relevant to training.
2. Training curriculum and programs, lesson plans, and training bulletins or legal updates must be reviewed to ensure adherence to Department policies and compliance with professional standards.

## **102.5 TRAINING**

- A. Newly hired Department members shall receive training during their orientation phase regarding the Accreditation process to include: the history and background of accreditation; goals and objectives; involvement and impact on the Department; and the advantages of attaining accreditation.
- B. The Accreditation Manager and staff shall attend training workshops, seminars, and conferences relevant to the accreditation process.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>INSPECTIONS</b>	GENERAL ORDER NO. <b>103</b>
RESCINDS:    S.O.P. 25	ISSUE DATE:  01/21/2005
AUTHORIZING SIGNATURE:  Chief Patrick Lynn	EFFECTIVE DATE:  11/29/2007

### 103.1 PURPOSE

The purpose of this General Order is to establish guidelines for the coordination of staff and line inspections. Inspections are a viable management practice designed to improve efficiency, effectiveness and accountability of departmental operations, and to provide fact finding assistance to the Chief of Police and staff.

### 103.2 POLICY

It shall be the policy of the Davie Police Department to utilize staff and line inspections in order to ensure that the policies and procedures of the Police Department are understood and adhered to, and that policies and procedures are adequate and effective in achieving organizational objectives.

### 103.3 DEFINITIONS

Staff Inspections – Inspections conducted by personnel who do not have control of the persons, facilities, property or procedures being inspected. Staff Inspections fall under the scope of the Professional Standards Unit and personnel conducting staff inspections shall be appointed by and report directly to the Chief of Police.

Line Inspections – Inspections conducted by personnel in control of the persons, facilities, procedures, or other elements being inspected. Line inspections may be carried out by any supervisor within the chain of command and are conducted by supervisory personnel who may be responsible for ensuring that any substandard conditions revealed in the inspection are corrected.

### 103.4 PROCEDURES

#### Line Inspections:

- A. Line Inspections are the primary responsibility of supervisors and managers at every level to provide a mechanism for achieving accountability. Line Inspections should be a constant, ongoing activity to ensure that employees are acting in concert with agency requirements in areas such as:
  1. Personal appearance.
  2. Use and maintenance of equipment and property.
  3. Adherence to agency directives and General Orders.

- B. Line Inspections shall be conducted by all supervisors on the employees under their command on a daily basis.
- C. Shift/Unit supervisors shall conduct formal quarterly inspections of vehicles and equipment. This does not prevent supervisors from conducting unannounced inspections of their employee's assigned vehicles and equipment. Supervisors will:
  - 1. Be attentive to the conditions of vehicles and equipment of their employees.
  - 2. Document formal inspections of vehicles and equipment.
  - 3. Require immediate correction / repairs when appropriate.
- D. Corrective Action:
  - 1. Supervisors are expected to continuously monitor and observe the activities of their assigned employees.
  - 2. Minor discrepancies found during inspections (unless repeated) shall be noted and handled by the immediate supervisor.
  - 3. Supervisors will ensure that noted deficiencies are corrected and remedied in a timely manner. A re-inspection may be necessary to ensure that suitable corrective action has been taken.
  - 4. The inspecting supervisor is responsible for ensuring the correction and follow-up of any deficiency found during a line inspection. If the immediate supervisor cannot resolve the deficiency, a memorandum shall be forwarded to the next higher level of command needed to correct the deficiency.
  - 5. Any inspection that reveals serious deficiencies in personnel, equipment, or facilities will be documented in a written report to the next higher level of command. The report shall include a plan of action and target date for completion of the corrective action, if within the capabilities of the originating supervisor.
  - 6. Any Commanding officer receiving such written report will take the necessary steps to ensure that suitable corrective action is taken. If suitable corrective action cannot be taken at this level, the report will continue through the chain of command until the appropriate level is reached. Each level in the chain of command will document their actions and attach same to the report.

**Staff Inspections:**

- A. The primary purpose of staff inspections is to ensure there are sound policies and operating procedures within the Police Department and to correct deficiencies by providing fact finding assistance to the Chief of Police.
- B. Staff inspections personnel shall be responsible for the periodic inspection of personnel, facilities and operating procedures within the Police Department or as directed by the Chief of Police.
- C. All personnel shall cooperate with, and assist staff inspections personnel, regardless of rank, recognizing that staff inspections are conducted under the authority of the Chief of Police.

- D. Staff inspections personnel will conduct inspections and studies of the various areas of operation within the Police Department as assignments are made by the Chief of Police to:
1. Ensure that the written directives of the Police Department are understood and adhered to and that policies and procedures are adequate and effective in achieving organizational objectives.
  2. Provide a primary means of exercising administrative control over delegated actions or activities through observations and determine if orders and instructions have been carried out in an effective, satisfactory manner.
  3. Provide information concerning the quality of service delivered and the effectiveness of the service.
  4. Provide observation and evaluation of the conduct, appearance and proficiency of police personnel.
  5. Serve to inform the Chief of Police if resources (personnel, equipment and materials) are being used properly and to the fullest extent.
  6. Provide determinations of whether resources are adequate for achieving the goals and objectives of the Police Department.
  7. Provide the Chief of Police with information concerning deficiencies of policy, personnel, integrity, training, morale, or supervision.
  8. Reveal the existence of a specific need or requirement for change.

### **103.5 INSPECTION PROCEDURES**

- A. Staff inspections will be conducted periodically by members of the Professional Standards Unit in coordination with the Accreditation Manager or as directed by the Chief of Police.
- B. Staff inspections personnel will be given access, for the purpose of inspection, to appropriate Departmental facilities, equipment and records. Active Internal Affairs investigations will not be subject to examination without the approval of the Chief of Police.
- C. The Chief of Police may order other inspections and/or staff inspection personnel may conduct spot inspections of an organizational component, procedure or condition which does not appear to be functioning properly.
- D. An inspection may be suggested or recommended by any member of the Police Department upon submission of a memorandum via chain of command to the Chief of Police briefly stating the reasons for the requested inspection. Staff inspections shall be justified to, and approved by the Chief of Police.
- E. Pre-Inspection Notification:
1. Staff inspections personnel will schedule inspections of Departmental components and units as directed by the Chief of Police.

2. Written notice of staff inspection shall be provided to the supervisor(s) of the component and/or unit to be inspected no less than seven (7) days prior to the inspection.
  3. The memorandum will indicate the nature of the inspection and may include specific request for desired action, questions to be answered, documents to be produced or other action necessary to complete the inspection.
- F. Inspections:
1. Inspections shall be conducted to verify compliance with Department directives and General Orders in the areas of:
    - a. Personnel:
      - (1) Conduct
      - (2) Appearance
      - (3) Discipline
      - (4) Job Performance
      - (5) Job Knowledge
      - (6) Integrity
      - (7) Morale
      - (8) Issued equipment and manuals
    - b. Operations:
      - (1) Facilities and equipment condition
      - (2) Investigative techniques
      - (3) Communications discipline
      - (4) Incident response time
      - (5) Quality of service
      - (6) Report and record preparation
      - (7) Roll calls
      - (8) Supervision and command
      - (9) Court appearance and presentation
      - (10) Selectivity of enforcement
      - (11) Personnel scheduling and deployment
      - (12) Audit and evaluation of the complaint control and field reporting process
    - c. Administration:
      - (1) Cooperation with other components and units or agencies
      - (2) Utilization of department staffing
      - (3) Control of overtime / sick time
  2. Deficiencies will be brought to the attention of the appropriate supervisor. Deficiencies that jeopardize health, safety, integrity or state statute will be corrected immediately.
- G. Inspection Report:
1. The lead Staff Inspector conducting an inspection shall be responsible for the completion of a constructive report at the conclusion of a formal inspection. The report will be submitted to the Chief of Police within a timely manner from the completed date of the inspection. Once approved by the Chief of Police, copies of the report will be forwarded to the affected Bureau and Division Commander(s).

2. The report will include comments concerning compliance with Departmental directives relating to personnel, operations, administration, areas of compliance, and if warranted, areas of concern, corrective action taken during the inspection, and recommendations for improvement.
  3. The final report will include observations made in the areas of personnel, operations, and administration as stated in this policy.
  4. The Bureau/Division Commander will ensure that the final inspection report is forwarded to the appropriate supervisor who will then take any necessary corrective action.
  5. When conditions warrant, and within 30 days of receipt of the inspection report, the Bureau/Division Commander will prepare a response to correspond with inspection report recommendations for improvements. The report will be submitted to the Chief of Police through the chain of command, with a copy directly to the staff inspection's unit.
  6. The response will demonstrate that the appropriate supervisor(s) has given full consideration to the staff inspection findings and recommendations and has taken appropriate action to comply with the indicated policy, procedure, or directive at issue, or explain why, in the appropriate supervisor(s) opinion, the findings and recommendations are not correct.
  7. The Professional Standards Unit will maintain files for all completed inspections and responses. The completed files will be reviewed prior to future inspections.
- H. Follow-up Inspections:
1. At prescribed time intervals following the initial inspection, staff inspectors may be directed by the Chief of Police to conduct follow-up inspections and report on the progress of the implementation and recommended changes.



# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>FISCAL ACTIVITIES</b>	GENERAL ORDER NO. <b>104</b>
RESCINDS: G.O. 104 issued 01/21/2005	ISSUE DATE: 03/21/2005
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 104.1 PURPOSE

To establish guidelines for fiscal management, budgeting, purchasing and preparation of the Department's annual expenditures.

### 104.2 POLICY

The Department has the responsibility to provide a system of fiscal accountability that ensures money budgeted to the Department is utilized appropriately. This policy hereby regulates the management of funds utilized by the Police Department in accordance with Town of Davie Rules and Regulations and Florida State Statutes.

### 104.3 DEFINITIONS

Allotment - An authorization for or limitation on, expenditures for a given period.

Appropriation – Money that the agency is authorized to spend for a specific purpose, such as personnel services, operating expenses, supplies, etc.

### 104.4 BUDGET PREPARATION

- A. It is the responsibility of the Chief of Police and the designated Bureau Commander(s) to prepare an annual operating budget to be submitted to the Town Council for review and authorization. The Chief of Police in conjunction with the Commanding Officers will examine current operations, plan for future operational goals and objectives, and determine the equipment needs of each component of the Department. This planning process will be the foundation for budget development and requests for the next fiscal year.
- B. Bureau Commanders will review their previous year's budget and evaluate spending trends which will serve as a guide for establishing fiscal needs for the following year.
- C. Bureau Commanders must provide written justification for additional personnel, new programs or projects. All capital requisitions must be fully explained and justified.

### 104.5 BUDGET MANAGEMENT:

- A. Once the budget is approved by the Town Council, the Chief of Police, Bureau Commanders, and the Finance Unit personnel will oversee the initial appropriation for each account to their respective cost centers.
- B. The Department accounting system classifies each appropriation according to account name and number. Weekly, the finance Department provides a summary of account activity to all Command Staff personnel. This report includes:
  - 1. The initial appropriation for each account;
  - 2. Balances at the commencement of the reporting period;
  - 3. Expenditures and encumbrances made during the period; and
  - 4. The unencumbered balance.

### 104.6 CASH FUNDS

- A. It will be the responsibility of the Finance Unit to maintain procedures for collecting, safeguarding and disbursing cash, except for confidential funds as defined in G.O. 680, Investigative Funds. The procedures shall include the following:
  - 1. A balance sheet, ledger, or other system that identifies the initial cash balance, cash received, cash disbursed, and the balance on hand.
  - 2. All cash transactions made by the Department must be recorded and transmitted to the Town Finance Department.
  - 3. All petit cash expenditures will be charged against the account utilizing the purchased item.
  - 4. A quarterly accounting of the Department's cash activities shall be maintained by the Finance Unit personnel.
- B. Petit cash will be maintained in a secured location in a secured locked cash box within the Finance Unit allowing only members of the Finance Unit to have access to it.
- C. Any person receiving petit cash shall provide an expenditure request form signed by the Chief of Police or designee, along with a receipt for goods purchased in order to receive any monies. Under all circumstances, an employee receiving or dispensing petit cash will complete a Petit Cash Receipt. The receipt will reflect the date, the name of the employee receiving the petit cash, the purpose and the signature of the member receiving the funds. All reimbursements for cash must be under fifty dollars (\$50.00). The Town does not reimburse for tax. Members must provide the vendor with the Town's tax-exempt number or provide them with a copy of the Tax Exempt Certificate when needed. Any reimbursement over fifty dollars will be paid by check to the requesting employee. All petit cash receipts must be submitted to the Chief of Police for a signature and approval.
- D. When the amount of petit cash given out exceeds fifty dollars (\$50.00), a Request for Payment (RFP) needs to be submitted to the Town Finance Department for replenishment of funds. All receipts are attached to the RFP and the cash funds are reimbursed the amount that was expended. A check is written to petit cash, which may be cashed at the Town's Utilities Department or designated financial institution.

## **104.7 EMERGENCY APPROPRIATIONS**

### Budget Revisions:

- A. Should the need arise during the fiscal year to supplement a depleted account with funds from another account; the Chief of Police shall request a budget revision through the Finance Department.
- B. Emergency requests for services or products may be initiated by telephone upon approval of the Bureau Commander or Chief of Police. A form must be filled out and signed by the Chief of Police and sent to the Finance Department at Town Hall for payment.

## **104.8 PURCHASES**

Purchases are performed in accordance with the established guidelines of the Town Finance Department.

- A. The Town of Davie procurement thresholds are as follows:
  1. Approved purchase orders are required for all purchases over \$250.00.
  2. Informal bids, which may be taken verbally, are required for purchases from \$1,000.00 to \$5000.00. Written informal bids are required for purchases from \$5,000.00 to \$25,000.00.
  3. Formal bids are required for purchases exceeding \$25,000.00.

## **104.9 INDEPENDENT AUDIT**

The Town Charter requires an annual audit of the books of account, financial records, and transactions of all administrative departments of the Town by Independent Certified Public Accountants, selected by the Town Council. This report is published in the Comprehensive Financial Annual Report.

## **104.10 AGENCY PROPERTY/ EQUIPMENT**

- A. All purchase requests shall be forwarded through the chain of command for approval by the Chief of Police. No purchase of services or products will be made without written approval of the Chief of Police/designee. Approved purchase requests are then forwarded to the Office Supervisor/Quartermaster for ordering and then the Finance Department for processing invoices.
- B. All equipment that is received is inventoried by the Quartermaster and distributed to the appropriate department.
- C. Inventory is kept in a computer file for each employee through a program called Inter-Access. Every item that is issued to an employee is recorded in this file with the date item was received, a brief description and the serial number if applicable.

Whenever an item is turned in by an employee it is also recorded in this file with the date it was turned in.

- D. Upon employment and departure from the Town each officer receives an Equipment and Uniform List that is filled out by the Quartermaster and initialed by the employee when items are received and also turned in. When this form is completed, the items are entered into their Inter-Access computer inventory.
- E. Any purchase that requires Department letterhead must be approved by the Chief of Police or designee.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>RECORDS</b>	GENERAL ORDER NO. <b>110</b>
RESCINDS:   GO 110 issued 03/21/2005	ISSUE DATE:  11/29/2006
AUTHORIZING SIGNATURE:  Chief Patrick Lynn	EFFECTIVE DATE:  11/29/2007

### 110.1 PURPOSE

The purpose of this policy is to provide the guidelines and procedures related to the operation of the Records Unit of the Davie Police Department. The policy will establish procedures on how to maintain, secure, retrieve, disseminate, and dispose of Police Records in accordance with Public Records Law.

### 110.2 POLICY

The Department recognizes that the function of the Records Unit is fundamental to meeting the administrative, operational, and informational needs of the agency. The Records Unit serves as the central repository for all Police records generated by the Davie Police Department. The Records Unit is established as a distinct organizational component of the Administrative Bureau.

### 110.3 DEFINITIONS

Records Management System (R.M.S.) – the computerized information tracking system used by the Department to document, track, and categorize, and share information.

Face Sheet – a cover sheet representing each electronically generated report. This is used to notify the Records Unit that an electronic report now exists in our RMS. All attachments related to each electronic report are attached to this face sheet to be added to that specific report.

Header Card – a cad call report generated by BSO Dispatch for each call for service assigned to Davie Police Department. Each report contains an individual consecutive case number generated by BSO along with related dispatch information.

HOT FILE – Any incident that involves an entry into F.C.I.C. and/or N.C.IC.

Uniform Crime Report (U.C.R.) – National and state criminal reporting system to identify crime statistics in relation to crime trends in the United States.

#### 110.4 RECORDS UNIT FUNCTIONS

Records personnel shall be responsible for the following functions and activities:

- A. Entering completed and approved police reports into the R.M.S.
- B. Ensure that police reports have been properly approved at the supervisory level.
- C. File police reports and other related documents into the corresponding case file in Records.
- D. Retrieve and distribute reports and records as specified by policy and Florida State Statutes.
- E. Assist members of the Department and the public with records information in accordance with Florida State Statutes.
- F. Maintain Header Card information and make information available upon request.
- G. Maintain compliance with U.C.R. reporting standards and requirements.
- H. Seal, expunge, and amend records in compliance with court orders received.
- I. Validate FCIC/NCIC entries on a monthly basis.

#### 110.5 GENERAL RECORDKEEPING PROVISIONS

- A. The Records Unit shall maintain all original reports pertaining to incidents, offenses, arrests, citations, property, traffic crashes and summonses. All other operational reports will be maintained by the Division utilizing that report; as otherwise specified by policy; or as designated by the Chief of Police.
- B. All reports shall be cross referenced by name, case number, and address.
- C. Retrieval of original reports shall be performed only by Records personnel.
- D. Original documents shall remain with the Records Unit. However, in certain instances, the originals may be signed for and removed with the approval of the records supervisor.
- E. Only records personnel may place or replace records into the files.
- F. Records personnel shall enter any handwritten reports into the R.M.S.
- G. Records personnel will review all reports for U.C.R. information in an effort to identify and correct any errors.
- H. Records personnel will monitor all electronic reports. If Face Sheets are received they will be matched with the reports and copied over into the R.M.S.

## 110.6 REPORT ACCOUNTABILITY, MAINTENANCE, AND RETRIEVAL

- A. Records Accountability: All case numbers for the Davie Police Department are generated in sequence by B.S.O.'s Cooperative Dispatch Center. These case numbers are used to document and track all inflows of offense incident reports, supplemental reports, and crash reports.
- B. Records Maintenance: All dispatch Header Cards, original offense incident reports, supplemental reports, and crash reports are maintained in the central records unit and secure storage rooms managed by the Records personnel. These reports are filed according to their consecutive case numbers and type of report. These records are maintained in vertical files on open faced shelving. All records will be retained in accordance with the Department of State, Division of Archive and Records Management retention schedule GS-2.
- C. Records Retrieval: Reports are entered into our R.M.S. either by Records personnel from hand written reports, or electronically via the field reporting software. There are several types of paperwork, however, that cannot be entered into the field reporting software or our R.M.S. This paperwork may include any of the following: vehicle storage receipts, probable cause affidavits, latent print forms, property receipts, citations, notices to appear, officer's affidavits, victim's affidavits, lab reports, photographs, cassette tapes, video tapes, teletype print outs, and any other related written or transcribed documents. This paperwork is attached to the related Face Sheets for electronic reports, or directly to a hand written report.
- D. Procedures for submission of daily reports and other records are as follows:
  1. Members' responsibilities: Members are responsible for completing their written reports and submitting them as quickly as possible after the information was gathered and/or the investigation was concluded. However, members shall submit all written reports no later than by the end of their tour of duty in which the police action occurred or incident was reported. If for some unavoidable reason, the member is unable to submit their report prior to the end of their shift, they must notify their supervisor and request approval to turn the report in on their next scheduled work day. Members shall abide by the provisions outlined within the Department's Report Writing Manual.
  2. Supervisor's responsibilities: Respective supervisors collect and review the paperwork completed on their shifts or from within their units. The related case numbers will be listed on a flow sheet and the paperwork will be placed into folders along with the accompanying flow sheet. These are collected by the Records Unit daily. Examples of the type of paperwork included in these folders are:
    - a. Parking, U.T.C., and D.U.I. citations
    - b. Officers Daily Activity Reports;
    - c. Supplemental Reports;
    - d. Face sheets for electronic reports with or without attachments;
    - e. Hand written offense incident reports with attachments;
    - f. Alarm notifications;
    - g. Field Interrogation Cards.
- E. Probable Cause Affidavits are placed in a container on the outside of the Records Unit door upon all "in-custody arrests". Other correspondence that does not need to be on a flow sheet may also be placed here for collection.

## 110.7 REPORT DISTRIBUTION

The Records Unit has the authority to distribute reports generated by Members of the Department.

- A. Agency Distribution: The following procedures will govern the distribution and specifications as to which reports should be routed to the various specialized organizational components throughout the agency.
1. Homicide files are maintained separately from other Agency records and are stored in a secure storage area.
  2. Law Enforcement Officers requesting to view the original files of Homicides or other types of cases are required to sign for them, utilizing the Records Sign Out Sheet.
  3. Department members are authorized to obtain copies of other Agency reports including, but not limited to: Incident Reports, Arrest Reports, and Crash Reports, as may be necessary for court proceedings or investigative purposes.
  4. All felony and domestic violence reports are processed and forwarded to the case filing unit.
  5. Copies of domestic violence reports and other crimes against persons such as batteries, aggravated batteries, sexual batteries, lewd & lascivious acts; or other cases in which the victim may need counseling, special services, or compensation are forwarded to the Victim Advocate.
  6. The uniform parking, traffic, and D.U.I. citations are forwarded to the Court Liaison unit.
  7. Original Field Interrogation cards are forwarded to the Criminal Investigations Unit.
  8. All reports of active felony or misdemeanor offenses requiring follow-up investigation; missing persons; suspicious fires; and death investigations are processed and forwarded to the Criminal Investigations Unit.
  9. All hit and run accident reports are processed and forwarded to the Traffic Unit.
  10. All reports involving damage done to Town of Davie property, or involving a Town of Davie employee are forwarded to the Office of the Chief and Risk Management.
  11. All Juvenile arrests are copied and forwarded to the Court Liaison Unit for case filing. The arrests that are considered for approved Juvenile Deferred Prosecution Programs (such as ADAPT) are forwarded to Support Services to be reviewed by the appropriate designee.
  12. All Notices to Appear are forwarded to our court liaison unit, along with a copy of any accompanying documents for case filing.
- B. Outside Agency Distribution: The following procedure will govern the distribution of reports outside the Agency.



1. Copies of all accidents are sent to the Department of Highway Safety and Motor Vehicles (DHSMV).
  2. The original print cards from Juvenile arrests that do not go through Juvenile Intake are sent to FDLE.
  3. Copies of reports are made available to the news media. The news media cannot review any information that is listed as exempt in accordance with Chapter 119.07(3).
  4. Copies of all Domestic Battery reports are sent to Women In Distress in accordance with Chapter 119. If the victim has filled out a request for exemption, the appropriate information is redacted. If the copy of the report of domestic violence involves a sexual battery, child abuse, or lewd, lascivious or indecent assault upon or in the presence of a child, the identity of the victim is redacted from the report.
- C. Distributions to individuals: Chapter 119.07(01)(a) states that every person who has custody of a public record shall permit the record to be inspected and examined by any person desiring to do so, at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record or his designee.
- D. There are several exemptions that allow the Records Unit to withhold certain information from part of a record, or the entire record. These exemptions are outlined in Chapter 119.07(3).
1. The Records unit personnel provide copies to anyone upon written or verbal request. Every record is reviewed before being given out and any information outlined in the exemptions of Chapter 119.07(3) is removed.
  2. Certain individuals and agencies may receive this restricted information. Proper identification is required in these cases.
  3. The individual and/or designee from an agency receiving this report must sign a disclaimer that states, "The information is to be considered privileged and confidential and the contents should not be disclosed to any person or organization or used for any purpose other than that of a duly authorized law enforcement officer or agency acting in their official capacity." This disclaimer is filed with the record documenting to whom the record has been released.
  4. Records personnel shall log the case number, who the record is being released to, and the date into the dissemination log.
- E. The Records Unit does impose fees for providing copies of records to the public. The fees will not exceed that authorized by Chapter 119. Records personnel shall post a fee schedule that is visible to the public. If a request is made by mail, Records personnel will request the fee and a self addressed stamped envelope be sent.

## **110.8 HANDLING OF FUNDS**

- A. Records personnel are authorized to accept money which is collected for the following services:
1. Fingerprint fees;

2. Copies of Incident and Accident Reports;
  3. Records checks;
  4. Certified copies;
  5. Extensive Services;
  6. Queries;
  7. Copying of videos and cassettes;
  8. Copying of photos.
- B. These funds are not authorized to be used for the purpose of cash disbursement other than providing change during a fee transaction unless authorized by the Chief of Police or designee.
- C. A system is maintained to keep no more than an initial daily balance of \$50.00 cash in the register. At the beginning of each work day, a Records employee reconciles the cash collected by comparing it to the register tape. Any money received or disbursed is reconciled and any money in an amount over \$50.00 is transferred to the Finance Department along with the register receipts. The Records personnel transmitting the money to the member of Finance shall receive a receipt for the funds.
- D. A receipt will be issued for all fees collected. All money will be placed in the cash register located in the Records Unit.
- E. Funds are also collected by our Alarm coordinator for alarm registrations, and fines. These are not kept in our cash register. Any fines collected are posted against the individual account. The monies from the fines and registrations are then sent to the Finance department. The alarm coordinator records and reconciles these funds.
- F. An accounting of the Records funds activities will be included in the Records Supervisor's monthly report.

## **110.9 RECORDS SECURITY**

The Records Unit is a restricted access area. It is secured by an electronic security access card system. Only Records personnel and designated supervisors are authorized by the Department to have access to records via the access card system. The Records supervisor or designee may allow others needing access for some type of assistance, however they will not be allowed to enter any of the secured file rooms, and will not be left unassisted.

## **110.10 RECORDS RETENTION**

Retention of records shall be in accordance with the Department of State Division of Archive and Records management Schedule GS-2, and GS-1.

## **110.11 RECORDS ACCESSIBILITY**

- A. The Records unit is open to the public during posted hours. The hours may be changed administratively when necessary.

- B. The Records unit is always accessible, 24 hours a day, to Dispatch personnel for retrieval of "Hot File" information, and to designated supervisors for any emergency situation.
- C. The Records unit is available to all department employees at all times while a Records employee is scheduled and available. Department employees may also fill out a records request form if a records employee is not available. The request will be filled as soon as possible.

### **110.12 FCIC/NCIC REGULATIONS**

- A. FCIC/NCIC print outs are considered confidential information according to Chapter 119.07. If any other agency is in need of this information, they can access it through an FCIC/NCIC terminal. If a situation arises where Records does disseminate a criminal history, it is stamped confidential, and signed for. It is then entered into our Criminal History Dissemination Log, which is retained for four years.
- B. The disposal of criminal histories will be in accordance with NCIC/FCIC regulation 18.4 which states: When users are finished with the criminal history information it should be shredded and not retained in case files.

### **110.13 JUVENILE ARREST RECORDS SEPARATED**

- A. Juvenile fingerprint and photograph arrest records are marked as being confidential, unless authorized to be released by Florida law.
- B. Juvenile arrest records include records documenting non-traffic related misdemeanor and felony arrests, Probable Cause Affidavits or Juvenile transcripts, and their associated fingerprint card(s) and photographs.
- C. When a Juvenile is booked through the Juvenile Assessment Center, (JAC), they retain the booking photograph. If and when a photograph is taken by a Davie Police Department Officer, it is retained by records with the arrest file, unless the case is being deferred to an approved Juvenile Deferred Prosecution Program. In that case the photograph is sent with a copy of the report to the Support Services designee.
- D. These records are kept separate from other record files in a secured room according to F.S.S. 985.212. These records are stamped "Juvenile" and/or "Juvenile Confidential".

### **110.14 JUVENILE RECORDS MAINTENANCE & RETENTION**

- A. Juvenile arrest records will be maintained until the juvenile reaches age 19 in accordance with the Florida General Records Retention Schedule GS-2.
- B. Destruction of Juvenile Records will be conducted in accordance with the Florida General Records Retention Schedule GS-2.
- C. Juvenile reports are forwarded to the Records Unit and stamped JUVENILE, and then filed by case number.

- D. Any juvenile report or part of a report that contains confidential information is treated as any other report under these circumstances in accordance with FSS 119.07(3).
- E. The retention process for Juvenile reports not involving arrest will be the same as adults.

### **110.15 COURT LIAISON**

- A. Court Liaison files all juvenile and misdemeanor arrests. Court liaison prepares juvenile cases for case filing with the Juvenile Division of the State Attorneys Office.
- B. Court Liaison processes all cases involving the issuance of Notices to Appear.
- C. Court liaison processes and transfers all uniform parking, traffic, and D.U.I. citations to the County Clerks Office in accordance with G.O. 530, Traffic Law Enforcement.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>CASE FILING</b>	GENERAL ORDER NUMBER: <b>125</b>
RESCINDS: G. O. 125 issued 04/22/2003	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### **125.1 PURPOSE**

This General Order provides procedures to be followed when preparing and filing criminal cases with the Broward State Attorney's Office.

### **125.2 POLICY**

Members of the Davie Police Department effecting an arrest are ultimately responsible for the proper preparation of documents relating to the case. The successful prosecution of criminal cases is often dependant on the careful preparation and presentation of the case documents. Department policy stresses the development of a sense of responsible follow through on the part of an arresting officer and his supervisors.

### **125.3 PROCEDURES**

#### **A. Duties and Responsibilities of Case Filing Specialist**

1. A member of the Department will be selected by the Chief of Police and assigned to perform the duties of the "Case Filing Specialist",
2. The Case Filing Specialist is generally responsible for filing felony cases primarily generated by Road Patrol officers, but may provide assistance to any individual or unit requesting it.
3. The Case Filing Specialist shall assist arresting officers in their efforts to properly and timely case file. For example, the Case Filing Specialist may transport items being submitted to the BSO Lab on behalf of the arresting officer. The Case Filing Specialist will develop a process in which sworn statements may be taken telephonically as an aid to the arresting officer. However, it is ultimately the responsibility of the arresting officer to ensure that his or her case is filed in a timely manner prior to any deadlines.
4. The Case Filing Specialist will be assigned to the appropriate Division approved by the Chief of Police and will follow procedures for case filing as directed by their assigned Division Commander. The Case Filing Specialist will report to their Division Commander or his designee and will keep him informed of any problems or issues related to case filing policy and procedures.

5. The Records Unit personnel will be responsible for forwarding a packet to the Case Filing Specialist on all felony and Domestic Violence arrests. The packet will contain duplicate copies of arrest reports, probable cause affidavits, supplements, and any other receipts and forms necessary to be compiled for case filing purposes.
  6. The Case Filing Specialist will check the Department's Arrest Log on a daily basis, maintained by the Dispatch Unit, to ensure that he or she is receiving the necessary arrest packets from Records.
  7. The Case Filing Specialist will maintain a Case Filing Tracking Sheet to monitor the status of the case from the time of arrest until the case is filed by the State Attorney's Office.
  8. Case file packets will be reviewed by the Case Filing Specialist for completeness and content. If cases lack proper information or proper documents, this information will be brought to the attention of the arresting officer and his or her immediate supervisor by means of a Case Correction Notice. The arresting officer will respond to the Case Correction Notice within three days, ensuring that the correct documents are completed in a timely manner. It is not the responsibility of the Case Filing Specialist to perform supplemental work to correct problems identified in the filing process.
  9. The Case Filing Specialist will forward copies of Case Filing Recommendations to the arresting officer, the officer's Sergeant, and Lieutenant for the purpose of correcting and preparing the case for filing prior to any deadlines.
  10. The Case Filing Specialist will systematically and routinely deliver case filing packets to the State Attorney's Office in a timely manner. The case files should be received by the State Attorney's Office in sufficient time to be reviewed by the case filing Assistant State Attorney without jeopardizing any legal deadlines; but in no case should the case filing packet be delivered later than the 21<sup>st</sup> day from the date of arrest.
  11. The case file will be time stamped and clerked-in at the State Attorney's Office in compliance with the established standard procedures of that Office.
  12. The Case Filing Specialist will maintain a Case Filing Log & Transmittal which records all packets delivered for case filing with the Clerk of the State Attorney's Office.
  13. The Case Filing Specialist will generate a monthly report through their assigned Division Commander which includes statistical data as well as concerns and problems described in a narrative fashion.
- B. Duties and Responsibilities of Road Patrol Officers:
1. It is the arresting officer's responsibility to obtain all required documentation and pursue all investigative avenues necessary to properly file a case with the State Attorney's Office.
  2. The State Attorney's Office requires sworn victim/witness statements

on all arrests.

3. Sworn taped statements taken by officers in felony arrests and in misdemeanor domestic violence arrests shall be processed as follows:
  - a. Victim/witness statements shall be entered into the Road Patrol Cassette Transcription Log, along with the accurate date for the 21<sup>st</sup> day deadline. The cassette label will include the proper designation of the names of the victim, witness, or defendant as applicable, along with the case number, officer's name, charge, and statement date.
  - b. Taped statements that are confessions shall be treated as evidence and placed into the Police Property Room, and listed in the Cassette Transcription Log as such.
  - c. Misdemeanor Domestic Violence cases are handled by the State Attorney's Domestic Violence Unit. Cassette tapes should be logged in the Cassette Transcription Log specifying Domestic Violence on the Label (not just simple battery). Cassette tapes are then copied by the person responsible for transcription and sent to the Domestic Violence Unit by the Case Filing Specialist.
4. While taking statements, officers should follow the standard Taped Statement Guide that is provided by the Department.
5. A variety of forms to assist officers are available in the Road Patrol Briefing Room. Forms include a breakdown of Probable Cause requirements & elements, medical releases, a statement guideline, and a Domestic Violence Tape Request which may be faxed to BSO Communications requesting audio/dispatch tapes from 911 calls.
6. In some instances, it is permissible for an officer to file his own case. Recently hired officers who have not previously filed cases may find the experience valuable as part of their training. Some cases may have special circumstances requiring direct filing with the State Attorney. The following procedures are to be followed in such cases:
  - a. A "Case Filing Request" form must be completed by the officer through his immediate supervisor and directed to the Case Filing Specialist.
  - b. The Case Filing Specialist will obtain the case filing packet from the Records Unit, and review the case for document completeness.
  - c. The packet will be sent to the officer's supervisor for review, and the supervisor will notify the Case Filing Specialist when to make an appointment for the officer with the State Attorney.
7. Officers filing their own cases will do so while on duty time according to the following schedule:
  - a. Alpha Shift: 0700 – 0900 hours
  - b. Bravo Shift 0900 – 1400 hours

## c. Charlie Shift 1400 – 1600 hours

8. Supervisors receiving a Case Recommendation Form that indicates a case has been mismanaged/declined/dismissed, shall review the aspects of the case with the involved officer. If mismanagement of the case is found to have occurred in the preparation/filing of the case, the supervisor will forward a memo to the Division Commander outlining the issues and making recommendations for corrective action (i.e., counseling, training, contact with the State Attorney, etc.) to avoid future repetition.
9. The Case Filing Specialist will forward a copy of the Case Recommendation Form to the Records Unit for attachment to the original case file.

## C. Duties and Responsibilities of Detectives:

1. It is the responsibility of the Detective assigned to the Criminal Investigations Unit or the Special Investigative Unit to file their own assigned cases.
2. The investigator assigned will be responsible for pursuing all investigative avenues necessary to file a case with the State Attorney's Office.
3. The investigator shall obtain all required documentation, (supplemental reports, affidavits, transcriptions, etc.) and submit the case filing packet with the State Attorney's Office prior to any deadlines from the date of arrest.
4. Detectives filing their own cases will do so while on duty time. Unusual and special circumstances may arise which may require a Detective to present case filing information to the State Attorney's Office not during their regular duty hours. If this becomes necessary, the Detective shall justify the reason for the off duty appointment and obtain prior approval from his or her supervisor.
5. The Case Filing Specialist will forward copies of Case Filing Recommendations to the assigned Detective's Sergeant, and Lieutenant and forward a copy to Records to be maintained with the file.
6. Supervisors within the Investigative Services Division will monitor the status of all cases for completeness and ensure that deadlines are being met regarding case filing. Regular case review should be performed in order to ensure that the necessary actions have been taken on each case being presented to the State Attorney's Office.



# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>COURT APPEARANCES</b>	GENERAL ORDER NO. <b>126</b>
RESCINDS: G.O. 126 issued 04/22/2004	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 126.1 PURPOSE

The purpose of this policy is to provide the procedures to be followed by all Department Members concerning attendance at court related proceedings and with regard to adherence to Court Administrative and Security restrictions and procedures.

### 126.2 POLICY

Attendance at a court related proceedings (i.e., trial, deposition, hearing, or other related legal proceeding) as required by a court order, subpoena, or other official Department notification, is an official duty assignment. Members scheduled to testify at a court related proceeding will thoroughly prepare themselves in order to present competent, professional testimony. It is also the policy of the Davie Police Department that all Department members will comply with the directives and procedures lawfully issued by Broward County Court Administration.

### 126.3 PROCEDURES

#### A. SUBPOENA/NOTICE OF DEPOSITIONS:

1. All subpoenas and notifications will be delivered to and processed through the Court Liaison Unit, within the Department's Records Unit. Any court related proceeding notifications received directly by a Member shall be given to the Court Liaison for proper processing.
2. Court Liaison will place all subpoenas, notifications, and memorandums related to court appearances or stand-by in Subpoena Log Books which will be made accessible at the Records Unit employee counter window.
3. It is the responsibility of all members to check the Subpoena Log Books on a daily basis during their scheduled work hours. Members shall acknowledge receiving subpoenas, notifications, and memorandums related to court appearances or stand-by by properly signing their name and date in the Subpoena Log Book. The subpoenas are to be removed from the Subpoena Log Books upon signing for them.

4. Members who do not check the Subpoena Log Books and as a result fail to honor any court related appearance as directed may be subject to discipline as well as sanctions by the court.
  5. Pursuant to Florida State Statute Ch. 48, Service of a criminal witness subpoena upon a law enforcement officer or upon any municipal employee called to testify in an official capacity in a criminal case may be made by delivery to a designated supervisory or administrative employee at the witness's place of employment if the agency head or highest ranking official at the witness's place of employment has designated such employee to accept such service. Court Liaison is the authority designated by the Chief of Police to accept subpoenas on behalf of Department members. However, Court Liaison is not required to accept service:
    - a. For a witness who is no longer employed by the Department.
    - b. If the witness is not scheduled to work prior to the date the witness is required to appear; or the Member is on Leave or in scheduled Training on the date he or she is required to appear; or,
    - c. If the appearance date is less than 5 days from the date of service. However, if the appearance date is less than 5 days from the date of service, Court Liaison is still required to accept service:
      - (1) For Notices of Deposition. The Notice will be accepted and subsequently rescheduled by Court Liaison if necessary. Notices of Deposition require only five consecutive days notice.
      - (2) For Traffic Court subpoenas. A request for excusal will be submitted by the Department Member with each subpoena received for which there is a conflict.
      - (3) For any Federal subpoena. Federal subpoenas may be served at any time.
      - (4) Members may also be subject by Court Order to appear at any time regardless of the "five day" rule.
  6. Members will notify the Court Liaison Unit via a memorandum at least twenty days in advance of taking scheduled Leave where the Member would be unable to appear for any type of court related proceeding. If the Member has already received a subpoena for the time period in which they will be on Leave or in School/Training, it will be the Member's responsibility to reschedule said appearances.
  7. The Training Unit shall make notification to the Court Liaison of scheduled training for each Member.
  8. Whenever possible, the Court Liaison shall attempt to have the issuing authority submit a new subpoena with an appearance date of five or more days notice for a Member's scheduled appearance.
- B. STAND-BY SUBPOENAS FOR TRIAL:

1. Members who receive stand-by subpoenas will **not** automatically be regarded as on stand-by for a period of two weeks, unless the member's stand-by status has been extended on the subpoena or the member is notified by memorandum.
2. Members who are on extended stand-by will automatically remain on stand-by from 10:00am to 12:00pm (unless another time period is noted by Court Liaison or on the subpoena) each weekday for the entire period of time as specified in the memorandum or subpoena.
3. If there is a change of status on a case, the Davie Court Liaison will notify the member accordingly. Notification protocol will be strictly adhered to as follows:
  - a. All Department Members are required by G.O. 301, Standards of Conduct, to maintain a residential phone number and have it on file with the Office of the Chief of Police.
  - b. Members who have been issued a beeper/pager will maintain the beeper/pager in good operating order, which includes fresh batteries, and will have it available for notification while on stand-by.
  - c. The Davie Court Liaison will contact Members either by phone or by setting off the Member's beeper/pager in order to notify them regarding any change in status (i.e. cancellation) of a court related proceeding. Once the Member has been contacted by phone or their pager has been set off, the Member is no longer entitled to compensation unless otherwise governed under the provisions of the Member's Collective Bargaining Agreement. If the change notice affects a future proceeding, Court Liaison will place a memo to the Member in the Subpoena Log Books.
  - d. Any Member who has been issued a Department Nextel cell phone and wishes to utilize that phone number as their point of contact in lieu of their home phone or pager must submit a memorandum to Court Liaison making such request. The memo must be signed by Court Liaison and a copy returned to the Member prior to this procedure taking effect.
  - e. Members are required to **immediately** respond to any contact attempt made by the Davie Court Liaison. Members failing to contact the Davie Court Liaison may be denied compensation for any pay submission they make referencing the court related proceeding that was the subject of the notification attempt(s) and/or may be subject to disciplinary procedures.
  - f. Court Liaison will maintain a log documenting the date and time of their notifications to Members, and make an entry whether or not the member was responsive to the notification. This documentation will be submitted to the Records Supervisor to be incorporated into a monthly report. The Court Liaison's properly documented attempt(s) to contact a Member will be regarded as "good faith" attempts, and will maintain standing as accurate and compelling if any future issue arises regarding whether a Member was notified or not.

C. COURT ATTENDANCE:

1. Any Department Member who is lawfully directed to appear at a Court related proceeding by subpoena, notification, memorandum, or when contacted by

Court Liaison while under Subpoena, must attend. Failure to appear at a required Court appearance may subject the Member to discipline and/or sanctions from the Court.

2. Members who are unable to comply with an accepted subpoena, notification, or memorandum due to sickness, injury, or other similar cause shall contact the Court Liaison and the issuing authority, office or agency listed on the notice to obtain a release or make other accommodations. Any Member who has received a subpoena or notification for an appearance on-duty, who reschedules for a time and date that is off-duty, must have prior supervisory approval. The Department Member is obligated to comply with all requirements as directed by the subpoena, notification, or memorandum unless excused by the issuing authority.
  3. Conflicting court appearances:
    - a. Upon a Member learning that he or she has been scheduled for two or more legal appearances simultaneously, the Member shall notify the issuing authorities and advise them of the scheduling conflict.
    - b. If the Member is unable to resolve the conflict, he or she shall forward a memorandum to their supervisor and court liaison notifying them of the conflict. The supervisor may subsequently contact the Department's Legal Advisor in an effort to resolve the matter.
  4. Department Members who have received a subpoena or notification involving any civil case where the Town, or any Department Member is a party, will immediately notify the Office of the Chief of Police.
  5. Department Members will not give voluntary testimony, (i.e. without a subpoena), in any judicial proceeding on behalf of a defendant. Members who have received a subpoena to testify for the defense will immediately notify their supervisor and the Assistant State Attorney assigned to the case prior to giving any testimony.
- D. AUTHORITY:
1. Court Liaison personnel will be the only advising authority regarding Court appearance cancellations.
  2. Court Liaison personnel shall be the only means of notification for day-to-day or extended stand-by extensions.
- E. COMPENSATION:
1. Compensation for required appearances at court related proceedings shall be in accordance with the provisions of the represented Member's Collective Bargaining Agreement.
  2. If a Member is to receive compensation for extended standby, he or she must submit the memo they received from Davie Court Liaison indicating that they were placed on extended stand-by status along with their payroll Request For Payment form.
  3. All overtime submissions for court related proceedings will be forwarded to the Court Liaison for purposes of verification prior to a member's supervisor

reviewing the Request For Payment. The Court Liaison does not have the responsibility, or the authority, to approve or reject a Request For Payment that has been submitted to them. The Court Liaisons' responsibility is limited to verifying the validity of the official subpoena dates/times against the dates/times listed on the Request For Payment.

4. After determining validity of the submission, the Court Liaison Unit will return the Request For Payment to the Member's supervisor. The member's supervisory Chain of Command has the responsibility of either denying or approving the Request For Payment once submitted.
  5. Witness Fee Options:
    - a. Witness fees shall be paid in accordance with current Collective Bargaining Agreements. Non-represented members of the Department may retain witness fees for appearances during non-scheduled duty hours.
    - b. Court Liaison will hold the witness fee check for a period of 10 days after the scheduled court appearance. If the check is not picked-up within the 10 days, the check will be automatically waived by the Member and forwarded to the Town.
    - c. Members who are provided a witness fee in advance of a court related proceeding who are later excused from appearing, or who appear during scheduled duty hours, shall return all such funds to the issuing authority.
    - d. If a Member travels to court in his or her personal vehicle, the allotted mileage fee may be collected and become the property of the Member.
    - e. If a Member travels to court in a Town owned or leased vehicle, the mileage fee will not be collected.
- F. DRESS CODE: Members shall wear proper attire for court related appearances in accordance with G.O. 330, Uniform and Appearance policy.

#### **126.4 OUT-OF-COUNTY APPEARANCES**

- A. Whenever a subpoena, or any other type of notification, is received that requires a Department Member to appear in a court related proceeding outside of Broward County, the following procedures shall be followed:
  1. The Member will attach a copy of the subpoena/notification to a memo in which he explains the nature of the case and his involvement in it. The memo is to be submitted to the Member's immediate supervisor.
  2. The Member's supervisor will provide any further information regarding extenuating circumstances and forward the memo through the chain of command to the Bureau/Division Commander.
  3. The Member shall be required to comply with any such subpoena/notification in accordance with the following provisions:
    - a. Any Member who receives a subpoena on behalf of the defendant shall not appear in Davie Police uniform or other insignia that identifies the

Member as an employee of the Davie Police Department. The Member shall wear civilian business attire in accordance with G.O. 330, Uniform and Appearance policy.

- b. Members who wish to utilize their P.A.P.V. outside of Broward County for appearances in court shall submit their request to their Bureau/Division Commander via the chain-of-command.

## **126.5 CONFLICT OF INTEREST**

- A. No Department member will engage in any employment; solicit or accept any fee or gratuity; or volunteer to assist any entity in any manner which would constitute a conflict of interest in any active or pending judicial proceeding of interest to the Town of Davie.
- B. No Department Member will interfere improperly, unethically, and/or unlawfully with the efficiency or integrity of the administration of civil or criminal justice; or having knowledge of such interference, fail to report it to a Department supervisor.
- C. No supervisor or any other Member will encourage or condone; participate in; or in anyway devise any practice that attempts to manipulate the Department's compensation system regarding overtime or court pay.

## **126.6 COURTHOUSE ADMINISTRATION AND SECURITY**

- A. No law enforcement officer may enter the Courthouse, or any of its Satellites, in possession of a firearm for any purpose other than in the course and scope of the officer's official duties.
- B. All Members shall adhere to the provisions of G.O. 405, Firearms policy, regarding Institutional and Governmental Restrictions. Accordingly, the following provisions apply:
  1. At no time may a law enforcement officer possess a firearm within the Courthouse, or any of its Satellites, when off-duty (non-compensated time), or for any private or personal business.
  2. All non-uniform and/or plain clothes law enforcement officers are required to present his/her official identification prior to entry into the Courthouse. Failure to do so will result in the officer not being allowed to enter with their firearm. All non-uniform and/or plain clothes law enforcement officers are required to securely encase and conceal their firearm from public view.
  3. All uniformed law enforcement officers shall securely encase their firearms in their service holsters.
  4. Upon approved entry, a non-uniformed and/or plain clothes officer who is in possession of a firearm is required to enter their name and their purpose into an official register maintained by Courthouse security personnel.
  5. An individual judge may prohibit firearms in their courtroom. Davie Police Officers will comply with any such directive from a judge.

- C. Any officer who is found to have violated this General Order may be subject to Department discipline as well as sanctions or admonishments from the Court.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>LEAVE POLICY</b>	GENERAL ORDER NO. <b>130</b>
RESCINDS: G.O. 130 issued 02/26/2004	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 130.1 PURPOSE

The purpose of this policy and procedure is to establish guidelines for the use of various forms of Leave eligible to Department members. Several forms of Leave conforming to state and federal law are available to Department members when given proper notice and approval. Scheduling and sufficient levels of staffing are vital considerations, not to overshadow the well being of the members. This policy serves to establish guidelines in order to promote a healthy and productive work force and serve the public as efficiently and effectively as possible.

### 130.2 POLICY

It shall be the policy of the Davie Police Department that all Department members report for duty on time, as scheduled, and prepared to perform their work functions. If a member of the Department finds it necessary to call in sick or take other Leave it is incumbent upon that employee to give the Department proper notice as defined herein. It is the responsibility of Department supervisors to exercise concern over the well being of their subordinates and ascertain that employees are not abusing sick leave.

### 130.3 GENERAL PROCEDURES

- A. Any leave (time off) requested for any reasonable purpose may be granted to an employee by the Chief of Police with or without pay.
- B. No Department member shall be absent from work when Leave has not been granted. Members who do not report for duty in accordance with their assigned work schedules and have not received proper authorization or made proper notification are considered absent without leave.
- C. Any Department member who is absent without leave may be deemed to have abandoned their position and is subject to disciplinary action up to and including dismissal.
- D. Any Department member making a request for leave must submit a Leave Authorization form to their immediate supervisor prior to approval of the Leave being granted. If their immediate supervisor is not available, the member must obtain prior approval from the on-duty supervisor.



- E. If the Department member is not able to submit a Leave slip due to uncontrollable circumstances, it is the employee's responsibility to submit the Leave slip upon returning to work prior to the end of their shift. Under unusual circumstances, the supervisor may submit a Leave slip on behalf of the member for tracking purposes for the duration of the known absence. In this instance it is the member's responsibility to ensure that the proper Leave bank was elected and to sign the original Leave slip upon returning to work when necessary.

#### **130.4 SICK LEAVE**

- A. Sick Leave: Paid Sick Leave is time off granted to an employee to recuperate from illness or accident for the following reasons:
  - 1. Incapacitation by reason of illness, maternity, or injury.
  - 2. Medical, dental, or optical examination or treatment when approved by the Department.
  - 3. Care and attendance to a member of his or her immediate family as defined in the bereavement section 130.7 of this policy and is domiciled in the employee's home.
- B. Eligibility: All regular full-time Department members shall begin earning Sick Leave with pay from the first full week of employment; however, an employee may not take paid Sick Leave until the employee has completed three (3) months of service.
- C. Use of Sick Leave:
  - 1. The Department member shall notify their supervisor or dispatch personnel of absence due to illness prior to the commencement of the shift in accordance with current collective bargaining agreements and/or Personnel rules and regulations.
  - 2. If at work, the Department member shall report to their immediate supervisor to record the date and time of departure on the Leave Authorization form. The Leave Authorization form shall be completed and submitted prior to the employee being released from work.
- D. Confinement during Sick Leave or Injury: Members granted Sick Leave shall remain at home during the entire period of their absence or other location of confinement with approval of member's supervisor. Members may leave their home or point of confinement for limited, necessary reasons including: voting; attending church; making trips for medical treatment to a health care facility or physician; to obtain prescriptions or other necessities such as food; or to transport children to and from school. Any other reason must be approved by the member's supervisor. Members may expect a phone call and/or visit during their absence by a supervisor to check on their status. Members shall make themselves available by phone or pager when utilizing Sick Leave and must not refuse to make contact with a supervisor if requested or upon a visit at their residence.
- E. Duties and Responsibilities of Dispatch Personnel:
  - 1. Once dispatch personnel are notified by a member or member's supervisor that the employee is taking Sick Leave, they shall immediately document the following information on a sick log:

- a. Name and I.D. # of employee calling in sick;
  - b. Date and time of notification;
  - c. Location where member will be confined for duration of illness and contact phone number;
  - d. Initials and I.D. # of person recording information.
2. If a Department member is out on Sick Leave and needs to leave their home or point of confinement for any of the reasons outlined in section 130.4 (D) or when otherwise approved, they are required to contact Dispatch on a taped phone line (cell phones are unacceptable) and notify them of the following:
    - a. the purpose;
    - b. the destination;
    - c. time of departure; and,
    - d. duration of time they expect to be gone.
    - e. Dispatch personnel shall record such information on the sick log. The member, upon returning home, shall immediately contact Dispatch again so that their arrival time may be recorded along with the above information.
  3. Dispatch personnel shall notify the oncoming duty supervisor as soon as possible when advised that a member has called in sick and will document the use of Sick Leave on the daily shift line-up or schedule.
- F. Duties and Responsibilities of Supervisory Personnel:
1. Supervisors will monitor the use of Sick Leave in order to identify and control sick leave abuse.
  2. When notified of a member's absence due to illness, supervisors shall make any necessary changes to the daily shift line-up and schedule.
  3. Supervisors are responsible for ensuring that adequate staffing is provided for the shift in which a member has called in sick utilizing established practices set forth by their Commanding Officer.
  4. Supervisors are responsible for checking the sick log maintained by Dispatch to ensure adherence to procedures. Any indications that a member has not complied with proper procedures will justify an appropriate inquiry from the supervisor.
  5. A supervisor has the authority to check on the status of a member who is absent due to illness or injury at their home or point of confinement by phone or by visit. Supervisors shall utilize proper judgment in deciding to check on a member. If a pattern of the use of sick time has developed or, if any of the restrictions within this policy are not adhered with, a supervisor may establish the need for such a check. Indicators of Sick Leave abuse may include but are not limited to the following:
    - a. Multiple instances of the use of Sick Leave surrounding the member's normal days off or prior to the end of a regular shift.
    - b. Failure to remain confined to residence or otherwise adhere to procedures set forth by this policy.
- G. Administrative Procedures:

1. Sick Leave in excess of three (3) consecutive working days shall be granted **with pay** only after presentation of a written statement by a licensed physician certifying that the employee is able to return to work. Failure to present said certification will result in the employee being charged with leave without pay.
  2. A physician's certificate is also necessary for Sick Leave beyond three (3) days when caused by illness of a member of the immediately family.
  3. Upon returning to work, it is the employee's responsibility to submit the prescribed Leave Authorization form for the duration of the absence along with the physician's certificate.
- H. Abuse of Sick Leave:
1. Sick leave is a gratuity to be paid only for the specified reasons above and not to be used as leave for any other reason.
  2. In response to frequent or substantial Sick Leave uses or for Department members who develop a pattern of Sick Leave, or in cases of suspected Sick Leave abuse, an employee may be required to provide doctor certification following absences of less than three (3) days or undergo a physical examination by a physician designated by the Town to determine whether the employee continues to be fit for duty.
  3. Department members shall not feign illness or injury in an effort to avoid duty. A member may be disciplined if Sick Leave is claimed when the member is physically fit.
  4. A member may be dismissed from employment if their performance or work record demonstrates that they are physically or mentally unable to perform their assigned tasks or due to excessive and repeated absences.
  5. Commanding Officers, of the rank of Lieutenant or above, shall have the authority to recommend that any member in their command ~~to~~ report to a designated physician, psychologist or psychiatrist to determine the member's fitness for duty, at the expense of the Department with approval of the Chief of Police.
  6. No member may use Vacation/Holiday/Compensatory Leave (with the exception of Personal Days) in lieu of taking sick time without the approval of the Chief of Police or designee. When a member's Sick Leave is exhausted, no other form of Leave may be used without approval of the Chief of Police.
  7. Department members found to be abusing Sick Leave may be disciplined.

## 130.5 MATERNITY LEAVE

- A. Maternity leave shall be administered in accordance with current collective bargaining agreements and/or Personnel rules and regulations.
- B. A female member in good standing with the Department who is not eligible for Family and Medical Leave as defined in section 130.6 may be granted leave of absence without pay for maternity reasons. The period of absence may be granted, subject to approval, for the period requested in writing by the employee

and recommended by her physician. If applicable, accumulated sick and/or vacation leave shall be exhausted prior to taking leave of absence without pay.

- C. Female members who are pregnant may request a Light Duty Assignment in accordance with the policy governing Light Duty Assignment.

## **130.6 FAMILY AND MEDICAL LEAVE ACT (FMLA)**

- A. A Leave of Absence may be granted and shall be administered in accordance with Personnel rules and regulations and the Family Medical Leave Act of 1993 (which shall control any questions concerning this section).
- B. A Department member who has been employed with the Town for at least twelve (12) months, and has worked at least one thousand two hundred fifty (1,250) hours within the past twelve-month period, may, upon the approval of the Chief, be granted a Leave of Absence under the Family Medical Leave Act.
- C. An eligible member may be granted up to 12 weeks during any rolling twelve-month period for personal serious health conditions, birth, adoption or foster placement of a child, or to care for a child, spouse, or parent with a serious health condition.
- D. When Leave is foreseeable, the employee shall provide written notice to the Chief of Police not less than thirty (30) days before the date leave is to begin; if thirty (30) days notice is not possible, notice must be given as soon as practicable before leave is to begin. Leave may be delayed if an employee fails to give timely notice and the efficient operation of the Department is affected.
- E. When Leave is medically necessary, an employee may take said Leave in a rolling twelve-month period intermittently or use the Leave to effect a reduced work week. Married couples may take a combined total of twelve (12) weeks per rolling twelve-month period for the care of a newborn, adopted, or foster child. Use of intermittent Leave or a reduced Leave schedule may result in the employee being temporarily transferred to an equivalent available position for which the employee is qualified.
- F. The Department may require a member taking Leave for serious health conditions to provide a health care provider's certification that leave is medically necessary.
- G. A member shall exhaust any applicable accrued Leave as part of the approved family or medical Leave prior to taking any Leave without pay.
- H. The member may be denied the continuation of FMLA Leave and ordered to return to work if the reason for leave no longer exists; the member has not provided required notices or certifications; or where the member has misrepresented the reason for Leave.
- I. Members are prohibited from working overtime, shift exchanges, off-duty details or outside employment while taking FMLA leave during the hours of their normally scheduled shift. Members are required to fulfill court appearance requirements while on FMLA.

- J. Members who exhaust their 12 weeks of FMLA time and cannot return to work may be considered to have abandoned their job and may be separated from employment.

### **130.7 BEREAVEMENT LEAVE**

- A. Where there is a death in the immediate family of a Department member, the member shall be granted time off from work without loss of pay or benefits in accordance with current collective bargaining agreements and/or Personnel rules and regulations.
- B. The term "immediate family" is defined as: Wife, husband, mother, father, son, daughter, brother, sister, half-brother, half-sister, stepmother, stepfather, stepdaughter, stepson, grandmother, grandfather, grandson, granddaughter, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, and sister-in-law. Bereavement leave may not be granted for death of any other relative, unless approved by the Chief of Police, but the employee may use accrued Vacation Leave.
- C. The Town reserves the right to require documentation supporting all approval of Bereavement Leave after the employee returns to work.

### **130.8 VACATION/ HOLIDAY/ COMPENSATORY LEAVE**

- A. Eligibility: All regular full-time Department members shall begin earning Vacation Leave with pay from the first full week of employment; however, an employee may not take paid Vacation Leave until the employee has completed six (6) months of service.
- B. Command Officers, of the rank of Lieutenant or above, shall be responsible for administering the selection of Vacation Leave in accordance with the current collective bargaining agreement.
- C. Leave selection will be based on classification seniority, within the assigned shift, with administrative consideration subject to the needs of the Department. During the Leave selection, one "consecutive period" of Leave time will be granted by classification seniority depending on assignment.
- D. Any other requested Leave during the period will be granted on a first come/first serve basis subject to the needs of the Department.
- E. Any requests for the use of Leave time (Vacation/Holiday/Compensatory or Personal) in excess of 30 hours requires seven (7) days advance notice unless being used for unusual or emergency circumstances. In instances of unusual or emergency circumstances, a written request must be submitted by memo through the chain of command to the member's Shift or Unit Commander for approval along with the Leave Authorization form.
- F. Command Officers, of the rank of Lieutenant or above, are authorized to establish more restrictive practices regarding the timely or advance notification of requests for Leave with regard for the well being of their subordinates and the needs of adequate scheduling and staffing levels.

### **130.9 MILITARY LEAVE**

- A. Department members having to report for Military Leave must file with the Chief of Police a copy of any official orders and, upon return, a certification from the commanding officer of performance of duty in accordance with the terms of such orders.
- B. Regular employees of the Department who are members of the National Guard or any reserve component of the Armed Forces of the United States shall be entitled to a Leave of Absence without loss of service or annual leave during the time which they are engaged in the performance of official duty. While on such Leave, they shall be paid their regular salary, not to exceed seventeen (17) working days in any calendar year, subject to Personnel rules and regulations, and/or other Town resolutions.

### **130.10 CIVIL LEAVE (JURY DUTY)**

- A. A Department member who is required to serve as a juror shall be excused from work for the day or days on which he/she serves in such capacity, and shall receive for each day of jury service on which the member otherwise would have worked the difference between their regular straight time rate of pay and the payment received for jury service.
- B. The member shall notify their supervisor in writing of any subpoena for them to appear for jury duty if occurring during a normally scheduled work day. The member will present proof of jury service and the amount of payment received from the clerk of the court to the Chief of Police through the chain of command upon returning to work.
- C. If a member is released from jury duty by the court any time prior to 12:00 noon, the member shall report to work within one hour after being released by the court.

### **130.11 LEAVE OF ABSENCE (WITHOUT PAY)**

- A. A Leave of Absence without pay shall be administered in accordance with current collective bargaining agreements and/or Personnel rules and regulations.
- B. Upon a written request, a regular employee may be granted a Leave of Absence without pay by the Chief of Police not to exceed one year for the reason of personal illness in the immediate family, maternity, disability, for the purpose of furthering the employee's education that will benefit the Town, or for other reasons approved by the Chief of Police.
- C. An employee who falsifies their reason for requesting a Leave of Absence or varies the reason without permission of the Chief of Police may be subject to discipline.

### **130.12 SHIFT EXCHANGE AGREEMENTS**

- A. Shift Exchange Agreements are authorized to be used on a temporary basis by Department members working in the same classification and assignment.
- B. Unless an emergency situation exists, Shift Exchange Agreements must be submitted with sufficient notice as to be approved through the chain of command up to and including the Commanding Officers of both involved members prior to the scheduled work day.
- C. The original Department member scheduled to work is responsible for reporting for duty unless prior approval is received in writing prior to the date of exchange.
- D. Once the Shift Exchange Agreement is approved by the Commanding Officers of both involved employees, the member who agreed to work for the requesting member shall be responsible for reporting for work and coverage of the entire tour of duty.
- E. Commanding Officers may not unreasonably deny a request for a Shift Exchange Agreement without cause. If the member agreeing to work for the requesting employee is regularly assigned to a different shift, the requesting employee may be required to select some form of leave on a Leave Authorization form for the overlapping hours. If a scheduling conflict between shifts develops, the conflict must be resolved by the requesting officer or the exchange will be cancelled.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>LIGHT DUTY ASSIGNMENT</b>	GENERAL ORDER NO. <b>131</b>
RESCINDS: G.O. 131 issued 09/26/2003	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 131.1 PURPOSE

The purpose of this policy is to provide Department members with guidelines governing Light, Limited, or Restricted Duty Assignments.

### 131.2 POLICY

All full-time Department members with physical impairments due to illness, injury, pregnancy, etc. may upon request, at the discretion of the Chief of Police, be assigned to a Light Duty Assignment. Impairment does not include elective surgery on the part of the member unless expressly approved by the Chief of Police. The Chief of Police maintains the sole authority and discretion to grant the request for Light Duty Assignment. The Department member is not herein granted with any entitlement for a Light Duty or other special assignment. If upon a rejection of any request for Light Duty or other special assignment, the Department member may utilize their available Leave of Absence time in accordance with normal established procedures.

### 131.3 DEFINITIONS

Light Duty Assignment – means any sedentary or limited duty status while recuperating from an injury, illness, or other condition where members are temporarily unable to perform regular assignments. Light Duty Assignment may be granted to all full-time Department members with physical impairments due to illness, injury, pregnancy, etc. at the discretion of the Chief of Police. This definition includes members who cannot perform regular duties on a full-time basis. Light or Limited duty Assignments will prohibit a Department member from performing certain functions described within this policy. Light Duty Assignments are temporary and shall not be considered permanent.

Restricted Duty Assignment – means the reassignment by the Chief of Police of a full time Department member to a special assignment other than their normal duties for a period of time as determined by the Chief of Police. The Chief of Police has the discretion to place a Department member on Restricted Duty when their work activities are limited by physical or psychological restrictions to perform the essential functions of their normal duties. Department members placed on Restricted Duty may be required to submit to physical or psychological examination by physicians designated by the Department to determine their continued ability to perform specific job related functions. Restricted Duty Assignments are temporary and shall not be considered permanent.



## 131.4 PROCEDURES

- A. Department members requesting a Light Duty Assignment need to provide a written memorandum to the Chief of Police through their chain of command detailing the facts relating to their request including information regarding the probable duration of the injury and prognosis for recovery. The memorandum must be accompanied by documentation from a licensed medical physician or other health care provider indicating the nature of the injury or impairment; and a detailed description of the work restrictions which are necessary given the member's condition. Prior to returning to full active duty, the member shall also provide documentation from the same physician, etc. releasing them from Light Duty Assignment.
- B. Members who are pregnant shall be required to provide documentation from a licensed medical doctor or other health care provider which states that reassignment to a Light Duty Assignment is necessary for the health and well-being of the pregnant employee and unborn child. The member will also have to provide documentation from her doctor or other health care provider after the birth of the child or end of the pregnancy that she is fit to return to full duty.
- C. The Chief of Police or designee shall decide the location, schedule, work hours, and duties of the Light Duty Assignment or Restricted Duty Assignment.
- D. The Chief of Police may end the Light Duty Assignment or Restricted Duty Assignment at any time and cause the member to rely upon worker's compensation or utilize sick leave in the best interest of the Department.
- E. Department members given a Light Duty Assignment may continue to work in the capacity of their primary duty assignment if their job description will not be affected; i.e., a member working Administrative duties may continue that assignment after knee surgery.
- F. Department members given a Light Duty Assignment or Restricted Duty Assignment different from their primary assignment will report directly to the appropriate Division Commander/supervisor in that Division or Unit that they are temporarily assigned.

## 131.5 PROHIBITIONS

- A. Department members granted a Light Duty Assignment shall refrain from becoming involved in situations that require the use of force or arrest powers, except under circumstances where they would have to use self-defense or to prevent serious or grave injury to others.
- B. Department members on Light Duty Assignment shall not wear their official Department uniform. Appropriate business type, civilian clothing will be worn. Clothing shall not be adorned with insignia that causes a sworn member to be recognized as a Davie Police Officer; i.e. a Detective shall not wear his or her polo style Detective shirt unless approved by the Chief of Police or designee.
- C. When given a Light Duty Assignment, sworn members authorized to carry a firearm shall do so in a concealed fashion only.
- D. Members shall not drive marked police vehicles while on Light Duty Assignment without prior approval of the Chief of Police or designee. Members on Light Duty

Assignment shall be required to leave their marked P.A.P.V.'s at the Police Department unless otherwise directed by their supervisor.

- E. Members on Light Duty Assignment will not be allowed to work extra duty details. In appropriate circumstances, overtime may be worked with prior approval of the Commander to whom the member is temporarily assigned.
- F. Members on Restricted Duty Assignment shall be notified in writing of any specific limitations and conditions of their temporary assignment on an individual basis.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>OFF DUTY DETAILS</b>	GENERAL ORDER NO. <b>133</b>
RESCINDS: G.O. 133 issued 01/21/2005	ISSUE DATE: 10/17/2007
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 133.1 PURPOSE

It is the intent of the Davie Police Department to allow its members the opportunity to work in an off-duty capacity and to make themselves available to the businesses and citizens of Davie who may need law enforcement presence that is beyond the scope of routine service.

### 133.2 DEFINITIONS

Detail Commander – A Command level officer in the Road Patrol Division, appointed by the Chief of Police, who oversees off-duty details.

Detail Administrator – A Davie Police Department member appointed by the Chief of Police whose responsibility will be to generally oversee detail operations and coordinate investigations concerning alleged violations of this General Order. The Detail Administrator reports to the Detail Commander.

Detail Coordinator – A person designated by the Chief of Police who has the responsibility of overseeing the assignment, administration, and record keeping of all off duty details. The Detail Coordinator will assist the Detail Administrator as needed, The Detail Coordinator will report to the Detail Administrator regarding matters related to the Off-Duty Detail function.

Detail List – An official posted listing of all off duty details that have been approved by the Chief of Police. The detail list contains the vendor name, contact information, the detail location, times and dates, and an explanation of the duties expected or other special requests.

Off Duty Detail – Employment that is conditioned upon the vested law enforcement powers of a Davie Police Department member, at an assigned place, date, and time, that is considered to be a period of time that is not within the member's normal assigned hours of work.

Special Off Duty Detail – An Off Duty Detail as defined above, that is determined by the Chief of Police or his designee to require compensation that is higher than the compensation paid for regular off duty details. This higher compensation shall be paid when necessary to ensure staffing at details that would go unfilled and it is determined by the Chief of Police or his designee that staffing the detail is necessary.

### 133.3 POLICY AND PROCEDURE

#### A. ELIGIBILITY:

1. All sworn officers who have successfully completed their Field Training Program are eligible to work off duty details.
2. Non-sworn members who have completed a PSA academy and successfully completed a FTO program are eligible to work off duty details. These members are limited to details where vested arrest powers are not required; i.e., traffic direction.
3. Generally, reserve officers are not permitted to work details unless accompanied by a full-time regular status officer. However, when no other regular status officer wishes to work a detail, the reserve officer will be provided the opportunity. Reserve officers must have successfully completed the FTO program.
4. Any member who has been officially relieved from duty pending an administrative action, investigation, or as a disciplinary measure is not eligible to work off-duty details.
5. Any member on light duty, disability, bereavement leave, or illness status is not eligible to work off-duty details.
6. Members must send a memorandum of intent to the Detail Coordinator to be eligible for details.

#### B. GENERAL PROVISIONS:

1. Members will wear their Department issued regular duty uniform, complete with their Department issued equipment and accessories. Approval by the Detail Administrator is required for any other type of attire. Members will drive a Davie Police Department emergency vehicle or marked police vehicle to all details. Members will use a marked police vehicle for all traffic control details. Under no circumstances will a member drive their personal vehicle to a detail.
2. Members working off-duty details are to monitor and respond to their police radio at all times.
  - a. Members are to notify Central Dispatch as to the location of their detail, when they arrive at a detail, whenever they leave the detail, and when they end the detail.
  - b. When the nature of the detail might preclude the use of a police radio, members will inform Central Dispatch of a contact number for them such as their pager number and the phone number of the detail.
3. Travel time to and from details is not considered beginning and ending times nor is compensation allowed for that purpose. Members are to be physically present at the proper location of the detail at the provided starting and ending times of the detail.
4. The Detail Administrator will review all detail requests for lounge or bar-type businesses and the number of officers necessary and the hours to be worked. The Detail Commander will approve these requests before any such detail is scheduled.

5. Members working at a lounge or bar-type business whose main purpose is the sale of alcohol will not remain within the premises. Spot checks for brief periods of time may be necessary and are permissible. Members may not remain at said establishment after their detail has ended if they are in uniform, or displaying any insignia or logo that identifies them as a member of the police department.
  6. Members working at a detail location will handle calls requiring police attention and reporting. On-duty officers will be used for purposes of transporting prisoners, responding as back-ups, and conducting follow-up investigations which are away from the detail location. The on-duty shift supervisor will direct members so as to maintain the integrity of the detail and the efficiency of the on-duty shift.
  7. Members are prohibited from leaving their detail location to respond to calls that would normally be handled by on-duty officers, unless specifically directed to do so by the on-duty shift supervisor. The on-duty supervisor has the authority to replace a member working a detail if circumstances warrant. Personal breaks are permissible with the approval of the on-duty or detail supervisor.
  8. Members are not to approach detail vendors in order to solicit any status changes such as detail times, dates, clothing, requirement, vehicle assignment, etc. Members are not to negotiate the sale of any off-duty detail, nor solicit a detail or exchange of a detail for profit. Vendor contacts will be made through the Detail Coordinator, with the knowledge of the Detail Administrator.
  9. A member of the department appointed by the Chief of Police will be designated the "Detail Coordinator" and will have the following responsibilities:
    - a. Act as department liaison with vendors in order to clarify the conditions of the detail and exchange information with vendors.
    - b. Record and retain various memorandums from department members related to off-duty details.
    - c. Maintain all official detail lists. Coordinate said lists with other units as applicable.
    - d. Coordinate compensation documents as applicable with the Department's detail payroll designee.
  10. A sworn member of the department appointed by the Chief of Police will be designated the "Detail Administrator" and will have the following responsibilities:
    - a. Plan, organize, and internally advertise a monthly detail bid process.
    - b. Generally troubleshoot the off-duty detail process and operations.
    - c. Assist the Detail Coordinator as applicable.
    - d. Provide guidance and information to department members concerning detail policy and procedure.
    - e. Coordinate the investigation of detail policy violations.
    - f. Issue disciplinary measures in accordance with guidelines set forth in this policy.
    - g. Report any problems or issues to the Chief of Police.
- C. SHIFT SUPERVISOR ACTIONS AND RESPONSIBILITIES:
1. The on-duty shift supervisor will have the responsibility of supervising members who are working off-duty details. The exception to this will occur on those details which have a ranking officer working.

2. The on-duty shift supervisor is encouraged to periodically stop at details during his shift, and will handle any issues that arise there-at.
3. The on-duty shift supervisor will handle any investigation, complaint or allegation resulting from an alleged or on-view violation of the General Order when it occurs during his tour of duty. Violations will be reported in writing to the Detail Administrator, with an account of the facts surrounding the incident. If disciplinary measures are applicable, the Detail Administrator, with the approval of the Chief of Police, will take the appropriate disciplinary actions as outlined within this policy. Any disciplinary measures should be brought to the attention of the violator's chain of command.
  - a. On details that have a ranking officer (sergeant and above) assigned, the provisions in 133.3.3C. will apply to the ranking officer.
  - b. If the alleged violation or complaint is against the ranking officer assigned to a detail, the on-duty shift supervisor will forward a statement of the complaint or violation to the ranking officer's immediate supervisor for investigation and follow through, including the issuance of discipline if applicable.

D. COMPENSATION:

1. The amount of compensation that a detail officer receives is governed by the member's collective bargaining agreement in force at the time.
2. Members are prohibited from receiving compensation in any form that is beyond the schedule of benefits outlined in the member's collective bargaining agreement.
3. All payment for services will be handled directly between the contracting vendor and the Town of Davie.
4. In order to receive compensation, members shall submit their request for payment on the standard payroll forms provided by the Department. Requests are to be timely and submitted within the pay period when the detail has been worked.
5. Members injured in the course of their professional duties shall be covered under Workman's Compensation in accordance with the Town of Davie's Risk Management's agreements.

E. DETAIL ADMINISTRATION:

1. Members eligible to work details and who have submitted their memorandums indicating their intent to do so will have their names entered on two lists by the Detail Coordinator.
2. The first list will contain the names of eligible bidding members and will be used for the monthly bid process. The order of names on that list may change from month to month.
3. The second list will contain the same names in the same order. This list will be used when a new Special Off Duty Detail becomes available between sign-up dates and must be immediately filled. It will be referred to as the "Emergency List." The order of names on the listing may change month to month.

4. Lists will be organized as follows:
  - a. Police officers will be initially entered on the lists by their most recent sworn date with the Davie Police Department.
  - b. Sworn supervisors who are bidding on non-supervisory details are entered on the lists by their sworn date with the Davie Police Department. Sworn supervisors who are bidding on details that require a ranking member will bid by their rank and date of rank.
  - c. Non-Sworn members will be listed by their date of hire with the Town of Davie.
5. Each month a detail sign-up or bid process will be held in the Police Department. Members who are eligible to bid for details should be present during the date and time of the process. However, eligible members who are sick, on leave, at court, on duty, or unable to attend for some other valid reason, may bid by proxy with approval of the Detail Administrator. If a member begins to proxy for another member without valid reason and without approval of the Detail Administrator, he will give up the right to sign-up for any remaining details, absent an approved proxy.
  - a. Sign-up will proceed by seniority. Each member, in turn, will initially sign-up for no more than two (2) details for themselves. Once a member has done this, his name will revert to the bottom of the sign-up sheet, and the next listed member will sign-up, and so on until all details are filled or there is no one left to bid. The Detail Administrator will count down the sign-up list to the 20<sup>th</sup> member after the one who started the bidding. This member, if eligible, will begin the sign-up process the following month. If this member is not eligible, then the Detail Administrator will continue down the list until an eligible member is reached.
  - b. A sign-up by proxy must be approved and validated by the Detail Administrator prior to each monthly sign-up date. Members may only use the proxy method four (4) times during any twelve-month period. Exigent circumstances may be considered by the Detail Administrator to allow an extension. Members who are going to submit a proxy sign-up for another member may only do so for no more than one member. Additionally, the member submitting the proxy sign-up may not work a detail that is a proxy detail.
  - c. Members who sign-up for a detail, either in person or by proxy, are obligated to work their details themselves. In the absence of official approval from the Detail Administrator based on exigent circumstances, members must work a minimum of fifty-percent (50%) of their details in the month they have been scheduled.
  - d. Details requiring five to ten officers or more will have a ranking member or officer in charge. Bidding guidelines explaining the rank structure for this occurrence are governed by the collective bargaining agreement in effect at the time, and are incorporated as part of this policy. During the monthly sign-up, a ranking member who has entered his name as the official supervisor for a detail that requires a supervisor will receive the proper pay adjustment as outlined in the current collective bargaining agreement, despite any other ranking member who may work the detail.

6. The first name on the Emergency List will be the member who started the sign-up process. When a new Special Off Duty Detail is contracted that falls between sign-up dates and must be immediately filled, the Emergency List will be used. The Detail Coordinator will contact the first name on the Emergency List and offer the detail to that member, and then continue in orderly fashion down the remaining names on the list until the detail is filled. Once a member either accepts or declines an offered detail, his name reverts to the bottom of the list. Members may sign-up for only one detail at a time under this process. The order of the Emergency List will not affect the order of the regular monthly sign-up list. A proxy will not be accepted for the Emergency List process.
7. When new details are contracted and fall between sign-up dates, the detail will be added to the detail list and posted in the Road Patrol Briefing Room. These details will be filled on a first come first serve basis.
8. Members are not authorized to sign-up or otherwise obligate themselves to work details that overlap each other.
9. Members are not authorized to sign-up, nor otherwise obligate themselves to work details that will interfere with their regular scheduled on-duty obligations and shift assignments. The exception to this will be an authorized leave of absence approved by the member's immediate supervisor, and written notice sent to the Detail Coordinator and Detail Administrator. In all instances, scheduled work shifts, scheduled training, and other obligations for the good of the department, take precedence over detail assignments.
10. Members who have signed-up for a detail or otherwise obligated themselves to work a detail may not arrange for another member to work the detail in the absence of an approved Detail Change Agreement. A Detail Change Agreement has to be submitted to the Detail Administrator who may approve or disapprove the Agreement. A minimum of two days notice is necessary.
11. A member is individually responsible for finding a replacement member to work a detail on their behalf if sudden circumstances arise that will not allow them to fulfill the obligation. Members should not request the Detail Coordinator to find a replacement. The Detail Administrator is to be immediately notified in writing by any member who cannot work a detail that they are obligated to work. The reason will be stipulated along with the detail name, date, and a replacement member who has agreed to work the detail. The memo shall be provided by the member in a timely manner so that undue burden will not be placed on other members, and the needs of the vendor can be efficiently served.
12. If a vendor has questions or concerns about a detail, members shall direct the vendor to the Detail Coordinator or Detail Administrator.
13. An approval, review, and revocation process exists for each vendor or off-duty employer. A vendor has the right to request that a specific member of the department not work a detail.
  - a. A vendor should make contact with the Detail Administrator and explain his concerns in writing. The Detail Administrator shall make contact with the vendor and establish whether or not the vendor has valid justification for removing the Department member from the detail.
  - b. Under these circumstances, the member is not allowed to make inquiries to the vendor nor persons associated with the vendor's business.



- c. If the Detail Administrator cannot reach an agreement that is mutually acceptable between the Department and the vendor, the Detail Administrator will instruct the Detail Coordinator to use the Emergency List to provide another member to work the detail. The decision from the Detail Administrator is final and not grievable.
  - d. The Department also reserves the right to approve, review, and revoke any agreement with a vendor or off-duty employer. The Chief of Police has the final decision as to whether or not the off-duty detail will be staffed with Department personnel.
14. A member who has called in sick for his regularly scheduled duty, or has to leave work during his regular tour of duty, is not allowed to work a detail until after he has completed his next regularly scheduled tour of duty.
  15. Members are not to schedule themselves to work so many hours that it may cause fatigue or other symptoms that may interfere with their attention and alertness. Any department supervisor who may observe or may otherwise determine that a member may not be fully fit for duty may relieve the member from duty. If this occurs at a detail, the supervisor will make every effort to find a substitute member to finish out the detail. Following this, the supervisor shall forward a memorandum to the Chief of Police explaining the circumstances of the instance and supporting facts. In the sole discretion of the Chief of Police, further investigation may be directed, and/or the member may be prohibited from working details for an amount of time as directed by the Chief of Police.

#### F. COMPLIANCE

1. The behavior and actions of members who are working details shall be professional and will not bring disrepute upon themselves or the department.
2. Members will conform to all provisions contained in this policy, and will comply to all departmental directives, General Orders, State and Federal Laws, and Town Code.
3. Members who may receive discipline for violating provisions of General Order 133 are not precluded from any progressive discipline that may arise out of their regular duty; (e.g., a member is continually tardy for his regular duty assignment and is continually tardy for his detail assignment, therefore subject to discipline based on both detail and regular duty considerations).
4. Progressive discipline for violations of this policy will be used and will be consistent with discipline measures routinely exercised by the department and the town. The Chief of Police will maintain ultimate responsibility and authority to determine and implement discipline based on a member's overall performance.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>RIDE-ALONG PROGRAM</b>	GENERAL ORDER NO. <b>134</b>
RESCINDS: G.O. 134 issued 01/21/2005	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 134.1 POLICY

To establish a procedure for a community relations program which allows individuals to ride along and observe police operations.

### 134.2 PROCEDURE

- A. All requests to ride along with employees of the Police Department will be made in writing and submitted through the Chain of Command for final approval by the Chief of Police. No one will be permitted to ride until the Chief of Police or designee has given written approval.
- B. The request will be submitted on the attached form and will have a completed Waiver form attached.
- C. All requests will be granted for only the requested date and time. No blanket requests shall be granted.
- D. Relatives of police officers are not permitted to ride along with or on the same shift with the officer to whom they are related.
- E. No observers will be permitted to carry firearms while participating in this program.
- F. Participants in the Civilian Police Academy are requested to participate in Ride-Alongs as part of their completion of the program.
- G. Police Explorers are civilians riding as observers as part of the Explorer Program. Police Explorers ride only as observers and are not empowered with the authority of law enforcement officers. However, they may perform certain duties authorized by the Chief of Police or designee, with the approval of the Officer with whom they are riding, such as:
  - 1. Crowd Control (non-violent activity);
  - 2. Traffic Control;
  - 3. Assistance with minor form completion with the exception of forms dealing with the accountability of property or evidence;
  - 4. Radio use (non-emergency communication); and
  - 5. Perimeter control.

- H. Explorers may ride in proper uniform only which clearly distinguishes them from the sworn police uniform.
- I. Explorers will not become involved in in-progress violent calls which might expose them to danger of bodily harm.
  - 1. The officer responding to a in-progress violent call may respond to the call and instruct the explorer to remain in the police vehicle; or
  - 2. Leave the explorer at a safe location while notifying the on-duty supervisor via dispatch and then proceed to the call.
- J. The explorer may not carry any weapons or firearms except for handcuffs which the officer may utilize as extra equipment if needed. Explorers are prohibited from actually handcuffing any subject regardless of the offense. Explorers are required to carry other equipment with them including a pen, clipboard, flashlight, and rainsuit.
- K. Explorers will not be listed as witnesses on traffic crash scenes, citations, or minor arrests.
- L. The Explorer Post Advisor should be notified if any problem arises with an Explorer or as a result of this policy.

#### ADDENDUM: Ride Request Form

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>LINE OF DUTY DEATH</b>	GENERAL ORDER NO. <b>140</b>
RESCINDS: G.O. 140 issued 07/30/2001	ISSUE DATE: 01/21/2005
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 140.1 PURPOSE

The death of a coworker in the Department is one of the most traumatic events that we can experience in our careers. Coordination of events following the line-of-duty death of a Department member is an extremely important and complex responsibility. This General Order explains the procedures to be followed in order to provide surviving family members, coworkers, and the law enforcement community with professional and compassionate service.

### 140.2 POLICY

Department members will provide assistance to the surviving family, and family requests and wishes will be reasonably accommodated within the limits of Department resources. Assistance is provided whether the death was felonious or accidental, while the member was providing a law enforcement function, whether on or off-duty, and while an active member of the Department. The Chief of Police may enact certain parts of this General Order in the instance of a member's natural death, as well as for those members who have retired in good standing. Funeral arrangements are to be decided by the family with their wishes taking precedence over the Department's.

### 140.3 DEFINITIONS

FULL DEPARTMENT HONORS: Full Department Honors will be rendered for a member who died in the line-of-duty as follows:

1. All flags at the Police Department building will be flown at half mast for the period of time from the death of the member until immediately following the funeral service.
2. All members of the Department with badges will cover the horizontal center of their uniform badge with a black elastic band or black tape.
3. An Honor Guard of two uniformed officers will be assigned to the deceased member for the period of time from the death of the member until burial.
4. A "Class A" Department uniform will be provided for burial of the deceased, if the deceased was eligible to wear a uniform.
5. A United States Flag, or State of Florida burial flag, will be provided to drape the casket. A flag folding ceremony will be conducted at the funeral service, and the flag will be presented to the family by the Chief of Police, or his designee.
6. A 21-gun salute will be conducted and "Taps" will be played.
7. A police motorcycle escort will be provided.

DEPARTMENT HONORS: Department Honors are the rendering of honors at the service of a member where the cause of death was not in the course of the member's employment, or at the funeral service of a retired member.

1. All members of the Department attending services will cover the horizontal center of their uniform badge with a black elastic band, or black tape.
2. If the deceased was eligible to wear a uniform, a Department "Class A" uniform will be provided for the service.
3. A United States Flag, or State of Florida burial flag, will be provided to drape the casket. A flag folding ceremony will be conducted, and the flag presented to the family.
4. "Taps" will be played at the service.
5. A police motorcycle escort will be provided for the service if located within the tri-county area.

BURIAL FLAGS: The United States flag or the State of Florida flag are the only flags permitted to drape the casket at a funeral service for a deceased member. This does not limit the use of a pall by the Roman Catholic Church, or other churches, but nothing may be placed on top of the flag. The flag must be removed before the casket is covered with the pall. Burial flags should be 5 feet by 9 1/2 feet in dimension, and made of cotton. It is recommended that two flags be made available. If there is a surviving spouse and surviving parents a flag should be presented to both. One flag is placed on the casket while it is at the funeral home, and then the second flag is placed on the casket for the funeral service. The first flag is folded and later presented to the surviving parents right after the flag draping the casket at the funeral service is ceremonially folded and presented to the surviving spouse.

NOTIFICATION OFFICER: A designated Department member assigned specific duties as outlined within this General Order.

FAMILY LIAISON OFFICER: A designated Department member assigned specific duties as outlined within this General Order.

BENEFITS COORDINATOR: One or more Department member(s) assigned to identify all Federal, State, and Town employment benefits that surviving family members may be entitled to. The Benefits Coordinator will act as a liaison between the surviving family and the various agencies with the purpose of assuring that entitled benefits are properly delivered in a timely manner.

HOSPITAL LIAISON OFFICER: A designated Department member assigned specific duties as outlined within this General Order.

## **140.4 PROCEDURES**

### NOTIFICATION:

- A. The name of the member will not be released to the media before proper notification has been made to surviving family members.
- B. Notification will always be made in person with at least two Department members present. If the surviving family live outside of the South Florida area, personal notification should be made by the jurisdiction they live within.

- C. The on-duty Shift Commander will direct the Davie Communications Unit to notify the Chief of Police, Assistant Chief, Division Commanders, the member's supervisors the Public Information Officer, and Police Chaplain.
- D. The on-duty Shift Commander will appoint two Notification Officers whose primary responsibility will be notifying family members. If possible, one of the Notification Officers should be a female officer to assist female family members. Any Department member who is not so designated is prohibited from making contact with family members prior to official notification.
  - 1. The Chief of Police, or his designee, or police chaplain, should accompany the Notification Officers. However, if the aforementioned are not immediately available, notification should not be delayed. If there is an opportunity to get to the medical facility prior to the demise of the member, do not wait for the aforementioned persons to assemble.
  - 2. At least two vehicles should be used by the notification team.
  - 3. Family members requiring immediate notification include the spouse and children, parents, and then others as requested by the family.
- E. Protocol for notification will be as follows:
  - 1. Never make a death notification on the doorstep. Enter the residence and request that all family members assemble and sit down.
  - 2. Inform family members slowly and clearly, making sure you use the member's name.
  - 3. Use the words "died" or "dead", as opposed to words or phrases like "passed on", "gone to a better place" or other euphemisms.
  - 4. Notifiers should avoid being too graphic in explaining what happened. It is better to say something like, "He was in a car accident and died," rather than explaining the extent and nature of injuries. Leave the details for explanation by medical authorities at a later time.
  - 5. If the family requests to go to the hospital, they should be transported by Department vehicle. It is highly recommended that the family not drive themselves to the hospital. If the family is insistent on driving themselves, one of the officers may accompany them in the vehicle.
  - 6. If there are young children in the household the notification officers must arrange for them to be looked after. This may require an officer stay with them, transporting them to a relative or family friend, or making similar arrangements.
  - 7. Prior to departing for the hospital, a notification officer should phone ahead to notify hospital staff and the Hospital Liaison Officer that the family is enroute. The Notification Officer(s) should stay at the hospital with the family as long as they remain.
  - 8. The parents of a deceased member are to be afforded the same courtesies and procedures.

HOSPITAL LIAISON OFFICER:

- A. The on-duty Shift Commander will assign an officer to immediately respond to the hospital to act as the Hospital Liaison Officer.
- B. The Hospital Liaison Officer will have the following responsibilities:
  - 1. Make arrangements at the hospital for appropriate waiting facilities for both the family members and for Department members. The family should have a room that will afford them the privacy that they may need.
  - 2. Establish a press staging area, and ensure that medical personnel relay pertinent information to assembled family members on a timely basis before such information is released to the media. The family should be protected from the media.
  - 3. As soon as the family arrives, the Hospital Liaison Officer will meet with them and have the appropriate medical staff update them.
  - 4. Update assembled Department members with new information as soon as it becomes available.
  - 5. Will coordinate information with the Department Public Information Officer to ensure it is timely and will not be released before the family hears it.
  - 6. Will make arrangements for the family to be transported back to their residence.

#### FAMILY LIAISON OFFICER

- A. The Chief of Police, with the approval of the family, will assign a Family Liaison Officer(s), who will be a facilitator between the family and the Department so that certain decisions can be made by the Chief of Police.
- B. The Family Liaison Officer(s) will have the following responsibilities:
  - 1. Assure that the needs of the family come before the wishes of the Department.
  - 2. Assist the family with funeral arrangements, and make them aware of what the Department offers regarding a police funeral. If the family chooses a police funeral, the FLO will brief the family on the protocol and procedures that will be conducted.
  - 3. Provide as much assistance as possible, including overseeing travel and lodging for out-of-town family members, arranging for food for the family, meeting child care and transportation needs, etc.
  - 4. Will conduct follow-up visits with the family for an extended time after the funeral service to assure close Department contact and support.

#### BENEFITS COORDINATOR

- A. The Chief of Police will appoint a Department member who will assist the family in receiving all entitled benefits in a timely manner.
- B. The Benefits Coordinator will have the following responsibilities:

1. Will contact the involved medical facility(s) and arrange that all invoicing is directed to the correct agencies for payment, and not the family.
2. Will gather all information concerning benefits that the family may be entitled to and take a lead role in completing the necessary paperwork and assuring that the benefit amounts are correct and received in a timely manner.
3. Will meet with the family a few days after the funeral to discuss the benefits they will receive. Will meet with the family again on a timely basis to see if the benefits are being properly received, and follow-up from time to time as may be appropriate.



# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>CRITICAL INCIDENT RESPONSE</b>	GENERAL ORDER NO. <b>150</b>
RESCINDS: G.O. 150 Issued 11/29/2006	ISSUE DATE: 03/05/2008
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 04/05/2008

### 150.1 PURPOSE

The Department recognizes the professional challenge of effective response to a critical incident, environmental disaster, or other emergency of extraordinary proportion. Proper coordination and strategy is essential for safeguarding lives, protecting the environment, and resolving the incident. The purpose of this policy is to provide an organized system utilizing uniform guidelines that will enable the Department to achieve a coordinated response to various unexpected emergencies or anticipated events that could adversely affect the health, safety, and or general welfare of the community.

### 150.2 POLICY

It is the policy of the Davie Police Department to adhere to the guidelines and principles as set forth in the Incident Command System (ICS) Model, which has been adopted within the National Incident Management System (NIMS) by the Department of Homeland Security. The Department will pre-plan for unusual occurrences and will train its members regarding the necessary skills, tactics, and deployment strategies dealing with critical incident response. Department supervisors will ensure that all personnel under their command are proficient in implementing and controlling emergency procedures and tactics outlined in this General Order. Department members are to be aware that they may be ordered to report for duty and/or be selected without advance notice to staff any position during a critical incident, and must be prepared to do so.

### 150.3 DEFINITIONS

Casualty Collection Point: Also referred to as a "Main Triage Point" or "Initial Injured Persons Rally Point". It is a designated location near the area of the incident that serves as an assembly point for casualty triage, medical stabilization, and evacuation of the injured. The location should have suitable open area for helicopter transport, and access for EMS vehicles.

Critical Incident: An unexpected occurrence resulting in great damage, loss, or destruction. The occurrence may be deliberate, as in the case of a terrorist action, or it may be an act of nature, as in the case of a severe hurricane, or accidental and caused by human error. It may also include a large scale social event or demonstration.

Emergency Operations Center (EOC): A location that centralizes command staff coordination of emergency resources while directing and managing necessary support functions.

Evacuation Center: A relatively safe and secure location used for the purpose of evacuating innocent civilians from a critical incident area. Locations serving this purpose may include a parking lot, athletic field, church, etc.

Incident Command Post (ICP): A field location that is in proximity to the critical incident from which on-scene response activities are directed.

Incident Command System (ICS): A nationally accepted emergency management process of organizing an efficient management structure and necessary related resources at the scene of a critical incident.

Liaison Officer: A member of the Department assigned by the Chief of Police, or Incident Commander, responsible for being a point of contact for identifying and assisting representatives from other agencies, and providing information and liaison with other government/law enforcement agencies.

Reporting Locations: A designated location in reasonable proximity to the critical incident where incoming resources check-in prior to deployment to a staging area.

Safety Officer: A Department member, or other person designated by the Chief of Police, or Incident Commander, responsible for monitoring and assessing safety conditions, hazards, etc., at the scene of a critical incident. The Safety Officer is responsible for developing measures for ensuring the safety of personnel.

Scribe: A Department member responsible for recording all incident related information and actions taken. A Scribe will be assigned by the Incident Commander to work under his direction. An additional Scribe may be appointed by the Chief of Police to be assigned to the Emergency Operations Center.

Security Officer: A designated Officer responsible for providing active security at assigned locations. Locations may include the Incident Command Post, Staging Areas, points of entrance, etc.

Staging Area: Specific locations at the scene of a critical incident where resources can be placed while waiting deployment.

Unified Command: A unified team effort allowing all agencies with geographical or functional responsibilities toward the critical incident to manage the incident with a common set of objectives and strategies. These are accomplished without losing or abdicating agency authority or accountability.

Weapons of Mass Destruction: Weapons/materials designed to inflict massive damage to property and human life. They may be chemical, biological, nuclear, radiological, or mechanical, and, when detonated or dispersed, cause mass casualties among populations.

## **150.4 GENERAL PROVISIONS**

A. The Critical Incident Response will apply to incidents as follows:

1. Bomb Incidents/Fires/Explosions

2. Plane Crashes
  3. Hazardous Material Spills
  4. Incidents of School Violence
  5. Civil Disorders
  6. Weapon of Mass Destruction/Terrorist Attack
  7. Severe Weather Situations/Hurricane
  8. Major Traffic Collisions
  9. Large Scale Social Events/Demonstrations
  10. Incidents Declared Critical by the Chief of Police
  11. Disasters, Emergencies, Events, Incidents, or other Unusual Occurrences requiring exceptional law enforcement response.
- B. The common objectives when responding to a critical incident are as follows:
1. Reduce or Minimize Loss of Life and Property
  2. Care for the Injured/Maintain Public Health
  3. Alleviate Suffering and Hardship
  4. Maintain Law and Order
  5. Restore Essential Services to Affected Areas
  6. Provide Vital Resources to Affected Areas
  7. Provide for Continuity of Government
  8. Provide the Basis for Subsequent Recovery

## 150.5 PROCEDURES

### **FIRST RESPONDER/INCIDENT COMMANDER:**

- A. The first responder to a critical incident will initially be responsible for on-scene evaluation and situational management and coordination until command authority is transferred to another person such as a responding supervisor or person of functional authority. The member who is in charge of on-scene management is designated as the Incident Commander.
- B. It is imperative that any transfer of authority at the scene of a critical incident is clearly communicated so that there is no doubt or confusion concerning who is in charge.
- C. Beyond taking the correct action to protect life and property, the primary responsibilities of the Incident Commander include: a scene assessment, directing personnel and resources, communication, scene containment, and developing and implementing an initial operations plan. The Incident Commander must promptly communicate the assessment to Dispatch and responding officers/supervisors.
- D. First Responder Duties and Responsibilities:
1. Scene Assessment: This includes communicating an estimate on the size and scope of the incident along with the following:
    - a. Type of emergency;
    - b. Location of emergency;
    - c. Type of structure/vehicle involved;
    - d. Size of area involved;
    - e. Number of additional officers required;
    - f. Number of injured and injury severity;
    - g. Request Fire Rescue to provide necessary emergency medical treatment;

- h. Number of subjects involved;
  - i. Type of weapons involved;
  - j. Safe access routes for emergency vehicles;
  - k. On-scene Incident Command Post location.
2. Scene Containment: Ensure that the scene is controlled so that the situation does not escalate and/or worsen in severity.
    - a. Isolate any active threat;
    - b. Initiate inner perimeter controls;
    - c. Consider/initiate an outer perimeter control;
    - d. Request additional personnel and equipment resources.
  3. Scene Command: The initial responding officer, acting as Incident Commander until relieved, may develop and implement an operations plan that may include:
    - a. Evacuation procedures;
    - b. Traffic control plans;
    - c. Establish a field Incident Command Post.

#### **RESPONDING SHIFT SUPERVISOR/INCIDENT COMMANDER:**

- A. Upon arrival at the scene, the responding supervisor will assume responsibility as the Incident Commander. When this occurs, the supervisor may find it is necessary to delegate authority to others for conducting specific and important functions.
- B. The responding supervisor/Incident Commander will determine the need for specialized units, and mobilizing off-duty personnel. Final approval should come through the Chief of Police, or designee.
- C. The responding supervisor/Incident Commander will consider, and implement as applicable the following:
  1. The location for an Incident Command Post;
  2. Media/P.I.O. Staging Area;
  3. Casualty Collection Point/Triage Area;
  4. Investigative Unit Staging Area;
  5. S.R.T. Staging Area;
  6. Mass Arrest Processing Center;
  7. Staging areas for other specialized units, etc.
  8. An Incident Scribe, Safety Officer, Liaison Officer, and Security Officer.
  9. Obtain situation maps as necessary.
- D. As an incident becomes more complex or involved, with increasing degrees of difficulty, the role of Incident Commander may be assumed by a person of higher rank within the chain of command, or to a person with functional authority over the situation.

### **150.7 UNIFIED COMMAND/MULTI-AGENCY RESOURCES**

- A. A unified command will be established whenever an incident involves the commitment of multi-agency or multi-jurisdictional resources. A unified command involves formulating common strategies and objectives between participating agencies and jurisdictions without losing or abdicating agency authority or

accountability, while regulating and controlling information to be released to the media.

- B. The agency with the primary emergency service function will be determined, and command structures will reflect accordingly. Other agencies involved will maintain a support role. Typically, the Police Department will be designated as the primary emergency service in incidents involving a criminal act, and the Fire/Rescue will be designated as the primary emergency service in incidents involving medical emergencies or hazardous materials, the object being to integrate appropriate personnel as applicable.
- C. The circumstances of a given incident may warrant a change in command structure as time evolves. For example, a Fire Rescue incident may evolve into a criminal investigation and the Police Department will take on the responsibility of being the primary authority.
- D. Requests for military support will only be made by the Chief of Police or his designee.

### **150.7 EMERGENCY OPERATIONS CENTER**

- A. In addition to an on-scene Incident Command Post, circumstances may require establishing a separate location that is designated as the local or Town Emergency Operations Center (EOC). The Chief of Police, or his designee, will be responsible for establishing and staffing an EOC.
- B. It is the responsibility of the Incident Commander to communicate updated briefings to the EOC staff. The EOC, in turn, must effectively communicate pertinent information to the Incident Commander.
- C. The primary responsibilities of the EOC staff include:
  - 1. Exercise coordination, direction and control over evolving operational activities in line with the critical incident objectives and strategies that the EOC staff assists in compiling.
  - 2. Gather and evaluate information from available sources and create alternative strategies and action plans.
  - 3. Maintain a log that is an official record of orders, directives, and other pertinent elements as they occur.
  - 4. Determine need for any specialized resources and coordinate their response. Resource management activities involve inventorying, requesting, and tracking resources utilized.
  - 5. Prepare a demobilization plan and activate it at the proper time.
  - 6. Schedule and conduct intelligence briefings and after-action report meetings.

### **150.8 DEPLOYMENT AND DEMOBILIZATION PROCEDURES**

- A. Pre-deployment Readiness:
  - 1. All Department members that are placed on an alert status or have an on-call assignment must be prepared for deployment with minimal notice and be prepared to report for duty without delay.

2. Personal Preparedness – Department members must consider their personal needs for deployment, especially during anticipated long-term events. Essential items that members will have with them include but are not limited to:
    - a. Three days supply of clothes (Class B, Class D, and casual wear);
    - b. Three day supply of non-perishable food and water (one gallon/day);
    - c. Hygiene/Toiletry Products;
    - d. Rain Gear;
    - e. Rubber Boots;
    - f. Fresh Radio Batteries;
    - g. Flashlights;
    - h. Traffic Vests.
  3. Department members are encouraged to develop a family disaster plan that is practiced in order to provide for the safety and well-being of family members.
- B. Mobilization:
1. The Department will govern its mobilization procedures according to the following activation levels:
    - LEVEL III: This is a monitoring phase. Notification has been received from Federal, State or County agencies regarding a potential threat. Normal operating responsibilities will continue with a heightened sense of readiness for possible deployment. Members will review procedures, perform inspections of emergency equipment, and will otherwise prepare themselves for possible deployment.
    - LEVEL II: This constitutes a partial activation of the Department, based on credible information that a threat or critical incident is probable. This phase may result in a limited mobilization of certain Department resources and activation of a Department Emergency Operations Center.
    - LEVEL I: This constitutes a full activation of Department resources based on factual information that a critical incident is imminent or has occurred. A declaration of a local state of emergency may not be in effect, but is anticipated.
  2. Deployment Activities – Department members must be aware that they may be reporting to someone other than their regularly assigned supervisor. Upon notification of deployment, responding personnel will attempt to ascertain the following information:
    - a. When and where they are to report;
    - b. Their assignment;
    - c. Who they are reporting to;
    - d. How long of a deployment is planned.
  3. Check-in Procedures – Responding personnel must check-in as directed, usually upon arrival on-scene via dispatch and/or to their respective supervisor at the ICP or Staging Area.
- C. Demobilization: Incident personnel will adhere to the following guidelines when notified to demobilize or clear from a scene.
1. Complete all work in progress, unless otherwise directed.

2. Ensure that all records and reports are completely up-to-date and submitted appropriately.
  3. Members shall brief their relief personnel and their immediate supervisor of pertinent information.
  4. Members shall return or transfer custody of any equipment that was assigned to them.
  5. Members may be asked to attend special incident debriefings or meet with counselors.
- D. Critical Incident Stress Debriefings: These debriefings are intended to ensure the well-being of incident personnel and inform them of special services that may be available if any physical or psychological problems are experienced as a result of the incident. These briefings will not be ignored by personnel directed to attend.

### **150.9 SEARCH AND RESCUE**

- A. The Department will respond by the activation of personnel or specialized units during an emergency to locate and provide assistance to potential victims who may have become missing, lost or been trapped by collapsed structures, or are otherwise endangered.
- B. The Incident Commander will coordinate all support personnel, such as, but not limited to: Canine Units, Dive Team, S.R.T., P.I.O, Fire Rescue, and Extra-Jurisdictional Support (i.e. Air Support and Marine Patrol).
- C. If it is determined that the scope of the search and rescue is greater than the capabilities of the Department and requires resources from outside the local area, the Incident Commander in coordination with Davie Fire Rescue shall make the appropriate requests via the Communications Center Duty Officer for specialized assistance, such as the Urban Search and Rescue (US&R) Task Force or Technical Rescue Team.

### **150.10 FACILITY SECURITY**

- A. During a critical/unusual incident, it may be necessary to implement certain measures to enhance the security of the Department facility and personnel. The highest ranking member on-duty shall act as incident commander in making decisions affecting the security and operation of the Department. The following measures are possible actions which should be considered based upon the threat assessment:
  1. Establish a "safety zone" perimeter around the Police/Fire Department complexes and other government buildings as necessary. Restrict access to Police Department, close the Police Department Lobby, erect traffic barriers, and take other security action as necessary.
  2. Deploy an overt police presence as may be necessary including marked patrol vehicles, increased officer presence at access points, use of K-9, and/or mobile field force personnel.
  3. Initiate any continuity of operations plans which may be in effect. Consider the use of off-site, alternate facilities and/or command post locations out of harms way.

4. Implement internal mail screening procedures.
  5. Unauthorized persons will not be allowed entry into work areas without prior approval. Visitors to the Police Department must check-in at the Lobby and be escorted throughout the building.
  6. Persons entering the building are subject to search along with their belongings. No person should be allowed to enter the Lobby of the building with suspicious packages or with unknown contents.
  7. All exterior doors should be closed and locked.
  8. Consideration should be given to these potential indicators of a threat around facilities involving Weapons of Mass Destruction:
    - a. Unusual/suspicious packages or containers, especially those found in unlikely or sensitive locations, such as those found near air intake/HVAC systems or enclosed spaces.
    - b. Unusual powders or liquids/droplets/mists/clouds, especially found near air intake/HVAC systems or enclosed spaces.
    - c. Signs of tampering or break-in to a facility or maintenance/utility area
    - d. Reports of suspicious person(s) or activities, especially those involving sensitive locations within or around a building.
    - e. Dead animals/birds, fish, or insects.
    - f. Unexplained/unusual odors. Smells may range from fruity/flowery to sharp/pungent, garlic/horseradish-like, bitter almonds, peach kernels, and new mown grass/hay.
    - g. Unusual/unscheduled spraying or discovery of spray devices or bottles.
- B. Bomb threats or explosive devices received or discovered at the Police Department shall be handled in accordance with the provisions of G.O. 528.

## **150.11 COMMUNICATIONS**

- A. During critical incidents common terminology will be used that ensures all responders are using the same terms that are standard and consistent.
- B. Integrated Communications which establishes a common communications plan, standard operating procedures during the incident, clear text, common radio frequencies, interoperability, and common terminology is an essential component of a response to a critical incident.
- C. An Operations Plan, sometimes referred to as an Incident Action Plan (IAP), will identify radio frequencies, as well as, alternative communications to be used in an emergency or critical incident.
- D. Rumor Control: The Department will maintain a central point of contact to answer questions, provide information, eliminate rumors, and address concerns from the public.
- E. Community Education: The Department will designate personnel to participate in any briefings and meetings with the public necessary for the preparation and prevention, as well as, the aftermath of a disaster or any hazard which may affect the community. Community education will include such efforts as training, lectures, brochures, and



press releases. The Department's Public Information Officer will work in conjunction with the Town's Public Information Office to communicate awareness and public health and safety messages to the public.

## **150.12 TRAINING**

- A. Designated Department members shall receive training regarding critical incident response as determined by the Training Unit Supervisor, Chief of Police or designee in accordance with Department needs and/or in compliance with CJSTC requirements. Training may include awareness level or specialized training but is not limited to the following areas:
  - 1. Incident Command System;
  - 2. National Incident Management System;
  - 3. Weapons of Mass Destruction;
  - 4. Response to School Violence;
  - 5. Active Shooter or similar training;
  - 6. Terrorism related training;
  - 7. Personal Protective Equipment;
  - 8. Hurricane and other natural disaster conferences and training;
  - 9. Other current Emergency and Crisis Response or similar training.

## **150.13 CRITICAL INCIDENT REPORTS**

- A. A set of standardized critical incident forms may be used for the duration of the occurrence as identified by the Chief of Police or designee. These would be in addition to normal reporting procedures using appropriate Department forms as may be required.
- B. When the Department's response to an incident has been completed, all completed forms will be submitted to the Administrative Bureau, Support Services Division. The forms, under the direction of the Administrative Bureau Commander or designee, will be properly processed and maintained in accordance with State and Federal Laws.
- C. After-Action Reports - Following any critical incident as defined by this General Order, an after action report will be completed by the Incident Commander or designee. All responses will be evaluated to determine effectiveness in accomplishing the goals and objectives and to improve future performance. All After Action Reports will be forwarded to the Office of the Chief within 24 hours for review and shall be stored within the Professional Compliance Unit.

**DAVIE POLICE DEPARTMENT**  
**GENERAL ORDER**

SUBJECT: <b>HURRICANE/STORM OPERATION</b>	GENERAL ORDER NO. <b>151</b>
RESCINDS: G.O. 46	ISSUE DATE: 01/21/2005
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

**151.1 PURPOSE**

This order will provide personnel with information concerning procedure in the event of a hurricane or severe storm.

**151.2 POLICY**

It is the policy of the Davie Police Department that its personnel will be sufficiently prepared to maintain efficient operations before, during and after a hurricane or severe storm.

**151.3 DEFINITIONS**

GREEN ALERT: State of awareness and preparedness during the hurricane season.

YELLOW ALERT: Hurricane Watch – Monitor tropical storm or hurricane activity headed for our area expected within 48 hours.

RED ALERT: Hurricane Warning – Hurricane imminent expected within 24 hours.

BLACK ALERT: Hurricane in progress.

WHITE ALERT: Hurricane has passed – all clear.

E.C.C.: Emergency Control Center at Davie P.D.

E.O.C.: Broward County Emergency Operations Center.

## 151.4 PROCEDURE

I. **GREEN ALERT:** State of awareness and preparedness during the hurricane season.

II. **YELLOW ALERT:** Hurricane Watch (expected within 48 hours) – at direction of Chief of Police. Dispatch is to be notified by the Chief of Police or designee of Yellow Alert. Dispatch will notify the top ranking officer on duty of the Yellow Alert and the top ranking officer on duty will then verify receipt of Yellow Alert with Chief of Police or designee and activate the Department Plan.

### A. OFFICE OF THE CHIEF RESPONSIBILITIES

1. Coordinate disaster preparedness operations with the Town Administrator/Designee
2. Coordinate disaster preparedness operations with other Town Department Heads.
3. Coordinate disaster preparedness operations with Broward County Emergency Preparedness personnel and local municipalities.
4. Coordinate disaster preparedness operations with private industry.

### B. ADMINISTRATIVE BUREAU RESPONSIBILITIES

1. Direct Dispatch to contact all department members to advise them of the YELLOW ALERT and to notify all personnel to activate their beepers.
2. Check on emergency equipment, check with radio repair shop, and supplies, i.e. radios, extra batteries, rain gear, traffic gear, flares, etc. Check emergency communications with other departments.
3. Contact the Town Garage and have them expedite all minor repairs so as to put into service as many cars as possible. Check emergency generators.
4. Have all police units and emergency generator fueled.
5. Make arrangements for on-duty shift to have adequate time to care for safety of family and home before reporting back for duty again.
6. Facilitate expediency in removing any prisoners from the station, either by R.O.R. or transportation to B.S.O. jail.
7. Contact the wrecker service for adequate and constant coverage of our needs within the limits imposed by the storm.
8. Assign adequate personnel for:
  - a. Recording incidents
  - b. Timekeeping
9. Physical security of the Police Department property, including parking lots and buildings.

10. Control of all civilian personnel in and about the Police Station.
11. Make available the equipment needed for the emergency.
12. Maintain a complete record of issued equipment and supplies.
13. Supervise the feeding of personnel in house.
14. Ensure that all communications systems between the Davie Police Department E.C.C. and other communications centers are maintained and in proper working order.

C. OPERATIONS BUREAU RESPONSIBILITIES

1. Ensure that the department roster is accurate and up-to-date.
2. Assign personnel and equipment to traffic control, security and blockade points, which will provide for emergency traffic flow.

D. DEPARTMENT MEMBER'S RESPONSIBILITIES

1. After being advised by the Department of the yellow alert hurricane probability, all personnel will prepare for the safety of their families and property during the storm.
2. Members not staying home will provide the Department with a telephone number and activate their beepers.

III. **RED ALERT:** Hurricane Warning – At the direction of Chief of Police/Designee hurricane imminent – expected within 24 hours.

A. OFFICE OF THE CHIEF RESPONSIBILITIES:

1. The Davie Police Emergency Command Center will be opened and maintained. The Davie Police E.C.C. will be responsible for maintaining communication with all police personnel, other agencies and departments, including news media, as long as it is possible.
2. Authorize Dispatch to give sufficient notice for all personnel designated to work to report.
3. Authorize Davie Police E.C.C. representative to initiate contact with the Broward County E.O.C.
4. Davie Police E.C.C. representative will advise dispatch when the designated shelters will be opened and provide the information, which is to be given to the public in reference to these shelters.
5. Dismiss non-emergency staff.

B. ADMINISTRATIVE BUREAU RESPONSIBILITIES:

1. Assure that sufficient equipment is procured, maintained, distributed to vehicles and personnel as necessary, for efficient operation.
2. Assure that sufficient food and water is available to adequately care for the needs of the on-duty personnel and prisoners for extended periods (as the severity of the storm dictates).
3. See that sally port doors are both open.
4. Assure that all base stations and all auxiliary equipment are operable.
5. Assure that all radios are operable, all batteries are charged as necessary, and are available for distribution as required.
6. Ensure that all essential communications personnel are on duty.
7. Ensure that all messages are routed through the Command Center.

C. OPERATIONS BUREAU RESPONSIBILITIES:

1. See that all equipment and important items are removed from the Modular buildings.
2. Assure that sufficient equipment is procured, maintained, distributed to vehicles and personnel as necessary, for efficient operation.
3. Assure that sufficient food and water is available to adequately care for the needs of the on-duty personnel for extended periods (as the severity of the storm dictates).
4. Alert personnel of assignments to emergency evacuation duties, such as traffic control, security and blockade points.
5. Ensure specialized equipment is dispatched to sensitive points.
6. Coordinate the maintenance of law and order.
7. Ensure that police cars will be topped off with fuel every 2 to 3 hours.

D. DEPARTMENT MEMBER'S RESPONSIBILITIES

1. Upon notification to report within one hour, members will respond in uniform prepared for an extended stay. Supplies to be brought by the members should include, but not necessarily be limited to, the following:
  - a. Wear into work a BDU uniform. Bring in second set of BDU and at least one dress uniform.
  - b. Change of civilian clothes, jeans/shorts.
  - c. Extra pair of work shoes, sneakers and department issued rubber boots.
  - d. Changes of underwear and socks.
  - e. Rain gear, department issue jacket.

- f. Mag-Lite with charger/extra flashlight with batteries.
  - g. Pillow and blanket.
  - h. Towels.
  - i. Toiletries/soap, shaving supplies, grooming supplies, shampoo, dental needs, toilet paper, eyeglasses, feminine hygiene products, etc.
  - j. Water for drinking, at least one gallon per person, per day.
  - k. Non-perishable food supplies for personal consumption.
  - l. Portable AM/FM radio with fresh batteries.
  - m. Pair of heavy duty gloves.
  - n. Your police radio with extra battery and charger.
  - o. A hammer, axe, saw (hand or chain) and rope.
2. The above items are the bare minimums and each officer should judge his/her own personal needs. Be prepared to be on duty for a minimum of 24 hours to whatever time that you will be able to return to your residence.
  3. If an employee is not contacted, it shall be their duty to contact the police department eight hours before the hurricane is due to hit.
  4. Familiarize yourself with your assignment, identify with alternate routes should main roads become impassable.
  5. Upon arrival at your assignment, do an immediate area check; advise your supervisor of problems; locate your shelter.

**IV. BLACK ALERT:** Hurricane in Progress

A. ADMINISTRATIVE BUREAU RESPONSIBILITIES:

1. Keep communications lines open so that the latest information can be disseminated as long as possible.
2. Maintain the care and safety of all persons at the police station.

B. DEPARTMENT MEMBER'S RESPONSIBILITIES:

1. If you cannot accomplish the objectives of your assignment for any reason, advise your supervisor and stand-by for further instructions.
2. Carry out your instructions. However, do not expose yourself to unnecessary dangers.
3. Drive slowly and carefully, keeping careful watch for downed wires and fires.

**V. WHITE ALERT:** Hurricane has passed – All clear

A. OFFICE OF THE CHIEF RESPONSIBILITIES:

1. Coordinate reports of disaster survey teams.
2. Ensure that the Town Administrator is apprised of available Federal and State disaster relief assistance, if needed.

3. Notify State disaster officials of disaster relief needs.
4. Review conditions with staff.
5. Direct department operations to return to normal status.
6. Notify County E.O.C. of closing Davie P.D. E.C.C.

**B. ADMINISTRATIVE BUREAU RESPONSIBILITIES:**

1. Coordinate all emergency transmissions as required.
2. List and prioritize all necessary radio and telephone repairs so repairs can be initiated.
3. Advise Davie Police E.C.C. of recommendation to return to normal status.

**C. OPERATIONS BUREAU RESPONSIBILITIES:**

1. Provide additional patrols during recover operations to protect against looting.
2. Establish traffic control routes in coordination with the findings of disaster survey teams.
3. In the event that the major recovery site is activated, provide officers for security and escort duty.
4. Provide security for Disaster Assistance centers, if activated.
5. Assist damage evaluators.
6. Advise Davie Police E.C.C. of recommendation to return to normal status.

**D. DEPARTMENT MEMBER'S RESPONSIBILITIES:**

1. Restore order in all zones.
2. Assist disaster survey teams.

**VI. SHELTERS:**

Shelters and specific assignments will be determined annually or on an as needed basis.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>AIRCRAFT ACCIDENTS</b>	GENERAL ORDER NO. <b>152</b>
RESCINDS:    G.O. 14 issued 10/04/1982	ISSUE DATE:  01/21/2005
AUTHORIZING SIGNATURE:  Chief Patrick Lynn	EFFECTIVE DATE:  11/29/2007

### 152.1 PURPOSE

The purpose of this General Order is to establish guidelines for the response and deployment of Department personnel, following any aircraft accident within the territorial limits of the Town of Dave.

### 152.2 POLICY

It shall be the policy of this Department to respond to all aircraft accidents for the purpose of traffic control, crash scene security and preservation, assistance to injured persons, and the protection of private property.

### 152.3 PROCEDURES

Upon notification of any aircraft accident:

- A.     The shift supervisor will respond to the scene to evaluate the situation regarding the need for additional personnel, services and equipment.
- B.     The shift supervisor will ensure that all department staff personnel, the Road Patrol Commander, and the Chief of Police, are immediately notified and advised of the location, extent of damage, type of aircraft, and approximate number of casualties.
- C.     The shift supervisor will ensure that the following agencies are notified in the following priority sequence:
  - 1.     Davie Fire Department and Broward County Rescue
  - 2.     Airport Control Tower
  - 3.     Broward County Sheriff's Department
  - 4.     Federal Aviation Administration
  - 5.     Medical Examiner's Office
  - 6.     Additional agencies which may be required depending on crash site location, and will be given consideration as to priority response are:
    - a.     Florida Power and Light
    - b.     Neighboring Law Enforcement Agencies



The shift supervisor will assign personnel to respond to scene, leaving a minimum of two (2) units to cover Town-wide calls.

The shift supervisor will secure a radio channel, other than the patrol channel, for disaster communications.

The shift supervisor will instruct the Dispatcher to make all notifications, and contact a back-up Dispatcher to respond to assist with duties.

The shift supervisor will assign a unit to the access point to direct emergency vehicles and maintain traffic flow.

The shift supervisor will ensure that local hospitals are notified as to prepare for injured persons enroute to their emergency rooms.

The shift supervisor or other Staff Officer will create a Command Post, advising all units of its locations and the Officer in Charge.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>USE OF POLICE VEHICLES</b>	GENERAL ORDER NO. <b>165</b>
RESCINDS: G.O. 165 issued 03/30/2005	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 165.1 PURPOSE

Public safety and protection of human life are of paramount concern while operating Department vehicles. Occasionally, the need to apprehend a violent felon or to provide emergency services may justify driving outside normally applicable laws and rules of the road. However, state law creates only limited exemptions for emergency vehicle operators. The purpose of this General Order is to establish Department policy and rules regulating the operation of police vehicles and any other vehicles being used in the performance police business.

### 165.2 POLICY

It is the policy of this Department that while operating police vehicles members shall balance competing risks to public safety based upon the circumstances and driving conditions. Police vehicles shall be operated in a reasonable manner and with due regard for the rights and safety of others. Irresponsible, careless, and reckless driving is prohibited and will not be tolerated. Police vehicle operation shall be at all times consistent with the concept of "reasonable safety" and with all other requirements of this directive.

### 165.3 DEFINITIONS

- A. Routine Operation – The operation of a motor vehicle in conformance with normal traffic laws.
- B. Non-routine Operation – The operation of a motor vehicle outside normal traffic laws and rules of the road
- C. Pursuit – The active attempt by an officer in a motor vehicle to apprehend a violator who has recognized that an officer is attempting to stop their vehicle and then attempts to avoid apprehension by using high speed or evasive driving tactics such as driving off the roadway, disregarding traffic control devices, disobeying driving rules or otherwise violating the traffic laws of this State.
- D. Pursuit Driving – The non-routine operation of a motor vehicle in an effort to catch up to, overtake, stop and/or apprehend a law violator.

- E. Response Driving – The operation of a motor vehicle to respond to a call for police service or to a location requiring police presence or service.
- F. Violent Felony – A felony that involves an actual or threatened attack for which the officer has reasonable cause to believe could or has resulted in death or serious bodily injury. This does not include property crimes.
- G. Roadblock – Any method, restriction or obstruction utilized or intended for the purpose of preventing free passage of motor vehicles in order to effect the apprehension of an actual or suspected violator operating a motor vehicle.
- H. Marked Police Vehicle – Any police department vehicle equipped with emergency red and/or blue lights siren and markings that indicate that it is a police vehicle.
- I. Emergency Vehicle – Any police department vehicle which is at a minimum equipped with emergency red and/or blue lights and siren.
- J. Reasonable Safety – Circumstances in which the immediate danger to the public created by the non-routine driving is less than the need to apprehend and/or the immediate or potential danger to the public, considering on balance:
  - 1. The seriousness and/or dangerousness of the crime or matter warranting police involvement.
  - 2. Pedestrian and vehicular traffic patterns and volume.
  - 3. Time of Day.
  - 4. Road conditions, weather conditions, lighting and visibility.
  - 5. Terrain (curves, bridges, buildings, etc)
  - 6. The type of roadway and speeds involved.
  - 7. The capability and limitations of police equipment and vehicle operator.
  - 8. Involved officer(s) and Supervisor(s) familiarity with the area of travel.
  - 9. The quality of radio communications
  - 10. Alternate (safer) methods of problem solving.
  - 11. Likelihood of apprehension.
  - 12. Any other factors increasing or decreasing risks.
- K. Special Purpose Vehicle – A vehicle used because of considerations of weather, terrain, storage requirements, quietness; special equipment or operation needs; or the need for inconspicuous appearance.

### **165.3 PROCEDURES**

- A. Routine Operation of Police Department Vehicles:

1. When members are operating Department vehicles in a routine manner, all vehicles will be operated in adherence to applicable state laws and with due regard for the public's safety.
  2. All members will wear seatbelts at all times in accordance with state law. It is the responsibility of the member operating the vehicle to ensure that all occupants (including passengers and prisoners) are seat belted while traveling in all Department vehicles, excluding Special Purpose Vehicles not equipped with safety restraint devices. Child safety seats will be used where applicable.
  3. When using AM/FM radios in a Department vehicle, the volume shall be adjusted so that it does not interfere with police radio transmitting or receiving. The volume shall be kept at a level that cannot be heard by pedestrian or civilian traffic. The AM/FM radio shall be turned off when approached by or transporting citizens.
  4. Vehicles will not be driven at speeds exceeding 25 mph on any dirt road. On unimproved, ungraded dirt roads or off road, vehicles will be driven at 15mph or less, depending on conditions.
- B. Non-routine Operation of Police Department Vehicles:
1. Only sworn officers are permitted to engage in non-routine operation. Officers with non-sworn passengers (prisoners, interns, explorers, etc.) will not engage in non-routine operations except when absolutely necessary to do so in the most compelling emergency circumstances.
  2. During any non-routine operation, officers shall continuously operate both audible and visible warning signals (lights and sirens) except in response driving when this would increase the risk of harm or injury to the officer or civilians by alerting the suspect(s) to police response or allow the suspect(s) to flee by warning them that the police are enroute. Other purposes for the use of emergency equipment may include but are not limited to the following:
    - a. Emergency lights may be used to assist disabled motorists, alert other motorists to traffic problems (i.e. lights out at intersection), during crime scene control, to signal helicopters, and as perimeter control.
    - b. Sirens may be used to alert other motorists, bicyclists, and pedestrians to dangers, to alert approaching emergency vehicles, or to gain the attention of other persons as may be necessary.
    - c. Hazard warning lights may be used as an additional safety precaution when the Department vehicle is stopped in the roadway.
    - d. Spotlights may be used to provide additional illumination when checking buildings, vehicles, suspicious persons, target areas, and as a tool during traffic or higher risk vehicle stops.
    - e. Public address systems may be used to instruct motorists, bicyclists, or pedestrians of potential hazards or dangers, to give other direction as may be necessary, and/or to communicate to subjects during traffic or higher risk stops.
  3. Officers shall not proceed through stoplights, stop signs, or against any traffic control signs or devices without first making certain that the way is clear and can be safely navigated.
  4. Non-routine operation is specifically prohibited in any vehicle that is not equipped with audible and visible warning signals or is in any way unsafe or unsuitable for

non-routine operation. Police motorcycles and unmarked emergency vehicles may initiate pursuits but shall resume routine driving once a marked police vehicle comes in contact with the suspect vehicle.

5. Non-routine operation is prohibited except where it is at all possible to do so in reasonable safety and then permitted only if reasonably necessary to accomplish one or more of the following objectives:
  - a. Apprehend a person who there is reasonable suspicion to detain or probable cause to arrest for a violent felony offense and who cannot likely be apprehended at a later time and/or by safer means.
  - b. Prevent the commission of a violent felony.
  - c. Provide emergency assistance to persons suffering an imminent threat of death or serious bodily injury.
  - d. Avert or minimize the effect of a public catastrophe or emergency involving the threat of major property damage (i.e. fire at a commercial building).
  - e. Respond to an in progress felony.
6. The subjects driving behaviors and offenses involved therein are not to be counted as crimes or threats under "5a" through "5e", above unless those driving behaviors have already caused death or serious bodily injury, or are reasonably certain to do so absent police intervention.
7. No officer shall become involved in a pursuit being conducted by an outside agency unless ordered to do so by a supervisor. In such decisions and involvements, all provisions and requirements of this policy are in force. No officer will leave the Town unless, due to circumstances, the Davie unit becomes the sole unit involved and then only with supervisor approval. The Davie unit will continue only until relieved by the originating agency or another jurisdiction in which the pursuit has entered.
8. Policy Intent: the fact that a person is operating a vehicle recklessly and/or at dangerously high speeds will not, in itself, justify a high speed pursuit.

## **165.4 PURSUIT DRIVING**

- A. Department Member(s) Responsibilities:
  1. Pursuit driving is prohibited except as allowed in 5 (a) above.
  2. Any officer who engages in pursuit driving shall immediately notify communications of the following:
    - a. unit identifier;
    - b. the reason for the pursuit (factors supporting the decision to pursue and the degree of certainty for which the vehicles suspects are wanted);
    - c. its location and direction of travel;
    - d. description and license plate number of the suspect vehicle;
    - e. number of occupants and physical description;
    - f. speeds involved; and
    - g. other available information affecting public and/or officer safety;

- h. the involved officer shall continue to communicate their location and direction throughout the pursuit.
3. If there is a secondary pursuit vehicle in position to do so, the operator of that vehicle shall take over communication, regarding location, direction, speeds, and other available information affecting "reasonable safety".
4. Communications personnel shall immediately notify a supervisor of the pursuit and the reason(s) for it.
5. Once receiving information that pursuit driving has begun, communications personnel shall broadcast all available information as would aid officer and/or public safety, and shall communicate in timely fashion with other law enforcement jurisdictions that may be affected by the ongoing pursuit.
6. The respective district supervisor shall then immediately monitor the pursuit and determine whether the basic criteria justifying non-routine driving are present. If not, the supervisor shall immediately order the pursuit terminated. If the basic criteria are present, both the involved officer and supervisor shall continuously weigh all available information. If at any point the pursuit no longer satisfies the criteria required for non-routine driving, the pursuit shall be immediately terminated.
7. The supervisor shall direct pursuit vehicles and air support units into or out of a pursuit and coordinate the pursuit tactics.
8. The decision to leave the jurisdiction to continue the pursuit will be the supervisors and must be expressly given.
9. No officer or supervisor will be disciplined or criticized for a decision, based on this policy and/or the law, not to pursue.
10. Only one police vehicle shall engage in pursuit driving, unless another is ordered by the involved supervisor. Secondary or backup units shall remain at a sufficient distance behind the primary pursuit vehicle as to assure that they do not collide with it should there be a sudden stop, accident, or loss of control. Other units shall not become involved in the pursuit, shall not leave their assigned areas unless requested or ordered to do so by a supervisor, and shall not engage in non-routine driving in order to move with or toward a pursuit. Rather, they shall stay clear of the pursuit and refrain from non-emergency radio traffic while remaining alert to the location and progress of the pursuit.
11. A secondary pursuit vehicle shall not pass the primary pursuit vehicle unless requested to do so by its operator or ordered to by a supervisor.
12. If police aircraft can maintain surveillance of the pursued vehicle, pursuit driving shall be terminated and further efforts to apprehend shall be directed by supervisors as aided by air surveillance information.
13. Officers engaged in pursuit driving shall remain at a sufficient distance behind the pursued vehicle as to assure that they do not collide with it in the event of a sudden stop, accident, or loss of control.
14. If the involved officer(s) cannot maintain continuous radio contact with communications and supervisory personnel, pursuit driving shall immediately be terminated.

B. Special Rules Regarding Stopping Techniques:

1. "Boxing in", "rolling road blocks" and other mobile techniques designed to physically force the pursued vehicle to slow down and/or stop may contribute to the possibility of collision and are prohibited except as last resorts where deadly force is authorized under the Departments Use of Force policy.
  2. Roadblocks are prohibited as pursuit stopping devices except as ordered by a supervisor, who shall then bear the responsibility for the safe conduct of the roadblock. No roadblock shall be ordered or setup except as clearly allows approaching traffic (including the pursued vehicle) to come to a safe stop at the roadblock, without collision. In allowing for the safe stopping distance in advance of the roadblock, the likely or possible speed of the pursued vehicle shall be carefully considered, along with other factors such as visibility, terrain, road conditions, weather, etc. Officers involved in roadblock activity shall remain clear of the immediate area and in a safe position in case the pursued driver chooses to collide with or attempts to avoid the roadblock. Once a roadblock is ordered, communications personnel shall immediately broadcast its location. Officers in pursuit shall then reduce speed and increase distance between themselves and the pursued vehicle.
  3. Intentional contact by police vehicles with the pursued vehicle is likely to be considered deadly force and is prohibited except as a last resort where deadly force is authorized under the Departments Use of Force policy.
  4. Officers shall not shine lights on or toward the pursued vehicle or other vehicle operators in any manner as would likely impair vision and safety of other operators.
  5. Shooting at or from a motor vehicle: Officers will be governed by the General Order on the Use of Force.
- C. After-Action Reporting: All officers involved in a pursuit shall complete a written report of the incident prior to the completion of their tour of duty. The responsible supervisor shall forward to their Division Commander, through the chain of command, a Vehicle Pursuit Report, Addendum 1 summarizing the incident and shall include all pertinent information as established by this policy. Within a reasonable time thereafter, the Division Commander shall review whether the pursuit was within the law and this policy, and what action (if any) is necessary to assure that any future non-routine driving is properly conducted. The Division Commander shall forward his/her findings and the Vehicle Pursuit Report to the Chief of Police. If further investigation of the pursuit appears necessary, it shall be ordered.

## 165.5 RESPONSE DRIVING

A. Special Rules Regarding Response Driving

1. Non-routine operation is prohibited in response driving except as allowed in General Rules Regarding All Non-routine Operation. 165.3 B (5)
2. Non-routine driving shall be limited to the primary unit and a back-up unit unless otherwise directed by a supervisor. The first unit on scene shall advise on the continued non-routine response of any additional units.

3. Non-routine operation in response driving on non-divided roadways shall be limited to no more than 20 miles per hour in excess of the posted speed limit.
  4. Non-routine operation in response driving on divided multilane roadways and controlled access roadways (i.e. interstate highways) shall be limited to no more than 30 miles per hour in excess of the posted speed limit.
  5. Caution: The speed limitations contained in the preceding two subsections shall be interpreted as caps, or ceilings, on response driving speeds and shall not be interpreted as license or authorization to go such speeds. There may be times (traffic or pedestrian congestion, etc) when responding even at posted speed limits would clearly violate the "reasonable safety" requirement. These speed limitations may be exceeded under extraordinary circumstances when the additional speed is warranted by the life threatening nature of the incident. These limits will not apply to the pacing of traffic violators or justified pursuits. However, in all cases, officers will not operate vehicles in a manner or speed that creates more of a hazard than the risk of allowing the suspect or violator to avoid apprehension.
- B. Special Exception for Speed Limit Enforcement.
1. Because it is impractical, if not impossible, to engage in meaningful enforcement of speed limit laws without significantly violating those same speed limits, the following paragraph establishes limited exception to the requirements 165.3 A.
  2. Officers may engage in non-routine operation in order to overtake and/or pace (as briefly as possible) an actual or (reasonably) suspected violator of the speed limit laws, if it can be accomplished in a reasonably safe manner.

## 165.6 FLEET MANAGEMENT

- A. Fleet management is the responsibility of the Administrative Bureau/Division Commander or designee. The fleet manager shall maintain a current inventory of all Department vehicles as well as a list of assignment.
- B. The Administrative Bureau/Division Commander or designee shall be the Department liaison for issues related to all Department owned or confiscated vehicles, including the contract tow company, the automotive sale or leasing dealership, and the Town garage facility. The Administrative Bureau/Division Commander or designee is also responsible for arranging other automotive services such as window tinting, decals, striping, and calibration.
- C. The Administrative Bureau/Division Commander or designee is authorized to operate all Department vehicles including special purpose vehicles for purposes of vehicle maintenance and/or the installation of equipment.

## 165.7 SPECIAL PURPOSE VEHICLES

- A. Special Purpose Vehicles are not authorized for pursuit driving unless otherwise specified within this policy but are authorized for emergency response driving if the vehicle is properly equipped with audible and visible warning signals.
- B. The Department utilizes numerous types of Special Purpose Vehicles and some require specific training for operation. Special Purpose Vehicles are assigned



based upon special needs and are authorized to be used as designated by the Chief of Police or designee.

C. Special Purpose Vehicles include the following:

1. Motorcycles –

- a. Assigned to the Traffic Unit and used by officers assigned to Traffic as directed by the Special Operations supervisor. Motorcycles are used because of their ability to easily move through traffic while enforcing traffic laws.
- b. The Special Operations supervisor will control the authorization and usage of motorcycles in various situations. All members assigned to the Traffic Unit who have a motorcycle license endorsement and have successfully completed a police motorcycle certification course are authorized to operate motorcycles.
- c. All officers operating Department motorcycles will have a motorcycle endorsement on their Florida Drivers license and have successfully completed an approved Motorcycle Officer training course.
- d. Traffic Officers shall carry at a minimum the following equipment and supplies on the motorcycle:
  - 1) Reflective rain gear;
  - 2) Motorcycle helmet and eye protection (required to be worn during operation);
  - 3) Moving and Parking Citation Booklets and other reports and forms.
- e. Each Traffic Officer is responsible for the care of his or her motorcycle and shall ensure that maintenance is performed when scheduled or required.

2. Bicycles –

- a. Assigned to the Special Operations Unit and used by officers assigned to Community Oriented Policing efforts as directed by the Special Operations supervisor. Bicycles are used because of their ability to easily move through small geographic areas while maintaining high visibility in the interest of community relations. Bicycles are also utilized to cover those areas not normally serviced and to target high crime areas.
- b. The Special Operations supervisor will control the authorization and usage of bicycles in various situations. All members assigned to the Special Operations Unit who have successfully completed an approved bicycle training school are authorized to operate bicycles.
- c. All officers operating Department bicycles will have successfully completed an accredited state or county bicycle training course.
- d. Officers utilizing bicycles shall carry at a minimum the following equipment and supplies:
  - 1) Bicycle helmet and gloves (required to be worn during operation);
  - 2) Blue flashing light;
  - 3) Clear spotlight.

- e. Each Officer assigned a bicycle is responsible for its care and shall ensure that maintenance is performed when required.
3. SRT Vehicle –
- a. The SRT van is assigned to the Special Response Team for their use to respond to special threat situations. The SRT van is utilized to transport SRT members and is supplied with specialized equipment. No formal training is required to operate this van. Only SRT members are authorized to operate the SRT van unless otherwise approved by the SRT Commander.
  - b. The SRT van shall not be utilized for non-SRT related activities without prior approval from the SRT Commander or designee.
  - c. The SRT Commander shall control the authorization and usage of the SRT vehicles. This includes participation in special unit assignments.
  - d. The SRT Commander shall be responsible for ensuring that S.R.T. vehicles are properly cared for and that maintenance is performed when scheduled or required.
  - e. The SRT van shall be utilized to store specialized equipment necessary to conduct tactical operations. An inventory of all supplies and equipment contained within the SRT van will be maintained by the SRT Commander or designee. Any supplies maintained in the SRT van shall be stored securely.
4. Mobile Command Post –
- a. Assigned to the Support Services Division or as designated by the Chief of Police. This vehicle is utilized as a mobile command post and community outreach vehicle. This vehicle requires no formal training to operate; however, instruction will be provided to operators regarding the use of generators, cameras, lighting, stabilizer bars, and other outfitted devices and equipment.
  - b. All requests for the utilization of the Mobile Command Post shall be coordinated through the Administrative Bureau/Division Commander. Only Support Services, Crime Prevention Personnel are authorized to operate the vehicle as designated by the Administrative Bureau/Division Commander.
  - c. The Administrative Bureau/Division Commander shall be responsible for ensuring that the Mobile Command Post is properly cared for and that maintenance is performed when scheduled or required.
  - d. Any equipment stored within the Mobile Command Post shall be properly inventoried.
5. Crime Scene Vans –
- a. Assigned to the Criminal Investigations Unit under the command of the Investigative Services Commander or designee. Requires no formal training to operate.

- b. Crime Scene Technicians are provided specially equipped vehicles which contain supplies and equipment used to process crime scenes. These vehicles allow Crime Scene Technicians to respond from one crime scene to another without having to replenish needed supplies.
  - c. The Investigative Services Commander or designee shall control the authorization and usage of the vans. Only Department Crime Scene Technicians are authorized to operate the vehicles.
  - d. The Investigative Services Commander shall be responsible for ensuring that the crime scene vehicles are properly cared for and that maintenance is performed when scheduled or required.
  - e. The crime scene vehicles will contain all equipment necessary to process crime scenes. An inventory of all supplies and equipment contained within the crime scene vehicles shall be maintained by the Investigative Services Commander or designee.
6. Special Investigations Surveillance Vehicle(s) –
- a. Assigned to the Special Investigations Unit to be utilized on covert operations.
  - b. The Investigative Services Commander or designee shall control the authorization and usage of the Special Investigations Surveillance Vehicle(s). No one will utilize this vehicle without the prior approval of the Investigative Services Commander or designee. Only investigators assigned to the Special Investigations Unit are authorized to operate the vehicle. Personnel utilizing this vehicle must be trained on the use of the electronic equipment and other special devices contained within.
  - c. The Special Investigations Unit supervisor shall be responsible for ensuring that the vehicle is properly cared for and that maintenance is performed when scheduled or required.
  - d. An inventory of all supplies and equipment contained within the Special Investigations Surveillance Van shall be maintained by the Investigative Services Commander or designee.
  - e. The make, model, and type of vehicle are confidential and restricted to personnel who are involved in surveillance operations as directed by the Special Investigations Unit supervisor.
7. Unmarked vehicles –
- a. Unmarked vehicles is a broad classification that includes vehicles used by Staff Officers, Detectives, and other Department members who may require a vehicle to respond to situations where the use of a marked police car may be inappropriate. Unmarked vehicles also include plain, leased, or forfeited vehicles which are not identifiable as police property used for special operations and surveillances.
  - b. Authorization for the use of unmarked vehicles shall be granted by the Chief of Police or designee. The respective Bureau/Division Commander shall control the assignment and usage of unmarked

- vehicles provided for their assigned personnel. Only personnel assigned to the respective division or unit are authorized to operate unmarked vehicles assigned under the control of that division.
- c. Members assigned an unmarked vehicle are individually responsible for ensuring that the vehicle is properly cared for and that maintenance is performed when scheduled or required.
  - d. The respective Bureau/Division Commander shall ensure that vehicles not assigned to specific members follow a preventative maintenance program.
  - e. There is no specific training required to drive an unmarked vehicle.
  - f. Unmarked vehicles shall carry equipment needed by their operator to complete their respective assignments. Examples of equipment include but are not limited to: Binoculars, Raid Jackets, Tactical Vests, Tape Recorders, Cameras, etc.
8. Off road utility vehicle –
- a. Assigned to the Special Operations Unit. This type of utility vehicle is used to access areas of rough terrain that would not be easily accessible to other vehicular traffic and for mobility during special events. No formal training is required to use this vehicle.
  - b. The designated Special Operations supervisor shall control the authorization and usage of the utility vehicle. The Special Operations supervisor shall be responsible for ensuring that the vehicle is properly cared for and that maintenance is performed when scheduled or required. All Department personnel are authorized to operate the vehicle for special events as approved by the Special Operations supervisor.
  - c. The Special Operations supervisor shall determine if any needed equipment or supplies are required to be maintained on the utility vehicle and, if so, an inventory list shall be maintained.
9. The Department has several SUV's and trucks which are utilized in different areas of the department, and subsequently rotated to different units based on need. These vehicles are typically used to address issues of weather and terrain or when additional storage capacity is needed.

**DAVIE POLICE DEPARTMENT  
GENERAL ORDER**

SUBJECT: <b>USE OF P.A.P.V.</b>	GENERAL ORDER NO. <b>166</b>
REPLACES: G.O. 166 issued 03/21/2005	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

**166.1 PURPOSE**

This General Order establishes assignment and accountability provisions relating to the use of Department members' Personally Assigned Police Vehicles (P.A.P.V.'s).

**166.2 POLICY**

By virtue of a collective bargaining agreement, a Personally Assigned Police Vehicle (P.A.P.V.) program exists for the benefit of citizens, employees, and the efficiency of the department.

**166.3 GENERAL PROVISIONS**

- A. All Department members will have access to the use of a department vehicle when their duties require transportation during work hours.
- B. Members shall possess a valid Florida Drivers License with correct classifications for the vehicle they are operating.
- C. Members operating Department vehicles will conform to all State and local laws, ordinances, and regulations, which impact the usage of the Department P.A.P.V. program.
- D. Supervisor authorization to operate non-assigned vehicles will be required. Spare vehicles assigned to a reserve pool shall be used for this purpose.
  - 1. Pool vehicles will be used on a temporary basis and shall be logged in and out by the member.
  - 2. Pool vehicles are not to be considered take-home vehicles, without prior supervisory approval or as directed by the Chief of Police or designee.
  - 3. A sign out log and vehicle keys will be maintained and accessible in a common location. Members shall enter their name and ID number, as well as, the in and out time/date with the vehicle number they are operating. Supervisors will assure compliance with the process.
- E. A member operating a Department vehicle shall be responsible for its care and upkeep. In the event a mechanical problem becomes evident the member should document it, notify the on-duty supervisor, and arrange to take it to the Town garage. Further if a member feels that the vehicle is unsafe, or is not repairable, they shall forward a memo through the chain of Command to the Chief of Police explaining the problem and documenting the vehicle repair history.

- F. A member that leaves a Department vehicle unattended shall properly secure the vehicle and remove any items of value that are contained within the passenger compartment and within plain view.
- G. Mechanical or appearance alterations to Department vehicles are not allowed unless specifically authorized by the Chief of Police. This includes but is not limited to lighting, markings, or physical additions to the vehicle.
- H. Members are prohibited from operating any Town vehicle when they have consumed any amount of intoxicating substance. Department members operating marked vehicles are prohibited from patronizing package liquor stores, cocktail lounges, or bars. Marked police cars are restricted from parking in front of such establishments unless they are responding to calls for service.
- I. Accidents and/or any damage to a vehicle shall be immediately reported to the on-duty shift supervisor and the member's immediate supervisor. A thorough and unbiased investigation will be completed as directed by Department policy under supervision and direction of the on-duty shift supervisor.
- J. Unless approved by the Chief of Police, or designee, only authorized persons may be transported in a department vehicle. Authorized persons include employees of the Town and individuals being transported as an official police action with supervisory approval. Family members are generally not considered authorized passengers without prior approval from the Chief of Police or designee.
- K. Department members as well as other occupants shall wear safety restraining devices while operating department vehicles.

#### **166.4 P.A.P.V. ELIGIBILITY**

- A. Generally, sworn officers are eligible to participate in the P.A.P.V. program. The Chief of Police may authorize other Department members the privilege of a PAPV based on job assignment and consideration for organizational efficiency.
- B. Officers may be **ineligible** to participate in the P.A.P.V. program under the following circumstances:
  - 1. Officers who are undergoing field training.
  - 2. Officers who have two or more avoidable traffic crashes within any preceding twelve (12) month period.
    - a. Two Avoidable Minor Crashes – 10 day suspension from P.A.P.V. program.
    - b. Combination of one (1) Minor Avoidable Crash and one (1) More Serious Crash – 3 month suspension from P.A.P.V. program.
    - c. Third Avoidable Crash – 6 month suspension from P.A.P.V. program.
    - d. Fourth Avoidable Crash – 12 month suspension from P.A.P.V. program.
    - e. Over Four Avoidable Crashes – As determined by the Chief of Police.
  - 3. Officers who live outside of Broward County unless approved by the Chief of Police, as detailed in 166.5 (A).
  - 4. Officers on light duty status may be prohibited from participation in accordance with the Light Duty policy.

5. Officers who violate P.A.P.V. policy provisions.
  - a. First offense – 10 day suspension from P.A.P.V. program.
  - b. Second offense – 1 month suspension from P.A.P.V. program.
  - c. Third offense – 3-6 month suspension from P.A.P.V. program.
  - d. Fourth offense – As determined by the Chief of Police.
- C. The Chief of Police may, in his discretion, remove an officer's eligibility to participate in the P.A.P.V. program temporarily or permanently for cause. The decision is final and not grievable.
- D. Assignment of a P.A.P.V. is dependent upon vehicle availability and consideration of a member's work assignment, and including the member's residency, driving history, and discipline record.
- E. Once an officer is assigned a P.A.P.V., he or she is considered the primary, authorized operator of the assigned vehicle. The officer is prohibited from changing their assigned vehicle without specific authorization from the Chief of Police or designee.

## **166.5 P.A.P.V. OPERATION**

- A. Operating a P.A.P.V. while off-duty is permitted within the boundaries of Broward County. Requests to utilize the P.A.P.V. outside of Broward County shall be submitted to the Chief of Police through the chain-of-command for consideration. Approval to utilize the P.A.P.V. for transportation to and from the member's residence outside of Broward County may be granted at the discretion of the Chief of Police.
- B. Requests to utilize the P.A.P.V. outside of Broward County for work related purposes (i.e. appearance in court, investigation, training etc.) shall be submitted to the member's Division Commander via the chain-of-command.
- C. While off-duty, officers will refrain from enforcement activity except in instances that are reasonably believed to be emergencies. During any enforcement activity while off-duty, the officer will immediately notify dispatch of the incident and request response from an on-duty unit pursuant to taking an official police action such as an arrest. Compensation for self initiated off-duty activity shall be hour-per-hour overtime, and shall be either approved or denied by the shift supervisor who is on-duty at the time of the incident.
- D. Department members shall not intentionally use the P.A.P.V. program as a means to obtain overtime compensation, nor for any other type of unauthorized activity for purposes of accruing personal compensation. Officers are prohibited from incurring financial obligations that would cause them to seek reimbursement specific to the use of their P.A.P.V.
- E. Department members are prohibited from using their P.A.P.V. for purposes of off-duty employment, operation of a business, or producing a secondary income not related to Department purposes.
- F. Preventive maintenance programs are established by the Town garage, and all department vehicles will be periodically scheduled. Department members assigned a P.A.P.V. shall be responsible for keeping maintenance appointments, as well as any other repair appointments. Failure to meet scheduled maintenance appointments or

other required repair service may constitute cause for the member to be ineligible to participate in the P.A.P.V. program. Overtime compensation for the purpose of preventive maintenance/repair is not authorized. If a preventive maintenance/repair is scheduled during a member's off-duty time, the member shall make transportation arrangements to leave and pick up their vehicle at the Town garage. Once a vehicle has been turned into the Town garage for repair, the vehicle will not be removed from the garage unless the repairs have been completed.

- G. Department members will project a professional image by maintaining the interior and exterior cleanliness and appearance of their P.A.P.V. Cleaning tasks shall be considered non-compensation time and are allowed to be performed during regularly scheduled work hours. Supervisors shall inspect P.A.P.V.'s as a normal course of their duties.
- H. Department members will project a professional image while operating their P.A.P.V.'s both on and off duty, out of uniform attire will reflect favorably upon the department.
- I. While operating a P.A.P.V., members will have in their possession and readily accessible at all times a functioning police radio, an official department badge and ID, and their department authorized firearm. Members are to monitor their police radio at all time when operating their P.A.P.V.
- J. A Department member who is on leave of absence from work, out of town; or on leave that extends beyond five work days shall leave their P.A.P.V. at the department, unless otherwise authorized by the Chief of Police.
- K. Members will ensure that anytime firearms are transported within a police vehicle, it is done in a safe manner. Members may only transport firearms that they are authorized to carry on duty or off duty; or come into their possession during the course of their duties.



# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

<b>SUBJECT: TIRE DEFLATION DEVICES</b>	<b>GENERAL ORDER NO. 167</b>
<b>RESCINDS:</b> N/A	<b>ISSUE DATE:</b> 11/29/2006
<b>AUTHORIZING SIGNATURE:</b> Chief Patrick Lynn	<b>EFFECTIVE DATE:</b> 11/29/2007

### 167.1 PURPOSE

The Town of Davie Police Department recognizes that Tire Deflation Devices have the potential to save lives. When a pursuit is taking place, the risk of injury and property damage is significant. Tire Deflation Devices produce a slow, controlled deflation of the pursued vehicle's tires and are designed to do so without loss of control. By concluding a vehicle pursuit, the risk of vehicle crashes and related injuries is greatly reduced. The purpose of this policy is to establish guidelines for the use of the devices.

### 167.2 POLICY

It is the policy of this Department to deploy and utilize Tire Deflation Devices for the termination of authorized vehicle pursuits whenever and wherever practical, pursuant to departmental policy. The use of the device is intended to bring about a safe termination of a vehicle pursuit.

### 167.3 DEFINITIONS

Pursuit– The active attempt by an officer in a motor vehicle to apprehend a violator who has recognized that an officer is attempting to stop their vehicle and then attempts to avoid apprehension by using high speed or evasive driving tactics such as driving off the roadway, disregarding traffic control devices, disobeying driving rules, or otherwise violating the traffic laws of this state.

Pursuit Driving- The non-routine operation of a motor vehicle in an effort to catch up to, overtake, stop, and/or apprehend a law violator.

Tire Deflation Device– Devices that penetrate a tire causing the tire to deflate.

### 167.4 PROCEDURES

- A. Officers will only use Tire Deflation Devices that are issued by the Department. The Davie Police Department will issue the "Stop Stick" brand of Tire Deflation Device.
- B. The shift supervisor will make a decision based on the totality of circumstances whether to utilize a Tire Deflation Device. Verbal authorization from the shift supervisor must be obtained prior to deployment.
- C. The primary consideration when deploying the tire deflation device is the safety of the deploying officer, pursuing officers, and the general public. An officer deploying a device will consider all elements of the environment, including, but not limited to the

traffic flow, pedestrians in the area, property in the area, and cover for the deploying officer.

- D. Communication and coordination between officers involved in a pursuit situation will be critical to the safe and successful deployment of a Tire Deflation Device. In the event a secondary pursuit vehicle is present, the secondary officer should assume responsibility for communication and coordination regarding the deployment of a Tire Deflation Device. The pursuing officers will be first made aware of and acknowledge that the controlled tire deflation device will be deployed. This information shall include the location, the lane in which the tire deflation device will be deployed and established lane restrictions.
- E. It is imperative that all officers involved are made aware of the exact location of the deployed Tire Deflation Device, so that they may distance themselves from the suspect vehicle to allow for the removal of the device from the roadway before they arrive at the deployment point. Measures should be taken to divert other traffic from the area to prevent unnecessary damage to other vehicles.
- F. Immediately after the suspect vehicle has run over a Tire Deflation Device, the deploying officer should make every effort to remove the device from the roadway and the path of oncoming vehicles.
- G. A Tire Deflation Device will not be deployed when the pursuit involves motorcycles, three-wheeled vehicles, or all-terrain vehicles.
- H. Personnel deploying the device will do so in the manner in which they have been trained and in compliance with the manufacturer's recommendations for the device's use.

### **167.5 REPORTING**

- A. The officer deploying a Tire Deflation Device will document his or her actions in an Offense-Incident Report. The Shift Supervisor will complete a Vehicle Pursuit Report in accordance with General Order 165, use of Police Vehicles, and forward it through the chain of command to the office of the Chief of Police. A Vehicle Pursuit Report will be completed whenever Tire Deflation Devices are deployed even if the suspect vehicle does not flee or is not pursued.
- B. All reports and memoranda will list the justification for deployment, motor vehicle target information, suspect information, the serial number for the tire deflating device and any other information related to the incident.

### **167.6 TRAINING**

- A. Before using a Tire Deflation Device in an actual vehicle stop, members must complete a training class taught by a certified law enforcement instructor demonstrate proficiency with the device.
- B. All members utilizing a Tire Deflation Device will receive refresher training during the vehicle portion of in-service training.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>TRAINING</b>	GENERAL ORDER NO. <b>200</b>
RESCINDS: G.O. 200 issued 01/21/2005	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 200.1 PURPOSE

The purpose of this General Order is to identify the primary functions and operational guidelines of the Training Section and to outline the training requirements and responsibilities of Departmental Members.

### 200.2 POLICY

Training is a critical responsibility of all Law Enforcement Agencies. Effective training develops, assists, and prepares members for job-related duties and responsibilities, while reducing the Department's exposure to liability. It is the policy of the Davie Police Department to provide its members with quality, contemporary training that serves to enhance its members' performance, knowledge, skills, and abilities. Training is crucial for assisting members in accomplishing the Department's overall goals, objectives, and mission while maintaining high standards of professionalism.

### 200.3 DEFINITIONS

Job Task Analysis - A systematic examination of functions and objectives of each job related task to be performed as they relate to the skills, knowledge, and abilities required to perform the task or duties of the job.

Lead Instructor – The primary instructor assigned to teach a particular course.

Lesson Plan – A detailed guide from which an instructor teaches. The plan includes the goals, specific subject matter, performance objectives, references, resources, and method of evaluating or testing students.

Performance Objective – Statements of operational behavior required for satisfactory performance of a task, the condition under which the behavior is usually performed, and the criteria for satisfactory performance.

Remedial Training – Personalized training to correct a specific deficiency, which is usually identified by either testing or other evaluation during training or supervisory evaluation during routine job performance.

CJSTC – Criminal Justice and Standards Training Commission.

## 200.4 PROCEDURES

- A. Administration
  - 1. The Training Section is a component of the Professional Standards Unit.
  - 2. The Training Section supervisor is responsible for the supervision and day to day operations of the personnel assigned to the Section and reports directly to the Professional Standards Unit Commander.
  - 3. All sworn and non-sworn members assigned to the Training Section will be under the direct supervision of the Training Sergeant.
- B. Training Function – The primary function and responsibility of the Training Section shall include the following:
  - 1. The Training Section shall plan, develop, and implement or facilitate the implementation of all training programs and presentations involving all agency members.
  - 2. The Training Section shall make timely notification to all agency members of scheduled training programs to be provided by the agency or CJSTC approved outside sources either directly or via the member's chain of command .
  - 3. The Training Section shall initiate and maintain centralized records of all training completed by agency members, to include in-service training as well as training received from CJSTC approved outside sources.
  - 4. The Training Section shall maintain a pool of qualified instructors, to be used for in-service training.
    - a. Agency members shall be selected as training instructors based on desire to instruct, subject matter knowledge, academic credentials, experience, credibility, and instructional ability. They must also be in good standing with the Department at the time of their selection. Selection of Departmental Instructors is the responsibility of the Training Section Supervisor and Professional Standards Unit Commander.
    - b. With the exception enumerated in this order, all agency instructors shall be required to successfully complete a CJSTC Instructor Techniques course. The course consists of training in:
      - 1. Lesson plan development
      - 2. Performance objective development
      - 3. Instructional techniques
      - 4. Testing/ evaluation techniques
      - 5. Resource availability and use - Instruction on agency resources and their use will be provided by the Training Section.
    - c. Agency instructors shall receive periodic retraining and recertification to meet any specific instructional requirements of the agency and CJSTC.

- d. Agency members who serve as in service training firearms instructors for the Department shall qualify annually with a minimum score of 90% on CJSTC approved qualification course(s).
- e. Agency instructors shall also be evaluated in writing by students and by the Training Section Supervisor.
- f. Agency instructors who teach **High Liability** topics as identified by CJSTC must have a current certification for the specific course taught.

#### C. Instructor Responsibilities and Authority

1. Instructors shall document member attendance in the prescribed manner and forward attendance records to the Training Section Supervisor or designee.
2. Prior to each training session, the lead instructor shall inquire of the participants' pre-existing conditions and make the determination of each individual's level of participation.
3. Agency instructors have supervisory authority in training situations. They have the authority to issue orders in the areas of safety, procedures, tactics, and order. Supervisors and staff will assist the instructors in maintaining safe procedures and tactics. Supervisors in attendance will help maintain order and ensure that the instructor is not undermined by any participant.
4. Any injuries sustained during a training session, either reported or evident, will be documented. The lead instructor shall ensure that the Training Section Supervisor or designee is promptly notified of the incident and that the injured member receives the requisite medical treatment.
5. The Training Section Supervisor shall be responsible for evaluating and updating the agency's comprehensive training program. The evaluation and updating process shall include:
  - a. Annual review and updating of all Training Section lesson plans.
  - b. A review of new laws, court decisions, and the Department's policies and procedures.
  - c. An evaluation of all training programs.
  - d. The identification of problems associated with Training Section facilities, materials, equipment, or scheduling.
  - e. Consultation with Division/Bureau Commanders, CJSTC approved academy instructors, the Professional Compliance Unit, the Accreditation Section and the Chief of Police.
  - f. A review of the number of persons trained and the extent of the training provided.

#### D. Attendance – Members shall attend all scheduled training sessions.

1. The Training Section supervisor shall ensure that attendance records are maintained in the prescribed manner.

2. Members may be excused from scheduled mandatory training for court appearances, depositions, recognized emergencies and illnesses upon proper notification and approval by the member's Division/Bureau Commander or designee.
  3. The Division/Bureau Commander or designee shall ensure that timely written notification is made to the Training Section of all excused members absences from scheduled mandatory training.
  4. Members shall be required to complete all scheduled mandatory training sessions that are missed due to an excused or unexcused absence from duty.
  5. Unexcused absences and tardiness from scheduled mandatory training shall be reported and documented as any other unexcused absence from duty.
  6. The Training Section shall document and forward in writing, a "Training Notice of Non-Attendance/Tardiness" to the member's Division/Bureau Commander, the names of those members who are tardy, or have unexcused absences from scheduled mandatory training the same day that the tardiness or absence occurs. The Division/Bureau Commander shall cause appropriate corrective or disciplinary action to be taken against the involved member in accordance with disciplinary procedures.
  7. Members arriving late to the training site may be dismissed from training for that day by the lead instructor and ordered to report back to their immediate supervisor or an on-duty supervisor. In such an event, the Training Section Supervisor will be immediately notified, a "Training Notice of Non-Attendance/Tardiness" will be forwarded to the Division/Bureau Commander, and the member will be required to make up the missed training.
- E. Recognition – Members shall be recognized for the successful completion of a particular training program. This shall be accomplished by:
1. A certificate of completion issued by the training authority.
- F. CJSTC Training Academy Affiliation: The legal basis for academy participation in CJSTC Training Academy programs is promulgated by the CJSTC in accordance with applicable Florida Law.
1. The Training Section participates in the development of course curriculum through a CJSTC regional training council which is sponsored by Broward Community College, and is designated as a CJSTC approved training center.
  2. The Training Section supervisor shall act as a liaison with the CJSTC approved training centers staff to ensure that agency training goals are met.
    - a. This includes ensuring that the CJSTC approved training centers utilize evaluation techniques that are designed to measure job competency in the required skills, knowledge and abilities.
    - b. The agency liaison shall make recommendations based upon job task analysis of the most frequent officer assignments.

- c. Members are encouraged and permitted to serve as instructors for CJSTC approved training courses in accordance with the established policies of the agency.
- G. Training Performance Objectives: The Training Section and/or instructors shall establish performance objectives for all training programs for the purpose of informing all training participants with the required information, requisite skills that must be demonstrated, and the circumstances under which the skills will be used. The performance objectives should:
1. Focus on the elements of the job function for which formal training is needed.
  2. Provide a clear statement of what is to be learned.
  3. Provide a method of evaluating participants.
  4. Provide a method for evaluating the effectiveness of the training program.
- H. Lesson Plans: Lesson plans for training courses shall include provisions for the following.
1. Training Section shall provide an approved lesson plan format as well as guidelines for lesson plan development to instructors.
  2. Lesson plans should include the following:
    - a. Learning Goal
    - b. Student Performance Objective
    - c. Lesson Plan Format
    - d. Appropriate Instructional Techniques
    - e. Audio Visual Aids (if applicable)
    - f. Handouts (if applicable)
    - g. Criterion
    - h. Reference Material
  3. The Training Section supervisor shall review and approve all lesson plans, ensuring that the lesson plans are consistent with agency guidelines, state requirements, and other agency policies.
  4. Only Department approved lesson plans shall be utilized for mandatory, in-service training programs.
- I. Testing: The Training Section shall administer competency based tests during high liability training programs that utilize performance objectives and measure participant knowledge of and ability to successfully demonstrate job related skills. All tests utilized shall be reviewed and approved by the Training Section Supervisor.
- J. Training Records: The Training Section shall maintain records of each training class conducted by the Training Section, to include the following:
1. Course Content.
  2. Names of agency attendees.
  3. Performance of individual attendees as measured by tests, if administered.

4. The Training Section shall update member training records in a timely manner, following a member's satisfactory completion of a training program. The Training Section shall also maintain a copy of all training courses completed by a member.
  - a. The member shall notify the Training Section of all outside entity training courses completed and shall provide the Training Section with a copy of the appropriate certificate or other proof of satisfactory completion of training within five (5) working days after course completion.
  - b. When applicable, the Training Section shall make timely notification to the Florida Department of Law Enforcement, CJSTC, of all training completed that is eligible for credit under the mandatory retraining or salary incentive training programs.
  - c. Training records are public record and shall only be released in accordance with Chapter 119 F.S.S.
5. The Training Section shall maintain completed training program records on each in-service training program conducted exclusively by the Training Section or designated department instructors. The records shall include at the minimum:
  - a. Completed roster of those members who were registered, attended, and successfully completed each course.
  - b. Complete grade summary of final grades and student evaluations for each course.
  - c. Blank written tests or other evaluation tools that were actually used in each course.
  - d. Completed written tests or other evaluation tool(s) that were actually completed by the students in each course.
  - e. Instructor notes on the course, documenting any unusual occurrences during each course.
  - f. Registration forms or signed waivers or other documents prepared by the students for each course.
  - g. Copy of the course syllabus and outline for the actual course conducted or lesson plan.
- K. Training Records Retention: All training records shall be maintained in accordance with F.S.S. Ch. 257 pertaining to Public Records Retention Laws.
  1. Training Material Records – Consists of materials used in training, such as films, slides, commentaries, manuals, workbooks and other related items. These original records and any copies must be retained until obsolete, superseded, or administrative value is lost.
  2. Training Records of Members – Consist of records for each individual employee which may include in-service training and continuing education. The original training record must be retained for three (3) fiscal years after completion of training. Any duplicate copies must be retained until obsolete, superseded, or administrative value is lost.



- L. In-Service Training: In service training shall consist of, but not be limited to:
1. Mandatory classes as required by CJSTC.
  2. Annual demonstration of firearms proficiency and/or qualification requirements.
  3. Annual use of force training (to include Monadnock and Defensive Tactics)
  4. Biennial Less Lethal training.
  5. Legal Updates.
  6. Roll Call Training: To include but not be limited to;
    - a. Use of Force. To include all policies, general orders that govern Use of Force and F.S.S. 776. This training will be done annually (October) by each shift or units first line supervisor and documented. The documentation of training will then be forwarded to the Training Section and then it will be added to the members training file. This training will be prepared by the Training Section and then forwarded to the respective areas so it may be disseminated.
    - b. Blood borne pathogens and infectious diseases. To include all policies and general orders. This training will be done annually (October) by each shift or units first line supervisor and documented. The documentation of training will then be forwarded to the Training Section and then it will be added to the members training file. This training will be prepared by the Training Section and then forwarded to the respective areas so it may be disseminated.
    - c. Agency policies, procedures, rules, and regulations.
    - d. Any other appropriate topic.
- M. Orientation training: New employees shall receive training in, but not limited to, the following areas
1. Orientation to the agency's role, purpose goals, policies, and procedures.
  2. Working conditions and regulations.
  3. Rights and responsibilities of members.
  4. Accreditation process.
  5. Ethics
  6. Report Writing
  7. Sexual Harassment and Hostile Work Environment

- N. Specialized Training – Specialized training shall be given to all positions requiring it.
1. **Police Diver:** Basic Dive Certification
  2. **Radar/Laser Operators:** State certification
  3. **Canine Officers:** Initial 400 hours of F.D.L.E. recommended training
  4. **D.A.R.E./G.R.E.A.T. Officers & SRO:** State Certification and School Resource Officer School
  5. **SRT Officers:** Technical training in the areas of special weapons and tactics
  6. **Criminal Investigations Unit:** Assignment specific
  7. **Special Investigations Unit:** Assignment specific
  8. **Internal Affairs:** Internal Affairs Investigation
  9. **Background Investigator:** Background Investigations and Hiring
  10. **Polygraph/C.V.S.A Operator:** Operator Certification
  11. **Intoxilyzer Operator:** Breathalyzer Model 5000 Operator
  12. **Departmental Instructor:** Instructor Techniques
  13. **Field Training Officer:** Field Training Officer School
  14. **Hostage Negotiator:** Hostage Negotiations
  15. **Mounted Officer:** Basic Mounted Officer School
  16. **Bicycle Officer:** Bicycle Operator School
  17. **Evidence Custodian:** Property Room Management
  18. **Motor Officer:** Police Motorcycle Operation
  19. **Traffic Homicide Investigator:** Advanced Accident Investigation and T.H.I.
  20. **Crime Prevention:** Florida Crime Prevention Practitioner or Equivalent
  21. **Accreditation Manager:** Managing the Accreditation Process
  22. **Armorer:** Armor School
  23. **Firearms Instructor:** Instructor Techniques, Firearms Instructor School, Supervised Internship
  24. **Supervisors:** Sergeant – Line Supervision and Developing and Maintaining a Sound Organization or equivalent.

Lieutenant – Command Officer Development Course or equivalent.

Command Staff - F.B.I. Academy or equivalent executive level training.

25. **Dispatchers:** Basic User NCIC/FCIC
  26. **Driving Instructor:** Instructor Technique and Driving Instructor
  27. **Crime Scene Technicians:** Basic Crime Scene Program Equivalencies
  28. **Defensive Tactics Instructor:** Instructor Technique and Defensive Instructor
- O. Remedial Training – Remedial training shall be dictated by the failure to successfully complete a required component of a particular training program or as identified by supervisory staff.
1. Supervisors shall ensure that the required remedial training be initiated and completed by the involved member as soon as practical.
  2. Failure to participate in remedial training shall be dealt with in the same manner as failure to successfully meet any other required standard of job performance.
- P. Training Reimbursement – Reimbursement of travel expenses shall be paid at the established state rate. The cost of an approved training course shall be paid by the agency.
- Q. Training Request Submission and Approval:
1. All members requesting to attend career development courses, mandatory retraining courses, seminars and all other training programs shall first submit requests on a **Request for Training** form directly to the Training Section in order for cost analysis to be performed. Supervisors sending a subordinate to mandatory training shall follow the same procedure. All requests shall be submitted within a minimum of 30 days prior to the start date to allow sufficient time for processing by the Training Section.
  2. The **Request for Training** form shall be completed as prescribed. All relevant data (flyers, mailers, course announcements, emails, etc) concerning the training course program must accompany and be attached to the completed request form. If relevant data is not attached to the request, the uncompleted request will be returned to the member for completion.
  3. The Training Section will attach a copy of the employee's training record to the request and return the request to the employee with the completed cost analysis. The submitting members will then submit the request along with the appropriate memorandum for training to their immediate supervisor. The respective supervisory chain of command shall review and approve each completed request as prescribed with regard to agency needs, justification, and member qualifications for the requested training course/program.
  4. After the employee's Bureau/Division Commander has approved the training, the training request paperwork will be forwarded back to the Training Supervisor for processing. The Training Supervisor shall then forward the **Request for Training** to the Chief of Police through the chain of command. Upon approval from the Chief of Police, the employee will be registered for the class/course at

- that time. The Training Supervisor will forward a copy of the training request back to the employee via the appropriate Bureau/Division Commander.
5. Training requests can be denied at any level in a member's Chain of Command. All disapproved training requests shall be returned to the member through their Bureau/Division commander with an explanation for denial.
  6. Supervisors are responsible for ensuring that their subordinates are trained in the proper job skills for their assigned job tasks and that those skills are properly maintained through refresher/update training. Supervisors are responsible for making specific-topic training needs of their subordinates known to the Training Section.
  7. All arrangements for attendance to an approved training course/program shall be made by the Training Section, to include registration, travel, and lodging.
    - a. The Training Section shall notify the requesting member via the **Request for Training** form (yellow copy) and a memo of approval along with a blank copy of **Request for Travel and Final Attendance** form.
    - b. The Training Section shall also make notification to the Court Liaison and appropriate supervisors of approved training via a memo, email, or by copy of the approved **Request for Training** form.
  8. It is the members responsibility to ensure that the Training Section receives a copy of the members certificate as proof of attendance and successful course completion, within five (5) five working days after finishing the course. Original certificates are to be retained by the member.
  9. The member shall complete a **Request for Travel and a Final Attendance** form submitting same with all other required documentation (any and all receipts, including but not limited to, hotel, fuel, shuttle, taxi, and parking) to the Training Section within five (5) working days upon completion of the program/course. Failure to do so may result in corrective/disciplinary action and if repeated may result in denial of a future training request.
  10. Members shall attend all scheduled Department approved training. Failure to attend an approved training program without prior approval, and authorization and justification shall result in the member being responsible to reimburse the Department for any expenditure of agency funds incurred and if repeated may result in denial of a future training request. The Training Supervisor shall notify the members Bureau/Division Commander when violations occur.
  11. Members are required to wear appropriate attire when attending training courses. Jeans, shorts, sweat pants, tank tops, t-shirts, sneakers, flip-flops and other casual clothing are prohibited attire unless necessitated and specified by a particular course. Attire for in-service training will be specified in all posted training notices and memoranda.
- R. To accommodate for temporary training assignments, employees may be required to work other than a four (4) day (ten (10) hours a day) schedule. When a temporary training reassignment is made, members will be given ten (10) calendar days notice of the change. If less than ten (10) days notice is given, members may nevertheless waive the ten (10) day notice provision and attend the training. If the member elects

not to attend, and if the course is one necessary or eligible for (state required) mandatory retraining, members are required to get this training on their own time.

1. Cancellations will be reported to the Training Section as soon as practical.
2. Cancellations not reported during the Training Section's normal operating hours will require the following notification process:
  - a. Cancellation of previously approved training will be the responsibility of the requesting member.
  - b. Members must notify their immediate supervisor when an emergency exists, preventing them from attending training. It is the member's responsibility to make the proper notification to the affected training host. If the member is unable to do so, the member's immediate supervisor becomes responsible for the cancellation notification.
  - c. Merely leaving a recorded telephone message with the Training Section does not relieve the member of their responsibility for cancellation notification.
3. A member's unexcused absence at a scheduled training class may result in denial of future training requests or corrective/disciplinary action.

## 200.5 RECRUIT TRAINING

- A. Recruits attending the BCC Institute of Public Safety for basic recruit training will be under the direct supervision of the Institute and their respective "Institute Advisor".
  1. Recruits will be governed by all policies, procedures, rules and regulations established by the Institute, to include conduct and attire.
  2. Recruits violating Institute policy may be subject to Departmental corrective/disciplinary action.
  3. During Institute closings due to holidays, recruits will report to the Training Supervisor for work assignments.
  4. During Basic Recruit Training, recruits are required to achieve a passing grade on all phases of training as required by the Institute.
  5. Upon graduation from the Institute, recruits are required to achieve a passing grade on all phases of **the Basic Recruit State Examination**. Failure to achieve a passing grade may result in Departmental corrective/disciplinary action, up to and including termination.
- B. Departmental Representative: The Departmental representative to the BCC Institute of Public Safety is assigned to the Training Section and reports to the Section Supervisor.
  1. Assignment of personnel to the Institute is at the discretion of the Chief of Police and are subject to recall at any time.
  2. The Departmental Representative serving as "Institute Advisor" is governed by all applicable Rules, Regulations, Policies and Procedures of the Department, as well as those established by the Institute. Conflicts will be resolved by the Division Commander.

3. Members serving as Institute Advisors are responsible for reporting all matters of importance pertaining to the Department, Recruits, or other matters that may affect the Department and its relationship with the Institute. This information will be forward to the Training Sergeant as expeditiously as possible.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>FIELD TRAINING PROGRAM</b>	GENERAL ORDER NO. <b>201</b>
RESCINDS: G.O. 201 issued 02/26/2004	ISSUE DATE: 03/21/2005
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 201.1 PURPOSE

The purpose of this General Order is to provide guidelines for the operation of the Davie Police Department's Field Training and Evaluation Program. The program is designed so that each trainee, upon completion of the program, will have the necessary instruction and understanding in order to function as a Road Patrol Officer and productive member of the Department.

### 201.2 POLICY

It shall be the policy of the Davie Police Department that all newly hired law enforcement officers are required to successfully complete, at a minimum, a 14 week "on the job" Field Training Program. The program provides a sound structure and basic foundation for the learning process that each trainee will receive.

### 201.3 DEFINITIONS

Field Training Coordinator – A sworn Department member designated by the Chief of Police or designee of the rank of Lieutenant or higher who is responsible for the actual operation of the program.

Field Training Sergeant – A Road Patrol Sergeant responsible for the Field Training Officers and Trainees assigned to their respective shift. He or she reports to the Field Training Coordinator with Field Training related issues.

Field Training Officer – An Officer who is certified as a Field Training Officer (F.T.O.) and who actively participates in training newly hired law enforcement officers and officers returning to Road Patrol after extended tours of duty in other divisions. He or She reports to a respective Field Training Sergeant with Field Training related issues.

Trainee – A sworn law enforcement officer who is presently in the Field Training and Evaluation Program under the direction of a Field Training Officer.

Field Training and Evaluation Manual – A Field Training Manual that provides guidelines and procedures for the administration of the program. The manual outlines the selection criteria, responsibilities, and training requirements of the Field Training Officer and criteria for the evaluation of each trainee.

Recruit Training Workbook – A workbook that is divided into phases which contains the basic police responsibilities, task, and procedures.

## 201.4 PROCEDURES

### A. DUTIES AND RESPONSIBILITIES:

1. Field Training Coordinator: The Coordinator is responsible for maintaining, overseeing and updating the entire program operation. He or she revises manuals and implements change when the need arises. The Coordinator is responsible for selection and training of new Field Training Officers and Field Training Sergeants. The Coordinator is responsible for communicating with the Training Supervisor who acts as a liaison with the Institute of Public Safety's Police Academy.
2. Field Training Sergeant: The Field Training Sergeant shall oversee the daily activities of the Field Training team comprised of the F.T.O. and Trainee. The Field Training Sergeant shall facilitate the training process by ensuring the trainee's are receiving appropriate exposure to a variety of police service related activity. The Field Training Sergeant is responsible for reviewing paperwork and monitoring the progress of trainees through the phases of the F.T.O. program.
3. Field Training Officer: An F.T.O. has many roles that he or she must assume during this program. The two most important roles are that of (1) the Patrol Officer and (2) the F.T.O. An F.T.O. must maintain his or her performance level as a Police Officer and is not relieved of those responsibilities during training. An F.T.O. will use the standardized evaluation guidelines as outlined in the Field Training Evaluation Program Manual. F.T.O.'s will report recruit progress daily on a Daily Observation Report (DOR) form. Each DOR will reflect activity for the shift, with appropriate numerical grading for each category and narrative comments. When acting as an F.T.O. he or she has several duties which are outlined in the Field Training and Evaluation Manual.

### B. FIELD TRAINING QUALIFICATIONS AND SELECTION:

1. The minimum qualifications for becoming a Field Training Officer are as follows:
  - a. Two (2) years of continuous service with the Davie Police Department; or
  - b. One (1) year of continuous service with the Davie Police Department and two (2) years of continuous service with another law enforcement agency.
  - c. Assigned to Road Patrol at the time of selection.
2. F.T.O. Selection:
  - a. An announcement will be posted which will include duties and qualifications and a deadline to apply.
  - b. Applicants interested in becoming an F.T.O. will submit a memo to the Professional Standards Unit by the deadline stated in the announcement



noting their knowledge, skills, and abilities that qualify them for the position.

- c. Each F.T.O. candidate will appear before a selection committee and will be selected as outlined in the General Order governing Career Pathing KSA's.
- d. Field Training Officers selected will be required to successfully complete a Field Training Officer Course, as well as, other training as required by the Program Coordinator such as: Line Supervision and Instructor Techniques.

C. PHASE TRAINING AND ROTATION:

1. The training program has been divided into five phases lasting a minimum of fourteen-weeks. The trainee will be rotated to different F.T.O.'s and shifts during phase training.

Phase 1 – Assigned to the Training Unit for a minimum of 40 hours orientation. Additional training hours may be scheduled as determined by the Training Unit.

Phase 2 – Four weeks with first F.T.O.

Phase 3 – Four weeks with second F.T.O.

Phase 4 – Four weeks with third F.T.O.

Phase 5 – One week with a F.T.O for final evaluation period.

2. The trainee will not be released to progress to the next phase of training until he or she has successfully completed the previous phase.
3. A trainee's F.T.O. training period may be extended as determined by the F.T.O. Coordinator after a review of all related paperwork and consultation with F.T.O., supervisors, and Command staff personnel.

D. EVALUATION OF RECRUITS:

1. Daily Observation Report (DOR) – Field Training Officers will evaluate the trainee on a daily basis utilizing the Daily Observation Report (DOR). The DOR has 30 categories listed on it under the general areas of APPEARANCE, ATTITUDE, KNOWLEDGE, PERFORMANCE, and RELATIONSHIPS.
2. Field Training Officers will utilize an Officer Transition Observation Daily Report for Officers returning to Road Patrol after extended tours of duty in other divisions.
3. FTO Supervisor's Weekly Report – The F.T.O. Sergeant currently supervising a trainee will complete the report weekly. The Sergeant will attach the DOR and Skills Mastery Checklist for that week and forward all forms to the FTO Program Coordinator.
4. Remedial Training Worksheet:
  - a. F.T.O.'s will complete this form to document any training completed to remediate problem areas. The F.T.O. will forward the form to the Shift F.T.O. Supervisor who will review it and attach it to the Supervisor's Weekly Report.

- b. This form is two pages. The first page details the deficiency and steps that have been taken to correct it. The second page details the training assignment that has been given to the trainee so that the deficiency can be corrected.
5. Phase End Evaluation – A form that details the strengths and weaknesses of the recruit, remedial training that has been accomplished, remedial training that has been recommended and any other suggestions for the next training cycle.
6. F.T.O. Sergeant Review:
  - a. A checklist that the F.T.O. Sergeant completes when preparing the Trainee Training Book for final evaluation by the F.T.O. Program Coordinator.
  - b. Trainees may be extended based upon job performance and a recommendation by the F.T.O. Coordinator.
  - c. Upon satisfactory completion of the final phase, the Trainee will be release to assignment as a single unit.
7. The F.T.O. Coordinator shall ensure that all D.O.R.'s, checklists, worksheets, and any other completed paperwork related to the Trainee are maintained with the Recruit Training Workbook. After reviewing the entire workbook, it shall be forwarded to the Professional Standards Unit for archiving.
8. The Recruit Training Workbook shall be maintained in accordance with F.S.S. Ch. 257 pertaining to Public Records Retention Laws, which states that the original records must be kept for fifty (50) years after termination of employment. Any duplicate records must be kept for only one (1) year after termination.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>COMPUTER SYSTEMS</b>	GENERAL ORDER NO. <b>202</b>
RESCINDS: G.O. 202 issued 11/28/2000	ISSUE DATE: 03/21/2005
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 202.1 PURPOSE

The purpose of this policy and procedure is to establish guidelines for the security, use, and maintenance of computer hardware and software purchased or leased by the Town of Davie.

### 202.2 POLICY

All members will be governed by the procedures established in this General Order. The Town's Technology and Information Management Department is responsible for all computer hardware, software, peripheral equipment and connectivity therein, purchased or leased by the Town for use at the Davie Police Department. All records generated in the Town of Davie's electronic information system are subject to the Florida Public Records Law except those specifically exempt from disclosure by statute.

### 202.3 DEFINITION

Computer Hardware- The physical component parts of the computer such as hard disks display screens, keyboards, printers, boards, chips, cables, etc.

E-mail – Short for electronic mail. A service that sends messages on computers through local or global networks. For the purposes of this document, "E-mail" refers to anything generated in the Town of Davie E-Mail system such as mail sent or received, meetings scheduled, tasks, notes, phone messages, memos and calendar entries.

Technology and Information Management (TIM) – The Town Department charged with the responsibility of purchasing, installing, and maintaining all computer hardware, software and peripheral equipment.

Network – Computers connected through hardware and software in order to share applications and documents and communications.

Password – An alphanumeric code input by a computer user in order to gain access to a computer and its services, a computer file, or a computer program.

Peripheral equipment – Video display monitors, keyboards, tape backup units, printers, scanners, terminals, etc.

Personal Computer (PC) – A computer designed for use by one person at a time. Personal computers are self-contained units that have their own central processing units that can run software independently of other machines.

Software – Computer programs containing instructions that cause the hardware to do work (e.g. payroll, purchasing, and Microsoft Word programs).

Virus – A program that “infects” a computer. A virus can destroy or overwrite data, format or erase drives, or change one or more programs.

## 202.4 PROCEDURES

### A. Computer System Security:

#### 1. Computer System Security

Hallway access doors to the Computer Room located in the Department's Communication Center will be kept closed and locked while the room is unattended to prevent unauthorized access.

#### 2. Member Access Levels

All City owned computers will have their use restricted by security software approved by the T.I.M. Manager. Only authorized users will be given access to these computers. Written authorization from a Bureau Commander is necessary to define an employee's computer security access level.

#### 3. Member Passwords

To prevent against unauthorized attempts to access, modify, remove or destroy stored computer information relating to intelligence and other Departmental information, each member assigned to use a computer will be assigned a log-in name and will select a private personal password. To prevent unauthorized access to the computer system, members will not divulge their passwords to others and will be responsible for the security of their passwords.

#### 4. Hardware/Software

Members will adhere to the following:

- a. All authorized software for PCs will be installed and maintained by, or under the direction of the Technology and Information Management Department.
- b. No software of any type, including games, will be installed on any Town computer except those authorized by Technology and Information Management Department.
- c. All software to be installed on a Town computer must be submitted to Technology and Information Management for license review, virus scanning, analysis, and installation.
- d. Proper licensing and documentation is required for each software application installed.

- e. Members will not alter or modify any software or configuration files in the computer.
- f. Members will not expose computers to excessive heat or moisture, liquid spills, or food droppings, which can cause damage.
- g. Virus infection control measures: Members will exit the system prior to leaving their computer unattended. Town Computers have updated Virus Detection Programs installed to detect and destroy any Virus's upon turning the computer back on for use.

**B. Computer Problems and Malfunctions:**

1. Members will report computer associated problems and malfunctions (such as hardware and networking problems or problems while using the RMS, CAD or Microsoft Windows applications) to the Technology and Information Management staff at the Police Department.
2. If changes to a network or workstation are required (such as location, software, hardware, user logins, etc.) the request will be approved through the Chain of Command to Technology and Information Management.
3. Department members shall submit any work order request required by the Technology and Information Management staff at the Police Department.

**C. Network Audit:**

Technology and Information Management will conduct an annual audit of all networks and program software each year.

**D. Computer Training:**

1. Availability

Members wishing to attend in-service computer training may submit a memorandum of their request through their chain of command to the Training Unit Supervisor in the Professional Standards Unit.

2. Types of Computer Training

Training may include but is not limited to the following:

- a. Records Management System (RMS);
- b. Computer Aided Dispatch (CAD);
- c. FCIC/NCIC;
- d. Field Reporting;
- e. Town computer applications;
- f. Broward County applications;
- g. Microsoft Word;
- h. Excel;
- i. PowerPoint.

## **202.5 SOFTWARE LICENSING**

**A. Software Products:**

All members using commercial software products licensed to the Department are responsible for upholding the terms of the licensing agreements. Licensing agreements for software prohibit copying of the software or the use of the software on another computer.

**B. Copying Software:**

1. It is unlawful to make copies of software not permitted in the licensing agreement for any purpose other than for a back-up copy to be used in case of damage to the original CD or diskettes.
2. The unlawful copying of licensed software may subject the member to disciplinary action.

## **202.6 INTRANET & INTERNET**

**A. Use of the Intranet and Internet :**

The use of the Town's Intranet and high-speed connection to the World Wide Web (Internet) are provided as a business and communication tools. Use of the Intranet and Internet will be limited to **use in accordance with a member's performance of duties and responsibilities.**

**B. Expectation of Privacy:**

Members have no legitimate expectation of privacy when browsing, receiving, or sending information through the Town's Intranet System or through the use of the Town's connection to the World Wide Web. The Town has the capability of monitoring web sites browsed by a person and reserves the right to conduct random audit checks as deemed necessary.

## **202.7 ELECTRONIC MAIL (E-MAIL)**

**A. Official Use Only:**

The use of the Town's E-mail system is a Town resource provided as a business and communication tool. Use of the E-mail systems will be limited to official purposes.

**B. Expectation of Privacy:**

Members have no legitimate expectation of privacy in the E-mail system. It is owned by the Town of Davie, provided for business purposes, and will be monitored as the Town or the Chief of Police deems necessary.

The Town of Davie has the right to review, audit, intercept and disclose all matters sent over its E-mail system.

1. E-mail messages are considered official communications of the Department and are discoverable through the Public Records Law, F.S.S. Chapter 119.
2. Members should exercise the same care in drafting E-mail communications that they would any written memorandum or document.

**C. Prohibited Uses:**

The following usages of the Town's E-mail system are prohibited:

1. Unauthorized operation of a User ID to send, receive or read E-mail.
2. Members are not permitted to send out and E-mail to "all employees" or "all users" without the prior approval of the Chief of Police.
3. Sending or forwarding:
  - a. Offensive, harassing, obscene, defamatory, or otherwise inappropriate material or comments **that may be deemed or perceived as inappropriate.**
  - b. Chain letters.
  - c. Copies of documents in violation of copyright laws.
  - d. Messages without legitimate Town business purposes, such as attempting to sell personal items, using the system for political reasons, or requesting donations for events/charities.

**D. Retaining E-mail:**

All E-mail correspondences are discoverable through the Public Record Law, Chapter 119 of the Florida State Statutes.

1. It is the responsibility of Technology Information Management to maintain backups of all E-mail records. E-mail must be retained until the informational content of the message is obsolete, superseded, or its administrative value lost.
2. Members will delete messages that are no longer needed in frequent intervals.

**E. E-mail Security:**

To prevent unauthorized entry into a member's e-mail account:

1. Members will not divulge their password to others.
2. Members will exit the E-mail function prior to leaving their computer unattended, or have locked the computer with password protection activated.

**202.8 The Criminal Justice Network [CJNet]:****A. Overview:**

The Criminal Justice Network (CJNet) is an Intra-net managed by the Florida Department of Law Enforcement to enhance the sharing of information among Criminal Justice Agencies. Using the same communication paths originally designed for FCIC II, the CJNet provides the ability for participating Criminal Justice Agencies to access information, establish their own web sites and applications to access, and/or provide data to other Criminal Justice Agencies on the CJNet. Agencies may electronically "publish" a wide variety of information, establish common automated information databases, and utilize the CJNet e-mail system.

**B. Using CJNet:**

1. CJNet can be accessed through specific computers located throughout the Police building and/or by designated mobile laptops.
2. Personnel wishing to use CJNet for Driver's License information must first obtain an electronic "certificate" from the Communications Supervisor. This certificate identifies an individual user to the CJNet and therefore cannot be transferred from one individual to another.
3. Only authorized personnel will utilize CJNet to request information. Use of another employee's certificate to access CJNet is punishable under Chapter 814 of the Florida State Statutes.
4. Arbitrary queries into the system for personal use or gain are strictly forbidden. Anyone discovered utilizing the CJNet in such a manner will be held liable and subject to disciplinary action and/or a fine, under state rules and regulations.
5. Information retrieved via CJNet is for law enforcement use only and is not to be disseminated to the general public or other non-law enforcement entities.

**202.9 Laptop Computers [Mobile Data Terminals]****A. Procedures:**

1. A laptop computer will be provided to selected department members by the Project Manager, or his designee, based on availability and the member's assignment. An inventory identifying issued computers by make/model, serial number, and member shall be maintained by Technology and Information Management.
2. The primary use of the laptop computer is for writing and transmitting initial and supplemental police reports from the field. Unless circumstances prohibit, all reporting documents shall be completed on the laptop computer.
3. The laptop computer may be used to access information from both the Florida and National Criminal Information Center. Access is regulated by State and Federal Law. The following conditions apply:
  - a. Use of information is solely limited to law enforcement purposes. Dissemination of information to non-law enforcement is unauthorized and is unlawful.
  - b. Access is limited to department members who have completed authorized training as established by the Florida Department of Law Enforcement. Department training will be provided by approved instructors, and coordinated by the Project Manager.
  - c. Arbitrary queries into the system for personal use or gain are strictly forbidden. Anyone discovered utilizing the FCIC/NCIC in such a manner will be held liable and subject to disciplinary action and/or a fine, under state rules and regulations.
4. Laptops may be used for vehicle to vehicle, or vehicle to station, communication. The Federal Communications Commission regulates these transmissions. Transmissions are public record and are stored by the department for review and auditing purposes. Members are prohibited from transmitting messages that are



not official law enforcement business. Members are prohibited from transmitting messages that contain inappropriate language, are harassing or discriminatory, or are otherwise considered unprofessional or inappropriate.

5. A member who produces a report on the laptop shall maintain a copy of the report for a minimum of thirty days. The copy may then be deleted by the member after thirty days.
6. The department will allow the member to use his/her assigned laptop while off duty. The following conditions shall apply under all circumstances:
  - a. Additional software programs will not be loaded unless authorized by the Project Manager. Technology and Information Management will install any approved software.
  - b. Hardware items are not to be removed or added to the laptop unless authorized by the Project Manager.
  - c. Only Technology and Information Management personnel may alter/modify/delete existing configurations, files, systems, and like contents on the member's laptop computer.
  - d. Department files and programs will take precedence over a member's personal files and programs. Personal files and programs may have to be deleted to make room for department files and programs.
  - e. Members are prohibited from hiding or password protecting files.
7. Members are responsible for the care and maintenance of their assigned laptop.
  - a. Damage to the laptop of any kind requires the member to immediately forward a detailed memo to the Project Manager through the member's immediate supervisor. If the laptop does not operate, the member shall either deliver it to Technology and Information Management personnel or his immediate supervisor with the memo attached. The supervisor shall deliver the laptop to the Technology and Information Management personnel.
  - b. When the laptop is not damaged, but is malfunctioning, the member's immediate supervisor should be made aware of the fact. If the malfunction cannot be corrected, the laptop should be forwarded to Technology and Information Management personnel as explained above.
  - c. Members are responsible for damage or loss due to negligence, or failure to comply with computer systems policy provisions.
  - d. When a vehicle is parked for an extended period of time the laptop computer should be secured in the vehicle trunk. For example, the vehicle is parked at the member's residence while off duty, or parked in a public parking lot while the member is attending court, taking classes, or is working out.
  - e. If available, a spare laptop may be temporarily issued by Technology and Information Management personnel.
  - f. Cleaning the laptop screen:
    1. Turn the laptop computer off.

2. Use a lint free cloth to wipe the screen. The cloth may be dampened with water.
  3. A commercial computer screen cleaning product may be used. Follow manufacturer's directions.
- g. Cleaning the keyboard and case:
1. Turn the laptop computer off.
  2. Use a lint free cloth and spray commercial cleaning solution such as glass cleaner **onto the cloth** and wipe. Do not spray the cleaner directly onto the keyboard. **Do not use on the screen.**
8. Department supervisors shall include laptop computers during periodic equipment inspections, and document damage that is observed. Inspection of software is permissible.
  9. The Project Manager and Technology and Information Management personnel have the functional authority to inspect any member's laptop computer, regardless of rank, for routine care and maintenance as well as the software it may contain.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>CAREER PATHING</b>	GENERAL ORDER NO. <b>205</b>
RESCINDS: G.O. 905 issued 06/21/2004	ISSUE DATE: 11/29/2006
AUTHORIZED BY: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 205.1 PURPOSE

This General Order provides information regarding the knowledge, skills, and abilities Davie Police Department Members may acquire through specific training programs, identifies positions and functions within the Department that require specialized training, and provides stages for learning that members can follow throughout their careers. Additionally, it outlines the Department's selection process for transfer to specialized units.

### 205.2 POLICY

Persons who enter law enforcement have chosen a career that requires them to receive extensive training and knowledge in order to be professionally licensed and effective in the performance of their duties. Formal training and acquiring knowledge should continue throughout their respective careers. Training just for the sake of training, without specific focus or worthwhile purpose, is not an efficient objective. Therefore, the Department prefers that members take advantage of certain types of training during specific phases of their careers, and also receive training that is specific to their career goals, ambitions, and assignments. The Department recognizes three career phases identified as the beginning, middle and end phases, spanning a minimum of twenty years of employment. ~ The early part of a member's career lays a basic foundation of knowledge, skills, and abilities that are needed to make a member more effective in his job function and upon which future, more specialized, skills can be built. ~ The middle phase may see a continuation of a member's beginning assignment, seeking a specialized assignment, or taking a path that leads to supervision and management. ~ The end phase may see a continuation of specialized assignments with the expectation that a member has acquired the necessary abilities to be flexible in contributing in many different ways to those who will follow as attrition occurs. The Department is dedicated to providing training for its members. However, the ultimate responsibility for career growth rests with each individual.

### 205.3 ASSIGNMENTS REQUIRING SPECIALIZED TRAINING

- A. The Department recognizes the following positions or assignments as requiring pre/post assignment training:
  - 1. Criminal/Special Investigations:

Homicide	Fraud/Economic	Narcotics	Victim Advocate
Sex Crimes	Bomb/Arson	Gangs	C.V.S.A.
Robbery	Auto Theft	Crime Analysis	Polygraph
Crime Scene	Computer Crime	Case Filing Specialist	

2. Support Service:

Crime Prevention	Dispatch	Records
G.R.E.A.T.	Crime Watch	Property
School Resource	C.P.T.E.D.	Information Systems
D.A.R.E.	Public Information	

3. Patrol:

Motors	Dive Team	PSASA
T.H.I.	Field Training Officer	
Mounted	Bicycle	
Crime Scene	Canine	

4. Administration:

Internal Affairs	Range Master
Training Unit Instructor	Specialized Course Instructor
Background Investigator	

5. Miscellaneous:

DUI Task Force	Promotion to Rank
SRT	
Field Force	

- B.** Members assigned to areas requiring specialized training will receive training designed to enhance or develop KSA's relevant to the specialization within a reasonable time after transfer.
- C.** Division Commanders, working with unit supervisors, are responsible for coordinating specialized training needs with the Department's Training Unit. Supervisors will be responsible for frequently reviewing and discussing training goals and recognizing the training needs of subordinates assigned to them.
- D.** Some training will be automatically recurrent such as weapons instruction and weapons qualification, and courses that are FDLE mandated as needing periodic refresher training. The Department's Training Unit will send notices to members through their Division Commanders informing them when they are scheduled for a training class. Notices will be sent far enough in advance so that a member may make arrangements with the Training Unit Supervisor if there is a scheduling conflict. Unless other arrangements have been made with the Training Unit Supervisor in a timely manner, Members scheduled for training must appear. Failure to do so may be grounds for disciplinary action.

**205.4 COURSE RECOMMENDATIONS**

- A.** The following courses are recommended as fundamental building blocks. These courses should be completed during the early stages of an officer's career.

REPORT WRITING	HUMAN RELATIONS
ADVANCED REPORT WRITING	DOMESTIC VIOLENCE
CASE PREPARATION AND COURT PRESENTATION	SEARCH AND SEIZURE LAW
COMMUNITY POLICING	OFFICER SURVIVAL
RADAR SPEED MEASUREMENT	MANAGING MENTALLY ILL
ETHICS FOR LAW ENFORCEMENT	CRIMINAL LAW
SPECIAL TACTICAL PROBLEMS	NARCOTICS IDENTIFICATION
TRAFFIC ACCIDENT INVESTIGATION	STRESS AWARENESS
BASIC FINGERPRINTING	
INTERVIEWS/INTERROGATIONS	
DUI ENFORCEMENT	STREET SURVIVAL
DRIVER IMPROVEMENT	PUBLIC SPEAKING
COMPUTER SKILLS	CRIMES AGAINST THE ELDERLY

**B.** In addition to those courses already listed, the following courses are suggested for those members who desire to follow a supervisory/management path.

FIRST LINE SUPERVISION  
 BUILDING AND MAINTAINING A SOUND BEHAVIORAL CLIMATE  
 DEVELOPING AND MAINTAINING A SOUND ORGANIZATION  
 CRISIS INTERVENTION  
 PREVENTING SEXUAL HARASSMENT & A HOSTILE WORK ENVIRONMENT  
 INSTRUCTOR TECHNIQUES  
 COMMUNITY ORIENTED POLICING MANAGEMENT  
 CRITICAL INCIDENT STRESS DEBRIEFING  
 SUPERVISING GENERATION X  
 ASSESSOR TRAINING  
 ADVANCED SUPERVISORY SEMINARS

**C.** In addition to those courses previously listed, the following courses are suggested for supervisors who wish to go beyond, or already are promoted beyond, first line supervision.

PLANNING THE EFFECTIVE USE OF RESOURCES  
 COMMAND OFFICERS SCHOOL  
 ADMINISTRATIVE OFFICERS SCHOOL  
 ADVANCED MANAGEMENT SEMINARS

**D.** It is incumbent on officers to periodically check the training postings that are kept on file with the Training Unit. Postings offer a wide variety of schools and seminars that offer specialized training directly related to an officer's interests and career path.

**E.** The completion of a college degree is strongly recommended for all officers. It is an essential component for officers who want to enter into supervision/management, or be recognized as degreed professionals within their field of expertise.

**F.** The following courses are recommended as fundamental building blocks for PSASA's. These courses should be completed during the early stages of a PSASA's career.

ADVANCED LAW ENFORCEMENT DISPATCH	LOJACK
ADVANCED REPORT WRITING AND REVIEW	FDLE CJIS CERTIFICATION
HUMAN AND COMMUNITY RELATIONS	SUICIDE INTERVENTION
COMMUNICATIONS TRAINING OFFICER	

POWER PHONE 9-1-1 LIABILITY  
 CALL-TAKER/DISPATCHER LIABILITY ISSUES  
 CALL-TAKER/DISPATCHER CRITICAL INCIDENT  
 HOW TO AVOID CITIZENS COMPLAINTS  
 OFFICE SAFETY & ERGONOMIC AWARENESS TRAINING  
 LEGAL ISSUES FOR COMMUNICATION CENTER PERSONNEL  
 COMPUTERIZED CRIMINAL HISTORY/FDLE

## 205.5 KNOWLEDGE, SKILLS, ABILITIES

A. Requirements for being transferred into any specialized assignment will have the following KSA's in common:

1. Non-probationary status, and generally two years Davie PD patrol experience (patrol experience requirement not applicable to PSASA's).
2. Disciplinary record reflects favorably on the member.
3. Positive attitude as evidenced by non-abuse of sick time, proactive work, promotes a strong work ethic, actively supports the goals and objectives of the Department.
4. Communicates effectively.
5. Ability to write clear and comprehensive reports.
6. Has an understanding of the philosophies and concepts of community policing and problem solving, and applies them to his work.
7. Can work independently without strict supervision and is self-motivated.
8. Has a thorough understanding of the Department's General Orders and Procedures.
9. Has completed a substantial amount of the fundamental courses outlined
10. Has established a cooperative working relationship with his peers and supervisors.
11. Flexibility regarding working hours.
12. Has a favorable driving record.

B. There are additional KSA's that may enhance a member's qualifications for selection into a specialized unit or function. They are outlined as follows:

### PATROL

#### MOTORS:

Motor units are used for selective enforcement to reduce traffic crashes, investigate traffic crashes, perform various traffic duties for special events, provide back-up to patrol units, perform community service tasks, and provide traffic direction. Selection for motor assignment includes the ability to obtain a motorcycle endorsement on the Florida Drivers License and ability to successfully complete a formal police motorcycle operator's course. Experience in operating a motorcycle is an asset.

#### CANINE:

Canine handlers are assigned to provide added support by responding to in-progress crimes, disturbances, alarm calls, open door calls. They serve as back-ups for other patrol units, provide crowd control duties, track suspects or others, search buildings and areas, and may perform bomb, narcotic, and evidence

searches. They also do proactive policing and community relations demonstrations. Selection for canine assignment includes the ability to successfully complete a canine training school. Canine officers should have a fenced yard or acceptable space to provide proper care for their canines. Handlers should be in excellent physical condition, and have the necessary personality traits to handle a police canine.

#### BICYCLE:

Bicycle officers need to have a strong commitment to community policing and problem solving. They may be assigned to permanent zones or areas to identify and resolve issues and concerns from citizens and business owners. Bicycle officers maintain flexible schedules so that they may attend homeowner meetings, community events, and coordinate strategies and assistance from different public and private agencies. Bicycle officers must have the ability to successfully complete a police bicycle training course. They should be in good physical condition, and be able to effectively speak in front of groups. Courses in crime prevention and community relations are beneficial.

#### MOUNTED:

Mounted Officers follow the same guidelines as outlined for Bicycle Officers. Mounted Officers should have, or have access to, adequate stabling and exercise areas to maintain proper care for their horse. Prior experience in riding and caring for horses is an asset.

#### CRIMINAL INVESTIGATIONS:

Detectives may be assigned to investigate crimes against property or crimes against persons. Each of these may have sub-specialties. Detectives must have the ability to work flexible hours, work with minimal supervision, develop effective confidential sources, and effectively interview and interrogate. Detectives must be able to efficiently handle multiple cases and see them through to a successful resolution. Maturity and self-motivation are essential success factors.

#### SPECIAL INVESTIGATIONS:

Detectives in Special Investigations work in sensitive assignments such as narcotics and vice. They may be assigned outside of the Department to work in a specialized unit or task force with other agencies. SIU Detectives must have the abilities outlined for criminal investigators, and be comfortable working in an undercover role or capacity.

#### SCHOOL RESOURCE OFFICER:

Officers assigned as SRO's may work in elementary, middle, or high school levels. Officers who work in the elementary schools may be trained to teach the D.A.R.E. program. Officers who work in the middle school(s) may be trained to teach the G.R.E.A.T. program. SRO's work hours that are compatible with the school to which they are assigned. They are required to assist the school staff in keeping order and safety on campus. They also provide positive role modeling to the students and a positive interaction with the student and staff populations. Officers should enjoy working with youth and have the ability to do so.

**COMMUNITY RELATIONS:**

Members assigned to Community Relations are responsible for community based programs that commonly involve law enforcement working with citizens and business owners toward mutual interests. Existing programs include Crime Watch, security surveys, Crime Prevention through Environmental Design (CPTED), McGruff, Student of the Month, Combat Auto Theft, etc. Members should be social and outgoing, and have the ability to speak effectively in front of groups.

**PROFESSIONAL COMPLIANCE UNIT:**

Officers assigned to the Professional Compliance Unit have the responsibility of thoroughly investigating complaints or allegations of wrongdoing brought against Department members. Officers should have experience in investigations and the ability to effectively conduct interviews and interrogations.

**TRAINING UNIT:**

Officers assigned to the Training Unit are responsible for tracking, coordinating, and conducting training programs for all Department members. Officers should have a good insight on Department training needs and the ability to organize programs that accomplish Department goals, satisfy FDLE requirements, and enhance the Career Path Program. Officers should have the ability to attain instructor certification, and certification in specialized training areas. Officers may also be called upon to assist in the selection of new personnel by conducting background investigations, and coordinating hiring with the Town's Human Resource Department.

**205.6 ASSIGNMENT TO SPECIALIZED UNIT**

- A. Assignment to a specialized unit or function will be at the discretion and approval of the Chief of Police.
- B. The following selection process will be followed, unless otherwise directed by the Chief of Police:
  1. Position openings will be announced and posted through the Office of the Chief of Police. An official Personnel Order will be used for this purpose. The Personnel Order will have a deadline time/date to apply for a position, a general description of position responsibilities, a general outline of the desired KSA's, and will include any other specialized instructions as appropriate.
  2. The affected unit's supervisor, and/or division commander, will create a list of questions and responses for the purpose of conducting an oral interview. The same questions will be asked of all applicants appearing before the oral review board.
  3. Unless otherwise directed by the Chief of Police, an oral review board will be established consisting of members who have sufficient knowledge to screen applicants who they believe will be most successful in the given position. A member of Professional Standards may be assigned to sit on the oral review board. A minimum of two to three persons will sit on an oral review board.



4. A scoring matrix will be used to measure the quality of an applicant's responses to the questions. The matrix will also include scoring areas for other variables. Refer to Addendum 1.
5. The oral review board and scoring matrix will serve as only one of the screening tools in selecting a member for a specialized unit. A review of the member's work history, performance evaluations, along with interviews with current and previous supervisors, coworkers, and division heads, will have a bearing on the selection process. Eligibility for some units may require a physical ability test.
6. An eligibility list will be created and maintained for six months. The Chief of Police shall have the discretion to create a new list if the number of candidates on the list falls below five or none of the candidates are determined to be acceptable.
7. All materials/documents used in the oral board selection process will be forwarded to Professional Standards for filing. Members are encouraged to make an appointment with Professional Standards in order to review their respective review board file as a means to identify their strengths and weaknesses. Review of any other applicant's scoring sheet and reviewer comments is not authorized.
8. The Chief of Police, in his discretion, may conduct a final interview of an applicant who is being considered for a specialized unit. In this instance, formalized questions may not necessarily be used.
9. Once an applicant has been selected, and approved by the Chief of Police, a Personnel Order will be posted announcing the appointment and providing further instructions.
10. It is incumbent on the Division Commander where the member is to be assigned, to assure that all proper forms and documents are completed and forwarded to the Town's Finance Department, Human Resource Department, or any other departments/persons as applicable.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>FORFEITURE</b>	GENERAL ORDER NO. <b>220</b>
RESCINDS: S.O.P. 19	ISSUE DATE: 06/21/2004
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 220.1 PURPOSE

The purpose of this General Order is to establish guidelines in the forfeiture of assets.

### 220.2 POLICY

It is the policy of the Davie Police Department to seize real and personal property pursuant to the Florida Contraband Forfeiture Act (FCFA) including currency, vehicles, aircraft and other contraband articles. The Chief of Police shall designate a Department member to act as the Forfeiture Officer. The Forfeiture Officer shall ensure the Department adheres to the guidelines set forth in the "Guidelines and Training Procedures to be used by State and Local Law Enforcement Agencies and State Attorneys in Implementing the Florida Contraband Forfeiture Act".

### 220.3 PROCEDURE

#### A. General Provisions of the FCFA:

1. Davie Police Department Personnel may seize personal and real property for forfeiture under the FCFA, if there is probable cause to believe the following:
  - a. The object subject to seizure has been used, is being used, was intended to be used for, or was acquired with proceeds in violation of any provision of the FCFA; or,
  - b. Any violation of the FCFA has taken place or is taking place in, upon, or by means of the seized property; or,
  - c. The item subject to seizure is a "contraband article" as defined in F.S.S. 932.701, or other provisions of F.S.S. specifically authorizing forfeiture in accordance with FCFA.

- B. Probable cause seizures taking place at the time of FCFA violations may be made without prior judicial approval.

- C. Property not seized at the time of FCFA violations that are presently located on private premises should be seized pursuant to a court order authorizing entry onto the private premises, unless otherwise authorized by law.
- D. All seizures will be reviewed by the seizing officer's supervisor for probable cause and approval.
- E. Seizing Officer's Responsibilities:
1. As soon as practical after the seizure, the seizing officer shall complete an Offense Report and a Department Notice of Seizure Form describing the circumstances attendant to the seizure. If possible, the seizing officer shall serve the Notice of Seizure at the time of arrest. If Notice cannot be served at the time of arrest, the original Notice shall be forwarded, within two days of the seizure, to the Forfeiture Officer, in order that the Notice can be sent by certified mail, return receipt requested. The seizing officer shall make a diligent effort to determine ownership of the seized property, including the owner(s) of record, and bona-fide lien holder(s) if any, and document the steps taken in the member's offense incident report.
  2. The seizing officer shall forward, within two days of the seizure, the completed Notice of Seizure to the Police Department Forfeiture Officer together with the following:
    - a. The original Notice of Seizure;
    - b. Copy of the Offense Incident Report;
    - c. Copy of the Probable Cause Affidavit, if any;
    - d. Copy of the Property Receipt, if any;
    - e. Keys to vehicles or other property, if any.
  3. Money, valuables, equipment, or other items of significant value discovered during the inventory or seized as a result of the investigation shall be placed into property at the time of the seizure.
  4. The personal property seized should be of sufficient value to justify the confiscation.
  5. Officers initiating a seizure of property are expected to complete the required investigation and take statements necessary for the furtherance of the forfeiture action.
  6. Holds will be placed on impounded vehicles which are subject to forfeiture in compliance with the provisions of G.O. 533, Towing and Recovery. If the hold is lifted from the vehicle, it is the responsibility of the seizing officer in coordination with the Forfeiture Officer to notify the vehicle owner and/or lien holder.
- F. Forfeiture Officer's Responsibilities:
1. The Forfeiture Officer will review all of the reports regarding this seizure and make a determination whether or not civil action will be considered.
  2. As soon as practical following a seizure, the Forfeiture Officer will review the seizure to ensure that the ownership of the seized property including the identification of the registered owner(s), title holder(s), and bona-fide lien holder(s), if any, have been notified.

3. If a determination is made by the Police Department to proceed with the forfeiture, the forfeiture case file shall be forwarded to the attorney designated to handle Police Department forfeitures as soon as practical.
  4. If a determination is made not to proceed with the forfeiture the Forfeiture Officer will make a determination as to whether administrative costs will be assessed.
- G. The following factors should be considered prior to any recommendation or final decision to seize and/or forfeit real or personal property by the Police Department or the Department forfeiture attorney:
1. Whether the seizure/forfeiture serves other law enforcement objectives.
  2. The potential for a successful forfeiture prosecution.
  3. The availability of alternative methods of forfeiture such as joint or adoptive forfeitures with a federal agency.
  4. The financial benefit of the forfeiture prosecution.
  5. The cost of pre-seizure planning and maintenance of the property pending final disposition.
  6. The impact of forfeiture on innocent co-owners and bona-fide lien holder(s)
  7. The impact of forfeiture on targets of criminal investigation.
  8. The impact of forfeiture on other persons with a legal interest.
  9. The impact of forfeiture on the public health, safety, and welfare.
- H. The attorney handling the Police Department forfeiture action shall:
1. Promptly review copies of all reports describing the circumstances attendant to the seizure and make an independent evaluation of the Police Department's probable cause determination.
  2. Determine as soon as practical after seizure, whether to proceed with the forfeiture process or to release the seized property to the lawful owner.
  3. Upon the determination to proceed with the forfeiture, coordinate the forfeiture process with the Davie Police Department Forfeiture Officer designated by the Chief of Police and the officers involved if necessary.
  4. Promptly proceed against the seized property by filing a forfeiture action or preparing and entering into a settlement agreement.
  5. Upon the determination not to proceed with a forfeiture action, absent evidentiary value to a pending criminal case and absent any settlement agreement to the contrary, ensure that the recommendation to release seized property is forwarded to the Police Department.
- I. Release of Seized Personal Property:
1. If at the conclusion of the judicial process the claimant prevails, the seized property shall be released to the lawful owner. Under these circumstances, the Police Department shall not assess any towing charges, storage fees, administrative costs, maintenance costs etc., against the claimant.
  2. In all other instances, if a seized vessel, vehicle, aircraft, etc., is to be released to the lawful owner, the Police Department/towing contractor may assess against the owner the actual costs of towing storage and maintenance of the seized property. Absent a settlement, administrative costs which do not reflect actual expenses shall not be assessed.

J. Release of Seized Real Property:

1. If at the conclusion of the judicial process the claimant prevails, the seized property shall be released to the lawful owner. Under these circumstances the police Department shall not assess any administrative costs, maintenance costs, etc, against the claimant.
2. In all other instances, if seized real property is to be released to the lawful owner, the Police Department shall assess against the owner the actual costs incurred in the seizure and maintenance of the property, or in the preparation for and conduct of forfeiture proceeding. Absent a settlement, administrative costs which do not reflect actual expenses shall not be processed.

K. Agreements with other Jurisdictions:

The Davie Police Department participates in the Federal Equitable Sharing Program, along with the South Broward Drug Enforcement Unit.

L. Financial Accounting:

The Davie Police Department Forfeiture Officer or designee will complete annual certification reports along with completed accounting reports for both the federal and state monies received from seizures.

M. Training:

All officers involved in the seizure of property for forfeiture under the Contraband Forfeiture Act shall receive training and continuous education as required by the Act. The Davie Police Department shall maintain records demonstrating each officer's compliance with the training requirements.

**ADDENDUM:** Notice of Seizure Form

**NOTICE OF SEIZURE**

**DATE:** \_\_\_\_\_

**TO:** \_\_\_\_\_

**FROM:** **Administrative Bureau  
Davie Police Department  
Forfeiture Unit**

**SUBJECT: Seized Property**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DATE OF SEIZURE:** \_\_\_\_\_ **DAVIE POLICE CASE NUMBER** \_\_\_\_\_

NOTICE is hereby given pursuant to Section 932.701. et.seq., Florida Statutes (2003) that the property described above was seized for forfeiture by the **DAVIE POLICE DEPARTMENT** on the date and under the case number stated above. A forfeiture action is pending, and all potential claimants who have a legal interest in the subject property may request an adversarial preliminary hearing. It is not necessary to request an adversarial preliminary hearing in order to make a claim to or otherwise contest the forfeiture of the seized property.

If you choose not to request an adversarial preliminary hearing, you will still be notified of all future court dates concerning the above-referenced property, and have the opportunity to contest the forfeiture. If you desire an adversarial preliminary hearing, pursuant to Section 932.703 (2)(a), your request must be in writing and sent by certified mail, return receipt requested, within fifteen (15) days of receipt of this notice, or your right to an adversarial preliminary hearing will be waived and the case will proceed to trial. Address all requests to:

DAVIE POLICE DEPARTMENT  
FORFEITURE UNIT  
1230 SOUTH NOB HILL ROAD  
DAVIE, FLORIDA 33324

ATTENTION: ADMINISTRATIVE BUREAU

\_\_\_\_\_ Served at Arrest

\_\_\_\_\_ Not Served at Arrest

Served by: \_\_\_\_\_ ID# \_\_\_\_\_

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>RESERVE/AUXILIARY OFFICER</b>	GENERAL ORDER NO. <b>250</b>
RESCINDS: G.O. 250 issued 11/29/2006	ISSUE DATE: 03/25/2008
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 04/25/2008

### **250.1 PURPOSE**

This General Order will provide the guidelines to be followed for the Davie Police Department's Reserve/Auxiliary Officer Program.

### **250.2 POLICY**

The Davie Police Department does not employ Reserve, Part-Time, or Auxiliary Officers. All previous general orders on this topic are rescinded.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>CIVILIAN VOLUNTEER PROGRAM</b>	GENERAL ORDER NO. <b>251</b>
RESCINDS: G.O. 251 issued 01/14/2005	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 251.1 PURPOSE

The Davie Police Department realizes that community involvement is an important component in our policing efforts. This General Order is a guide to the function of the Civilian Volunteer Program within the Department.

### 251.2 POLICY

It is the policy of the Davie Police Department to utilize civilian volunteers who wish to assist the Department in certain areas that not only address a need to our citizens but help foster a cooperative partnership between the Department and the Community.

### 251.3 DEFINITIONS

Civilian Volunteer – Non-Compensated Town of Davie resident or student who assists the Davie Police Department in carrying out its mission.

Mobile Crime Watch – A program created by the Department in order to better serve the community by providing additional “eyes and ears” in order to prevent crimes and provide for a safer community. Volunteers are non-compensated and must reside in the Town of Davie.

### 251.4 APPLICATION PROCESS

#### A. Department Volunteers:

1. Applicants must be at least sixteen (16) years of age.
2. Applicants must complete an application obtained from the Police Department or Town of Davie Human Resources Department.
3. A criminal background and records check shall be conducted.
4. Prospective volunteers shall attend an orientation; during which they should indicate their area of interest at the Department. At this time, the volunteer applicant will be informed of areas of availability within the department.



5. The volunteer applicant shall complete an oral interview process prior to being accepted in a Volunteer Program.
- B. Mobile Crime Watch Volunteers: Must meet these additional qualifications.
1. Possess a valid Drivers License.
  2. Be a resident of the Town of Davie.
  3. Be at least thirty-five (35) years of age.
  4. Sign a waiver releasing the Town of Davie, the Police department, and its employees from any and all civil and criminal liability for participating in the program.
- C. High School or College Interns: Must meet these additional qualifications.
1. Be willing to volunteer up to, but no more than twenty (20) hours per week.
  2. Be willing to work on a temporary basis. Their internship must end commensurate with their school year or semester depending on the program.
  3. Be willing to satisfy all Departmental as well as school requirements with regards to the internship.

## 251.5 AUTHORITY

**This section does not apply to Reserve or Auxiliary Officers which are defined by G.O. 250 and Florida State Statute.**

- A. All civilian volunteers are accepted only as non-compensated volunteers who are willing to provide a service to the Davie Police Department on a temporary basis.
- B. Volunteers have non-sworn status and therefore do not possess any special authority or latitude not provided to any other citizen under the law.

## 251.6 DISQUALIFICATION

- A. Automatic Disqualification: The Volunteer Program will **not** consider the application of any individual who:
  1. Has been convicted of a felony or any offense that would be a felony if committed in this or any other state.
  2. Has used illegal drugs within the last 12 months.
  3. Has falsified their application including the omission of required information.
- B. Discretionary Disqualification: The following disqualifiers **may**, upon review, make an applicant ineligible for the Volunteer Program:
  1. Misuse or abuse of alcohol or prescription drugs.

2. A demonstrated unwillingness to honor fiscal contracts or just debts.
3. Any conduct or pattern of behavior that would tend to disrupt, diminish, or otherwise jeopardize public trust in the law enforcement profession.

## **251.7 TRAINING**

- A. Those applicants volunteering to work within the Police Department will receive training regarding their roles and responsibilities as designated by the Bureau/Division Commander of the unit to which they are assigned.
  1. Applicants volunteering to work within the Police Department must agree to adhere to the Policy and Procedures of the Civilian Volunteer Program.
  2. All training shall be documented and forwarded to the Volunteer Coordinator for storage.
- B. Those applicants selected for Mobile Crime Watch shall be required to:
  1. Complete three (3) hours of training. Training will consist of a review of this policy and training on what to be looking for while on patrol.
  2. Each volunteer must complete two (2) hours of patrol a month (with reasonable exceptions accepted) in order to remain in an active status.
  3. Each volunteer must complete refresher training when given.
  4. Each volunteer must agree to adhere to the policy and procedures of the Mobile Crime Watch Program.

## **251.8 EQUIPMENT AND SUPPLIES**

- A. Vehicles: Mobile Crime Watch volunteers will be provided with a vehicle that is in operable condition. The vehicle will be marked with Mobile Crime Watch markings on the side and will have safety lights (yellow or amber in color) affixed to the roof of the vehicle.
  1. Vehicles will be equipped with a flashlight and traffic vests.
  2. Volunteers will ride a minimum of two persons to a car.
  3. The driver of any Department vehicle will possess a valid Florida driver's license.
  4. The vehicle will not be used for personal use, and is only permitted to leave the assigned area for fuel, repairs, or maintenance.
- B. Identification Cards: All volunteers will be issued an identification card, which will include their name, date of birth, and picture. The card will be signed by the Chief of Police, and shall be carried by the volunteer at all times while in the performance of their duties. The card shall not be displayed while not working in the performance of their duties.

1. When in the Police Department, the identification cards will be worn so as to be visible at all times.
  2. Upon separation as a volunteer, the card will be returned to the Department.
- C. Telephones: Cellular phones will be assigned to the Mobile Crime Watch vehicles, in order for the citizens of a specific community to contact the Mobile Crime Watch volunteers to report non-emergency types of incidents that do not require a police response.
1. Telephones will not be used for personal use.
  2. Phones are to be used by the volunteers to call the Police Department to report any incidents.
- D. Reports:
1. Volunteers will be supplied with Mobile Crime Watch daily observation reports. These reports will include the volunteers name, their assigned number, the location, date, and time of incident, and a narrative section. These incident reports will be utilized for any incident that the volunteers handle or observe. Reports will also be generated for house checks, extra watches, and welfare/infirm checks.
  2. Police department case numbers will not be issued for these reports unless an officer is dispatched.
- E. Uniforms:
1. Mobile Crime Watch volunteers will be issued one light blue, uniform shirt with insignia that clearly identifies them as civilian volunteers. They are required to wear dark blue pants or shorts at their own expense.
    - a. Shirts are to be worn tucked-in at all times.
    - b. Volunteers will **only** wear their uniform while working in the performance of their duties.
    - c. Volunteers will be responsible for maintaining their uniforms in a clean and neat condition.
    - d. Upon separation as volunteers, uniforms shirts will be returned to the department.

## 251.9 PROCEDURES

- A. Department Volunteers: [Other than Mobile Crime Watch]
1. Volunteers will use the front lobby to enter the building.
  2. Volunteers will report to work in civilian, business attire and display their identification card at all times while in the police building.

3. Volunteers will remain in their designated work area unless otherwise instructed to do so by a supervisor.
  4. Although assigned to specific areas of the Department, volunteers can be utilized for special projects at the discretion of the Chief of Police or designee.
  5. Information learned while serving as a volunteer that is of a sensitive nature, must be kept confidential.
  6. Volunteers will work no more than twenty (20) hours per week.
  7. With the exception of special functions volunteers will only work between the hours of 8am – 4pm.
- B. Mobile Crime Watch Volunteers:
1. It shall be the policy that Mobile Crime Watch volunteers ride at least two persons to a vehicle.
  2. The hours of the program will be 6am-10pm, unless otherwise specified by the program supervisor.
  3. Volunteers will be on shift for at least one (1) hour and no more than four (4) hours per shift.
  4. Volunteers will patrol their assigned areas to monitor for suspicious activity, people, or vehicles, conduct house checks, extra watches, contact the infirm and elderly and check for potential hazards within their assigned areas.
  5. **Volunteers are prohibited from possessing any type of weapons while on duty.**
  6. Upon observing any suspicious activity volunteers will notify Davie Dispatch via cellular phone advising the location, type of incident, and a description of the subjects and/or vehicles involved and any additional pertinent information.
    - a. **Volunteers will not take any other action or make contact with any suspects.**
    - b. If safe volunteers will position themselves as to monitor the situation until police arrival.
    - c. If unsafe the volunteer will respond to a safe location and notify dispatch of their location.
    - d. Volunteers will provide any witness information to the officer when asked and will note the incident on their daily observation form.
  7. Volunteers are encouraged to make contact with the public and inform them of their assignments and encourage their cooperation.
  8. Volunteers can be utilized to assist the Davie Police Department with special functions as they are needed.

## **251.10 DISMISSAL**

- A. Volunteers may be advised at anytime, without notice, that their services as a volunteer are no longer necessary. Every effort will be made to reevaluate the volunteer for placement into another position if this is deemed in the best interest of the department. A volunteer may be dismissed from the program for the following reasons.
1. Bringing discredit to the Davie Police Department or the Town of Davie.
  2. Unable to satisfactorily perform his/her assigned duties.
  3. Failing to abide by the rules, regulations, policies, and procedures which are applicable to other members of the department.
  4. Interfering with the official duties of a law enforcement officer.
  5. Any other reason as determined by the Chief of Police.

## **251.11 STAFF RESPONSIBILITIES**

- A. Volunteer Coordinator:
1. Develop and administer a volunteer services program for the Department.
  2. Recruit volunteers and promote the volunteer program in the Community.
  3. Interview, screen, and recommend prospective volunteers to Department Supervisors for placement.
  4. Work with Department Supervisors to identify areas of potential volunteer assistance.
  5. Conduct initial orientation for volunteers.
  6. Provide ongoing staff support and counsel volunteers.
  7. Approve and review volunteer position descriptions received from supervisors.
  8. Monitor volunteer placements for effectiveness and conduct periodic surveys and evaluations to assess the program.
  9. Maintain master files on personal data of program participants and record status changes.
  10. Develop community and media promotional materials.
  11. Maintain appropriate administrative records and pertinent data regarding the volunteer program.
  12. Develop departmental recognition for volunteers in conjunction with Department supervisors.
- B. Department Supervisors:

1. Identify the need for positions and projects for volunteers.
2. Supervise volunteers.
3. Appoint staff to work with volunteers, if needed.
4. Make recommendations to the Chief of Police regarding the acceptance of a volunteer.
5. Conduct unit training for volunteers.
6. Develop guidelines for volunteers and set up work schedules.
7. Evaluate volunteers as needed.
8. Develop informal and formal Departmental recognition for volunteers in conjunction with the Volunteer Coordinator.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>CODE OF ETHICS</b>	GENERAL ORDER NO. <b>300</b>
RESCINDS: G.O. 300 issued 01/21/2005	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 300.1 PURPOSE

The purpose of this General Order is to provide members of the Davie Police Department with a stated code of ethics which they will conduct themselves by, and to provide a formal oath of office to which officers will attest.

### 300.2 POLICY

The expectations the Davie Police Department has of its officers is unfailing honesty, respect for the dignity and individuality of persons, and commitment to professional and compassionate service. To comply with this, officers will attest to an Oath of Office as a means of formalized entry into the sworn officer ranks, and for the duration of their tenure will adhere to the Law Enforcement Code of Ethics. Further, officers are to understand that they alone are responsible for their own professional performance, and will take every reasonable opportunity to enhance and improve their level of knowledge and competence.

### 300.3 LAW ENFORCEMENT CODE OF ETHICS

AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve mankind; safeguard lives and property; protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and respect the constitutional rights of all people to liberty, equality, and justice.

I WILL keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my Department. Whatever I see or hear of a confidential nature or is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I WILL never act officiously or permit personal feelings, prejudices, animosities, or friendships to influence my decision. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear of favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I RECOGNIZE the badge of my office as a symbol of public faith, and accept it as a public trust to be held so long as I am true to the ethics of the police service. I will never

engage in acts of corruption or bribery, nor will I condone such acts by other police officers.

I WILL constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession.....LAW ENFORCEMENT.

### **300.4 OATH OF OFFICE**

A. Prior to assuming sworn status, an Oath of Office will be administered to new police officers by the Chief of Police, or his designee.

B. The official Oath of Office for the Department is as follows:

"I, do solemnly swear or affirm that I will support, and defend, the Constitution and Government of the United States and the State of Florida, and the Charter of the Town of Davie; and that I will faithfully perform the duties of the office upon which I am now about to enter. On my honor, I will never betray my badge, my integrity, character, or the public trust. I will always have the courage to hold myself and others accountable for our actions. I will always uphold the Constitution and the community I serve."

C. The Oath of Office will be signed and dated by the person taking the Oath. Two persons will sign as witnesses. The signed Oath of Office will be maintained in the Officer's official Florida Department of Law Enforcement file within the Training Unit.



# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>STANDARDS OF CONDUCT</b>	GENERAL ORDER NO. <b>301</b>
RESCINDS: G.O. 301 Issued 01/21/2005	ISSUE DATE: 03/29/2005
AUTHORIZED BY: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 301.1 PURPOSE

This General Order will provide the Rules and Regulations that guide the members of the Police Department in their professional behavior and actions during the course of their employment.

### 301.2 POLICY

This General Order contains standards of conduct that are integral to the professional fabric of a law enforcement organization. The Davie Police Department demands high standards of behavior from its members. All members must thoroughly familiarize themselves with, and adhere to, the rules and regulations as set forth herein.

### 301.3 DEFINITIONS

Absent Without Leave - A failure to report to assigned duty at the proper time and date or leaving work or the designated work area without having prior supervisory approval authorizing an official absence.

Insubordination - Any conduct, whether written, verbal, or by action, directed at a supervisor which is disrespectful, insolent, or abusive. Further, insubordination is defined as an unwillingness, or deliberate refusal, to immediately comply with a lawful order.

Lawful Order - An order, verbal or written, which a member can reasonably believe is in keeping with the performance of his duty, or directly relating to Department business.

### 301.4 COMPLIANCE AND KNOWLEDGE

- A. Members will comply with all Federal, State, County, and local laws and ordinances, including those that are punishable by no other penalty than a fine, forfeiture or other civil penalty. Members shall comply with the official policies and directives of the Davie Police Department.

- B.** Officers will be knowledgeable of Town ordinances and regulations, County codes pertaining to the law enforcement function, State and Federal statutes, and the elements that constitute criminal offenses as provided in the various sections thereof. Members will become knowledgeable regarding the official policies and directives of the Davie Police Department. Officers are obligated to take appropriate action regarding violations of the aforementioned.
- C.** Members will not aid, abet, or encourage another person to violate any law, or Department/Town policy, regulation, or procedure.
- D.** An indictment, arrest, or information filed against a Department member is sufficient for the Chief of Police to proceed with administrative action against that member. The Chief of Police may conduct an internal investigation and proceed with administrative action in cases where a preponderance of the evidence obtained is clear and convincing that any federal, state, county, municipal law or ordinance was violated.
- E.** A member indicted, arrested or charged by the State Attorney's Office with a criminal offense shall immediately report the incident in writing to the Chief of Police.

### **301.5 USE OF INTOXICANTS/DRUGS**

- A.** Members will not be under the influence of alcohol while on duty or when reporting for duty. Members while on duty shall not consume alcoholic beverages of any type. An exception is provided for circumstances of an official undercover police investigation when an undercover officer may be required to consume alcohol by nature of a special circumstance or assignment, but not to the extent his faculties are impaired. Prior approval of the member's supervisor is necessary.
- B.** Members will not use illicit drugs or chemicals whether on or off duty.
- C.** Members who are off duty shall not consume alcohol to an extent that their behavior brings discredit upon themselves or the Department, or which renders them unfit to report to their next regular tour of duty.
- D.** Members will not report to or remain on duty when a medication, drug, or controlled substance that has been prescribed by a medical doctor impairs their faculties.

### **301.6 CONFIDENTIALITY**

- A.** Members will treat Davie Police Department business as confidential, and shall not give information to any person or agency regarding Department business, the contents of Department records or files, without lawful purpose.
- B.** Members will not communicate or give law enforcement information which may aid a person to escape arrest, delay the apprehension of a person, or secure the removal/storage of illicit goods or monies.

- C. Members shall not divulge the identity of confidential informants to any other person without authorization from the Chief of Police, his designee, or under due process of law.
- D. Members will not divulge the home addresses or phone numbers of Department personnel. This information can only be released when authorized by competent authority or with the consent of the member concerned.
- E. Members, whether on duty or off duty, will not recognize or otherwise acknowledge, a member of any Department investigatory unit, unless first acknowledged by the investigator.

### **301.7 CONFLICTS OF INTEREST AND ABUSE OF AUTHORITY**

- A. Members will not become involved in controversies or attempt to exact police authority in controversies arising among their neighbors, friends, or relatives.
- B. Members will not make arrests in their own quarrels, or between themselves and their relatives, friends, or neighbors, unless the circumstance warrants self-defense, preventing injury to another, or when a serious, felonious offense has been committed. Family and neighbor dispute incidents are to be called to the attention of a supervisor who will then personally resolve the incident or will have an impartial officer intervene and take the required action.
- C. Members will not file claims for damages or enter into any civil legal settlement arising from the member's employment with the Police Department or official duties without prior notice and knowledge of the Chief of Police. A member served with civil process in connection with his employment with the Police Department shall immediately report all relevant information to the Chief of Police.
- D. Members will not solicit the aid or influence of persons or groups outside of the Davie Police Department for assistance in the procurement of transfers, duty assignments, or promotions.
- E. Members are prohibited from using their official position, Department identification, badge, or business card for personal or monetary gain, obtaining privileges not usually available to the public, or avoiding the consequences of illegal actions.
- F. Members will not lend their Department identification or badge to another person.
- G. Members will not permit or authorize their name, photograph, or official title identifying them as a Police Department employee in connection with any testimonial, advertisements for a commodity or commercial enterprise, without authorization from the Chief of Police or his designee.
- H. Except in the line of duty, members will not knowingly associate with any persons, or organizations that advocate, or otherwise promote hatred, oppression, or persecution of any person or group, nor advocates the overthrow or interference with the United States government.

- I. Members will not knowingly receive any article as a gift, or as the result of favorable purchase or trade, from suspects, persons in custody, persons of ill repute, or persons who may profit from police information.
- J. Members will not recommend or suggest to any arrested person, or any other person, the name of any bail bondsman, or attorney, either directly or indirectly. Members shall not become surety or guarantor, or furnish bail, for any person arrested for a crime except for members of their own immediate family.
- K. Members will not use official Department stationary in connection with any personal matters.
- L. Members will not make any purchases in the name of the Department without specific authorization permitting them to do so.

### **301.8 RENDERING ASSISTANCE AND DUTY CONDUCT**

- A. Officers will immediately take appropriate action to aid another Department member, or law enforcement officer, exposed to impending harm.
- B. Officers will perform their required duties and will not avoid their duty to assist because of fear or cowardice.
- C. Officers will respond to the aid of all persons in danger, but will do so with no reckless disregard, weighing the probability of successful intervention against the probability of losing their own life. Members are expected to summon proper assistance as applicable.
- D. In serving the public, members will be attentive and take suitable action in all situations where some official action would reasonably be believed appropriate, to include reports, complaints, inquiries, and other requests for service.
- E. Members will be courteous when dealing with the public, avoiding conduct which conveys disinterest or disrespect.
- F. All officers of the Department are equally responsible for the enforcement of all laws, ordinances and police regulations. The delegation, or the enforcement, of certain laws and ordinances to a particular component or unit of the Police Department does not relieve officers from other components or units from taking prompt police action for violations coming to their attention.
- G. Members will not interfere with the operation of any other component or unit of the Police Department, or with any lawful private enterprise.
- H. Members will cooperate with all agencies engaged in the administration of criminal justice, and other public agencies and Town departments, giving them assistance as required by their lawful purpose.
- I. Members will not engage in activities or personal business which would cause them to neglect or be inattentive to duty, nor will they malingering while on duty.

- J.** Members will remain awake and alert while on duty. If unable to do so, they will advise their supervisor who will determine a proper course of action.
- K.** Members will make themselves available for further service as soon as practical upon completion of a call or assignment.
- L.** Officers will prevent breaches of the peace and settle disturbances growing out of civil matters, and advise parties concerned why certain police actions may not be possible; and, if applicable, take persons violating the peace into custody, keeping in mind effective public relations.
- M.** Members will report for duty promptly at the designated time and place, in proper attire, and with proper equipment in good working order.
- N.** Members will remain at their assigned posts, working stations, zones, etc., until properly relieved, or granted permission to leave by a supervisor.
- O.** Members will not use profane or indecent language while in public view and/or in the performance of their duties. Intolerance in action and/or speech toward any person(s), including coworkers, because of nationality, race, religion, sex, lifestyle, or affinity will not be expressed by members.
- P.** Members who are off duty and in uniform will conduct themselves as if they were officially on duty. At all times their activity and behavior will reflect most favorably on themselves and the Department.
- Q.** Conduct unbecoming an officer will include a member engaging in activities that may bring the Department into disrepute or that which discredits the member or that which may impair the operational efficiency of the Department or member. Members will not participate in any sexual, immoral, indecent, lewd, or disorderly conduct while on duty. Members will maintain a level of moral conduct in their personal and professional affairs which is in keeping with the highest standards of the law enforcement profession. A reputation in the community for immorality will be construed to prevent a member from performing effectively.
- R.** Members will be courteous and civil in their relationships with one another. When on duty in view of the public, officers will be referred to by their respective rank.
- S.** Members will not criticize the Department or a fellow member when the criticism is reckless, obscene, unlawful, not based on fact, or tends to impair the efficiency or effectiveness of the organization, or the ability of supervisors to maintain discipline.
- T.** Officers will not allow a prisoner in their custody, or the custody of another, to be physically or emotionally abused.
- U.** Members will be responsible for the safe keeping and preservation of all property that comes into their possession. Said property will be promptly recorded and submitted to the Department's Property Unit utilizing the appropriate form.

### **301.9 INTEGRITY**

- A.** Members will not make false statements in verbal or written reports, police documents, or any communications in official matters. Written and oral reports/documents, and communications, will be truthful and complete. Members will not tamper with, alter, forge, knowingly proffer, or cause to be entered, any inaccurate, false, or misleading information while giving testimony, or when carrying out an official order, or writing a report/document, or electronic transmission. Members will not withhold or conceal any fact relating to known or suspected criminal activity, or in matters relating to Department investigations, or in any matter relating to a violation of Department policies or directives.
- B.** Members will not solicit, seek, or accept gifts, favors, or gratuities in connection with any police activity or function.
- C.** Members will not use their official positions for personal or financial gain.
- D.** Members will not accept any fees, rewards, or gifts of any kind from any person or organization for services rendered as a member of the Police Department without consent of the Chief of Police.
- E.** Members will not directly or indirectly attempt by threat, persuasion, appeal, or other consideration, to secure the abandonment or withdrawal of complaints, charges, or allegations.
- F.** Members will not solicit or accept monies, sexual favors, or any other consideration for not performing their official duties.
- G.** Members will immediately notify their supervisor of any offer, special treatment, gift, gratuity, attempt to bribe, or other consideration, which is made in an effort to affect their official conduct.
- H.** Members will not act in any manner, or perform any action, which can be construed, or reasonably believed, to be conduct that is unbecoming, that will discredit the member, the Police Department, or the Town.
- I.** Members are obligated to immediately report violations of Department policies, directives, and regulations, where such violations could bring discredit to the violating member and, or, the Department.
- J.** The actions and behavior of Officers will adhere at all times to the tenets provided in the Law Enforcement Code of Ethics, and to the Davie Police Department Oath of Office.

### **301.10 PROPERTY AND EQUIPMENT**

- A. Members will use reasonable care in the handling and use of Department property and equipment, maintaining same in good working order, and being careful not to mark, mar, deface or otherwise make it inoperable. Members will immediately report to their supervisor the loss or damage of Department property and equipment. When damaged Department property or equipment has been found not to have been reported, said circumstance will be prima facie evidence to point the responsibility to the last person who was in possession of, or was using, the property or equipment.
- B. Permission from the Chief of Police, or his designee, will be necessary to relocate furnishings and files located within the headquarters of the Police Department. Any personal furnishings, calendars, artwork, etc., that may be displayed by members will be in conformance to community and law enforcement standards that may govern propriety so as not to be offensive to a reasonable person.
- C. Members will seek permission from the Chief of Police, or his designee, prior to using personal equipment for police purposes. The equipment serial number and description will be recorded and filed with the Department. Department equipment will not be used for personal purposes unless authorized by the Chief of Police, or his designee.
- D. When leaving employment with the Police Department, members will account for and return all Department property and equipment previously issued to them, to the proper authority within the Department.
- E. Members will not destroy or permanently remove from any file a Department report, or other document without permission from the Chief of Police, or his designee. The retention and/or destruction of Department documents will conform to procedures governed by Florida State Statute.
- F. Members will not duplicate any Department issued key or security card without approval from the Chief of Police, or his designee.

### **301.11 COMPETENCE**

- A. A member will maintain sufficient competency to perform the duty and responsibility of his position. He will perform his duty in a manner that establishes and maintains the highest standards of efficiency and effectiveness while carrying out the functions, goals, and objectives of the Police Department. Incompetence may be demonstrated by one or a combination of the following:
  - 1. A lack of knowledge regarding application of laws to be enforced.
  - 2. An unwillingness or inability to perform assigned tasks.
  - 3. A failure to conform to work standards established for the member's rank, grade, or position.
  - 4. Failure to take appropriate action on the occasion of a crime, disorder, or other circumstance deserving police attention.
  - 5. Absent without leave.

6. Unnecessary absence(s) from the member's assigned tour of duty.
7. Repeated poor evaluations. Failure to improve after supervisory counseling and/or evaluation.
8. A record of repeated infractions of Department Rules and Regulations, Policies, Directives.
9. Ignoring a lawful order or directive from a supervisor.
10. Insubordination.

### **301.12 FOLLOWING ORDERS**

- A.** Obedience to Orders: Members will promptly obey all lawful orders issued by a superior or other competent authority. This includes orders relayed from a superior by a member of the same or lesser rank.
  1. A lawful order is one which a member can reasonably believe is in keeping with the performance of his duty, or directly relating to Department business.
  2. Orders directed to a member from the Professional Compliance Unit during the course of conducting an official investigation will be obeyed.
  3. A member who may receive a lawful order that conflicts with a previously issued order will respectfully bring this to the issuer's attention. If the order is not retracted the member will comply.
  4. Failure to comply with a lawful order is insubordinate behavior.
- B.** Unlawful Orders: No member will obey an order that is contrary to law.
  1. No member will be disciplined for refusing to obey an unlawful order.
  2. A member who receives an unlawful order will report the circumstances in writing, via chain of command, to the appropriate Division Commander, as soon as possible.
- C.** Conflicting Orders: A subordinate given a lawful order, which conflicts with a previous order, will advise the person issuing the second order of this fact. Responsibility for countermanding the original order then rests with the person issuing the second order. If then so directed, the subordinate will obey the second order. The member will not be held accountable for disobeying the original order.
- D.** Unjust or Improper Orders: Members receiving lawful orders that they feel are unjust or contrary to agency directives will first obey the order to the best of their ability, then report the circumstances in writing, via chain of command, to their division commander.
- E.** Unclear Orders: Members in doubt as to the nature, meaning, or details of a lawful order will seek clarification from the person issuing the order.



### **301.13 MISCELLANEOUS REGULATIONS**

- A.** Members will not use the Police Department or Town's address as their own private address, nor use them on any motor vehicle registration, drivers license, etc., or other document without the approval of the Chief of Police.
- B.** Members will immediately forward a memorandum to the office of the Chief of Police, through their chain of command, if there is any change in the member's marital status, residential change of address, or change in residential phone number. All members are required to maintain a residential phone number, and have it on file with the Office of the Chief of Police.
- C.** No more than four marked police vehicles, on duty or off, will congregate in a single location without approval from a supervisor. An exception is made in the instance of an official service call.
- D.** When attending ceremonial functions during which a salute is called for, sworn officers in uniform, and those who are not in uniform but are visibly displaying a sidearm, will come to attention and render a military hand salute. Officers who are not in uniform or visibly displaying a sidearm, and civilian members, will come to attention and place their right hand over their left chest.
- E.** Members are prohibited from following any outside vocation, or having any business arrangements that may interfere with their responsibility to the Department. For purposes of this regulation, outside employment shall be that in which the member is not acting in any official capacity as an employee of the Department and/or does not, as a condition of that employment, have any police authority. Approval from the Chief of Police is necessary for outside employment. Members will forward a memorandum to the Chief of Police explaining the nature and hours of the employment, and any other information that would be pertinent for approval.
- F.** Members who are off-duty and are recalled to work will report for duty immediately upon receiving an order to do so.
- G.** Members will not associate with persons of ill-repute.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>POLICE PERSONNEL SELECTION</b>	GENERAL ORDER NO. <b>302</b>
RESCINDS: G.O. 302 Issued 07/23/2001	ISSUE DATE: 10/28/2004
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 302.1 PURPOSE

The intent of this policy is to provide the administrative practices and procedures that will allow for the effective and impartial hiring of qualified persons with the Davie Police Department.

### 302.2 POLICY

The selection process is one of the most critical elements in determining the effectiveness of the Police Department. The Davie Police Department will coordinate with the Town's Human Resource Department to maintain an efficient, effective, and impartial selection process designed to employ applicants who possess the best knowledge, skills, and abilities.

### 302.3 PROCEDURES

- A. Within the Police Department, the responsibility for the general processing of applicants is the function of the Administrative Bureau, Professional Standards Unit.
- B. All elements of the selection process are administered, scored, and interpreted in a uniform manner to ensure fairness to all applicants.
- C. Conviction for certain offenses referred to in this policy may be grounds for disqualification from the hiring process, notwithstanding a suspension of sentence or a withholding of adjudication.
- D. Failure to meet any of the requirements as contained in this policy, or as may be regulated by the Town's Personnel Rules and Regulations, may disqualify the applicant.
- E. Background investigations are conducted by police employees who have received training in conducting background investigations. Training shall consist of an approved course of instruction. However, under special circumstances, and with the approval of the Chief of Police, a member may become qualified to conduct background investigations by receiving on-the-job training which consists of working at least eighty-hours with an experienced background investigator who has completed not less than twenty background investigations. Background investigations shall comply with FDLE Background Investigations Guideline.

- F. A record of each applicant's background investigation, including applicants not-hired, will be maintained in accordance with Florida Public Records Law. If hired as a police officer, the individual's background investigation will be retained in accordance with FDLE requirements regarding law enforcement records.
- G. Applicants not selected will be informed in writing by Human Resources as soon as practical, but not later than thirty days of such determination.
- H. The Office of Professional Standards and the Town's Human Resource Department will utilize the following manuals in the selection process and will maintain current copies on hand for reference purposes:
  - 1. The Town of Davie Personnel Rules and Regulations.
  - 2. Florida Department of Law Enforcement, Division of Criminal Justice Standards and Training, Policies and Procedures Manual.
  - 3. FDLE/CJSTC Background Investigation Guidelines.
  - 4. Davie Police Department General Orders Manual.

#### **302.4 QUALIFICATIONS AND LEGAL REQUIREMENTS**

- A. Minimum qualifications for hiring police officers are governed by Florida State Statute. The Department maintains the right to augment certain standards above the minimum qualifications.
- B. Applicants for police officer must be twenty-one (21) years of age upon being sworn in.
- C. Applicants for police officer must be legal citizens of the United States. Citizenship may be by naturalization.
- D. Applicants for all entry level positions must have graduated from high school, or have a valid high school equivalency certificate.
- E. Applicants for all positions who have had previous military experience must not have been dishonorably discharged, or discharged as undesirable.
- F. Applicants for all positions must not have committed or have been convicted for any felony violation.
- G. Applicants for all positions may be disqualified if convicted of the following:
  - 1. Domestic Violence.
  - 2. Abuse or neglect of children, the elderly, or incompetent persons.
  - 3. Perjury, fraudulent activity, falsification.
  - 4. Crimes involving moral turpitude.
  - 5. Civil rights violations.
  - 6. Actions that are listed in FDLE Regulation 11B-27.
- H. Applicants for all positions may be disqualified if they have a history of any of the following:
  - 1. Anti-social behavior. Violence in the workplace.

2. Employment pattern that shows poor performance and/or inability to maintain steady employment.
  3. Military employment that reflects poor performance and/or poor evaluations.
  4. School enrollment that indicates unsatisfactory attendance, and/or questionable conduct.
  5. Behavior that is construed to be irresponsible, or brings discredit upon the applicant.
  6. Unsatisfactory driving history.
- I. Applicants for all positions must be drug free for a minimum of three years prior to application. Applicants are disqualified if it can be reasonably construed that they show a pattern or lifestyle of substance abuse.
1. Applicants for all positions may be disqualified for using any controlled or uncontrolled substance. The following guidelines may be used to assist in making a determination, or exception:
    - a. The use of the drug was experimental in nature and was taken a minimum of three years prior to filing an application with the Department. Each applicant's amount of drug usage will be evaluated on an individual basis during the selection process;
    - b. The drug was legally prescribed to the applicant by a qualified medical doctor for a specific treatment;
    - c. The smoking of marijuana for experimentation on more than one occasion may not automatically disqualify the applicant unless it occurred within three years of filing an application with the Department;
    - d. Possession of an amount of illegal substance that would indicate a quantity greater than what might be reasonably construed to be intended for personal experimentation;
    - e. Use of heroin, cocaine, or other addictive substances, may disqualify an applicant.
  2. Selling, dealing, delivering, or arranging for delivery, of an illegal substance.
- J. Applicants for all positions may be disqualified if they have been terminated from another law enforcement agency. Applicants must have been successfully exonerated through an official process, and/or the circumstances are resolved to the satisfaction of the Davie Chief of Police.
- K. Applicants for police officer must have vision within 20/100 uncorrected and correctable to 20/30, with normal color perception.
- L. Applicants for all positions will have the mental and physical ability to efficiently perform the required functions of the position applied for. Job Descriptions itemizing the required skill, knowledge, and ability for a position are available from the Town's Human Resource Department. If applicable, consideration of reasonable accommodations may be given by the hiring authority.
- M. Applicants for the position of police officer, and any other position that may require operating a Town vehicle, must possess a valid driver's license. Additionally, an unfavorable driving history may be grounds for disqualification as follows:
1. No more than three moving violations within the past three years;
  2. Having a suspended driver's license within the past five years;
  3. Having three or more "at fault" traffic crashes within the past five years;

4. Having four points or more charged against their driving record at time of application.
- N. Applicants for all positions may be disqualified if they fail to reply to mail or phone inquiries within time frames as directed throughout the application process.

### 302.5 Applicant Testing and Processing

- A. Applicants for Police Officer/PSA Special Assignment shall be tested and processed as follows:
1. Non-certified applicants for the position of police officer must independently take and pass a Law Enforcement Officer Job Related Agility Test, Test of Adult Basic Education (T.A.B.E.), and the Criminal Justice Basic Ability Test (CJBAT).
    - a. Certified applicants are not required to take the T.A.B.E. test, but must pass the agility test. Test scores should be submitted at the time of application, but no later than the time a conditional offer is made.
    - b. Applicants for Police Service Aide Special Assignment who may be eventually assigned to Road Patrol duties are encouraged to take the T.A.B.E. and physical agility test. They will be required to independently take the tests prior to being accepted into a Police Service Aide Academy.
    - c. The Academies may change their admission requirements from time to time due to legislative mandates. Department policy will automatically reflect these changes.
  2. Applicants are required to complete a Town of Davie Employment Application Form and a Personal History Questionnaire.
  3. Eligible applicants will be scheduled for an oral review board. For police officer applicants, the oral review process may be in the form of interactive video scenarios.
  4. Human Resources will have the applicants' respective scores from the CJBAT and oral review combined and posted on an Eligibility List. The list will reflect scores from highest to lowest in sequential order.
  5. As positions become available the applicant will be subject to a thorough background investigation that will follow the guidelines set forth in Department and FDLE policy.
  6. Applicants will take a Computer Voice Stress Analysis (CVSA) administered by a Department employee who is trained to conduct such a test.
  7. Upon completion of the background investigation summary, and the CVSA, the applicant may be scheduled for an interview with the Chief of Police.
  8. If the applicant is approved by the Chief of Police, a letter of conditional offer may be given to the applicant.

9. An applicant who has received and signed a conditional offer will be scheduled by Human Resources for a second deception test, a psychological examination, and a medical examination and drug screen. The medical and psychological examinations will be conducted by a licensed physician. The drug screening will comply with FDLE requirements. The psychological examination is not necessary for positions other than Police Officer.
  10. Upon successful completion of all the steps in the hiring process, the applicant may be given a date to begin employment.
- B. Applicants for miscellaneous Non-Sworn Positions are tested and processed as follows:
1. Applicants are required to accurately and truthfully complete a Town of Davie Employment Application Form.
  2. Applicants will be initially screened by Human Resources to see if they meet the basic qualifications for the position to which they applied.
  3. Applicants will be interviewed. The interview may be conducted by an oral review board, or by the Chief of Police or his designee.
  4. Applicants for some positions, i.e. Secretary, Police Service Aide, may be required to pass specialized requirements such as a typing test. The test is administered by Human Resources.
  5. A suitable background investigation will be conducted by the Police Department.
  6. Applicants are required to take a Computerized Voice Stress Analysis (CVSA) test for deception.
  7. Upon completion of the background summary, and the CVSA, the applicant will be interviewed by the Chief of Police, or his designee.
  8. If the applicant is approved by the Chief of Police, a letter of conditional offer may be given to the applicant.
  9. An applicant who has received and signed a conditional offer will be scheduled by the Human Resources Department for a second deception test and medical examination including a drug screen.
  10. Upon successful completion, the applicant may be given a date to begin employment.
  11. High School Interns will complete an application form, have an oral interview with a Bureau/Division Commander or Unit supervisor, and be given a suitable background check.
  12. College Interns will complete an application form, have an oral interview with a Bureau/Division Commander and Unit Supervisor, take a deception test, have an applicable background investigation conducted, and have a drug screening test. They may be interviewed by the Chief of Police, or his designee.
- C. Reapplication for any applicant not selected will be as follows:

1. An applicant who fails the physical agility, CJBAT, and or T.A.B.E., may be retested after three months, or as otherwise may be directed by regulations of the Police Academy.
2. Failure to pass written exams or oral interviews administered by the Town, or by the Police Department, excludes the applicant from reapplying for a period of six months.
3. An applicant who fails a psychological examination may retake it after twenty-four months, or as may be mutually agreed upon by the Human Resource Director and the Chief of Police.
4. Any retesting of applicants who fail the medical examination will be at the discretion of the Chief of Police and the Human Resource Director. However, failure to pass a drug screen disqualifies the applicant from applying again for three years.
5. Applicants who have been purposefully deceptive on their application, the Personal History Questionnaire, the CVSA, the polygraph examination, or interview process are not allowed to apply again for a period of twenty-four months.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>PERFORMANCE APPRAISALS</b>	GENERAL ORDER NO. <b>303</b>
RESCINDS: G.O. 303 issued 03/21/2005	ISSUE DATE: 03/18/2008
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 04/18/2008

### 303.1 PURPOSE

The purpose of this General Order is to establish guidelines for performance appraisals for all members of the Department.

### 303.2 POLICY

It is the policy of the Davie Police Department that supervisors will complete performance appraisals for every member under their span of control in conformance with this General Order. All performance appraisals will be completed using job related and non-discriminatory measures. This will include probationary employees.

### 303.3 PROCEDURE

#### Department Member Performance Appraisals

- A. Performance appraisals for non-probationary, full-time, paid employees will be completed annually and due on the member's anniversary.
- B. Performance appraisals for probationary employees will be completed monthly until the probationary period has been completed and the member's status has been classified as Regular, as defined by Personnel Rules and Regulations.
  1. Probationary employees shall be provided written notice of substandard performance prior to the end of the rating period.
  2. Probationary employees shall be given an opportunity to submit a written response to any performance appraisal during the probationary period (due within 10 days from the date of the review) for any ratings or comments in which there were significant disagreements between the member and evaluator.
- C. The objectives of the performance appraisal are as follows:
  1. Provide a means to recognize and acknowledge individual performance.
  2. Foster fair and impartial personnel decisions.



3. Encourage positive work behavior through observation, evaluation, and correction.
  4. Improve Department member's performance.
  5. Identify training needs.
  6. Facilitate retention decisions during probationary periods.
  7. Provide a conduit for counseling, coaching and dialogue.
- D. Member performance appraisals may be utilized in the following manner:
1. Determining member retention.
  2. Identifying training needs.
  3. Measuring job effectiveness.
  4. Recognizing career advancement potential.
- E. Members will be evaluated by their immediate supervisors according to the following criteria.
1. Performance during rating period:
    - a. Supervisors will evaluate the performance of all members under their immediate supervision based only on the individual member's performance during the rating period.
    - b. Any substandard performance will be documented on a performance log and be reviewed by the supervisor with the employee prior to the end of the rating period.
    - c. Supervisor's will attach any original performance logs which have been maintained for an employee with the performance appraisal.
  2. Criteria Specific to position:
    - a. Members will be evaluated on criteria related to the position(s) occupied during the rating period.
- F. Rater Training: All supervisors shall receive training in the completion of performance appraisals. Rater training shall consist of the, but not be limited to the following:
1. Use and completion of the Department forms;
  2. Objectives of the performance appraisal system;
  3. Responsibilities of the supervisors for rating purposes;
  4. Measurement and performance factor definitions as set forth in the Performance Appraisal System.
- G. At the beginning of the rating period and upon completion of a performance appraisal, the member's immediate supervisor has the responsibility to meet with the member and discuss the following:

1. Tasks of the position occupied.
  2. Level of performance expected.
  3. Criteria used for the ratings on the evaluation.
  4. Future training to be completed during the upcoming evaluation period.
  5. Future goals for the upcoming evaluation period.
  6. Supervisors will submit a memorandum recommending the suggested training and career goals for the member for the upcoming rating period.
- H. Mandatory requirements on all performance appraisals:
1. The evaluator will provide written comments on the member's performance.
  2. The evaluator shall provide explanatory comments when performance ratings are unsatisfactory or outstanding.
  3. The evaluator will sign the evaluation.
  4. All evaluations will be reviewed and signed by the evaluator's supervisor.
  5. The member will sign the evaluation acknowledging that they have reviewed it and will check yes or no in the area provided indicating whether or not they will submit a written statement (due within 10 days from the date of the review) for any ratings or comments in which there were significant disagreements between the member and evaluator.
  6. The rated member will receive a copy of the evaluation.
  7. Use of the Department approved form in accordance with training.
- I. All performance evaluations are maintained in conformance with the State of Florida Records Retention Schedule.
- J. All performance evaluations will follow any guidelines as set forth in any collective bargaining agreement by which a member is covered.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>COUNSELING &amp; DISCIPLINE</b>	GENERAL ORDER NO. <b>308</b>
RESCINDS: G.O. 308 issued 03/21/2005	ISSUE DATE: 10/03/2007
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 308.1 PURPOSE

The purpose of this policy and procedure is to establish guidelines for all employees of the Davie Police Department for the administration of corrective actions and discipline. Department members must remain cognizant of the purpose of counseling and discipline and their applications. Knowledge of the steps involved in administering such processes should promote improved uniform application of the concepts which are aimed at maintaining proper employee conduct. The immediate purpose is the channeling of individual effort into effective and productive action. Counseling and discipline involve an evaluation of the human factor which, when combined with proper training, motivation, and recognition, results in self-discipline.

### 308.2 POLICY

It shall be the goal of the Davie Police Department to maintain professional standards of conduct for all employees while remaining responsive to the citizens of Davie. The philosophy of the Department is to utilize counseling techniques whenever possible to train and/or guide Department members. It becomes necessary to impose discipline when such counseling fails to rectify improper action or the Department member is deemed to have committed a pronounced deviation of Departmental rules, policy, procedure, or any applicable State Statute.

### 308.3 DEFINITIONS

Counseling – A measure taken by a supervisor or designated departmental authority when necessary to improve employee performance. Neither informal nor formal counseling are considered disciplinary action.

Corrective Action - May include but is not limited to, supervisory counseling, training, testing, psychological counseling, suspension of privileges, reassignment, or other measures designed to correct performance or behavior.

Disciplinary Action – A written reprimand or suspension, demotion, termination, reduction in pay or other employment benefit, or similar action taken against a Member as punishment for misconduct. An action initiated when positive corrective actions designed to train or effect behavior change are unsuccessful in attaining satisfactory performance; or when a member commits a pronounced deviation due to noncompliance with a required activity or by committing a prohibited act.

Misconduct – An act of improper behavior or intentional violation of a law, rule, regulation, policy, procedure, or directive.

Professional Compliance – Members shall properly perform the duties and assume the responsibilities of their positions.

Written Reprimand – A formal written disciplinary action taken against an employee usually for a less serious violation that will become part of the employee's personnel file.

Suspension – Temporary removal from duty with or without loss of pay as a means of correcting a willful disregard of lawful orders, commands, or directives, or acts that result in certain criminal charges.

Demotion – A reduction in rank when it is determined that an employee has failed to meet certain standards or accept certain responsibilities associated with their current position or rank.

Dismissal – Permanent dismissal from a position within the Department for a major violation of Department Policy and Procedure or repeat violations that have not or cannot be corrected with lesser actions.

## **308.4 CORRECTIVE ACTION**

### **A. Training:**

1. Training constitutes a means to correct performance and may be considered by supervisors as a first step in a plan to modify subordinate actions. Training is not in and of itself an alternative to discipline. Training can be utilized in conjunction with disciplinary actions.
2. Training should be used as a means of improving a member's productivity and effectiveness through positive and constructive methods. The types of training used will depend on the nature of the problem.
3. Training can be provided in any of the following situations:
  - a. at the request of the employee;
  - b. at the request of the supervisor or designated departmental authority;
  - c. when a member has failed to acquire the minimum skill levels required by the Department;
  - d. when a member is identified for remedial training by the administrative or inspections process.
4. Training will be scheduled at the earliest possible date.
5. Personnel assigned to remedial training will not be released until they have met the minimum skill levels required by the Department.
6. Failure to achieve the required minimum skill levels may result in disciplinary action.
7. Refer to General Orders on Training for additional information on training as a function of corrective action.

- B. Counseling:
1. Each supervisor has an obligation to monitor and advise subordinates, including admonishment for minor offenses or unacceptable behaviors and attitudes.
  2. Counseling is useful in pointing out matters of minor consequence, which if left unattended could escalate to more serious violations of standards of conduct, or otherwise negatively impact the operational effectiveness of the Department.
  3. The type of counseling used will depend on the nature of the situation, violation, or complaint. Counseling between the subordinate and the supervisor is aimed at correcting an identified problem. It shall be at the supervisor's discretion as to whether or not the counseling is documented based on the seriousness of the issue. All documented counseling shall be signed and dated on a performance log by the parties involved acknowledging that the counseling took place.
- C. Course of Conduct:
1. Prior documented incidents should be examined to determine if a particular course of conduct is forming or has formed. Concerned members will be informed when a particular course of conduct has been identified. Constructive or corrective steps shall be initiated to assist the member in becoming aware of the conduct and preventing its recurrence.
  2. Although informal counseling may ordinarily precede formal, the final level of counseling or initiation of the disciplinary process remains with the supervisor. Any time a pattern of possible disciplinary problems should appear, it shall be the duty of the immediate supervisor of the member to advise the next person in the chain of command of the situation for review.
  3. When circumstances permit, the Department will follow the concept of progressive discipline by administering gradually increasing disciplinary actions for each successive instance of employee misconduct.

### 308.5 DISCIPLINARY ACTION

- A. In the administration of discipline, a command officer must consider the totality of circumstances surrounding the allegation of misconduct. Decisions must consider the individual's interest as well as the probable effect upon attainment of Departmental objectives.
- B. **Reprimands:** A formal written disciplinary action taken against a Department member usually for a less serious violation that will become part of the employee's personnel file.
1. Reprimands are the first level of documented discipline.
  2. Reprimands may be used for less serious or repetitive violations of a directive, policy, procedure, or any inappropriate conduct of a minor nature.
  3. Reprimands are appropriate when a member's job performance or conduct, either on or off-duty, is in violation of the Department Directives.

4. Department members must be notified in writing of any reprimand or disciplinary action in order for it to be effective.
  5. The member shall agree or disagree with the reprimand and sign it. If the member disagrees with the reprimand, a written response shall be submitted within ten (10) days and forwarded along with the reprimand to the member's personnel file at their request.
  6. A copy of the reprimand will be given to the member, and the original will be placed in the member's personnel file. No letter of reprimand shall be placed in the member's official personnel file until any and all grievances regarding said reprimand have been heard.
  7. The Union shall be notified of all disciplinary action (reprimand or greater) taken against a bargaining unit member within five (5) days of the action, excluding weekends and holidays, in accordance with the current collective bargaining agreement.
- C. **Relief from Duty:** [Being relieved from duty is not considered a disciplinary action but rather as an administrative tool to maintain efficiency and effectiveness within the organization.]
1. Any Department member may be relieved from duty, and placed on Involuntary Administrative Leave, when it appears such action is in the best interest of the Department or employee. Employees may be relieved from duty for acts that include but are not limited to:
    - a. Being alleged to have committed a criminal act or investigated for a serious procedural violation.
    - b. Reporting to work under the influence of alcohol or controlled substance, in conjunction with current collective bargaining agreements.
    - c. Reporting to work unfit for duty, such as but not limited to: not properly equipped, ill.
    - d. Being insubordinate or disrespectful to a supervisor.
    - e. Or the conduct otherwise interferes with operational effectiveness and efficiency of the organization.
  2. The supervisor effecting the relief from duty will inform the member of the reason and the restrictions involved, and will immediately notify their immediate supervisor and submit all details on a memorandum through the chain of command to the Chief of Police.
  3. The member relieved from duty will report to the Office of the Chief of Police or his designee at 9:00 am the next business day with the respective Supervisor or at a time scheduled for this purpose.
  4. When relieved from duty, the member shall continue to receive all pay and benefits associated with the collective bargaining agreement.
  5. Members relieved from duty will surrender their badge, Davie Police I.D. card, Department issued weapons(s), and vehicle and will not represent themselves as a police officer in any situation.
  6. Members will not become involved in law enforcement action while relieved from duty or perform any official law enforcement activity except by

subpoena, court order, or in connection with Departmental investigations unless instructed otherwise by the Chief of Police or designee.

- D. Suspensions: Temporary removal from duty with or without loss of pay as directed by the Chief of Police. The Chief of Police may initially suspend an employee with pay during an investigation when allegations are serious in nature. The Chief of Police may extend the suspension with or without pay based upon a review of the employee's status.
1. Suspensions are considered a form of personnel action which may be recommended or applied as follows:
    - a. as a means of correcting a willful disregard of lawful orders, commands, or directives;
    - b. until the final disposition of an Administrative Investigation is completed;
    - c. as a form of discipline if the charge of employee misconduct is sustained;
    - d. upon a Grand Jury indictment, arrest, or a filing of information by the State Attorney's Office against the employee;
    - e. for acts (including misdemeanor or felony) that result in a conviction of criminal charges;
    - f. as defined by Personnel Rules and Regulations;
    - g. for any other cause which will promote the efficiency and effectiveness of the Department;
    - h. for other justifiable reasons when alternate personnel actions are not appropriate.
  2. When a member commits a violation of a serious nature or repeated violations after other methods of discipline have failed, suspension becomes an appropriate form of punishment.
  3. The Chief of Police will retain the discretion to approve or deny the amount of time and type of suspension to be served. All incidents of suspension will be documented in a letter signed by the Chief of Police.
  4. Suspended members will surrender their badge, Davie Police I.D. card, Department issued weapons(s), and vehicle and will not represent themselves as a police officer in any situation. Suspended members may be restricted from using or entering the Police Department's facility during the period of suspension. Additional restrictions may be placed on the Department member as ordered by the Chief of Police.
  5. Suspended members will not become involved in law enforcement action during this suspension or perform any official law enforcement activity except by subpoena, court order, or in connection with Departmental investigations unless instructed otherwise by the Chief of Police or designee.
- E. Demotions: A reduction in rank when it is determined that a Department member has failed to meet certain standards or accept certain responsibilities associated with their current position or rank.
1. If a supervisor displays an inability to perform his duties at a level commensurate with his rank, and based upon proper and sufficient documentation, the Chief of Police can demote the supervisor to his or her previous rank, when other corrective or disciplinary actions have failed.

2. If a supervisor commits a serious procedural violation which undermines or seriously affects the effectiveness or efficiency of the Department the Chief of Police may demote the supervisor to his previous rank.
- F. Dismissal: Permanent dismissal from a position within the Department for a major violation of Department Policy and Procedure or repeat violations that have not or cannot be corrected with lesser actions.
1. Dismissal is the final and most severe form of discipline administered by the Department. Dismissal may be warranted in, but not limited to, the following circumstances:
    - a. Demonstrating an inability or unwillingness to perform assigned tasks.
    - b. Failure to maintain Professional Compliance as set forth in the Department Policy Manual.
    - c. A serious violation or repeated violation of rules, regulations, policy, or procedures which constitutes a willful, intentional, or negligent disregard.
    - d. Violations of Criminal Statutes and Ordinances.
    - e. A serious act of insubordination or other serious procedure violation where actions and judgment undermines the efficiency and effectiveness of the agency.
  2. If an investigation may result in dismissal, the Department member shall be provided a pre-determination hearing with the Chief of Police.
  3. If an investigation of misconduct results in dismissal, the member shall be provided the following information:
    - a. A statement citing the reason for termination;
    - b. The effective date of the termination;
    - c. Appropriate referrals to Human Resources and the Pension Fund Board will be made for information related to the status of fringe and retirement benefits after dismissal.
    - d. Supporting documentation relating to the dismissal.
    - e. A conditional employee may make a request for a Name Clearing Hearing when demoted or discharged for reasons that may stigmatize the employee's reputation and impair his/her ability to obtain other employment.

### **308.6 ROLE OF THE SUPERVISOR**

- A. The role of the supervisor is crucial in the disciplinary process. First line supervisors have the best opportunity to observe the appearance of members and detect those instances when corrective action or discipline is warranted. In addition to the above, supervisors are expected to develop skills, competence levels and an understanding of the capabilities of the personnel under their supervision and to determine the most effective methods of corrective or disciplinary action.
- B. When considering corrective action or discipline, supervisors should keep in mind the following:



1. Violations that may result in disciplinary action must be documented.
  2. Corrective action or discipline must be administered with fairness and impartiality.
  3. There should be a consistency of application, however the supervisor will take into account the previous conduct and work history of the Member.
- C. A supervisor's failure to supervise or meet the standards set forth in 308.5A may result in disciplinary action.

### **308.7 SUPERVISORY AUTHORITY**

- A. Command Officers, Supervisors, and Members are delegated the following types of Action/Authority:
1. Counseling (Verbal and Written): FTO, Civilian Supervisor, Sergeant or higher authority, or other person of designated departmental authority.
  2. Training: FTO, Civilian supervisor, Sergeant or higher authority, or other person of designated departmental authority.
  3. Reprimand: A Command Officer of the rank of Captain or higher has the authority to issue a reprimand. Civilian Supervisor, Sergeant or higher authority may recommend a reprimand, subject to the final approval of their Commanding Officer of the rank of Captain or higher.
  4. Relief of Duty: Any supervisor regardless of assignment may temporarily relieve a subordinate member from duty.
  5. Suspension: Civilian Supervisor, Sergeant or higher authority may recommend a suspension, subject to the final approval of the Chief of Police
  6. Demotion: Command Officer of the rank of Captain or higher may recommend a demotion of a subordinate subject to the final approval of the Chief of Police.
  7. Dismissal: Command Officer of the rank of Captain or higher may recommend a dismissal of a subordinate subject to the final approval of the Chief of Police.

### **308.8 RULES OF CONDUCT**

- A. Personnel shall not commit any acts or omissions which constitute a violation of any General Order, rule, directive or order of the Department whether stated in the Rules of Conduct or elsewhere.
- B. The Chief of Police may at his discretion, authorize suspension of General Orders, standards, directives, policies and procedures for covert investigations or to achieve Department objectives.

- C. Command Officers can suspend or countermand a General Order, rule, standard, order, procedure, or directive only when failure to do so would obstruct the achievement of objectives or otherwise adversely impact the Department. In such cases, a written explanation will be immediately forwarded to the Chief of Police for review and approval if deemed appropriate.
- D. Disciplinary measures resulting from unlawful conduct may be imposed independently of, and concurrent with, civil and criminal prosecutions. Internal disciplinary measures may be waived pending civil or criminal disposition in accordance with Town administrative rules and directives governing administrative suspensions. The administration of internal disciplinary measures resulting from unlawful conduct must depend upon individual case circumstances, and will be determined by the Chief of Police.
- E. Violations will be identified by their degree of seriousness, Category 1 being the least serious and Category 9 being the most severe in nature.

<u>Classification</u>	<u>Corrective Action/Discipline Recommended</u>
Category 1	Counseling - Training
Category 2	Written Reprimand
Category 3	One Day Suspension
Category 4	2 Days – 1 Week Suspension
Category 5	1 Week – 2 Weeks Suspension
Category 6	3 Weeks – 4 Weeks Suspension
Category 7	4 Weeks Suspension
Category 8	Demotion/Greater than 4 Weeks Susp.
Category 9	Dismissal

**308.9 CONSEQUENCES OF VIOLATION OF POLICIES**

- A. Any violation of a Town Administrative rule, General Order, Department directive, policy, procedure or any other form of professional compliance may result in corrective or disciplinary action. An employee is subject to corrective or disciplinary action for the commission of any act which is prohibited or for noncompliance with any activity that is required.
- B. The following consequences are to be used as a guideline. The Chief of Police has the discretion to weigh any mitigating or aggravating circumstances of a particular violation and make a decision based on the individual instances which may result in lesser or greater discipline as each individual case merits.
- C. **Repeat or continuous violations will result in more serious discipline other than recommended in this section under the categories identified.**

Absence Without Leave [Category 1-9]  
 (Related to Standards of Conduct Policy Number 301.3, 301.8M)

Members who do not report for duty in accordance with their assigned work schedules and have not received proper authorization or made proper notification are considered absent without leave.

Abuse of Authority [Category 5-9]  
(Related to Standards of Conduct Policy Number 301.7)

Alcohol/ Illegal Drug Use [Category 5-9]  
(Related to Standards of Conduct Policy Number 301.5)

Behavior and Language [Category 2]  
(Related to Standards of Conduct Policy Number 301.8)

In the performance of their duties, all personnel will maintain command of their temper, patience, and discretion. They shall refrain from using improper, obscene, profane, or insolent language (tactical control situations are exempt from this requirement). Ranking officers shall not act in an oppressive or tyrannical manner toward their subordinates.

Violation of Chain of Command [Category 1-4]  
(Related to Organization and Command Policy Number 101.6)

Conduct Unbecoming [Category 4-6]

Department members shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the Department. Conduct unbecoming shall include that which brings the Department into disrepute or reflects discredit upon the personnel as a member of the Department, or that which impairs the operation or efficiency of the Department or personnel.

Competence [Category 5-9]  
(Related to Standards of Conduct Policy Number 301.4A, 301.4B, & 301.11)

Once a member is found to have committed a violation of the Standards of Conduct policy with regard to Competence; Compliance and Knowledge; or other Unsatisfactory Performance discipline will be progressive resulting in dismissal if the member fails to take the necessary steps to correct the deficiency and demonstrates a failure to maintain sufficient competency to perform the duties and responsibilities associated with their position. A member may also be disciplined for unsatisfactory performance for failure to comply with the official policies and directives of the Davie Police Department or for failure to take appropriate action when necessary.

Criminal Investigations [Category 2-4]

1. Department members shall not interfere with cases being handled by other personnel of the Department or by any other governmental agency unless:
  - (a). Ordered to intervene by a superior officer.
  - (b). The intervening member believes beyond a reasonable doubt that an injustice would result from the failure to take immediate action. In such cases the member shall notify their supervisor immediately of any actions taken.
2. Department members shall not undertake any investigation or other official action not part of their duties as a Police Officer without obtaining permission from their superior officer unless the exigencies of the situation require immediate action.

Damage or Misuse of Equipment (see subsections below)  
(Related to Standards of Conduct Policy Number 301.10)

1. Personnel shall utilize Department equipment only for its intended purpose, in accordance with established agency procedures.
  - (a). All equipment issued to personnel shall be maintained in proper order. [Category 1-2]
  - (b). Personnel who lose **any** approved duty firearm(s) will report such loss to a supervisor immediately upon discovery. [Category 2-4]
  - (c). Loss of Departmental equipment as a result of a careless act by a member. [Category 2-4]
  - (d). Personnel shall not abuse, damage, misuse, or tamper with Department equipment without approval from a supervisor. [Category 4]
  - (e). Personal use beyond a reasonable standard. [Category 4-9]

Dissemination of Information

[Category 5-9]

(Related to Standards of Conduct Policy Number 301.6)

Department members are prohibited from releasing any exempt or confidential data, except as provided for in procedure, lawful order or existing law. Members shall treat the official business of the Department as confidential. Information regarding official business shall be disseminated only to those for whom it is intended, in accordance with established agency procedures or state statute. Members shall remove or copy official records or reports from the Department only in accordance with established agency procedures and state statutes.

Exposure of Undercover Officers

[Category 5-9]

Department members shall protect the identity of officers engaged in covert operations and shall not intentionally expose their identity or occupation; and shall not reveal any knowledge of covert operations to members of the public. Members shall not initiate any public contact with any member who is knowingly assigned to covert operations whether on or off duty. Department members shall wait for the undercover officer to initiate acknowledgement or recognition.

Failure to Respond to a Subpoena

[Category 2-3]

Department members shall adhere to the instructions on a subpoena which they have been served. Members who are unable to respond to a subpoena shall notify witness liaison or the originating authority.

Failure to Render Assistance

[Category 3-9]

(Related to Standards of Conduct Policy Number 301.8)

Falsification of Records

[Category 5-9]

(Related to Standards of Conduct Policy Number 301.9A)

Department members will not falsify **any** document, record, statement, report or Communication. This includes but is not limited to all internal/administrative documents such as Daily's, Overtime Requests, etc. as well as official police reports.

Fictitious Illness or Injury Reports

[Category 5-9]

Members shall not fabricate any illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the Department as to the condition of their health, in accordance with the General Order governing sickness/ injury.

Insubordination [Category 1-9]  
(Related to Standards of Conduct Policy Number 301.3, 301.11, & 301.12A)

1. Personnel shall promptly obey any lawful orders of a ranking officer. This shall include orders relayed from a ranking officer by personnel of the same or lesser classification.
2. Personnel will not show disrespect to a ranking officer by word, gesture, or action.
3. Discipline may vary based on the severity of the violation committed.

Medical Examinations [Category 9]

Department members shall submit to any reasonable physical, psychiatric, chemical, or laboratory tests or examinations if ordered by the Chief of Police to determine fitness for duty.

Moral Character [Category 9]  
(Related to Standards of Conduct Policy Number 301.8Q, 301.13G)

Department members shall maintain a level of moral conduct in their personal and business affairs which is in the highest standards of the law enforcement profession. Personnel shall not participate in any incident involving moral character which impairs their ability to perform as law enforcement officers or causes the Department to be brought into disrepute.

Neglect of Duty [Category 2-4]  
(Related to Standards of Conduct Policy Number 301.8I, 301.8J)

Department members shall not engage in any activities or personal business which would cause them to be inattentive to duty.

Tardiness [Category 1-5]  
(Related to Standards of Conduct Policy Number 301.8M)

Discipline shall be progressive and may vary based on the severity of the violation and number of instances committed within a period of time.

Truthfulness [Category 9]  
(Related to Standards of Conduct Policy Number 301.9A)

Upon order of the Chief of Police, the Chief's designee, or a ranking officer, personnel shall truthfully answer all questions related to the scope of employment and operations of the Department which may be asked of them.

Use of Weapons [Category 1-5]  
(Related to Standards of Conduct Policy Number 405.6A)

Department members shall not use or handle weapons in a careless or imprudent manner. Authorized members shall use weapons in accordance with Florida State Statutes and Department General Orders.

### **308.10 PROCESS FOR APPEALING DISCIPLINARY ACTION**

Written Reprimands, suspensions, demotions, and terminations can be appealed or grieved in accordance with the current Collective Bargaining Agreements.

### **308.11 RECORDS STORAGE**

- A. All original records of disciplinary actions will be maintained in the members personnel file in Human Resources.
- B. Documentation of corrective and disciplinary action will be recorded in the member's annual evaluation.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>ADMINISTRATIVE INVESTIGATIONS/ COMPLAINT PROCESS</b>	GENERAL ORDER NO. <b>309</b>
RESCINDS: GO 309 issued 11/29/2006	ISSUE DATE: 10/03/2007
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 309.1 PURPOSE

A key ingredient of professionalism is the ability of the practitioners to properly police themselves. However, the significance of this professional endeavor can be greatly diminished if the public is not aware of the positive effort expended toward this goal. The Davie Police Department demands that all employees maintain the highest ethical standards of conduct and service to preserve public confidence and trust. By investigating allegations of misconduct fully and objectively, the public can be assured that official police misconduct will not be tolerated, and at the same time provide a process whereby officers unjustly accused can be exonerated.

### 309.2 POLICY

It shall be the policy of the Davie Police Department to establish and maintain a process for accountability and procedures for handling inquiries into Department Members' conduct.

### 309.3 DEFINITIONS

Complaint – An allegation that a member's actions may have violated Department policy, procedure, directives or State Statutes. Complaints may be generated externally by a member of the public or internally via another Department member or through supervisory oversight.

Professional Compliance Unit (PCU) – The Professional Compliance Unit has as its primary function the receiving, processing, supervising, and controlling of the investigation of complaints made against members of the Department. The PCU will ensure that any allegation of misconduct made against a member of the Department is thoroughly and objectively investigated.

#### **Complaint Forms:**

Citizen Complaint Affidavit – A sworn document in which complainant may provide the nature and details regarding the complaint as well as a description of the incident.

Report of Complaint Form – The form used by a supervisor or PCU personnel to document the receipt of a complaint and when appropriate, to document the investigation to its conclusion.

Complaint Findings Form – Form utilized by investigator of complaint or Command Staff to document the disposition of the complaint investigation.

**Types of complaints/inquiries:**

Administrative/Complaint Inquiry – An initial review surrounding a Department member's conduct for the purposes of assessing the nature and validity of a complaint or inquiry. PCU personnel and supervisors have the authority to conduct administrative/complaint inquiries and gather preliminary information in order to evaluate whether or not an allegation is well-grounded and to determine the proper course of action justified under the circumstances; or utilized as a tool to evaluate unsatisfactory work performance and/or minor violations of policies and procedures that may not rise to the level of an Internal Affairs Investigation.

Personnel Complaints – Complaints regarding allegations or incidents that are minor or less serious in nature which do not rise to the level of an Internal Affairs Investigation and may ordinarily be handled through supervisory review and oversight.

Internal Affairs Investigation – A formal investigation by the PCU concerning a complaint of serious violations of Department policy, procedures, or directives; or allegations of violations of law requiring State Attorney's Office review ordered by the Chief of Police. An Internal Affairs Investigation shall include any investigation regarding an incident, allegation, or complaint that relates to an officer's continued fitness for law enforcement service, including suspension, demotion, or dismissal.

### **309.4 CLASSIFICATION OF ADMINISTRATIVE INVESTIGATIONS**

The Chief of Police or a designee will classify complaint reviews as Administrative/Complaint Inquiries, Personnel Complaints, or Internal Affairs Investigations.

- A. Administrative/Complaint Inquiries – PCU personnel and supervisors have the authority to conduct Administrative/Complaint Inquiries at the initial stage of a complaint review in order to determine the proper course of action justified under the circumstances. Based upon an evaluation of preliminary information gathered, an Administrative/Complaint Inquiry may be subsequently closed due to a lack of basis; transferred between supervisory/command personnel and PCU; or evolve into a formal Internal Affairs Investigation as determined by the Chief of Police. An Administrative/Complaint Inquiry may also be utilized to conduct other general investigations including but not limited to:
  - 1. An investigation in which no subject employee has been identified and the case remains open pending further information.
  - 2. An investigation of personnel of other Departments within the Town of Davie.
  - 3. Other cases as determined by the Chief of Police.
  
- B. Personnel Complaints – Primarily handled as a responsibility of supervisors or command officers however may be assigned to a PCU investigator at the discretion of the Chief of Police or designee. Personnel Complaints include but are not limited to the following types of complaints or incidents.
  - 1. Non-criminal conduct.



2. Minor complaints of physical force.
  3. Unfitness for Duty.
  4. Harassment not intended to derive a benefit for an officer or in violation of Federal, State, or local statutes.
  5. Discourtesy and rudeness.
  6. Complaints of indecent or improper language.
  7. Employee intoxication, substance abuse, or violation of narcotic drug laws.
  8. Other circumstances or lesser violations of Department Policy and Procedure.
- C. Internal Affairs Investigation (IA) – The following complaints or incidents are determined by the Chief of Police and primarily handled as a responsibility of the Professional Compliance Unit.
1. Criminal conduct.
  2. Immoral conduct.
  3. Bribes and any other illegal compensation.
  4. Official misconduct
  5. Release of confidential information protected by Federal or State Statute, County or Town Ordinance, or by directive of the Chief of Police.
  6. Death of a prisoner or other person in a Member's care or custody as part of their official duties.
  7. Major complaints of improper physical force.
  8. Harassment intended to derive a benefit for an officer or in violation of Federal, State, and local statutes.
  9. Allegations of sexual harassment or discrimination.
  9. Other crimes or malfeasance as a result of public office.
  10. Other acts of a serious nature as determined by the Chief of Police.
  11. Discharge of a firearm/administrative shooting investigation.

### 309.5 CITIZEN COMPLAINT PROCESS

If **any** citizen requests to make a complaint, Department members shall adhere to the following process:

- A. The Department member receiving the initial contact of complaint will notify an on-duty supervisor immediately and inform them that a citizen wishes to make a complaint about a member. (The complaint may be concerning the responding member themselves or a fellow Department member.) If necessary, the Department member will notify the on-duty supervisor by radio and advise them of the existence of the complaint.
- B. The on-duty supervisor will promptly respond to the location of the complainant and make personal contact when possible. The complainant will then be requested to write out the complaint and sign the Citizen Complaint Affidavit (Addendum 2).
- C. If the complainant is outside the Town of Davie jurisdiction, on the telephone, or is unable or unwilling to meet; (i.e. in the hospital or jail) the supervisor or investigator may respond to an agreed upon location to take the statement or take the complaint information by telephone. The supervisor will then gather all of the relevant information and complete a Report of Complaint Form (Addendum 1).
- D. If the complainant does not wish to speak or meet with the supervisor and simply wants a complaint form, the employee will provide the form or direct the

complainant to where they may obtain the form (i.e. front lobby desk) and explain the proper procedures for completing and returning the form for further investigation. Department members will not insist that the complainant explain the nature of their complaint first before a form is supplied.

- E. All supervisors and PCU personnel are required to hear and report all complaints made on Police Department employees, from any source, regardless of the location of the alleged occurrence. The fact that any complainant refuses to identify themselves or that the complaint is received from an anonymous source will not preclude documenting and forwarding the complaint through normal channels for review and possible assignment.
- F. Supervisors or PCU personnel who receive a citizen complaint will determine if the allegation meets the parameters of a complaint. Complaints are sometimes based on misunderstandings of law or procedure rather than on member misconduct. When this occurs, the supervisor or PCU member will attempt to clarify the applicable law or procedure, and make it understandable to the citizen. Written documentation is not necessary if the complaint is based on a misunderstanding, and is resolved to the complainant's satisfaction. When the matter is not reconciled to the satisfaction of the complainant, a Report of Complaint form must be completed.
- G. A completed Report of Complaint Form is then forwarded through the chain of command to the Chief of Police.

### **309.6 COMPLAINT INVESTIGATION PROCESS**

All complaints, whether received by a citizen or supervisory oversight shall be investigated in the following manner:

- A. The Chief of Police or a designee will determine the initial classification of a complaint as an Administrative/Complaint Inquiry, Personnel Complaint, or Internal Affairs Investigation and if a complaint is to be investigated by the employee's supervisor, a member of P.C.U., or other Department member as designated by the Chief of Police. The Chief of Police shall be kept apprised if the investigator believes the complaint may need to be reclassified due to mitigating or aggravating circumstances.
- B. Upon receipt of a complaint, an Administrative/Complaint Inquiry may be conducted for the purpose of assessing the nature and validity of a complaint or inquiry and determining the proper course of action.
- C. If the nature of the complaint will likely result in Corrective Action, as defined in General Order 308, the assigned supervisor or other designated authority will meet with the concerned member to discuss the complaint and the outcome. Investigators shall make written recommendations of findings regarding each specific alleged violation using the Complaint Findings Form (Addendum 3).
- D. If the nature of the complaint will likely result in Disciplinary Action, as defined in General Order 308, the assigned supervisor, PCU member, or other designated authority, with regard for the Police Officers Bill of Rights F.S.S. 112.532, will conduct a more formal investigation of the complaint, taking all necessary statements from victims and witnesses, collecting necessary written reports, radio and telephone tapes if available, and exhausting all identified investigative sources prior to speaking to the Member. Investigators shall make written recommendations of findings

regarding each specific alleged violation using the Complaint Findings Form (Addendum 3). The investigative file including the recommendations of findings shall then be submitted to the Chief of Police. The Chief of Police shall designate a Command Officer of the rank of Captain or above to review the investigative findings. Upon completion of the review, the Command Officer shall issue corrective or disciplinary action or submit recommendations in accordance with General Order 308

- E. Any complaint that by its nature meets the criteria of an Internal Affairs Investigation will be forwarded to the Chief of Police for review and possible assignment to the Professional Compliance Unit and follow the procedures outlined in 309.6 (G) below.
- F. The Professional Compliance Unit will notify all complainants of the conclusion and findings of all complaint investigations.

### **309.7 PROFESSIONAL COMPLIANCE UNIT**

- A. The Professional Compliance Unit (PCU) is an investigative unit that acts on behalf of the Chief of Police, exercising staff authority. No direct command authority is vested in staff members. Personnel assigned to PCU will not, as a matter of procedure, give orders to members outside of their Unit except in the furtherance of their investigative duties.
- B. Inquiries by the PCU, written or oral, may be directed to any member of the Department and will warrant the same response as if such inquiry were made by the Chief of Police.
- C. PCU members shall be granted access to Department and Town facilities, and contents thereof, as required in the course of an authorized investigation.
- D. PCU personnel shall insure that any allegation of misconduct is investigated in an objective manner.
- E. The PCU personnel will assist at the direction of the Chief in special investigations requested by commanding officers. The Chief of Police may appoint supervisory or other personnel to PCU on a temporary or regular basis as needed to assist with investigations if required.
- F. On scene response:
  - 1. The on-duty commander, supervisor, or OIC shall contact the Chief of Police or designee when he or she becomes aware of an incident or allegation that appears to meet the criteria for an Internal Affairs Investigation and is of a serious enough nature to warrant an immediate response.
  - 2. A PCU investigator shall respond as a matter of course when:
    - a. A member has been arrested or is about to be arrested.
    - b. A prisoner or other person in the care or custody of a Department member dies. This does not include incidents resulting from a motor vehicle accident or calls of sick or injured persons wherein the victim expires.
    - c. Shooting Investigations as outlined in 309.4(C) above, with the exception of an unintentional discharge involving no injuries.
  - 3. The immediate response area will be Dade, Broward, and Palm Beach Counties unless approved by the Chief of Police or designee.

## G. Professional Compliance Unit responsibilities:

1. PCU shall serve as a point of contact on behalf of the Department that has as its primary function the receiving, processing, supervising, and controlling of the investigation of complaints made against members of the Department. The PCU will ensure that any allegation of misconduct made against a member of the Department is thoroughly and objectively investigated. PCU will be responsive to members of the public; and, as such, complaints can be received by any means including by letter, fax, telephone, e-mail, or in person.
2. PCU will complete of all investigations in accordance with prevailing statutory provisions and public records laws.
3. Upon receipt of a complaint, the Report of Complaint form and accompanying documentation will be forwarded to the Chief of Police or designee for review. The Chief of Police or designee shall then make a determination as to the most appropriate entity to investigate further.
4. PCU shall be assigned cases for investigation at the direction of the Chief of Police or designee. Upon receiving a complaint or allegation, PCU investigators may conduct an Administrative/Complaint Inquiry to determine the proper course of action.
5. When an allegation is of such a nature that a formal Internal Affairs Investigation is not appropriate, a Memorandum to File will be prepared documenting the activity concerning the investigation as stated under 309.8(B) of this policy.
6. When an Administrative Investigation is being conducted, PCU may perform certain investigative activities depending on the circumstances, including but not limited to:
  - a. View the scene if location known.
  - b. Process the scene utilizing Crime Scene Unit if necessary.
  - c. Obtain medical releases and records.
  - d. Photograph/photocopy injuries and/or other physical evidence.
  - e. Obtain necessary background on complainant and officer(s) involved.
  - f. Create and show photographic line-ups.
  - g. Submit and receive laboratory analysis reports.
  - h. Conduct area and neighborhood canvass checks.
  - i. Obtain all reports and other material pertaining to the incident including but no limited to: Incident Reports, Dispatch Header Card information, PC Affidavits, Citations, Crash reports, Control of Persons reports, F.I. cards, Employee Notice of Injury reports, Property and Vehicle Storage Receipts, Daily Activity Logs, and Dispatch/Communication Tapes.
7. Discharge of Firearm/Administrative Shooting Investigation – The administrative investigation of these incidents is the responsibility of the Professional Compliance Unit. The Investigative Services Division Commander will assign personnel to commence with a Criminal Investigation of the Use of Lethal Force in accordance with department policy under Response to Use of Lethal Force. In such cases, the PCU is responsible for monitoring the criminal investigation and completing an administrative investigation upon conclusion of the criminal case which takes precedence. A review shall be conducted in all cases involving the discharge of a firearm to determine if the incident was a result of improper action not in conformance with Department policies and procedures, utilizing the following criteria:

- a. Discharge of a firearm by a Department member regardless of whether or not there was contact with intended target, the action was intentional or unintentional, or the member was on or off-duty.
  - b. Euthanasia discharges that are permitted by Department policy under Use of Lethal Force will be investigated wherein the unintended result is a person, dwelling, business, or conveyance being struck.
8. Take formal statements from the complainant, witnesses and Members under investigation as detailed in section 309.7 below.
  9. Submit to the Chief of Police, via the PCU chain of command, the investigative report and conclusion(s).
- H. Member Notification:
1. Prior to taking a statement, Department members who have been determined to have relevant knowledge of the complaint or alleged misconduct will receive notice of a time/date/place for an interview to be conducted by investigators.
  2. Prior to the conclusion of an Internal Affairs Investigation, the member shall receive notice in writing that they are being investigated. The member will be ordered to respond at a scheduled time/date/place for a formal interview and statement regarding the complaint. Prior to questioning, the member shall be informed of the nature of the allegation, the name(s) of the complainant, and the member's individual rights and responsibilities related to the investigation and any other conditions in accordance with the Law Enforcement Officers' Rights under F.S.S. 112.532.
  3. At the conclusion of The Chief's review of the internal affairs investigation, the Department member who is the subject of the investigation and the complainant will be notified of the conclusion of the investigation.
- I. Member Restrictions: A Department member having knowledge of or is involved as a subject or witness in a complaint **shall not**:
1. Independently participate in the investigation.
  2. Be present during any investigative contact with the complainant or complainant's witnesses.
  3. Contact the complainant or complainant's witnesses concerning the allegations.
  4. Disclose or discuss the existence of facts of a complaint with anyone except designated departmental authorities conducting the investigation.
  5. **Nothing in these restrictions shall be construed to prohibit an employee from discussing any aspect of a complaint with their attorney or bargaining unit representative.**

## 309.8 STATEMENTS

A. General Guidelines:

1. PCU personnel as well as Departmental supervisory staff shall be aware of the content and applicability of the Law Enforcement Officers' Rights under F.S.S. 112.532 and adhere to its conditions.

2. During the taking of statements from any person, time shall be allowed for such personal necessities and rest periods as are reasonable needed. All recess periods shall be recorded.
3. There are no "off the record" questions or comments.
4. Complainants and witnesses (both civilian and employee) should be pre-interviewed prior to taking a formal statement.
5. No personal audio, video, or stenographic recording equipment of any type will be allowed to be brought into the interview session by persons rendering statements.
6. Names of other persons present will be read into the record (i.e. a Members counsel or bargaining unit representative.)
7. Any representative of an officer who disrupts, interferes with, or otherwise impedes the normal process of the interview or statement taking should be asked to cease and desist. If the disruption continues then the representative will be asked to leave and an appropriate entry will be noted in the record. The employee should then be given the option to continue with the statement or to suspend it until another representative can be obtained.
8. When a complaint is received from a person who is intoxicated, the complainant shall be interviewed at the earliest opportunity after the complainant has regained sobriety.
9. During the course of statement taking, only one investigator will ask questions at a time.

B. Witness Statements:

1. Department members providing witness statements are not entitled to a representative.
2. Garrity only covers those Department members under Administrative Investigation.
3. If a Member is considered **only** as witnesses in any type of administrative investigation and makes self-incriminating statements that could lead to Disciplinary Action, the investigator shall cease the questioning until the provisions of F.S.S. 112.532 are met and/or the rights and privileges afforded to a subject officer are applied.
4. In the case where civilian witnesses or members considered only witnesses make self incriminating statements of a criminal nature, the administrative investigator will cease all questioning and a criminal investigation will commence. A criminal investigator will be summoned, if available.
5. Witnesses may be asked at the end of the statement if they wish to make any additional remarks.

C. Subject Statements:

1. Criminal Investigators will not be present.

2. The subject officer will be allowed to review a copy of the Report of Complaint form prior to rendering a statement. The investigator will make available to subject officers copies of all complainant and witness statements immediately prior to an investigative interview. Subject officers will be allowed to review a copy (no originals) of transcribed statements, taped statements and will be provided with a summary of any verbal witness statements.
3. According to F.S.S. 112.532, sworn personnel are entitled to representation when rendering a subject statement during the course of a formal Administrative Investigation whenever the interview relates to the officer's continued fitness for law enforcement service; e.g. when discipline may result in suspension with loss of pay, demotion, or dismissal. Accordingly, an officer is not entitled to counsel or representation in connection with routine investigations of minor disciplinary matters but may be afforded the opportunity when deemed appropriate. Non-sworn personnel who are members of a recognized collective bargaining unit may also request representation according to the terms of their bargaining agreement.
4. Members will be given Garrity warnings and offered an opportunity to clarify any questions regarding them at the beginning of a formal statement.
5. Department members **shall** answer or render material and relevant sworn statements to the designated departmental authority when so directed. Department members **shall** answer all questions honestly, completely, and to the best of their ability.
6. If the subject Member of the investigation declines to give a statement or answer any questions a direct order to do so shall be issued. It **shall not** be necessary to summon the member's direct supervisor for the purposes of issuing a direct order to give a statement. PCU is an investigative unit that acts on behalf of the Chief of Police and may exercise staff authority in the furtherance of their investigations.
7. If the subject still declines they shall be relieved of duty and the Chief of Police or designee shall be notified.
8. Members shall not be questioned during an administrative statement, regarding crimes or incidents not being investigated as part of the administrative investigation.
  - a. If a member wishes to discuss any admission of a crime that is not part of the investigation, then a criminal investigator shall be called.
  - b. As in all criminal statements involving members, the PCU investigator shall not be present during the criminal statement unless directed by the Chief of Police.
9. Brief consultation periods with counsel or representative are allowed but the tape recorder shall continuously run during these consultation periods.
10. State Statute gives those under formal investigation the right to be represented and have the representative present during questioning; no questions are permitted by the representative nor are they allowed to interject any comments into the record except the representative may make an official statement upon conclusion regarding the manner in which the statement was taken.
11. Those under investigation will be offered the opportunity to make additional remarks at the conclusion of their statements. Any statements made by the

recognized employee's representative will be made at the conclusion of the interview and will only be considered if they have evidentiary value.

### 309.9 CASE DISPOSITIONS

- A. When determining disposition of allegations concerning Internal Affairs Investigations, Personnel Complaints, or General Investigations the following classifications will be utilized:

Unfounded complaint – The allegation is false; there is insufficient evidence to support the allegation; the incident did not occur; the complainants and/or witnesses have misinterpreted an incident; and/or, the complainant does not follow through on a complaint or investigation and the process is not continued by the Chief of Police.

Founded complaint – The allegation is supported by a preponderance of the evidence to indicate that the member's actions were inconsistent with Department policy, procedure, directives, or State or Federal Statutes.

Unsubstantiated – There is insufficient evidence to prove or refute the allegation.

Exonerated – The observations and/or statements of the complainants and/or witnesses are true, however the actions of the Member were justified, lawful, proper and not in violation of Department Policy, procedures, directives.

Policy Failure – The allegation is true, however, there was no violation of Department policy, procedure, directive, State or Federal Statute.

- B. In lieu of a written finding, a Memorandum to File will be prepared documenting the activity concerning an investigation under the following conditions:
1. If it does not meet the criteria of an Internal Affairs Investigation or if after a preliminary investigation of an Administrative/Complaint Inquiry there is no further investigative activity concerning the complaint.
  2. The allegation(s) do not include a violation of Department policy, procedure, and directive, State or Federal Statute.
  3. The complainant withdraws the complaint and no further investigation is deemed appropriate. This is only applicable when the allegation does not constitute a criminal violation.
  4. There is insufficient information to objectively investigate the allegation at this time or by direction of the Chief of Police.

### 309.10 PCU INVESTIGATIVE FILES

- A. Duplication of Files: Information permitted to be released will be released in copy form only; no originals will be released.
- B. Security and Confidentiality:



1. Files are to be kept locked when PCU personnel are not present. Those employees who are not members of PCU as well as the public are excluded from this area.
  2. Active Investigations: Only those in the PCU chain of command are permitted access to current, active investigations. An investigation is considered to be active as long as it's proceeding with a reasonable expectation that a finding will be made in the foreseeable future. This period is usually considered 45 days; however, due to the complexity of some investigations, the period may be extended if the investigation is proceeding with good faith. In all cases, confidentiality shall be preserved until the investigation is concluded and a finding reached.
  3. Closed Investigations: Review of closed investigations case files is permitted only when accompanied by a PCU member, the Chief of Police, or the Chief of Police's designee and a public records request has been submitted. A case will be considered closed only after the case finding memorandum has been approved and discipline, if any, has been determined and the employee noticed. A copy of any public records request shall be kept with the investigative file and Department members shall receive a notice when a public records request has been made regarding them.
  4. Releasing of Information: A member may not disclose any information obtained pursuant to an internal investigation of this Department, including, but not limited to, the identity of the officer under investigation, the nature of the questions asked, information revealed, or documents furnished before such complaint, document, action, or proceeding becomes a public record in accordance with F.S.S. 112.533.
- C. Reporting: PCU personnel will perform administrative duties as required to facilitate the gathering and preparation of statistical reports and other documentation necessary for internal audits, periodic reviews, legal investigations, matters pertaining to court orders, public requests, and to fulfill requirements in accordance with F.S.S. 943.1395.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>UNIFORM AND APPEARANCE</b>	GENERAL ORDER NO. <b>330</b>
RESCINDS: G.O. 330 issued 03/21/2005	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 330.1 PURPOSE

The purpose of this General Order is to establish attire and grooming standards for all personnel. This policy serves to regulate the attire for all members of the Department while on duty, whether in an official uniform or non-uniform function, and to establish guidelines for physical appearance. It is essential that members present an image of professionalism that inspires and maintains a high level of community trust and confidence.

### 330.2 POLICY

It is the policy of the Davie Police Department that all personnel will adhere to grooming appearance standards that reflect a positive professional image; develop esprit de corps; promote discipline, uniformity, and safety; and foster public respect for the police. Only items of clothing and accessories approved in this General Order shall be worn with or as part of the official uniform, unless authorized by the Chief of Police. Personnel may not wear any item of attire while on duty that identifies them as a Davie Police Employee unless specifically described and authorized in this policy. Any exceptions or additions to the authorized uniform or attire require the written approval of the Chief of Police.

### 330.3 UNIFORMS AND CIVILIAN ATTIRE

- A. All uniforms and civilian attire will be neat, clean, pressed and shall fit properly when worn.
- B. While in uniform authorized nametags will be worn as described within this policy.
- C. Service bars, ribbons, awards, and other pins will be worn as authorized in this policy.
- D. **All supervisors and commanders shall be responsible for the appearance of all personnel under their command, and will insure that the uniform of the day and prescribed equipment is being maintained properly and worn as required.**

### **330.4 SWORN PERSONNEL**

#### **A. Class A – Sworn Personnel**

Formal dress uniform to be worn on occasions designated by the Chief of Police including but not limited to funerals, ceremonies etc.

1. Long Sleeve, dark blue, issued uniform shirt.
2. Long, dark blue, issued uniform pants.
3. Dark blue, Department issued tie.
4. Black Leather or corofram shoes. (Boots are only authorized if they are clean, well-shined, and in highly presentable appearance.)
5. Black or dark blue socks.
6. Department issued police hat with hat badge.
7. Department issued service award ribbons - mandatory.
8. Badge and issued engraved name tag and serving since pin.
9. Complete gun belt with required equipment. (except shoulder microphone)
10. Years of service hash marks on left sleeve.

#### **B. Class B – Sworn Personnel**

Daily work uniform to be worn by patrol officers during normal duty, as well officers working details.

1. Short sleeve, dark blue issued uniform shirt. Long sleeve dark blue shirt optional.
2. Long, dark blue issued uniform pants.
3. Issued badge and sewn name tag.
4. Specialized unit designation pin. (i.e. FTO, SRT, THI, SRO, CRT, etc.)
5. Black Leather or corofram shoes or boots.
6. Department issued service award ribbons - optional.
7. Issued ball cap - optional.
8. Complete gun belt with required equipment.
9. Dark blue or black socks, if visible.

Cold Weather Exceptions

1. During periods of cold weather uniformed employees are allowed to wear the department issued mock turtleneck under their long sleeved shirts.
2. When long sleeve shirts are worn for regular duty (during periods of cold weather) the collar may be worn open without a tie.

**C. Class C – Sworn Personnel**

Shall be worn by officers assigned to the Special Operations Unit and the designated P.A.L. Officer; or while assigned to a specific function or detail in which uniform is authorized by the Commanding Officer while performing those duties. Class C uniforms shall not be worn for regular off-duty details or normal patrol functions.

1. Short sleeve, collared, white or blue issued shirt with embroidered badge and sewn nametag.
2. Dark blue, issued shorts.
3. Athletic shoes as authorized by the Chief of Police or designee.
4. Complete gun belt and required equipment.
5. Department issued service award ribbons - optional.
6. Department issued ball cap – optional.
7. Bicycle Assignment will also include the following:
  - a. Department issued bicycle helmet.
  - b. Department issued gloves. – optional.
  - c. Department issued warm up jacket and pants – optional.
  - d. Required eyewear.

**D. Class D – Sworn Personnel**

May be worn by officers performing unusual or non-routine activities requiring deployment in adverse field conditions, such as storms, searches, field force etc. Must be approved by the Chief of Police or approved designee. This uniform is not authorized for performing everyday general duties or working off-duty details.

1. Issued black BDU jacket.
2. Issued black BDU utility pants.
3. Issued gray t-shirt with POLICE on the back, and badge on front.
4. Complete gun belt and required equipment.
5. Issued ball cap – optional.

6. Dept. issued service award ribbons – not authorized.
7. Black leather boots

**E. Specialty Uniforms – Sworn Personnel**

Shall be worn by officers assigned to specialized functions or units.

1. K-9 Unit:
  - a. Issued black BDU utility pant.
  - b. Issued black BDU short sleeve shirt with embroidered badge. Long sleeve shirt optional.
  - c. Department issued black t- shirt.
  - d. Black boots.
  - e. Complete gun belt with required equipment.
  - f. Dept. issued service award ribbons – not authorized.
  - g. Ball cap - optional.
2. Motorcycle Officers:
  - a. Issued, dark blue breeches.
  - b. Short or long sleeve, white issued uniform shirt.
  - c. Black motorcycle boots.
  - d. Black leather “ Sam Browne “ shoulder strap.
  - e. Complete gun belt with required equipment.
  - f. Department issued handcuff key in right pen opening.
  - g. Department issued motorcycle helmet and required eyewear.
  - h. Department issued service award ribbons - optional.
  - i. Department issued ball cap optional - optional.
3. School Resource Officers (SRO's):

SRO's may wear the following uniform for daily operational activities or a regular class A or B uniform when warranted by their function or teaching obligations.

  - a. Long, dark blue, issued uniform pants.
  - b. Department issued short sleeve collared knit shirt with embroidered badge.

- c. Black Leather or corofram shoes or boots.
  - d. Issued ball cap - optional.
4. Mounted Unit:
- a. Issued, dark blue breeches.
  - b. Short or long sleeve, white issued uniform shirt.
  - c. Black leather riding boots.
  - d. Gun belt and required equipment.
  - e. Department issued service award ribbons - optional.
  - f. Dark blue Stetson hat.
  - g. Issued riding helmet.
5. Honor Guard:
- a. Issued dark blue long sleeve shirt.
  - b. Issued dark blue pants.
  - c. Silver ascot (gold for supervisors, black for funerals).
  - d. Silver shoulder braids (gold for supervisors).
  - e. Black corofram shoes.
  - f. Police hat with silver badge, silver band, and silver scrambled eggs on brim (gold for supervisors).
  - g. Silver years of service hash marks (gold for supervisors).
  - h. Department issued service award ribbons - mandatory.

**F. Plainclothes Personnel – Sworn**

1. As directed by their Commanding Officer, sworn personnel assigned to the Criminal Investigations Unit, Administrative Bureau, or other non-patrol function are authorized to wear the following:
- a. April thru September:
    - 1. Male Personnel – Short sleeve collared knit shirt with embroidered badge (issued) and slacks (non-issued or uniform pants), or button down shirt and tie (non-issued) and slacks (non-issued).
    - 2. Female Personnel – (Non-issued) business type attire, i.e. business suits, slacks, and blouses or short sleeve collared knit shirt with embroidered badge (issued) and slacks (non-issued or uniform pants). Skirts and dresses are unauthorized except for court appearances.

- b. October thru March:
  - 1. Male Personnel – Long sleeve collared button down shirt with embroidered badge (issued) and slacks (non-issued or uniform pants), or long sleeve button down shirt and tie (non-issued) and slacks (non-issued).
  - 2. Female Personnel – (Non-issued) business type attire, i.e. business suits, slacks, and blouses or short sleeve collared knit shirt with embroidered badge (issued) and slacks (non-issued or uniform pants). Skirts and dresses are unauthorized except for court appearances.
- c. Male and Female Personnel are authorized to wear (issued) long sleeve button-down, oxford style dress shirts with embroidered badges and unit insignia in lieu of shirts and ties or blouses year round at the discretion of the Bureau/Division Commander.
- 2. Plainclothes Detectives are authorized to wear jeans and short sleeve collared knit shirts with embroidered badge (issued) when called-out during non-duty hours. Detectives should use good judgment and dress appropriately when there is an expectation that they may be subject to news coverage or placed in a position where their presence requires them to make a professional appearance.
- 3. Sworn Officers assigned to the Special Investigations Unit are authorized to wear clothing appropriate with their assignment at the discretion of the Chief of Police or designee.

**G. Reserve Officers - Sworn**

- 1. The Reserve Officers shall be issued a Class A and Class B uniforms the same as sworn officers with the exception of a required Reserve Officer badge and Reserve Officer rocker below the shoulder patches in accordance with G.O. 250, Reserve Officer Program.
- 2. Other equipment issued shall be governed by G.O. 250, Reserve Officer Program.

### **330.5 NON-SWORN PERSONNEL**

**A. Class A – Non-Sworn Personnel**

Formal dress uniform to be worn by all civilian personnel on occasions designated by the Chief of Police.

- 1. Long sleeve, light blue uniform shirt.
- 2. Long, dark blue uniform pants.
- 3. Dark blue Department issued tie.
- 4. Black or dark blue socks.

5. Leather or corofram shoes. (Boots are only authorized if they are clean, well-shined, and in highly presentable appearance.)
6. Badge and issued engraved name tag with serving since pin.
7. Department issued service award ribbons - mandatory.
8. Complete utility belt. (except shoulder microphone)

**B. Class B – Non-Sworn Personnel**

Daily work uniform to be worn by Police Service Aides (PSA's) and Police Service Aides Special Assignment (PSASA's) and other uniformed civilian personnel such as Crime Scene Technicians.

1. Short sleeve, light blue uniform shirt. Long sleeve, light blue shirt optional.
2. Male personnel - Long dark blue uniform pants.
3. Female personnel - Long dark blue uniform pants or dark blue uniform skirt.
4. Issued badge and sewn nametag.
5. Utility belt required for PSASA's assigned to road patrol; optional for all others.
6. Leather or corofram shoes or boots.
7. Issued ball cap - optional.
8. Department issued service award ribbons - optional.
9. Alternate attire may be authorized by the Chief of Police or designee for Crime Scene Technicians such as utility wear, overalls, or coveralls.

**C. Plainclothes Personnel – Non-Sworn**

1. All non-sworn administrative and investigative personnel may wear business like attire. The Chief of Police or designee has the discretion to approve or disapprove attire authorized to be worn by civilian personnel.
  - a. Male Personnel - Dress pants, slacks, sport shirts, dress shirts and short sleeve collared knit shirts with embroidered Davie Police Department logo and unit insignia (issued) are approved. Ties, suits and blazers are optional.
  - b. Female personnel – Business suits, pant suits, dresses, skirts or slacks with a blouse, sweater, or blazer, and short sleeve collared knit shirts with embroidered Davie Police Department logo and unit insignia (issued) or other top are approved.



### 330.6 UNIFORM ACCESSORIES

- A. Collar Brass:
1. All sworn officers above the rank of sergeant will wear the appropriate collar brass on their collars for class A and B uniforms and jackets.
    - a. Lieutenant – single bar
    - b. Captain – double bars
    - c. Major – oak leaf
    - d. Assistant Chief – two stars
    - e. Chief of Police – 4 stars
- B. Chevrons: All sergeants will wear three gold chevrons on each arm underneath the Davie Police patch on all Class A and B uniforms and on their jackets.
- C. Specialty Patches: Specialized units may wear a specialty patch in lieu of or in conjunction with the Davie Police patch at the discretion of the Chief of Police or designee.
- D. Name Tag: Sewn name tags will be worn centered above the right breast pocket with no space between the top of the pocket and the name tag. Engraved name tags will be worn centered above the right breast pocket with no space between the top of the pocket and the name tag with the “Serving Since” pin hanging over the top seam of the pocket.
- E. Special Assignment Pins: Officers who have received training in a specialty and **currently** serve in that as their primary function or have one (1) year of continuous service within the Unit or assignment unless promoted or reassigned for non-disciplinary, administrative purposes, are authorized to wear these pins on their uniform. (i.e. FTO, SRT, THI, SRO, DARE, K-9, etc.) These pins will be worn centered on the right pocket flap only. Only one pin may be worn at a time.
- F. Awards and Ribbons: These Awards and Ribbons will be worn with the Class A uniform and may be worn with the Class B, C, and Specialty uniforms at the option of the member. Ribbons are worn on the right breast with the bottom row centered one eighth of one inch above the name tag. Rows will contain no more than three ribbons. There will be no spaces between rows of ribbons. If the number of ribbons worn requires a row contain less than three ribbons, then that row shall be the top row and shall be centered in relation to the other rows. See General Order 331 for Awards/Uniform Decorations.
- G. Years of service hash marks: Worn on left arm of long sleeve shirts silver for officers, gold for supervisors, and gold for the motor unit. One hash mark for each three years of service.
- H. Body Armor Vest: All sworn members will have the option to be issued body armor by the Department. Officers who choose to be issued body armor will be required to wear it when in official uniform. In accordance with G.O. 665 governing Executing Search Warrants, body armor **will** be worn in pre-planned high risk situations. Officers will have their vests readily available for use.

- I. Traffic Vest: Each department vehicle will have a reflective orange traffic vest assigned to it. The wearing of these vests is **mandatory** when performing traffic related activities.
- J. Socks: If socks are visible, they must be black or dark blue in color, when wearing low cut shoes. Solid white athletic socks are permitted with the Class C uniform.
- K. Writing Implements: All writing implements shall be carried in the left front uniform shirt pocket. The portion visible shall be black or silver in color for officers and black or gold for sergeants and above.
- L. Handcuff key: The department issued long handcuff key will be carried in a manner as to be readily available while wearing any other uniform. It may be worn in the pen opening of the right breast pocket while wearing the Class B uniform, Class C uniform or any specialty uniform that has a pen opening in the shirt pocket.
- L. Pagers: Officers may carry their department issued pagers on their equipment belt only either using a clip or matching case. Pagers will not be worn on any other part of the uniform but may be carried in the officer's pocket.
- M. Cell/Nextel phones may be carried at the member's waistline using a clip or matching case and are prohibited from being worn on any other part of the uniform. Members may not wear a headset for a cellular phone while in uniform. Plainclothes members may not wear a cellular phone headset while interacting with the public.
- N. T-Shirts: Uniformed officers may wear a dark blue or black crew neck t-shirt only otherwise the t-shirt must be a v-neck style. White t-shirts are permitted for the Class C uniform.
- O. Eyeglasses/Sunglasses: Uniformed personnel shall only wear black, gold, bronze/brown or silver eyeglass/sunglass frames. Sunglasses will have black, brown or gray lenses only and be reflective of Ultraviolet Rays.
- P. Alterations:
  - 1. Employees wanting to have their uniform(s) altered at the Department or their own expense will first obtain permission by submitting a memo through their chain of command to the Administrative Bureau/Division Commander explaining the need for alterations.
  - 2. All alterations will be completed by the Dry Cleaners contracted with the Town or other authorized establishment designated by the town after approval.
- Q. Dry Cleaning:
  - 1. Employees are authorized to have their uniform and non-uniform attire dry cleaned in accordance with current collective bargaining agreements.
  - 2. Personally owned items not covered by collective bargaining agreements shall not be authorized to be dry cleaned at the Department's expense.

### 330.7 DUTY BELT AND ACCESSORIES

- A. All sworn officers will be issued a duty belt, under belt, keepers and all holsters and cases used for authorized equipment. Officers will not add any equipment without the prior approval of the Chief of Police or designee. While in uniform all issued equipment will be worn on the duty belt at all times regardless of assignment.
- B. Holsters: Only department issued holsters are authorized unless prior approval is given in writing by the Range Master in accordance with the firearm policy.
- C. Expandable Baton: Required for all sworn uniformed personnel, to be carried opposite their gun side of the duty belt.
- D. Chemical Agent: Required for all uniform personnel, to be worn in a comfortable location for the officer.
- E. Radio Pouch: To be worn by all personnel in uniform opposite the gun side of the duty belt.
- F. Ammunition Pouch: To be worn on the side opposite of the firearm and positioned so that magazines are positioned vertically.
- G. Electronic Control Device: To be worn on the side opposite of the firearm.

### 330.8 PERSONAL APPEARANCE

All members of the department shall adhere to the following with the exception of members from the Special Investigations Unit, who do to the nature of their assignment are exempt from the personal appearance section.

- A. Hair: Male Personnel
  - 1. Male personnel will have their hair neatly trimmed. Unconventional haircuts are not authorized. (i.e. Mohawks, surfer cuts, symbols shaved in the hair, etc.)
  - 2. Bushy hair protruding from the rear and sides of the head when wearing a hat is prohibited.
  - 3. Hair on the back of the head will be trimmed so as not to touch the collar of the shirt.
  - 4. Hair on the side of the head will not extend below the top of the ear.
  - 5. Sideburns will not extend past the middle of the ear and shall not exceed one (1) inch at the widest point.
  - 6. Mustaches are permitted. They will be neatly trimmed and not extend below the corners of the mouth. Handlebar mustaches are prohibited.
  - 7. Beards are not authorized for uniformed personnel. Those officers in support positions who are not required to wear a uniform may with written approval of the Chief of Police wear a well manicured beard. The beard will be off of the neck, following the cheek line and will be neatly trimmed.

B. Hair: Female Personnel

1. Female personnel will not be required to keep their hair a specific length however all hairstyles will be neat, and follow the below requirements.
  - a. Sworn and non-sworn females while in uniform will wear their hair either in a bun or French braid with the end tucked under for the purposes of safety to the female officer.
  - b. If the hair is short in length it may be worn down about the collar.
  - c. Cornrows and braids are permitted, but with no decorations. If this style is worn it will not extend past the collars edge.
  - d. Exceptions can be made for those officers on special assignment with the approval of the Chief of police.
  - e. Ponytails or pigtails of any kind are prohibited for uniformed personnel due to these hair styles not being consistent with efforts made to maintain officer safety.
  - f. Any device used to hold the hair in place must be black or near to the hair color. Such devices may not protrude from the head and must be made of soft, flexible materials so as to not cause a danger of injury.

C. Fingernails:

1. All employees will have their nails kept clean and neatly trimmed. The length of the nails should not interfere with the performance of their work.
2. Personnel while in uniform will have their nail length not exceed 1/8 inch beyond the fingertip. Fingernail polish if worn will be neutral or clear in color, in good taste and moderate in application and contrast which will provide a professional appearance. Designs, ornaments, and or nail art are prohibited.

D. Make-up:

1. Facial makeup is authorized for female personnel only and should be conservative, in good taste and moderate in application and contrast which will provide a professional appearance.
2. Clear or natural colored lipsticks are authorized. Bright or excessively dark colors are prohibited.

E. Jewelry:

1. Neck chains may be worn but not visible.
2. For safety reasons, bracelets, except for medical alert bracelets, are prohibited for uniformed personnel.
3. The only rings authorized are wedding bands. Any other ring is prohibited while on-duty. Sworn Personnel wearing wedding bands will do so on the ring finger only, unless authorized by the Chief of Police.
4. Female personnel are authorized to wear one earring in each ear.

- a. Earring must be a stud type. Hoop style earrings are prohibited for safety reasons.
  - b. The earring must be worn in the earlobe only.
5. Male personnel are prohibited from wearing earrings while on-duty with the exception of members of the Special Investigations Unit.
- F. Tattoos/Brands/Body Make-up/Art: Effective from the date of this order, all members are prohibited from obtaining any new visible tattoos which may be seen below shorts, shirt sleeves, on the neck, head, or facial area. Members who have tattoos, brands, and/or body ornamentation that is visible while in uniform or plain clothes attire on duty (and while operating or otherwise utilizing Department motor vehicles or equipment while off-duty) shall ensure that said tattoo(s), brand(s), or body ornamentation shall not be disruptive, adversely impact proper discipline, impede the performance of law enforcement duties, or otherwise interfere with the regular operation of the Department consistent with the prohibitions below. Any Department member who currently wears any visible tattoo(s), brand(s) and/or body ornamentation, must wear appropriate uniform clothing to cover those considered to be offensive.
1. Department members **shall not** possess visible tattoo(s), brand(s) and/or body ornamentation that depict, describe, or otherwise refer to sexual conduct, acts, organs, or preferences.
  2. Department members **shall not** possess visible tattoo(s), brand(s) and/or body ornamentation that depict, describe, or refer to intolerance of, or discrimination against, any race, religion, gender or national origin, nor shall any member have any tattoo(s), brand(s), and/or body ornamentation commonly associated with organizations or groups which advocate such intolerance or discrimination.
- G. Body Piercing: The wearing of earrings and/or body jewelry piercing in the tongue, lips, nose, cheeks, eyebrows, fingernails, and ears (with the exception of the earlobe) or any other location that can be seen by another is prohibited.

### 330.9 PROPER ATTIRE FOR COURT RELATED APPEARANCES

Court appearances refer to all criminal, civil, and traffic court proceedings (depositions, and drivers license proceedings are outlined below).

- A. All officers appearing as a witness for the State will be in full Davie Police Department uniform, or, attire that conforms to acceptable business standards as outlined in 330.9 A (2) below.
1. Class A, Class B, traffic and mounted uniforms are the only acceptable uniform for court appearances. All other utility uniforms i.e. K-9, COP, are not allowed.
  2. Business attire is defined as the following:
    - a. Male Officers – Dress pants or slacks, with a dress shirt and tie, jacket optional.

- b. Female Officers – Dress, skirt and blouse or pants suit, jacket optional.
- B. All officers who appear as a witness for the defense shall **NOT** wear a uniform, but shall wear proper attire as described in 330.9 A (2) above.
- C. Attire for appearance at depositions and drivers license proceedings may include.
- 1. Male Personnel - Short sleeve collared knit shirts with embroidered badge or long sleeve button-down, oxford style dress shirts with embroidered badges or logos and slacks or button down shirt and tie and slacks.
  - 2. Female Personnel - Business type attire, i.e. business suits, skirts, dresses, slacks and blouses, short sleeve collared knit shirts with embroidered badge or long sleeve button-down, oxford style dress shirts with embroidered badges or logos and slacks.
- D. Jeans, shorts, sweat pants, t-shirts, or other casual clothing and/or sneakers are prohibited from being worn at any court proceeding including: criminal, civil, traffic, depositions and drivers license proceedings.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>AWARDS AND RECOGNITION</b>	GENERAL ORDER NO. <b>331</b>
RESCINDS: G.O. 331 issued 03/03/2004	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 331.1 PURPOSE

Acknowledgment of acts of heroism, meritorious service, and excellence in the performance of duty endorses the efforts of a job well done, motivates members, and increases overall Department effectiveness. The Chief of Police seeks to recognize and commend members who distinguish themselves through outstanding performance or exceptional acts of bravery, selflessness, and heroism. Also worthy of recognition are those private sector citizens and organizations who provide assistance to the Department and contribute to public safety. The purpose of this General Order is to establish an awards system to recognize employees for exemplary performance, bravery and courage.

### 331.2 POLICY

It shall be the policy of the Davie Police Department to reward employees who during the performance of their duties, show bravery, heroism, and exemplary actions that reflect a positive image of the employee and the Department.

### 331.3 AWARDS COMMITTEE

- A. The Chief of Police shall establish and maintain an Awards Committee. The committee will consist of the following:

Chairperson: A sworn supervisor designated by the Chief of Police;  
One sworn member from Bravo shift;  
One sworn member from Charlie shift;  
One sworn member from Alpha Shift;  
One sworn member from the Investigative Services Division;  
One sworn member from Support Services;  
One sworn member from the Professional Standards Unit;  
One Police Service Aide or Police Service Aide Special Assignment.

- B. The members of the committee along with an alternate will be elected from their respective shifts/unit each October. Should a member be reassigned to another shift/unit the shift/unit with a vacancy will elect another representative. If a member cannot make a scheduled meeting, the alternate will represent the shift/unit.

- C. It will be the responsibility of the Committee Chairperson to hold members accountable for attendance. If the member is not properly representing their shift/unit, the chairperson will assign the alternate as a permanent member and request the shift/unit to elect a new alternate.
- D. This committee will have the responsibility of meeting on a quarterly basis to review all written commendations and determining the Officers and Employees of the Month. The committee will also meet on an annual basis to determine finalists for the Officer/Employee of the Year and the Meritorious Service Award from the year's Officer/Employee of the Month recipients. Only Officers/Employees of the Month are eligible for the Officer/Employee of the Year and the Meritorious Service Awards.
- E. The committee will forward a list of three (3) finalists to be considered for the Officer/Employee of the Year and Meritorious Service Awards to the Chief of Police. The Chief of Police in consult with the Department Command Staff and the Committee Chairperson will make the final decision on the award recipients.

### 331.4 AWARDS

**Employees receiving the following awards will receive a medal and a ribbon.**

- A. The "Curtis Mancini" Heroism Award: The highest award bestowed upon an employee by the Department when, in the line of duty, the employee gives their life or distinguishes him(her)self through an act of heroism or bravery that involves a risk of imminent danger to their life while protecting or saving the life of another. This recipient of this award is selected by the Chief of Police.
- B. Purple Heart Award: An award bestowed upon an employee who, in the performance of their duty, sustains an injury as a result of a gunshot, stabbing, or other life threatening injury to be awarded by the Chief of Police. This award can be given in conjunction with another award. This recipient of this award is selected by the Chief of Police.
- C. Officer/Employee of the Year: An award given by the Awards Committee to the sworn Officer and non-sworn Employee of the Year. Recipients must have been an Officer/Employee of the Month during the year in which the award is given. This award is awarded based on not only the reason the recipient was an Officer/Employee of the Month but a totality of the years events involving the member. This recipient of this award is selected by the Chief of Police from a list of finalists determined by the Awards Committee.
- D. Meritorious Service Award: An award given by the Awards Committee to the Officer or Officers who in the course of their assignment performed a specific duty or duties at a level that demonstrates outstanding performance, exceptional professionalism, and commitment to duty. (Runner-up to Officer of the Year). This recipient of this award is selected by the Chief of Police from a list of finalists determined by the Awards Committee.
- E. Chief's Award: An award issued to members of the Department by the Chief of Police in special recognition of exceptional contributions to the goals and objectives of the Department. This recipient of this award is selected by the Chief of Police.



- F. Life Saving Award: An award bestowed upon an employee whose actions are directly responsible for saving a life, or where evidence indicates the employee's actions prolonged a human life to the extent a victim was released to the care of medical authorities even though the person subsequently expired. Recipients of this award are selected by the Chief of Police.
- G. "Wes Griffin" Humanitarian Award: An award given to Department members who go above and beyond to provide service to the community selected by the Awards Committee. The Wes Griffin award will be given to any member of the Department the committee feels meets the requirements and is not limited to personnel who have received written commendations or Officer/Employee of the Month awards.

**Employees receiving the following awards will receive a ribbon.**

- A. Officer of the Month: An award given by the Awards Committee to the Officer or Officers of the month as voted on by the committee based on the written commendations issued that month. All officers who receive commendations are eligible for this award. Officers may be selected for this award for excellence in everyday police enforcement and service activities, which distinguish the officer's work product above and beyond that of their fellow officers.
- B. Employee of the Month: An award given by the Awards Committee to the civilian Employee of the Month as voted on by the committee based on the written commendations issued that month. Civilian employees may be selected for this award for excellence in everyday assistance to Police Officers and citizens in the field and in administrative duties on a daily basis. These individuals distinguish themselves above and beyond what is expected in their normal duties.
- C. Distinguished Service Award: Issued to an Officer/Employee by any supervisor commending the accomplishments and special contributions to the Department or Town which fall into a category of administrative or professional improvements in police organization, enforcement, or service activities not identified in other awards. This recipient of this award does not have to be selected by the Awards Committee but requires the written approval of the Chief of Police.
- D. Unit Citation Award: Issued by the Chief of Police to a distinguished unit in recognition of outstanding performance and team oriented accomplishments.
- E. Community Service Award: Award issued to sworn and non-sworn employees who receive the Cliff Lockwood Award for outstanding performance or courteous officer given by the Chamber of Commerce.
- F. Commendation Ribbon: Ribbon designating the number of written commendations received by a member. This ribbon will have a number in the middle of it and will be updated annually.
- G. Years of Service Ribbon: Ribbon designating years of service with the Town of Davie given in five (5) year increments.
- H. Civic Awards: A single ribbon issued to recognize an award or multiple awards received by employee from organizations outside of the Department.
- I. Assignment Ribbons: Issued to employees for service assignments within the Department's various Divisions and Specialty Units. The Department member must serve one (1) year of continuous service within the Unit or

assignment unless promoted or reassigned for non-disciplinary, administrative purposes.

1. Special Operations (Community Policing, Bicycle Unit)
2. D.A.R.E.(Drug Abuse Resistance Education)/G.R.E.A.T
3. School Resource Officer (SRO)
4. Field Training Officer (FTO)
5. Department Instructor
6. Gang Unit
7. Administration/Professional Standards (PSU)
8. Honor Guard
9. Professional Compliance Unit (PCU)
10. Criminal Investigations Unit (CIU)
11. K-9
12. Patrol (must have successfully completed probation)
13. Mounted
14. Special Response Team (SRT)
15. Support Services
16. Traffic
17. Special Investigations Unit (SIU)
18. Dive Team
19. Crisis Response Team (CRT)

### 331.5 COMMUNITY AWARDS

Each year the Chief of Police at his discretion may present awards to citizens or organizations to honor their dedication and service to the Department and community. Any Department member who has information regarding a deserving recipient should provide their suggestions to the Chief of Police.

### 331.6 DISPLAY OF AWARDS

- A. As of the effective date of this order all members will be issued ribbons and medals to replace any previously issued awards from their tenure as a Davie Police employee. Ribbon bars are authorized to be worn above the right breast pocket on the class A/B/C, Honor Guard, mounted and traffic uniforms only in accordance with G.O. 330, governing Uniform and Appearance. **Ribbons will be worn in order of achievement, with the highest achieved award always being at the top.** Department ribbons for units will be worn in the chronological order of succession that the member worked in the units with the current unit being the highest. **See attached ribbon chart for order in which awards are displayed.**
- B. Any member who receives multiple or subsequent awards of the same honor will be issued a ribbon with the appropriate attachment to replace their previous ribbon as follows:
  1. Second thru Fourth Award – Silver Star(s)
  2. Fifth Award – Gold Star
  3. A new ribbon will be issued each time a member receives the same award more than five times.

### 331.5 AWARD PRESENTATION

With the exception of the Officer of the Month and Employee of the Month, which are presented quarterly, all other awards will be presented on an annual basis and/or at the Annual Awards Banquet by the Chief of Police or designee.



Heroism



Purple Heart



Officer/Employee of the Year



Meritorious Service



Chief's Award



Lifesaving



Wes Griffin



Officer/Employee of Month



Distinguished Service



Unit Citation



Community Service



Commendation



Years of Service



911



Civic Awards



Patrol



Department Instructor



K-9



Dive Team



Honor Guard



Gang



Mounted DARE/GREAT



PCU



SRT



PSU



SRO



Special OPS



CIU



SIU



FTO



Support Services



Traffic



CRT

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>HARASSMENT &amp; DISCRIMINATION</b>	GENERAL ORDER NO. <b>400</b>
RESCINDS: G.O. 400 issued 01/21/2005	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 400.1 PURPOSE

The Davie Police Department is committed to maintaining a work environment that is free from harassment and discrimination. This order sets forth the Departmental directive prohibiting harassment and discrimination.

### 400.2 POLICY

The policy of the Davie Police Department adopts and incorporates the Town of Davie personnel rules and regulations as set forth, and, as may be amended from time to time. The Department is committed to equal employment opportunity for all employees and applicants for employment. The Department prohibits discrimination in any employment related decisions on the basis of race, color, religion, sex, age, national origin, marital status, political affiliation, handicap, disability, or sexual orientation.

The Department's policy of equality of opportunity applies to all organizational levels and to all job classifications. It is the responsibility of the Chief of Police and each supervisor to give this non-discrimination policy full support through leadership, and by personal example. In addition, it is the duty of each employee to help maintain a work environment which is conducive to, and which reflects, the Department's commitment to equal employment opportunity.

Sexual harassment is a form of employee misconduct which undermines the integrity of the employment relationship. It shall be Department policy that all employees are able to work in an environment free from unsolicited and unwelcome sexual overtures. It is a violation of Department policy for any individual employee to engage in any act or behavior defined herein as sexual harassment.

### 400.3 DEFINITIONS

- A. Sexual harassment- unwelcome sexual advances, requests for sexual favors, and other verbal, written or physical conduct of a sexual nature when such conduct is made explicitly or implicitly a term or condition of employment, is used as a basis for employment decisions, or has the purpose or effect of interfering with work performance or creating an otherwise offensive work environment.
- B. Hostile Work Environment- speech or conduct based on race, color, religion, sex, age, national origin, marital status, political affiliation, handicap, disability, sexual

orientation, or personal appearance, that is unwelcome, and sufficiently severe or pervasive as to significantly interfere with a member's work performance or work environment.

#### **400.4 PROHIBITED ACTIVITY**

- A. Sexual harassment or behavior that causes a hostile work environment is strictly prohibited by this provision. It is each employee's responsibility to help eliminate all forms of discrimination and harassment. It will be each supervisor's responsibility to prevent such behavior from occurring within the organization, and especially within their respective work areas.
- B. No employee shall either directly or indirectly ridicule, mock, deride, or belittle any person. No employee shall make any offensive or derogatory comments, not engage in any offensive activity directed at an individual or individuals, based on race, color, religion, sex, age, national origin, marital status political affiliation, handicap, disability, or sexual orientation.

#### **400.5 REMEDIES**

- A. Employees who believe they are experiencing harassment should immediately advise the person engaging in the offensive or harassing conduct that their actions are unwelcome and offensive.
- B. Complaints of prohibited harassment or discrimination may be handled through the grievance procedure, if applicable. Employees must also report complaints of prohibited harassment or discrimination directly to a supervisor in their respective chain of command, to include their immediate supervisor, their shift commander, their division commander, or the Chief of Police. Complaints may also be reported to the Administrative Services Director of the Town of Davie, or the Town Administrator.
- C. Complaints received by a supervisor on behalf of a subordinate will be immediately brought to the attention of the Chief of Police who will make a determination as to the initial investigation protocol. In all cases, complaints will be acted upon in a prompt and efficient manner, designed to immediately end the offensive or harassing conduct.
- D. The Department will take prompt remedial action with respect to any employee who is determined to have violated this policy. Such action may include a range of disciplinary measures up to and including dismissal.
- E. There shall be no retaliation against any employee for filing a harassment or discrimination complaint, or assisting, testifying, or participating in the investigation of such complaint.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>Discriminatory Enforcement Prohibited</b>	GENERAL ORDER NO. <b>401</b>
RESCINDS: G.O. 401 issued 06/22/2001	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 401.1 PURPOSE

The purpose of this General Order is to outline Department position and policy regarding illegal profiling, to unequivocally state that racial and ethnic profiling is an unacceptable practice, to provide guidelines for officers to prevent such occurrences, and to protect Department officers from unwarranted accusations when they act within the scope of law and policy.

### 401.2 POLICY

It is the policy of this Department to patrol in a proactive manner, investigate suspicious persons and circumstances, and to actively enforce applicable laws and ordinances. The Department requires that citizens will only be detained when there exists reasonable suspicion to believe they have committed, are committing, or are about to commit, a violation of the law.

All sworn Officers of the Davie Police Department are responsible for enforcing all applicable laws within Town Jurisdiction as a means to correct inappropriate driving behaviors and habits, ensure community safety by reducing accidents, and to educate drivers. Officers are expected to use good judgment in exercising their discretion. Officers are required to evaluate the severity of the violation in relation to the circumstances and conditions that exist, consider the goodwill of the community, and determine an appropriate course of action that maintains the professional ethic that the Department requires of its members. Effective courses of action may include a verbal or written warning, issuance of a citation, or arrest if the violation has criminal penalties. The basis for any and all enforcement action will be strictly based on illegal or improper activity, not the individual(s) participating in the illegal activity.

**Instigating any action based solely on a person's race, color, creed, religion, gender, lifestyle orientation, or physical handicap, is strictly prohibited, and is cause for Department disciplinary procedures to and including dismissal.**

### 401.3 DEFINITIONS

ILLEGAL PROFILING: An illegal action characterized by taking any law enforcement activity based on a person's race, gender, religion, age, sexual orientation physical handicap, or other discrimination factor.

**REASONABLE SUSPICION:** Suspicion that is based on a set of facts and circumstances that would cause a reasonable person to believe that a violation of the law has been committed, is about to be committed, or is about to be committed by the person(s) under suspicion.

#### **401.4 GENERAL PROCEDURES**

- A. The Department's enforcement will be directed toward those areas where there is a greater likelihood that crashes will be reduced, and those areas where crimes can be best prevented through proactive patrol measures.
- B. Officers will receive continued training beyond their academy training regarding proactive enforcement, officer safety, cultural diversity, search and seizure, courtesy, and communication skills. In keeping with the Department's Mission and Values, training programs will emphasize the need to respect the rights of all citizens to be free from unreasonable intrusion or police action.
- C. Motorists and pedestrians will only be subjected to stops, seizures, or detentions, based on reasonable suspicion. This will be based on an officer's observations combined with his training and experience, and/or information received from a reliable source.
- D. No motorist, once warned or cited, will be detained beyond the point where there no longer exists reasonable suspicion of criminal activity.
- E. No person or vehicle will be searched in the absence of a warrant, a legally recognized exception to the warrant requirement, or the person's voluntary consent.
- F. It is the responsibility of Department's supervisors to provide consistent, ongoing supervisory oversight to ensure that officers do not go beyond the parameters of reasonableness in conducting enforcement activities as described herein.

#### **401.5 COMPLAINTS OF ILLEGAL PROFILING**

- A. Any person may file a complaint with the Department if they feel they have been a victim of illegal profiling. No person shall be discouraged, discriminated against, intimidated, or coerced from filing such complaint.
- B. Any officer, or Department member, contacted by a citizen who wishes to file such a complaint will obtain the citizen's name, address, and telephone number, and immediately report the contact to the on-duty supervisor. The supervisor will respond and handle the complaint according to Department complaint procedures.
- C. Supervisor's taking a report of this nature will immediately forward same to the Chief of Police, who, upon review, may direct an Internal Affairs Investigation, or other investigation as is determined necessary. The investigation will be handled in a timely manner, and the results thereof will be promptly given to the complainant.
- D. The Professional Compliance Unit will prepare and forward to the Chief of Police a written report every January that summarizes profiling complaints for the preceding calendar year, including whether or not they were sustained.



**401.6 COMMUNITY AWARENESS**

- A. The Department's Mission, to work in partnership with the citizens of Davie, is served, in part, through establishing effective community programs which are intended to educate while promoting goodwill.
- B. As a means to inform the citizens of Davie concerning what is expected of them during an enforcement action, especially during traffic enforcement actions, the Department will make informational material available to citizens by means of brochures and/or other printed material.
- C. The Department's Community Relations Unit, and Special Operations Unit, along with other Department members, will be active in distributing informational material throughout the Davie community concerning the tenets of this policy.
- D. The Chief of Police will make available, upon request, an annual report that statistically summarizes the number of profiling complaints received during the preceding year, including the findings as to whether they were sustained or not sustained.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>MUTUAL AID</b>	GENERAL ORDER NO. <b>402</b>
RESCINDS: G.O 402 issued 09/26/2003	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 402.1 PURPOSE

The purpose of this General Order is to establish policy and guidelines for instituting and maintaining effective channels of communication between the Davie Police Department, other Police Agencies, and Social Service agencies. It will also establish responsibilities for Agencies that have concurrent jurisdiction with the Town of Davie.

### 402.2 POLICY

It is the policy of the Department to maintain current Mutual Aid agreements with other Agencies in accordance with the Florida Mutual Aid Act F.S.S. 23.1225. This ensures that the citizens of Davie receive the most efficient and effective law enforcement service possible. Mutual Aid agreements assist the Department in establishing and maintaining liaisons with those Federal, State, and local Law Enforcement/Social Service Agencies that service the adjoining areas and/or have concurrent jurisdiction with the Department. The Davie Police Department has entered into a Law Enforcement Mutual Aid Agreement For Voluntary Cooperation and Operational Assistance and the subsequent Amendment to said agreement included as appendices to this policy.

### 402.3 DEFINITIONS

Concurrent Jurisdiction – A geographical area which the Department and other Law Enforcement Agency have jurisdiction.

Mutual Aid Agreement – Mutual Aid between two Agencies is an exchange of services, personnel, and/or equipment between Law Enforcement Agencies during times of emergency, or other specific instances pursuant to a written agreement executed in accordance with the Florida Mutual Aid Act.

Voluntary Cooperation Agreement – A written agreement between two or more Law Enforcement Agencies, which permits voluntary cooperation and assistance of a routine law enforcement nature across jurisdictional boundaries.

Operational Assistance Agreement – A written agreement between two or more Law Enforcement Agencies with a request from one Agency and an agreement by the other(s), for the rendering of assistance in specified Law Enforcement situations.

## 402.4 PROCEDURES

1. Exigent or Emergency Circumstances:
  - A. All sworn law enforcement personnel of the Davie Police Department shall be authorized to take police action, outside the Town of Davie, but within the jurisdictional boundaries of Broward County when a crime is being committed, or there exists a clear and present physical danger to life or bodily harm.
  - B. Prior approval and notice to the appropriate law enforcement jurisdiction need not be obtained in order to engage in law enforcement activity based on exigent circumstances where an activity begins within the jurisdictional limits of the Town of Davie and crosses jurisdictional boundaries. However notice shall be provided, as soon as practical, to the appropriate law enforcement jurisdiction subsequent to the emergency action being taken.
  - C. Whenever a sworn officer observes a crime occurring in a participating jurisdiction, the officer may physically arrest the perpetrator and preserve the crime scene. If an arrest is made outside the jurisdictional boundary of the Town of Davie, the officer shall detain the arrestee and contact the appropriate law enforcement jurisdiction for assistance. The arrestee and the crime scene, if any, will be turned over to the appropriate jurisdiction as soon as practical.
  - D. Sworn officers from both jurisdictions shall cosign the probable cause affidavit and the Department member will complete and submit all required reports immediately through their chain of command.
2. Non-Emergency Circumstances:
  - A. An officer making an arrest outside the jurisdictional boundary of the Town of Davie of a non-emergency nature shall contact the appropriate jurisdiction as soon as possible.
  - B. The extra-jurisdictional actions of a sworn officer shall be limited to the investigation of criminal acts which have emanated from the Town of Davie. The sworn officer shall contact the appropriate law enforcement agency having jurisdiction to assist in all situations of a non-emergency nature.
3. Prohibited Enforcement:
  - A. **At no time** shall an officer engage in extra-jurisdictional traffic enforcement, except in instances of Driving Under the Influence or Reckless Driving. If circumstances permit, officers are encouraged to contact the appropriate law enforcement agency having jurisdiction in order that officers of said jurisdiction may effect the initial traffic stop.
4. Notification of Action/Incident Reporting:
  - A. All sworn officers shall immediately notify the on-duty Department patrol supervisor of any extra-jurisdictional action taken.
  - B. When such extra-jurisdictional action is taken by an off-duty officer, said officer shall be considered on-duty and subject to all Department policies and procedures.

- C. Nothing herein contained shall be construed to authorize police action outside the jurisdictional boundaries of Broward County, with the exception of "hot pursuit" in accordance with applicable Florida State Statutes and Department policies.
- D. In the event of a declared emergency/disaster, the Chief of Police or designee may engage in mutual aid agreements with agencies outside of Broward County, at which time, sworn officers of the Department may be vested with police authority for the affected jurisdiction.
- E. In all cases a Davie Police Department case number shall be obtained and a detailed offense/incident report shall be submitted by the completion of the shift in which the incident occurred. In cases of extra-jurisdictional enforcement a copy of the report shall be forwarded to the appropriate jurisdiction as soon as possible by the reporting officer.
- F. The Chief of Police reserves the right to make further restrictions or limitations to this policy as deemed appropriate.

#### **402.5 PARTICIPATING JURISDICTIONS**

- A. Jurisdictions which have contractual agreements with the Broward Sheriff's Office, as well as, the unincorporated areas of Broward County are a part of these Mutual Aid Agreements.
- B. Below is a list of the governmental entities participating in which sworn officers have authority under the Mutual Aid Agreement:

- |                       |                           |                     |
|-----------------------|---------------------------|---------------------|
| 1. Coconut Creek      | 10. Lauderdale By-the-Sea | 19. Pembroke Pines  |
| 2. Cooper City        | 11. Lauderdale Lakes      | 20. Plantation      |
| 3. Coral Springs      | 12. Lauderhill            | 21. Pompano Beach   |
| 4. Dania              | 13. Lighthouse Point      | 22. Sea Ranch Lakes |
| 5. Deerfield Beach    | 14. Margate               | 23. Sunrise         |
| 6. Fort Lauderdale    | 15. North Lauderdale      | 24. Tamarac         |
| 7. Hallandale         | 16. Miramar               | 25. Wilton Manors   |
| 8. Hillsborough Beach | 17. Oakland Park          | 26. Broward County  |
| 9. Hollywood          | 18. Parkland              |                     |

- C. Refer to attached appendices: Law Enforcement Mutual Aid Agreement For Voluntary Cooperation and Operational Assistance; and, the Amendment To Law Enforcement Mutual Aid Agreement For Voluntary Cooperation and Operational Assistance.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>MUTUAL AID</b>	GENERAL ORDER NO. <b>402</b>
RESCINDS: G.O 402 issued 09/26/2003	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 402.1 PURPOSE

The purpose of this General Order is to establish policy and guidelines for instituting and maintaining effective channels of communication between the Davie Police Department, other Police Agencies, and Social Service agencies. It will also establish responsibilities for Agencies that have concurrent jurisdiction with the Town of Davie.

### 402.2 POLICY

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  - A. All sworn law enforcement personnel of the Davie Police Department shall be authorized to take police action, outside the Town of Davie, but within the jurisdictional boundaries of Broward County when a crime is being committed, or there exists a clear and present physical danger to life or bodily harm.
  - B. Prior approval and notice to the appropriate law enforcement jurisdiction need not be obtained in order to engage in law enforcement activity based on exigent circumstances where an activity begins within the jurisdictional limits of the Town of Davie and crosses jurisdictional boundaries. However notice shall be provided, as soon as practical, to the appropriate law enforcement jurisdiction subsequent to the emergency action being taken.
  - C. Whenever a sworn officer observes a crime occurring in a participating jurisdiction, the officer may physically arrest the perpetrator and preserve the crime scene. If an arrest is made outside the jurisdictional boundary of the Town of Davie, the officer shall detain the arrestee and contact the appropriate law enforcement jurisdiction for assistance. The arrestee and the crime scene, if any, will be turned over to the appropriate jurisdiction as soon as practical.
  - D. Sworn officers from both jurisdictions shall cosign the probable cause affidavit and the Department member will complete and submit all required reports immediately through their chain of command.
2. Non-Emergency Circumstances:
  - A. An officer making an arrest outside the jurisdictional boundary of the Town of Davie of a non-emergency nature shall contact the appropriate jurisdiction as soon as possible.
  - B. The extra-jurisdictional actions of a sworn officer shall be limited to the investigation of criminal acts which have emanated from the Town of Davie. The sworn officer shall contact the appropriate law enforcement agency having jurisdiction to assist in all situations of a non-emergency nature.
3. Prohibited Enforcement:
  - A. **At no time** shall an officer engage in extra-jurisdictional traffic enforcement, except in instances of Driving Under the Influence or Reckless Driving. If circumstances permit, officers are encouraged to contact the appropriate law enforcement agency having jurisdiction in order that officers of said jurisdiction may effect the initial traffic stop.
4. Notification of Action/Incident Reporting:
  - A. All sworn officers shall immediately notify the on-duty Department patrol supervisor of any extra-jurisdictional action taken.
  - B. When such extra-jurisdictional action is taken by an off-duty officer, said officer shall be considered on-duty and subject to all Department policies and procedures.

- C. Nothing herein contained shall be construed to authorize police action outside the jurisdictional boundaries of Broward County, with the exception of "hot pursuit" in accordance with applicable Florida State Statutes and Department policies.
- D. In the event of a declared emergency/disaster, the Chief of Police or designee may engage in mutual aid agreements with agencies outside of Broward County, at which time, sworn officers of the Department may be vested with police authority for the affected jurisdiction.
- E. In all cases a Davie Police Department case number shall be obtained and a detailed offense/incident report shall be submitted by the completion of the shift in which the incident occurred. In cases of extra-jurisdictional enforcement a copy of the report shall be forwarded to the appropriate jurisdiction as soon as possible by the reporting officer.
- F. The Chief of Police reserves the right to make further restrictions or limitations to this policy as deemed appropriate.

#### **402.5 PARTICIPATING JURISDICTIONS**

- A. Jurisdictions which have contractual agreements with the Broward Sheriff's Office, as well as, the unincorporated areas of Broward County are a part of these Mutual Aid Agreements.
- B. Below is a list of the governmental entities participating in which sworn officers have authority under the Mutual Aid Agreement:

- |                       |                           |                     |
|-----------------------|---------------------------|---------------------|
| 1. Coconut Creek      | 10. Lauderdale By-the-Sea | 19. Pembroke Pines  |
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| 4. Dania              | 13. Lighthouse Point      | 22. Sea Ranch Lakes |
| 5. Deerfield Beach    | 14. Margate               | 23. Sunrise         |
| 6. Fort Lauderdale    | 15. North Lauderdale      | 24. Tamarac         |
| 7. Hallandale         | 16. Miramar               | 25. Wilton Manors   |
| 8. Hillsborough Beach | 17. Oakland Park          | 26. Broward County  |
| 9. Hollywood          | 18. Parkland              |                     |

- C. Refer to attached appendices: Law Enforcement Mutual Aid Agreement For Voluntary Cooperation and Operational Assistance; and, the Amendment To Law Enforcement Mutual Aid Agreement For Voluntary Cooperation and Operational Assistance.

**DAVIE POLICE DEPARTMENT  
GENERAL ORDER**

SUBJECT: <b>FIREARMS</b>	GENERAL ORDER NO. <b>405</b>
RESCINDS:    G.O. 405 issued 11/29/2006	ISSUE DATE:  02/26/2008
AUTHORIZING SIGNATURE:  Chief Patrick Lynn	EFFECTIVE DATE: 03/26/2008

**405.1 PURPOSE**

The purpose of this policy and procedure is to identify the approved firearms and ammunition for sworn members and establish guidelines for the use and proper training in these weapons. The creation of standards and safeguards designed to enhance the performance of the sworn member in the protection of life is of paramount concern.

**405.2 POLICY**

Authorized Sworn Members of the Department will carry on or off-duty only those firearms and ammunition specifically authorized and approved by the Department for use in the performance of their duties. The Department shall identify a Range Master who is responsible for establishing control over all firearms safety, maintenance, testing, and evaluation, as well as the selection of authorized firearms, weapons, holsters, accessories, and ammunition carried in the performance of a member's duties.

**405.3 DEFINITIONS**

Authorized Members – Includes full-time and reserve certified police officers who have taken an official Oath of Office administered by the Chief of Police or his designee and as such are authorized to carry a Department approved firearm in the performance of their duties.

Authorized Firearms and Ammunition – Includes all classifications of firearms and ammunition specifically sanctioned by the Range Master and the Chief of Police for use by Authorized Members of the Department.

Approved Firearms and Ammunition – Refers to authorized firearms and ammunition that have been expressly allowed to be carried by members of the Department upon written request and consideration given to the member's assignment by the Range Master and Chief of Police.

Department Armorer – Refers to a certified officer who holds a valid certification on the repair and maintenance of Authorized weapons and is approved by the Range Master and Chief of Police.

Firearms Instructor – Refers to a certified officer who has successfully completed both Instructor Techniques School and Firearms Instructor School and is approved by the Range Master and Chief of Police to conduct in-service range training.



Range Master – Refers to a certified officer who has successfully completed the requirements to be a Firearms Instructor and Department Armorer. This position is appointed by the Chief of Police or designee.

#### 405.4 AUTHORIZED FIREARMS AND AMMUNITION

A. General:

1. Non-sworn Department members are **prohibited** from carrying weapons or firearms, either openly or concealed, while in the performance of their duties or in city owned vehicles.
2. Police officer cadets in training are not authorized to carry any firearm other than for use at the Police Academy training facility.
3. Although nothing herein sections 405.4 A(1) or A(2) is intended to interfere with a member's right as a citizen to bear arms for self defense or to prohibit them from carrying a concealed weapon or firearm lawfully, while off-duty, out-of-uniform, and when not acting under the color of authority of the Davie Police Department.
4. Authorized Sworn Members shall have approval to carry firearms while on and off-duty after the following criteria have been met:
  - a. The member has qualified with the firearm as part of basic police recruit training, meeting the minimum qualification standards set forth in the State Qualification Course and reached the status of being a sworn officer.
  - b. The member has received copies of and has been instructed in all Department policies concerning the Use of Lethal Force and Response to Lethal Force.
5. Authorized Members, both on and off-duty, shall carry only the firearms and ammunition specifically approved by the Department for use in the performance of their duties.

B. Duties and Responsibilities of Range Master:

1. The Range Master shall ensure that all firearms and less lethal shotguns are reviewed, inspected, and approved by a qualified weapons instructor or armorer prior to being carried.
2. Conduct an inspection of all firearms and less lethal shotguns on an annual basis. All firearms or weapons found to be unsafe shall be removed from service, repaired or replaced.
3. An authorized Department Armorer shall perform all repairs, modifications, and alterations to Department issued firearms.
4. A spare firearm shall be issued to any Authorized Member while repair or adjustments are being made to their Primary Handgun.

5. The Range Master shall maintain a record on each firearm and less lethal shotgun approved by the Department for official use.
  6. The Range Master shall maintain a current list of all firearms, weapons and ammunition authorized by the Department.
- C. Authorized Firearms:
1. Primary Handgun:
    - a. The authorized firearm which shall be *issued* by the Department to all authorized sworn members as their Primary Handgun is the **Sig Sauer P220 .45 Caliber**. This shall include sworn members from uniform and non-uniform assignments.
    - b. In every instance, while on-duty in uniform assignment, the approved Primary Handgun will be carried and secured in the Department approved holster on the member's duty belt and readily available for use. [Except as provided under Firearms Storage 405.6(B) for purposes of entering booking facilities or other restricted areas.]
    - c. Members assigned to non-uniform assignments may be approved to *carry* a firearm other than the **Sig Sauer P220 .45 Caliber** as their Primary Handgun with the express approval of the Range Master.
    - d. Ammunition used for primary handguns shall be approved and issued by the Range Master.
  2. Secondary Handgun:
    - a. A Secondary Handgun is defined as an approved back-up handgun to be carried while on or off-duty under the following guidelines:
      - (1) Authorized members may carry an approved Secondary Handgun in conjunction with the member's Primary Handgun. No more than two handguns will be worn on the member's person at any one time.
      - (2) In every instance where an approved Secondary Handgun is carried, the firearm shall be secured in a Department approved holster. [Except as provided under Firearms Storage 405.6(B) for purposes of entering booking facilities or other restricted areas.]
      - (3) Any secondary handguns will be concealed from plain view and secured in a holster that is approved by the Range Master.
      - (4) Secondary Handguns may be approved and utilized as Off-Duty Firearms.
    - b. Approval for carrying a Secondary Handgun will be granted in accordance with the following procedures:
      - (1) A written request will be submitted in memorandum form through the member's chain-of-command to the Range Master and shall include the following information: the make; model; caliber; serial number; and how the handgun will be carried and secured.

- (2) Costs of the secondary handgun and holster shall be borne by the member.
  - (3) Ammunition used for secondary handguns shall be approved and issued by the Range Master.
  - (4) Members must qualify with the Secondary handgun in accordance with Department standards.
  - (5) Whenever any member disposes of any firearm that has been approved for police purposes, the Range Master shall be notified so that the firearm may be deleted from Department records.
  - (6) The Range Master shall not approve the use of a handgun with less than a minimum caliber of .380, except for those members assigned to an undercover capacity or for purposes of an Off-Duty Firearm.
3. Off-Duty Firearms:
- a. Authorized Members of the Department can carry their primary handgun, secondary handgun, or any other handgun approved by the Range Master as an Off-Duty Firearm in a concealed manner within the State of Florida pursuant to F.S.S. 790.
  - b. F.S.S. 790.52 provides that law enforcement officers shall have the right to carry concealed firearms during off-duty hours at the discretion of their superior officers, and may perform those law enforcement functions that they normally perform during duty hours, utilizing their weapons in a manner which is reasonably expected of on-duty officers in similar situations.
  - c. The Chief of Police allows an Authorized Member to make his or her own personal decision on whether or not to carry a firearm off-duty **unless** the member is:
    - (1) Driving a city vehicle (owned or lease). The Authorized Member is required to carry an approved handgun in accordance with the Department policy on Use of Police Vehicles.
    - (2) Under suspension. The member is **not** allowed to carry any Department approved firearms during off-duty hours.
    - (3) On Light or Limited Duty. Members on Light or Limited Duty shall be governed in accordance with the Department policy on Light Duty Assignment.
    - (4) Authorized sworn members however are encouraged to be armed within and around the boundaries of the jurisdiction of the Town of Davie as they may be recognized as a law enforcement officer or may be compelled to take official action deemed necessary to protect life or property.

4. Pistol Caliber Carbines and Patrol Rifles:
- a. The Department will issue a limited number of pistol caliber carbines and patrol rifles to sworn officers. The pistol caliber carbine and patrol rifle will offer an alternative weapon in situations that may call for greater distance to a target with more precise shot placement than would otherwise be realized by an officer's sidearm.
  - b. Use of the pistol caliber carbine or patrol rifle is intended to increase an officer's effectiveness while reducing the risk of injury to the officer and innocent parties. The pistol caliber carbine or patrol rifle is authorized for use in situations where the potential for the use of deadly force exists. Deployment of the pistol caliber carbine or patrol rifle is authorized for known high risk calls but not for unknown risk calls unless there is information to suggest it may be needed.
  - c. Officers other than SRT members may use a Ruger Police Carbine in 9mm or an AR-15 type rifle in 9mm or 5.56mm. Officers may only use ammunition that has been issued by the Department.
  - d. Approval for carrying a pistol caliber carbine or patrol rifle will be granted only after an authorized sworn member has been trained and has qualified with the weapon as determined by the certified Firearms Instructor. The Training Unit will disseminate a current list of authorized members.
  - e. Personally owned patrol rifles may be carried under the following conditions:
    1. The firearm must be approved by the range master.
    2. The officer must attend training and qualify.
    3. Only department issued ammunition may be used.
    4. The firearm will be repaired under the terms of the Collective Bargaining Agreement.
  - f. Storage: Safety and security are prime concerns when a pistol caliber carbine or patrol rifle is to be stored. While on duty the pistol caliber carbine or patrol rifle will be stored and secured as follows:
    1. The firearm shall be encased and stored within the police vehicle's trunk.
    2. The magazine will not be inserted into the weapon's magazine receiver.
    3. The firearm's chamber will be empty.
    4. The firearm's bolt will be in the forward position and the safety on.
  - g. Issuance:
    1. Pistol Caliber Carbine: Members who are authorized to carry a Pistol Caliber Carbine may be issued one by the Training Unit.
    2. Patrol Rifle: Members who are authorized to carry a Patrol Rifle may be issued one by their supervisor at the beginning of the shift. The rifle will be returned to a patrol supervisor at the end of the shift.

5. Specialized Weapons:
  - a. The Department shall approve the use of Specialized Weapons for authorized members of the Special Response Team. The Range Master in coordination with the Special Response Team Commander shall maintain a list of firearms, weapons, and ammunition approved for use by Authorized Team Members only.
  - b. Authorized Members of the Special Response Team shall demonstrate proficiency with their issued weapons on an annual basis in accordance with the requirements of 405.5 (A)(1) below.

## **405.5 FIREARMS PROFICIENCY & QUALIFICATION**

- A. Proficiency and Qualification:
  1. Authorized Members shall be required to demonstrate proficiency on an annual basis with each Department issued or approved firearm, in the presence and control of an authorized firearms instructor. The objectives for Proficiency with each firearm shall be determined by the Firearms Instructors, coordinated through the Training Unit, in accordance with the established Range Programs and Firearms training curriculum.
  2. Authorized Members shall be required to pass the State Qualification Course at least once every two years.
- B. Proficiency or Qualification Failure:
  1. Members who fail to demonstrate proficiency or meet minimum qualification standards set forth in the State Qualification Course shall be given direct attention by the Firearms Instructors. The member shall receive direct instruction and be provided the opportunity to demonstrate proficiency or to qualify on a second and, if necessary, a third attempt during the Firearms training session.
  2. If the member fails to demonstrate proficiency or qualify with their Primary Handgun by the end of a Range training session, the Range Master, the Training Unit Supervisor, and the member's Division Commander shall be notified. The following procedures shall then be followed:
    - a. The Primary Handgun shall be surrendered to the Firearms Instructor or Range Master.
    - b. The member shall be re-assigned to a Limited-Duty status, performing non-enforcement duties and not requiring the use of a firearm.
    - c. The member shall be prohibited from driving a marked police vehicle.
    - d. The member shall be prohibited from working off-duty assignments.
    - e. The member shall be scheduled to attend remedial Firearms Training and must comply with all remedial training requirements set forth by the Training Unit.

- f. The member will be scheduled to attend a Firearms training session in which he or she shall demonstrate proficiency or pass the State Qualification Course as needed.
  - g. Members who fail to demonstrate proficiency or fail to meet the minimum standards on the State Qualification Course after remedial training has been provided may be subject to discipline up to and including termination.
3. If the Authorized Member fails to demonstrate proficiency or qualify with a Secondary Handgun or other Department issued or approved firearm or Specialized Weapon, the member shall not be approved to carry that firearm or specialized weapon until proficiency is demonstrated or qualification is achieved at a later scheduled Firearms training session.

## **405.6 FIREARMS SAFETY & STORAGE**

### **A. Firearms Safety:**

1. All firearms shall be maintained in good working order and cleaned as often as necessary to ensure proper operation. Firearms shall be cleaned at the direction of the Firearms Instructors after firing for training purposes.
2. All firearms and weapons issued to authorized members shall be maintained to factory specifications or standards approved by the Range Master. Any alterations or modifications to a Department issued firearm shall have the express approval by the Range Master.
3. Authorized members are responsible for general maintenance and care of their firearms. However, no member may dismantle their firearm beyond common field stripping for the purposes of routine cleaning.
4. Any firearm which is determined to be unsafe, malfunctioning, or in need of repair shall be removed from service and submitted to the Range Master.
5. Supervisors shall be responsible for the periodic visual inspections of firearms and ammunition of all authorized members under their supervision.
6. Firearms shall not be displayed in an unsafe manner or handled in an undisciplined manner that may cause public concern, and will remain holstered at all times except when needed in the performance of official duties; or for training, inspection, cleaning and repair purposes; or in order to comply with other Department rules and regulations.
7. Members shall not place the firearm into single action mode by manually pulling the hammer back other than for training purposes.
8. Department issued firearms shall not be used for anything other than law enforcement purposes.
9. Members shall not carry loaded carbines, patrol rifles, less lethal shotguns, or specialized S.R.T. firearms into the police building. The bolt or breach shall be secured in an opened position while in the police building.

10. Authorized members shall carry their police badge and Department issued identification card at all times while carrying an approved firearm.

B. Firearms Storage:

1. While inside the police building, any unattended firearms shall be stored in a locked desk, locked filing cabinet, secured locker or gun locker, or the Department Armory.
2. When transporting prisoners, members shall secure have all firearms secured in approved holsters during transit. No firearms or other weapons shall be left loose, unsecured, or accessible to prisoners. Upon arrival, all firearms, weapons, and ammunition shall be secured in a gun locker or the vehicle trunk prior to entering the booking facility at the Department, the Main Jail, or other restricted destination.
3. While inside a Department vehicle, any unattended firearm shall be stored in the vehicle's trunk, unless a Department issued locking or storage device has been installed in the passenger compartment.
4. Inside a private residence, storage of a Department approved firearm shall be maintained in accordance with F.S.S. 790.174.

C. Range Safety:

1. Members of this Department shall at all times adhere to the Safety Rules and Administrative Regulations set forth by the independent Range Facility being utilized by this Agency for firearms training. If any conflict arises between the Range Facility and the procedures outlined in this policy, the Range Facility's procedures shall prevail.
2. The Range Master and other Firearms Instructors, under the auspices of the Training Unit, shall maintain complete control over the Range functions and procedures. Members shall comply with all instructions and directions given by the Firearm Instructors.
3. Firearms Instructors have complete authority over the members while in a training capacity. Firearms Instructors have the authority to pre-empt or cancel training whenever unsafe conditions exist; or if a member acts in an unsafe or undisciplined manner or performs any action that demonstrates the member's unwillingness or inability to perform the training drills.
4. With respect to student-instructor ratios, The Department shall conduct Firearms Training in adherence with the recommendations set forth by the Criminal Justice Standards & Training Commission.
5. Specific Safety Rules:
  - a. Members shall treat firearms as if they are loaded.
  - b. Keep fingers outside the trigger guard until a decision to fire has been made.
  - c. Point the muzzle in a safe direction at all times.
  - d. Be sure of the target and what is behind it.
  - e. Members are required to wear Department issued ear muff protection and wrap around style eye protection while firing on the line. This applies to shooters and observers.

- f. Never accept anyone's word that a firearm is unloaded.
  - g. Loading and unloading shall be performed on the firing line only and on the command of the Firearms Instructor.
  - h. No tobacco products usage is authorized while on the firing line.
  - i. Always ensure that the firearm is unloaded prior to cleaning.
6. Involuntary Muscle Reflex - Members are made aware of an involuntary muscle contraction of the finger and hand which may occur if the shooter is startled, loses his or her balance, or exerts gripping pressure in the opposite hand. This reflex may cause unintentional discharge if the finger is not kept well above the trigger guard against the frame or under the trigger guard.
- D. Institutional and Government Restrictions:
1. Members must comply with firearm restrictions imposed by Law or Regulations in certain Courts, Federal Installations, Correctional Institutions, Medical Facilities, and other privately owned facilities.
  2. If a firearms restriction exists, firearms shall be secured by the member and not entrusted to a civilian. Firearms shall be placed in a secured locker, vehicle trunk, or in the temporary custody of law enforcement or correctional personnel.
  3. Members faced with a conflict between their official duties and institutional regulations shall comply with the institutional regulation or law. If a member believes an unsafe situation would be created, instructions will be sought from a supervisor.

#### **405.7 FIREARMS INSPECTION**

- A. Firearms shall be visually inspected by supervisors on a quarterly basis to ensure that members possess firearms and ammunition that are consistent with this policy and that such weapons are clean and in serviceable condition.
- B. Supervisors shall routinely inspect the pistol caliber carbines or patrol rifles carried by their subordinates to ensure proper storage while on-duty.
- C. Firearms Instructors shall inspect all firearms and verify serial numbers prior to each firearms training session.
- D. Upon a command for inspection, authorized members shall safely present their weapons in accordance with the following steps:
  1. At the Police Department, the Firearm Clearing Stations shall be utilized in accordance with instructions provided at each area.
  2. At the Range, while Training in the field, or at some other off-site location, inspections shall be accomplished as follows:
    - a. While the firearm remains holstered, the magazine shall be removed;
    - b. The handgun will then be un-holstered and pointed downward in a safe direction; the slide will then be pulled back until the locking mechanism is engaged which will eject the chambered round;



- c. The weapon is now unloaded and shall be presented at port arms with the muzzle of the gun raised. The gun should be cradled in the palm of the hand with all fingers extended. At no time will the member place his or her finger inside the trigger guard during inspection.
- d. Once the inspection is complete, the member may reload the firearm by first releasing the slide; depressing the decocking lever and setting the weapon back to double-action; re-holstering the handgun and then re-inserting the magazine;
- e. Un-holstering the handgun and chambering a round by pulling the slide back and releasing it in rapid motion; then depressing the decocking lever and setting the weapon back to double-action; re-holstering and removing the magazine to be loaded to full capacity; the magazine is then re-inserted and the weapon is fully loaded.

#### **405.8 TRAINING**

- A. The Training Unit shall be responsible for the procurement of all firearms and ammunition needed to equip newly hired police officers or cadets in training, in coordination with the Department Quartermaster.
- B. The Training Unit shall develop appropriate annual in-service and refresher firearms training and Range Programs which serve to satisfy the requirements set forth in this policy regarding Proficiency and Qualification with firearms.
- C. As a component of Orientation Training and annual in-service training of sworn officers, the Training Unit shall include instruction with regard to Department policies which relate to Firearms, Use of Force, Response to Use of Lethal Force, Expandable Baton, Specialty Impact Munitions and Use of Chemical Agent.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>USE OF FORCE</b>	GENERAL ORDER NO. <b>407</b>
RESCINDS: G.O. 407 issued 11/29/2006	ISSUE DATE: 03/20/2008
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 04/20/2008

### 407.1 PURPOSE

During the course of duty, sworn officers may have to use various levels of force against subjects. This policy is intended to provide guidance in the use of force to include situations that may justify the use of lethal force.

### 407.2 POLICY

The Davie Police Department emphasizes the value of human life as an overriding principle by which our law enforcement actions are governed. Sworn officers are legally vested with the formidable responsibility to protect life and property and apprehend criminal violators. While carrying out their official responsibilities, officers [both on and off-duty] may have to use varying degrees of force [both lethal and non-lethal]. It is the policy of the Davie Police Department that officers shall use only the level of force that is necessary to gain control and compliance while protecting their own safety and the safety of others. Florida State Statute, Chapter 776, generally governs and directs policy and procedure relating to use of force. All Department officers shall become familiar with, and abide by, the provisions of F.S.S. Ch. 776. Moreover, it is the intention of the Davie Police Department, as a matter of internal administrative procedure and policy, to direct its officers to abide by more restrictive guidelines than those provided in F.S.S. Ch. 776, as contained herein.

### 407.3 DEFINITIONS

Excessive Force – A level of force that a reasonable and prudent officer would believe to be greater than that necessary to overcome resistance in a similar incident under similar circumstances.

Lethal Force – A level of force that can be expected to cause death or serious injury, or that causes a substantial degree of risk that a reasonable and prudent officer would consider likely to cause death or serious injury.

Non-lethal Force – A level of force that is not expected to cause death or serious injury, or that creates a degree of risk that a reasonable and prudent officer would not consider likely to cause death or serious injury.

Serious Injury – A physical injury that creates a substantial risk of death, causes potentially permanent disfigurement, or results in long term loss or impairment.

Reasonable Belief – A state of mind supported by circumstances that would lead a prudent and cautious officer to reach a similar judgment. Elements of reasonable belief include the officer's experience level, training, and the factual circumstances known to the officer at the time lethal force is used.

Resistance Levels – To clarify policy guidelines, six Resistance Levels describing circumstances that may be encountered are provided in a matrix form (Addendum 1) and defined as follows:

1. Presence – A subject is physically present at the scene and suspicious activity of some nature is, or has been, taking place, or is about to take place.
2. Verbal Resistance – A subject verbally refuses to comply with the officer's directives or attempts to control the given incident. The subject may threaten the officer with further resistance, or may not respond to the officer.
3. Passive Physical Resistance – A subject makes no effort to defeat the officer's physical contact, and may resist in the form of a relaxed or dead-weight posture.
4. Active Physical Resistance – A subject makes physical, evasive movements to defeat an officer's attempt at control. Such evasive movements may take the form of bracing or tensing, locking limbs, pushing or pulling away, or not allowing the officer to get close.
5. Aggressive Physical Resistance – A subject makes overt, hostile, attacking movements, with or without a weapon, with an apparent ability that is reasonably believed not to be life threatening, or to cause serious injury to the officer or others.
6. Aggravated Physical Resistance – A subject makes overt, hostile, attacking, movements, with or without a weapon, with an apparent ability that is reasonably believed to be life threatening, or to cause serious injury to the officer or others.

Response to Resistance Levels – To clarify policy guidelines, six general Response Levels are provided in a Use of Force/Levels of Resistance Matrix (Addendum 1) that indicate possible reaction alternatives to corresponding levels of resistance and are described as follows:

1. Presence – The officer is physically present at the incident and establishes his or her authority and attempts to control by their command presence, body posture, voice or other identification, in order to make the subject aware that they are dealing with an official law enforcement officer.
2. Verbal Control – Verbal control consists of Dialogue, Verbal Direction, and Touch.
  - a. Dialogue – A two-way, controlled, unemotional communication between the officer and subject. The purpose is to identify the problem and attempt to resolve it.
  - b. Touch – An officer places their hand upon a subject in an assisting manner while directing the subject, or uses a firmer grasp prior to escalation to a higher level of resistance.
  - c. Verbal Direction – The officer orders, or tells the subject to refrain from a specific action.

3. Physical Control – The officer finds it necessary to impede subject movements, or to otherwise gain control over the subject and the incident.
  - a. Restraint Devices – Mechanical tools used to restrict a subject's movements and to assist searching. Examples are handcuffs, flex cuffs, leg shackles, belly chains, straps, etc.
  - b. Chemical Agents – The application of a chemical defense spray directed toward the subject's face.
  - c. Transporters – Techniques used to control and more easily move a subject from one point to another. These techniques are commonly called "come along" holds.
  - d. Take Downs – Controlled techniques that redirect a subject to the ground in order to defeat physical resistance and to assist the officer in applying restraint devices.
  - e. Pain Compliance – Techniques that force a subject to comply as a result of the officer applying controlled pain to specific points on the subject, commonly known as pressure points.
  - f. Counter Moves – Techniques involving blocking, striking, kicking, redirecting, and parrying, followed by appropriate controlling techniques.
4. Intermediate Weapons – Techniques that deploy impact weapons that are intended to control a subject while minimizing the risk of serious injury. These include the baton and electronic control device.
5. Incapacitation – Techniques that are intended to temporarily stun or render the subject unconscious or unable to adequately reorient toward additional aggression. This would include the use of specialty impact munitions.
6. Lethal Force – Techniques that are expected to cause death or serious injury. This would include the use of a firearm or edged weapon. Lethal force does not include the discharge of a weapon which is loaded with less-lethal munitions and deployed by a trained user.

#### **407.4 PROCEDURES**

- A. A sworn officer is justified in the use of lethal force when he or she reasonably believes that such force is necessary to prevent IMMEDIATE death or serious injury to themselves or others. The discretion of the officer in lethal force incidents will be governed by the relevant facts and circumstances known to the officer at the time the incident occurs.
- B. An officer may use lethal force to effect the capture or prevent the escape of a subject when the officer reasonably believes that the subject has committed a felony involving the use, or threatened use, of lethal force, AND the officer has probable cause to believe that the subject poses an immediate threat of death or serious injury to the officer or others.
- C. Lethal force against an animal is justified in self-defense, in defense of others, or as a humane measure to alleviate an injured animal from further suffering.

- D. Department policy prohibits the use of lethal force as follows:
1. Against unarmed, fleeing felons.
  2. Against fleeing misdemeanants and traffic offenders.
  3. Under circumstances that do not provide a high probability of striking the intended target.
  4. Under circumstances when there is substantial risk to the safety of innocent persons or other law enforcement/public safety personnel.
  5. Firing at, or from within, a moving vehicle is prohibited, unless:
    - a. Officers are being fired upon, OR
    - b. Subjects are firing upon others, OR
    - c. Subjects are operating their vehicle in a manner reasonably believed to be the intent of causing immediate death or serious injury to the officer, or others, AND,
    - d. There exists a significant chance that the officer shall strike the intended target with reasonable belief that innocent persons will not be harmed by either the round(s) discharged nor the possible directional path of what may become a driverless vehicle.
  6. The discharge of a firearm for purposes of warning is not authorized.
- E. The Use of Force/Levels of Resistance Matrix (Addendum 1) serves as a guideline in the application of force in given circumstances. As a matter of practical procedure, officers are not required to use a sequential pattern of force options as outlined on the Matrix. For example, an officer who is being fired on by a subject, might appropriately respond by immediately returning fire; it would be inappropriate for the officer to believe that he is required to first use pepper spray or baton against the subject.
- F. When a subject is injured, or has died, Fire Rescue will be immediately notified and requested to respond to the scene. Officers may provide first aid until the arrival of Fire Rescue, but an officer shall not attempt to exceed their level of training in the rendering of medical assistance.

## **407.5 TRAINING**

- A. All sworn officers of the Davie Police Department will receive annual training regarding this General Order and the use of force. Training will also consist of a review of this General Order at the time an officer undergoes firearms requalification, firearms simulator training, defensive tactics instruction, and annual in-service use of force training in accordance with the provisions outlined in G.O. 200, Training. Documentation of training will be forwarded to the Training Unit in accordance with procedures established by the Professional Standards Unit.
- B. All newly sworn officers will receive a copy of this policy and be instructed on its contents before being authorized to carry a firearm.

## 407.6 REPORTING

- A. The on-duty patrol supervisor will immediately respond to any scene where a firearm was discharged, accidentally or intentionally, and obtain a preliminary account of the incident and the actions by involved Department members.
- B. Further procedures and proper actions of responding supervisors and other Department personnel or units are governed by G.O. 408, Response to Use of Lethal Force.
- C. A written Offense/Incident Report is required to be submitted, along with a completed Control of Persons report, whenever a Department member:
  - 1. Discharges a firearm (for other than training or recreational purposes);
  - 2. Takes an action that results in, or is alleged to have resulted in, injury or death of another person;
  - 3. Applies force through the use of an Electronic Control Device;
  - 4. Applies force through the use of lethal or less-lethal weapons; or
  - 5. Applies use of force at a level of Physical Control (3) or higher (not to include the use of Restraint Devices) as defined by the Use of Force/Levels of Resistance Matrix and this policy.
- D. Submission of the reports will be timely and submitted as near to the conclusion of the event as practical, but no later than forty-eight (48) hours after the incident, unless otherwise specified by policy. A copy of the Offense/Incident Report and the original Control of Persons report will be forwarded through the officer's chain of command to the Chief of Police.
- E. Officers at the scene of an incident may be required to write supplemental reports as directed by their supervisor, investigative personnel, or at the direction of the Chief of Police.
- F. After review of all documents by the Chief of Police, the documents will be forwarded to the Professional Compliance Unit which will maintain a file of all Control of Persons reports. PCU personnel or other designated person by the Chief of Police will review all use of force incidents annually to determine patterns and trends, training needs, and/or necessary policy revisions. This report will include a review of all types of less-lethal weapons to determine if they continue to meet the needs of the Department.
- G. Retention and purging of Control of Persons reports will be regulated by Florida Public Records Law.

## 407.7 DISCLAIMER

- A. General Order 407 is for the Davie Police Department use only, and should not be construed as creating a higher legal standard of safety or care in an evidential sense with respect to third party claims. Violations of this policy will only form the basis for Davie Police Department internal sanctions. Violations of law may form the basis for civil or criminal actions in a recognized judicial forum.
- B. Note: Actions that do not meet the spirit of this policy will neither be condoned nor tolerated merely because the acts were lawful. For example, if an officer deliberately steps into the path of a vehicle in order to create a situation where they may be justified in using deadly force would be inappropriate action.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>RESPONSE TO USE OF LETHAL FORCE</b>	GENERAL ORDER NO. <b>408</b>
RESCINDS: G.O. 202 issued 01/21/2005	ISSUE DATE: 03/21/2005
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 408.1 PURPOSE

The purpose of this policy is to provide guidelines that shall be uniformly applied following an officer involved incident that has resulted in death or serious bodily injury. This policy is applicable to any incident wherein a Department member causes the death, or serious bodily injury to another, either by firearm, or by some other means.

### 408.2 POLICY

It is the policy of the Davie Police Department that each use of force incident that results in death or serious bodily injury will be thoroughly and objectively investigated, that the Department member's and citizen's rights are protected, and that the emotional well being of the involved members and their families is protected.

### 408.3 GENERAL PROVISIONS

- A. A psychological debriefing will be mandatory for any member of the Department who:
  - 1. causes serious injury or kills a person as a result of using lethal force,
  - 2. is seriously injured as a result of lethal force used against him,
  - 3. is referred to psychological services by a supervisor following a lethal force incident.
- B. A psychologist, or qualified mental health practitioner, will be made available for initial counseling services.
- C. The continuation of services after initial consultation(s) will fall under the Town's Employee Assistance Program.
- D. The effected member's Division Commander will ensure the proper notification and scheduling of aforementioned services.

- E. Any Department member who uses lethal force or whose actions result in death or serious bodily injury against a subject will be excused from duty with pay for the remainder of their shift, and for the next scheduled work day. The excused absence may be extended by the Chief of Police to include additional work days after a preliminary administrative review has been conducted. It is the intention of the Department to return the officer to duty as quickly as possible if it is in the best interest of the member as determined by psychological services, and the Chief of Police.
- F. Any Department member shall have the right to have legal representation, and/or police union representation, prior to writing any official report, and while providing any formal taped statement, that may be required.
- G. An officer who has submitted his firearm for investigation will receive a temporary replacement firearm. The officer's Division Commander, or his designee, will make said arrangements through the Department of Internal Affairs Unit.
- H. Any post incident information that is provided to the media will be done through the Public Information Officer, or the Chief of Police. Prior to the dissemination of information, investigations personnel will be consulted. Information that is released should be of a nature that will not impede or compromise the investigation in any way, and will comply with current Florida Statute governing disclosure.

#### **408.4 PROCEDURES**

##### **A. THE INVOLVED MEMBER'S RESPONSIBILITIES:**

1. Will immediately notify the on-duty shift supervisor.
2. Will request Emergency Medical Services for any injury, or complaint of injury, and will provide first aid within the scope of his training until the arrival of EMS.
3. Will remain at the scene unless injured, until the arrival of the supervisor.
4. Will protect items of evidentiary value, have witnesses remain at the scene.
5. Will keep custody of his weapon(s) until directed to give them to the criminal investigator. Weapons will not be tampered with or unloaded prior to surrendering them.
6. Will limit any discussion of the incident with anyone except the responding supervisor, and on-scene criminal investigator, who may be given a preliminary account of the incident relative to who sustained injuries, possible witnesses, perceived crime scene area boundaries, and items of possible evidentiary value. The involved member(s) are to understand that a more detailed query will be conducted at a later time under circumstances of a formal investigatory setting.

##### **B. ON-DUTY SHIFT SUPERVISOR RESPONSIBILITIES:**

1. Will immediately respond to the scene of the incident and assume the role of scene commander. He will maintain this role at the scene for the duration of the incident, or until directed by a ranking officer who may assume the scene responsibilities.



2. Will make the initial assessment of involved member(s) and determine the general circumstances surrounding the incident.
3. Will direct the Dispatch Unit to make immediate notification of Department personnel as follows: The Chief of Police; The involved member's immediate supervisor and Division Commander, Investigations Commander, Internal Affairs, Public Information Officer. A Police Chaplain may be contacted if requested by the officer. A union representative may be contacted upon the member's request. Circumstances may require notification of a traffic homicide investigator.
4. Will be responsible for preserving the integrity of the scene and will direct responding officers to set up perimeter security measures as applicable.
5. To ensure the scene is not disturbed more than absolutely necessary, the supervisor will establish a controlled point of entry at a perimeter location, and post an officer at that location. Only those personnel who have a specific task to perform should enter the scene. The posted officer will keep a log of any person entering and leaving the scene. The log will contain the name, agency, time in/time out, and purpose for entering the scene.
6. Will designate an area away from the scene perimeter where media personnel can assemble, and where the Public Information Officer can provide information.
7. Will direct that the involved member(s) be relocated from the scene as soon as practical and taken to a quiet location within police headquarters. Member(s) should not be positioned in the rear seat of a transporting vehicle.
8. Will assign a companion or support member to escort and stay with the involved officer. An officer assigned this responsibility will:
  - a. Assist the involved member in notifying his family, and ascertain if transportation is needed. If the member is incapacitated, family notification will be made by command or supervisory personnel. The notification will not be made by telephone, but by physical presence. If the family is out of the tri-county area, the law enforcement agency of that jurisdiction will be contacted and requested to make family notification.
  - b. Accompany any injured member(s) to the hospital, and remain with them until relieved.
  - c. Secure the injured officer's weapon and equipment for safe keeping until directed to release it to an investigator, or directed otherwise by the investigator.
9. If a suspect is transported to the hospital, a member other than the involved member will be assigned to remain with him at all times to record any spontaneous statements or dying declarations, receive and preserve the suspect's clothing as evidence, obtain and preserve blood/urine samples.
10. Will direct one of the shift officers to complete an initial Offense Incident Report. Supplement reports will be completed by officers handling evidence, or having or obtaining information relative to the incident.

C. CRIMINAL INVESTIGATIONS UNIT RESPONSIBILITES:

1. A death, or possible death, resulting from intentional law enforcement action must be investigated as a homicide since it has occurred at the hands of another.
2. The Investigations Division Commander will assign a homicide investigator, and an investigations supervisor to respond to the scene and commence a criminal investigation. Specialized units may be requested (eg. Medical Examiner, Crime Scene).
3. The Investigations Supervisor will assume responsibility within the crime scene area, and will coordinate and direct investigators to:
  - a. Ensure the scene is properly documented and photographed/ videotaped;
  - b. Ensure that evidence is properly collected and preserved;
  - c. Ensure Miranda admonishments and suspect interrogations are properly fulfilled;
  - d. Ensure full cooperation and coordination with Internal Affairs Investigators, and;
  - e. Will contact and coordinate the investigation with the State Attorney.
4. Criminal Investigators may find it necessary to question members at the scene in order to establish the general circumstances of the incident and provide an effective and reasonable investigatory direction. However, any involved members should not be questioned beyond basic information unless "Miranda Warnings" have been given and waived.
5. During the course of the investigation the investigators will provide information to the Chief of Police concerning case development and anticipated time lines. The Chief of Police may determine that it is in the best interest of Department morale and to minimize rumors and speculation, to keep Department members informed of certain developments within the constraints of Florida Statutes governing disclosure.
6. Upon completion of the criminal investigation, and completion of State Attorney review, a copy of the case file will be turned over to Internal Affairs for completion of an administrative investigation.

D. INTERNAL AFFAIRS UNIT RESPONSIBILITIES:

1. Internal Affairs will respond to the scene and begin an administrative investigation.
2. The IA investigators are responsible for monitoring the criminal investigation and completing an administrative case upon conclusion of the criminal case. Internal Affairs investigation may determine if a policy or procedure has been violated due to non-compliance. The IA investigation may also identify policy/procedure failure, training needs, equipment failure, and like issues.
3. Upon responding to the scene, the IA investigators will contact the criminal investigator to determine the involvement of Department members and the circumstances of the incident.

4. Pre-interview of involved members at the scene will be conducted by the criminal investigators. Internal Affairs investigators may be present, but will not directly participate.
5. Incidents occurring out of the Davie jurisdiction will be immediately reported to the on-duty supervisor. Investigation will be conducted by the jurisdiction where the incident occurred. Notifications as outlined in Section 408.4.3 will be directed by the on-duty supervisor who will immediately respond to the location. The Davie Police Internal Affairs Unit will respond to the location and begin an administrative investigation.

#### **408.5 ACCIDENTAL DISCHARGE OF FIREARM**

- A. The on-duty shift supervisor will respond to the scene and ascertain the general circumstances of the incident, identify witnesses, and secure or protect any items having value as evidence.
- B. Notification will be made to the Chief of Police, Internal Affairs Commander, and the officer's Division Commander.
- C. Unless directed otherwise by the Chief of Police, or his designee, an Internal Affairs Investigator will respond to the scene and begin an administrative investigation.
- D. An officer who accidentally discharges his weapon, when no injury or death has taken place is required to submit an Offense/Incident Report within twenty-four (24) hours of the incident. A copy will be sent to the Chief of Police.
- E. If injury to a person is sustained during an accidental discharge of a firearm, the notification and investigation process outlined in Section 408.4.3 of this policy will be followed.

#### **408.6 KILLING OR WOUNDING ANIMALS**

- A. In the instance of discharging a firearm to kill an animal excluding euthanasia, the on-duty supervisor will respond to the scene and investigate the incident.
- B. When a member of a specialized unit that has their supervisor on scene with them, (i.e. the Special Response Team, Special Investigations Unit), causes the killing of an animal, the supervisor of the specialized unit will investigate the incident.
- C. If the supervisor is the involved party, an on-duty supervisor of higher rank, or the next member in the involved supervisor's chain of command will investigate the incident.
- D. A copy of the completed Offense Incident Report will be forwarded to the Chief of Police, or his designee, who may authorize Internal Affairs to conduct an investigation.
- E. A brief memorandum that provides an incident overview will be forwarded to the Chief of Police within twenty-four hours.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>EXPANDABLE BATON</b>	GENERAL ORDER NO. <b>409</b>
RESCINDS: G.O. 409 issued 03/30/2005	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 409.1 PURPOSE

During the course of duty, sworn officers may be confronted with subjects who will resist arrest or be otherwise physically aggressive toward them or others. It is the intent of the Davie Police Department to allow for the safety of its officers and the public while affecting an arrest or confronting other potentially dangerous situations. Therefore, it may become necessary for a sworn member to deploy an impact weapon against subjects who are attempting to defeat arrest or are otherwise a danger to themselves, or members of the public. This policy sets forth the guidelines and limitations regarding the proper use of the expandable baton.

### 409.2 DEFINITIONS

Certified Instructor – An instructor who has been certified to teach the use of the expandable baton. Instructors will be certified by the manufacturer, through an approved instructor's course, or otherwise approved by the Florida Criminal Justice Standards and Training Commission.

Expandable Baton – An expandable/collapsible impact weapon approved and issued by the Davie Police Department for use by its sworn members.

Target Areas – Areas of the human body identified as proper locations in which to deliver a strike with the expandable baton.

### 409.3 POLICY

On occasion sworn members are confronted with situations in which the use of force must be exercised to effect an arrest or protect themselves and the public. All reasonable alternatives should be exhausted or considered ineffective under the given circumstances. A member of the Department may use a level of force that he reasonably believes necessary to defend himself or others from bodily harm and to accomplish lawful objectives. A highly definitive policy to cover all circumstances cannot be implemented. This policy is meant as a guide for members so that they have an understanding of the restrictions on the use of the expandable baton and their respective responsibilities upon its use. In order to enhance discretion capabilities concerning use of force, the Department will issue an expandable baton to its sworn members, and train those members in its proper use.

#### 409.4 PROCEDURE

- A. The Monadnock Auto Lock Expandable Baton Model No. MX-18 is authorized by the Department for use.
- B. It is mandatory that all sworn members who are in Department uniform carrying out official operational functions, (e.g. details), will carry the authorized expandable baton in the proper manner on their duty belt. Sworn members who are in uniform for purposes of ceremonial functions, (e.g. funeral service, honor guard), or are assigned to staff or administrative positions are not required to carry the baton. The Chief of Police may authorize Field Force Units, Special Response Teams, or units of like nature, to be equipped with a model of baton more suitable to their purpose.
- C. Sworn members need not desist in their efforts while making a lawful arrest when physical resistance is encountered. Members will use only that level of force necessary to effect an arrest or, to prevent escape, or to protect themselves and innocent persons. The amount of force an officer is authorized to use is based on the resistance encountered. The expandable baton will only be used to overcome resistance where lesser levels of force have been exhausted, are unavailable, or have been, or would be clearly ineffective. All personnel shall utilize the Use of Force/Levels of Resistance Matrix in accordance with the Department's current Use of Force policy G.O. 407. as the approved guideline when considering the use of the expandable baton.
- D. Sworn members who are trained and authorized to carry an expandable baton may use such weapon both on and off-duty in accordance with the Department's Use of Force Policy.
- E. The expandable baton shall be used in a manner consistent with the approved training, targeting only areas specifically sanctioned. A subject's head, face, neck, or genitals shall not be targeted unless the use of deadly force is justified.
- F. Medical treatment will be immediately provided to any subject injured as a result of the use of the expandable baton.

#### 409.5 REPORTING

- A. In addition to any required offense report, use of the expandable baton that results in injury, or complaint of injury, will require an officer to complete and submit a Control of Persons report. All components of the form are to be accurately and clearly completed.
- B. The Control of Persons report will be submitted through the chain of command to the Professional Compliance Unit. Submission of the report will be timely and as near to the conclusion of the incident as is practical, but no later than twenty-four hours after the officer's shift concludes.
- C. The Professional Compliance Unit shall keep a Control of Persons file and will annually review the contents to determine patterns and trends, training needs, and/or necessary policy revisions. During the month of January Professional Compliance will forward a Control of Persons report to the Chief of Police detailing its findings.

- D. Retention and purging of Control of Persons reports will be regulated by Florida Public Records Law.

#### **409.6 TRAINING**

- A. Prior to carrying and receiving authorization to use the expandable baton, a member will be required to successfully pass approved training.
- B. Training will be coordinated through the Office of Professional Standards. Documentation of training will be kept on file in the Training Unit.
- C. Training will be conducted by certified instructors who will follow an approved, legally defensible, and consistent course of instruction.
- D. Members will receive proficiency training on an annual basis through the Office of Professional Standards.
- E. Provisions for maintaining the expandable baton in good working order will be part of the training program. It will be the member's responsibility to adhere to these provisions.
- F. Supervisors will include the expandable baton as part of their periodic weapons inspections.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>SPECIALTY IMPACT WEAPONS</b>	GENERAL ORDER NO. <b>410</b>
RESCINDS: G.O. 410 issued 03/30/2005	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 410.1 PURPOSE

To make available to its sworn members a viable humane alternative to higher levels of force which may assist the member to reduce violent behavior, dispense unruly crowds, and to apprehend violent subjects, while reducing the potential for causing death or serious physical injury. However, nothing in this policy prohibits a member from deploying a higher level of force when such force is reasonably necessary and can be justified.

### 410.2 POLICY

The use of Impact Munitions is justified when deployed to accomplish the protection of life and property, and/or the restoration of order. They should be deployed whenever the use of less lethal options would assist in effecting arrest, restoring order, and/or reducing the risk of more serious injury. Examples of circumstances justifying their use include, but are not limited to: Restoration or maintenance of order during civil disturbance; safely controlling violent persons; controlling vicious animals; or situations wherein the authorizing member determines their use necessary in an attempt to reach a safe resolution.

### 410.3 DEFINITIONS

Bean Bag Round – A flexible fabric bag containing approximately forty grams of lead shot. The bag is contained within a two and one-half inch 12 gauge shotgun cartridge. It is designed to temporarily incapacitate, while minimizing the potential for causing serious injury or death.

Designated Shotguns – Department issued and approved 12 gauge shotguns that, for purposes of this policy, have been specifically dedicated to discharge a Bean Bag Round.

Foam Batons – Categorized as flexible. A cylindrically shaped impact projectile discharged from a 40mm cartridge. There are three foam batons discharged simultaneously per round.

Kinetic Energy – The energy force released by a moving object when it impacts a surface.

Impact Projectiles – Referred to in this policy as Bean Bag Projectiles, Foam Batons, Sting Ball, Stinger, Wood Baton, Sponge Baton, Sponge Round, Stingball or Stinger Grenade. Projectiles that are flexible or non-flexible that are manufactured and distributed to law enforcement with the intended use of incapacitating a subject with minimal potential for causing death or serious injury in comparison to conventional bullet or shotgun rounds.

Target Areas – Physical locations on the human body that are considered viable target areas to discharge an impact projectile toward.

40 mm Round – A cartridge that contains an impact munition that is fired from specially designated Department issued launcher.

Sting Ball or Stinger – A cartridge where the projectile is a quantity of rubber balls. The cartridge is available in 12gauge and 40mm. The rubber balls are either .32 caliber or .60 caliber. The quantity of rubber balls varies with the size of the cartridge and the size of the projectile.

Wood Baton – A 40mm cartridge that contains three wood projectiles.

Sponge Baton or Sponge Round – An impact munition where the projectile consists of a plastic body and a foam/sponge nose. It is fired from a 40mm launcher. *(This is different from the Foam Baton listed above.)*

Stingball or Stinger Grenade – A combination Specialty Impact Munition and Diversion Device that delivers up to four stimuli for psychological and physiological effect: rubber pellets, light, sound, and optional CS or OC. This is a rubber bodied grenade style munition used primarily for crowd disbursement.

#### **410.4 PROCEDURE**

- A. No personally owned shotguns will be authorized. The only authorized shotguns will be purchased and issued by the Davie Police Department. All authorized shotguns in the Department will be dedicated solely for the use of discharging impact projectiles, with the exception of use by S.R.T. and Field Force. All shotguns issued by the Department for the purpose of discharging special impact munitions will be refitted with an “Orange” colored stock and fore grip for high visibility, indicating that it is a “Less Lethal” weapon.
- B. Only Department issued impact projectiles approved by the Department Range Master are authorized for Department personnel.
- C. Control and distribution of the impact weapons and impact projectiles will be the responsibility of the Department’s designated Range Master in coordination with the Training Unit.
- D. Department members who are authorized to carry and are issued specialty impact weapons may use such weapons both on and off-duty in accordance with the Department’s Use of Force Policy.
- E. The amount of force a member is authorized to use is based on the resistance encountered, and the use of impact projectiles will only be used to overcome



resistance where lesser levels of force have been exhausted, are unavailable, or have been, or would be, clearly ineffective. The Department's Use of Force/Levels of Resistance Matrix shall be used as the approved guideline when considering the use of impact projectiles. Members must be able to articulate what actions were taken by a subject which caused the member to reasonably believe the situation had escalated to the degree that deploying a specialty impact munition was necessary. Less Lethal force is authorized by the Use of Force/Levels of Resistance Matrix at the level of Incapacitating Control (5) in response to Aggressive Physical resistance.

- F. Discharging an impact projectile from a known distance that is less than the minimum incapacitation range is not permitted unless the use of deadly force is justified.
- G. Discharging an impact projectile to the head, neck, or genitals is not permitted unless the use of deadly force is justified.
- H. Once an impact projectile is discharged, the member shall evaluate the effectiveness of each impact. Only the reasonable amount of force necessary to subdue the subject is to be used.
- I. Whenever the discharge of a specialty impact munition is anticipated, the member shall loudly announce "**IMPACT**" or "**IMPACT ROUND**", so as to alert other law enforcement members in the area. The purpose of this is to prevent premature lethal fire.
- J. Examples of situations which may justify the discharging of specialty impact munitions may include, but are not limited to:
  - 1. Subjects who are armed with a potentially lethal weapon, and who, through their actions and words, threaten to inflict harm should they be approached;
  - 2. Subjects who are committing acts of violence, or the felonious destruction of another's property, and discharging the specialty impact munition is the safest alternative to the subject, innocent persons, and the member, in order to immediately cease the actions;
  - 3. Deterring an animal from attacking, or moving a large animal from an area where it could harm persons or be harmed;
  - 4. Discharging a specialty impact munition provides the best alternative under the given circumstances to prevent personal injury.
- K. In the event a subject is injured, or complains of injury, after having been struck by a specialty impact munition, proper medical attention shall be administered to the subject as soon as practical.
- L. Supervisors will include specialty impact munitions and their delivery systems as part of their inspection responsibilities.

## 410.5 TRAINING

- A. Prior to carrying and being authorized to use specialty impact munitions, a member will be required to successfully pass approved training. Bi-annual re-qualification will be required in accordance with G.O. 200, Training.
- B. Documentation of training will be kept on file in the Training Unit record-keeping database.

- C. Training will be coordinated by certified instructors identified by the Training Unit Supervisor who will follow an approved, legally defensible, and consistent course of instruction.

#### **410.6 REPORTING**

- A. In addition to any required offense report, members discharging a specialty impact munition are required to complete and submit a Control of Persons report. All components of the form are to be accurately and clearly completed.
- B. The Control of Persons report will be submitted through the chain of command to the Professional Compliance Unit. Submission of the report will be timely and as near to the conclusion of the incident as is practical.
- C. The Professional Compliance Unit shall keep a Control of Persons file and will annually review the contents to determine patterns and trends, training needs, and/or policy revisions needed. During the month of January the Professional Compliance Unit will review the data from the previous fiscal year and forward a report to the Chief of Police detailing its findings.
- D. Retentions and purging of Control of Persons will be regulated by Florida Public Records Law.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>USE OF CHEMICAL AGENTS</b>	GENERAL ORDER NO. <b>412</b>
RESCINDS: G.O. 412 issued 03/30/2005	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 412.1 PURPOSE

The use of chemical agents may be necessary to minimize injury to suspects, officers and others, and to avoid property damage when other methods of control or apprehension would be ineffective or more dangerous.

### 412.2 POLICY

It is the policy of the Davie Police Department to issue an authorized chemical agent to designated personnel in accordance with the Use of Force/Levels of Resistance Matrix. Department members assigned to patrol shall wear the chemical agent canister in a Department issued holster on their duty belt. Only authorized chemical agents issued by the Department shall be approved to be carried by on-duty personnel.

### 412.3 PROCEDURES

A. Issuance:

All personnel required to carry the authorized chemical agent as determined by the Chief of Police or designee shall undergo an initial training program. No personnel shall carry the chemical agent prior to completion of the training. Training will be coordinated and documented through the Training Unit. Training will be conducted by certified instructors and/or a designee who will follow an approved, legally defensible, and consistent course of instruction. The chemical agent will be issued to those personnel during this training, and all uniformed patrol personnel shall carry the chemical agent as identified above while on-duty, upon completion of the training.

B. Maintenance:

It shall be each person's responsibility to care for and maintain the canister and holster. Any tests will be conducted outdoors and under the direction of a supervisor or training officer. Personnel will return depleted or expired canisters to the Training Unit for replacement.

#### 412.4 GENERAL USE OF AGENT

- A. All personnel shall utilize the Use of Force/Levels of Resistance Matrix in accordance with the Department's current Use of Force policy G.O. 407. Because this matrix identifies and addresses the possible groupings concerning levels of resistance, it will provide personnel with guidelines to assist in the proper use of force decision making. The matrix also addresses when to engage or dispense a subject and when to escalate or de-escalate the level of force applied.
- B. Chemical agents are designed for use with uncooperative subjects who are subject to arrest or Baker Act and are non-compliant to verbal controls; or for self-defense when the subject's actions present a well founded threat to the safety of the officers or others. Use of a chemical agent is authorized by the Use of Force/Levels of Resistance Matrix at the level of Physical Control (3) in response to non compliance of verbal controls.
- C. When necessary, the chemical agent may be used on a disorderly handcuffed prisoner, and only with prior warning. Examples include attempts by a prisoner to:
  - 1. Attack the officer by spitting, biting, head butting.
  - 2. Harm themselves by banging their head or face within the vehicle and/or holding cell.
  - 3. Damaging City property by kicking at the rear windows of the Police vehicle.
- D. The assigned chemical agent is also effective on animals and may stop most vicious dogs from attacking. The guidelines for the application of the spray will be the same for the animal as for subjects. All personnel, if feasible, (time and distance permitting), will use the assigned chemical agent to stop or deter any vicious animals from attacking. All personnel, if feasible, will attempt to use his or her chemical agent and/or impact weapon before using his/her firearm.
- E. The use of issued chemical spray is authorized for use by trained Department members both on and off-duty in accordance with the Department's Use of Force policy.
- F. Use During Arrest Situations:
  - 1. When other personnel are present, the person using the chemical agent shall warn the others of his/her usage by loudly saying "OC". Such a warning should give the other personnel time to disengage from the subject and avoid being sprayed.
  - 2. When deploying the chemical agent, personnel should use 2 or 3 one-half second bursts or until it is determined that the subject is contaminated or that the chemical agent is ineffective and other measures are necessary. The primary target area when deploying the chemical agent is the facial area assuring coverage of the eye zone (eyes, forehead, and brow). Secondary is the nose and mouth. This should be sufficient to stop most subjects. Personnel should be a minimum of six (6) feet away when deploying the chemical agent. Once the subject is incapacitated, no further spraying is permitted.
  - 3. Personnel should allow sufficient time, at least 1-5 seconds to elapse, before moving in to restrain the subject. Personnel should give commands to the

subject instructing them what they are to do. The subject should be assured of the temporary nature of the discomfort and that it will soon pass.

4. Under no circumstances will a subject who has been sprayed with a chemical agent be placed face down in a Department vehicle for transport. Further, during transport, the windows should be down to allow air ventilation for both the subject and the officer. At all times subjects will be monitored and assisted when necessary and when it is safe for the officer to do so. Before the subject is transported to any facility, the transporting officer will be advised that a chemical agent was used on the subject.

## **412.5 USE OF AGENT / CROWD CONTROL**

Chemical agents may be used in crowd control or riot situations with the approval of a supervisor with the rank of sergeant or higher. Personnel assigned to a Mobile Field Force will use their assigned chemical agents under the direction of the Field Force Commander in accordance with G.O. 523.

## **412.6 TREATMENT**

### **A. Post-Exposure:**

1. Personnel coming into contact with the agent should not touch their face or eyes until they have had a chance to wash with soap and water. Transfer of some of the chemical agent from the subject to your hands is possible.
2. After an arrestee has been sprayed, keeping him/her handcuffed, the arrestee shall be exposed to copious amount of air and water.
3. When available, thoroughly flush the subject's affected area with cool, clean water. An eye wash basin or hose in sally port can be utilized and, if feasible, the suspect will be allowed to flush his/her face prior to entering the booking area. The subject should also be advised that rubbing their eyes will only create more irritation.
4. Personnel should constantly verbalize what you want the subject to do and assure the subject that the discomfort is temporary and that it will soon pass.
5. CAUTION: DO NOT apply salves, creams, oils or lotions to the subject's affected area.
6. Any person accidentally exposed to the chemical agent shall have treatment for the exposure as quickly as possible. When the chemical agent is used inside a vehicle or building, the opening of all windows, to allow the free flow of air, will suffice in decontaminating the area.
7. If the agent is used to remove a subject from a vehicle, approval should be sought from a supervisor first, unless this delay will pose a risk to officer safety. The vehicle should be rendered incapable of being driven, i.e., D.U.I. stop where the driver refused to exit their vehicle or roll down their window, patrol units would be placed in front and behind the suspect's vehicle to block it from being moved, bumper touching bumper.

8. All the symptoms of the chemical agent should disappear within 1 hour, with no apparent side effects. Vast improvements, i.e. Eyes opening, should occur within 20 – 30 minutes. No person who has been contaminated by the chemical agent should be left unsupervised for at least 2 hours after contamination. If symptoms continue, especially without relief for the eyes and respiratory system, the officer shall request Rescue to respond. If at any time the subject requests medical attention, such a request will be facilitated.

## **412.8 DOCUMENTATION**

In each instance where the chemical agent is used, on a subject, for purpose other than testing and training, personnel shall immediately notify their supervisor, complete a Control of Persons Report, and document the incident in an Offense/Incident Report.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>ELECTRONIC CONTROL DEVICES</b>	GENERAL ORDER NO. <b>413</b>
RESCINDS: G.O. 413 issued 11/29/2006	ISSUE DATE: 04/16/2008
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 05/16/2008

### 413.1 PURPOSE

During the course of duty, sworn officers may be confronted with subjects who will resist arrest or be otherwise physically aggressive towards them or others. It is the intent of the Davie Police Department to prevent escalation of subject resistance or violence and to maximize the safety of its officers and the public while effecting an arrest or confronting potentially combative individuals. Therefore, it may become necessary for a sworn member to deploy an electronic control device towards such individuals. The purpose of this General Order is to establish guidelines for designated personnel on the carrying, use, and certification procedures pertinent to the departmentally approved Electronic Control Device weapon.

### 413.2 POLICY

The Electronic Control Device (ECD) is deployed as an additional law enforcement tool and is not intended to replace firearms or self-defense techniques. The Electronic Control Device may be used to control a dangerous or violent subject when deadly physical force does not appear to be justified and/or necessary; or attempts to subdue the subject by other conventional tactics have been, or will likely be, ineffective in the presenting situation or there is reasonable expectation that it will be unsafe for an officer to approach within contact range of the subject.

### 413.3 DEFINITIONS

Deployment - intentional or unintentional discharge of an ECD at or towards a subject using either probes or drive/touch mode. "Deployment" does not include testing, training, or display of the ECD without the discharge of electrical current.

Electronic Control Device (ECD) – A device designed to disrupt a subject's central nervous system by means of deploying battery powered electrical energy sufficient to cause uncontrolled muscle contractions and override an individual's voluntary motor responses.

### 413.4 GENERAL PROCEDURES

- A. The Taser X-26 System is the Electronic Control Device authorized by the Department.

- B. Electronic Control Devices shall be issued to and used only by those officers who have completed a Davie Police Department approved Electronic Control Device Training Program.
- C. Department members who have been issued an Electronic Control Device are required to carry the device at all times while in uniform.
- D. When left unattended, ECDs will be stored in the same manner as firearms. Members should refer to General Order 405; section 405.6 B for further information.
- E. Department issued Electronic Control Devices are to be carried in an approved holster on the non-dominant side of the body. Those authorized to use the device and assigned outside of uniformed patrol duties may utilize other Department-approved holsters and carry the weapon consistent with department training. The device shall be carried fully armed with the safety on in preparation for immediate use. Spare cartridges shall be stored in a manner consistent with training.
- F. No changes, alterations, modifications, or substitutions shall be made to the Electronic Control Device.
- G. Everyday maintenance of the Electronic Control Device shall be the responsibility of the officer carrying the Electronic Control Device.
  - 1. The officer shall ensure the Tazer Cam is charged to at least 75%.
  - 2. Officers will conduct a spark test at the beginning of each shift. This will be done in a safe manner and location to ensure there are no injuries to personnel or damage to equipment. The procedure shall be as follows:
    - a. Ensure safety is on
    - b. Point ECD in safe direction (at red firearm loading barrel if in building)
    - c. Remove cartridge
    - d. Move safety to fire
    - e. Pull trigger
    - f. Move safety lever to safe
    - g. Replace cartridge
    - h. Holster ECD
  - 3. The Electronic Control Device will be encased in its protective holster when not in use.
  - 4. Care shall be taken to avoid dropping or banging the Electronic Control Device.
  - 5. Only agency approved battery power sources shall be used in the Electronic Control Device. Air cartridges are not to be placed near static electricity
  - 6. Spare cartridges shall be stored and carried in a manner consistent with training.
  - 7. If an electronic control device is found to be defective the operator will immediately notify his or her supervisor and remove the weapon from service. Defective Electronic Control Devices and Air Cartridges shall be returned to the Training Section in the Professional Standards Unit.



8. Officers shall ensure the faceplate of the Electronic Control Device's Air Cartridge is secured to the Air Cartridge body as direct sunlight, heat, or pressing on the faceplate may cause the cover to disengage from the Air Cartridge.

### 413.5 DEPLOYMENT

- A. Officers shall refer to the Use of Force/Levels of Resistance Matrix in General Order 407 when deciding to deploy an Electronic Control Device. An officer's decision to deploy the Electronic Control Device shall involve an arrest or other custodial situation at the Intermediate Weapon (Level 4) in which a subject is exhibiting active physical resistance (Level 4) or appears to be escalating from passive physical resistance toward active physical resistance. Members will use only that level of force necessary to effect an arrest or, to prevent escape, or to protect themselves and innocent persons. The amount of force an officer is authorized to use is based on the resistance encountered. The Electronic Control Device will only be used to overcome resistance where lesser levels of force have been exhausted, are unavailable, or have been, or would clearly be ineffective.
- B. The Electronic Control Device shall be used in a manner consistent with approved training, targeting only areas specifically sanctioned. It shall not be intentionally aimed at a person's head, face, neck, or genital area unless the use of deadly force is justified.
  1. The Electronic Control Device is programmed to give a 5-second "electrical current". The operator can shorten or extend this time if necessary to gain control of the subject under the circumstances. The probe should not be touched during this time period, as you would also receive the same "electrical current". In addition, officers should avoid stepping on or tripping over the wires.
  2. Keep hands away from the front of the unit at all times unless the safety slide is forward and the Electronic Control Device is deactivated. The operator should not cover the front of the Taser Cam, if equipped.
  3. If practical, the operator should broadcast "Taser" or "Clear" indicating a use of the Electronic Control Device is imminent prior to firing the Electronic Control Device.
  4. The operator should aim at the center of mass and from the rear if possible. Watch for thick or loose clothing. If probes hit clothing, the electrical current can penetrate for a maximum of 2 ¼ inches away from the skin.
- C. Special Considerations:
  1. Prior to deployment of the Electronic Control Device, officers shall take into consideration environmental factors which include, but are not limited to, subject(s) standing on or near the edge of a roof, stairwells, next to a window, or in close proximity to a body of water.
  2. Flammable Liquids: Officers shall not discharge an Electronic Control Device in an environment in which potentially flammable, volatile, or explosive materials such as gasoline, natural gas, or propane gas are present.

3. Chemical Spray: The Davie Police Department issued chemical defense spray is non-flammable however; officers shall be cautious if officers from another agency have deployed their chemical defense spray.
  4. Vehicles: Safety issues shall be considered prior to deploying a Electronic Control Device on a subject in physical control of a motor vehicle while the engine is running.
  5. Pregnant Females: Officers shall avoid the use of the Electronic Control Device on any female who appears to be pregnant or has stated she is pregnant, unless all other means short of lethal force have shown to be ineffective.
  6. Juveniles: Officers shall avoid the use of the Electronic Control Device on young children unless all other means short of lethal force have shown to be ineffective.
  7. Elderly Persons: Officers shall avoid the use of the Electronic Control Device on elderly or frail persons, unless all other means short of lethal force have shown to be ineffective.
  8. Officers may not point the Electronic Control Device at a person merely to use the video camera. Pointing the ECD at a person should only be done when the officer believes that the ECD may need to be deployed.
- D. Probes and Medical Clearance
1. The Electronic Control Device probes should be removed at the earliest opportunity once the subject has been secured. The Electronic Control Device probes shall be removed in accordance with agency-approved training. Probes that have struck the face, groin area, or breasts shall be removed by medical personnel.
  2. Medical treatment will be immediately provided to any subject injured as a result of the use of the Electronic Control Device. Medical clearance prior to transport to the Broward County Main Jail is required for all prisoners who have been subjected to an Electronic Control Device.
  3. Probes that have struck a person's body shall be considered a biological hazard and shall be handled in accordance with biohazard procedures outlined in General Order 750.
  4. Electronic Control Device prongs removed from an individual shall be placed into evidence. They shall be packaged and receipted separately from other property/evidence collected at the scene.
- E. Electronic Control Devices can be used on animals in circumstances where the use of such device is necessary for the safety of the officer, public, or the animal.

## **413.5 REPORTING PROCEDURES**

- A. An officer shall notify his/her supervisor as immediately after each intentional or unintentional discharge, with the exception of function tests and training exercises. A supervisor shall respond to the scene immediately. The supervisor will ensure that the data and any video captured by the ECD are downloaded as soon as practical but no later than the end of the shift. The video will be transferred to two compact

- discs. One will be placed in property and one will be forwarded to Internal Affairs with the Control of Persons report. A third copy may be made for the deploying officer to review but further release should only be by way of public records request in accordance with General Order 710, Public Information.
- B. In addition to the required offense report, the officer will also submit a Control of Persons report in accordance with General Order 407, Use of Force. All components of the form are to be accurately and clearly completed.
  - C. Photographs should be taken of all injuries and impounded separately from all other evidence.
  - D. The data port on each officer's assigned Electronic Control Device will be downloaded by the Professional Compliance Unit during pre-determined inspections of the devices and whenever the data is needed for an investigation. It will also be downloaded prior to any factory repairs or maintenance. Only personnel authorized by the Chief of Police or his designee will have access to the data. All members will ensure that the data is downloaded from their assigned Electronic Control Devices a minimum of once per year even if the device has not been deployed in the field.
  - E. Every January the Professional Compliance Unit shall prepare an annual report for the previous calendar year on the product reliability, recommended training needs and/or policy modifications related to use of the Electronic Control Device. The report shall be forwarded to the Chief of Police with copies sent to the Professional Standards Unit Accreditation and Training Sections.

#### **413.6 TRAINING**

- A. Prior to carrying and authorization to use the Electronic Control Device, a member will be required to successfully pass approved training. Annual recertification will also be required.
- B. Training will be coordinated by the Training Section. Documentation of training will be kept on file in the Training Section.
- C. Training will be conducted by certified instructors who will follow an approved, legally defensible, and consistent course of instruction.
- D. Members will receive refresher training on an annual basis through the Professional Standards Unit's Training Section.
- E. Provisions for maintaining the Electronic Control Device in good working order will be part of the training program. It will be the member's responsibility to adhere to these provisions.

#### **413.7 MISCELLANEOUS**

No member shall provide training in the use of an electronic control device to persons who are not members of the Davie Police Department without the written authorization of the Chief of Police.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>TOWN CODE VIOLATIONS</b>	GENERAL ORDER NO. <b>420</b>
RESCINDS: G.O. 420 issued 01/21/2005	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 420.1 PURPOSE

To set guidelines for Department members while enforcing Town Code violations.

### 420.2 POLICY

It is the policy of the Davie Police Department to respond to Town Code violations as appropriate based upon calls for service or as identified through daily operational activity.

### 420.3 PROCEDURES

- A. An investigating member should respond to a code violation call for service with the intention of enforcing the Town Code rather than merely advising the parties involved.
- B. If the call for service is not of an immediate nature, but rather is of a continuing nature, a report shall be submitted to the attention of Code Enforcement for investigation. For example, complaints such as junk cars, trash, illegal signs, building permits, occupational licenses, etc.
- C. If the code violation is of an immediate nature, the investigating member will attempt to resolve it without delay. The only Town Code violations of an immediate nature that will be enforced are the following:
  1. Noise complaints;
  2. Animal complaints;
  3. Unlicensed vendors;
  4. Commercial vehicles in residential areas; or
  5. Public consumption of alcohol.
- D. The investigating member should respond to the complainant first, obtaining all necessary information including background on the violator and the violation.
- E. If probable cause exists that a Town Code violation has occurred or is occurring, the member will then contact the violator, informing that person of the offense. The member will obtain the name, d.o.b., and other essential information from the violator and warn them that the offense is to be ceased or corrected immediately.

- F. Advise the violator that they will be cited upon repeat complaint. (It is suggested that the violator be warned the first time. However, an officer has the discretion to issue a Notice to Appear immediately if it is believed to be necessary.) In either case, a report shall be written and forwarded to Code Enforcement.
- G. If there is a second call on a complaint and the same investigating officer is available, that unit should respond and issue a Notice to Appear, not a second warning.
- H. When issuing a Notice to Appear on a Town Code violation, it is not required that the officer observe the offense. (The activity may have ceased prior to their arrival.) It is necessary to have a witness(es) who will appear to testify.
- I. If the violation occurs in the officer's presence, the officer is the witness. However it is still desirable to document other witnesses to the activity to support the case.
- J. Officers enforcing Town Ordinance 16-6, Public consumption of alcoholic beverages prohibited, shall photograph the open beverage container before disposing of it. The officer will then place said photograph into evidence and document these actions in the offense-incident report.

#### **420.4 DOCUMENTATION**

- A. A court date will be issued by the officer with the appropriate Courthouse information.
- B. An arrest number shall be obtained from Dispatch and recorded on the N.T.A.
- C. All Town Code violations will be documented in an Offense/Incident Report.
- D. The complainant and witness will be provided the case number.
- E. If no Town Code appears to be applicable to the offense, the officer shall consider a charge under Florida State Statutes.
- F. Any and all reports will be forwarded to the municipal attorney by the designated Administrative personnel.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>ARREST PROCEDURES</b>	GENERAL ORDER NO. <b>430</b>
RESCINDS: GO 430 issued 03/29/2005	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 430.1 PURPOSE

The purpose of this General Order is to provide guidelines and procedures for arrests. An officer's decision in the area of arrest has a strong impact on the Davie Police Department. An officer's decision on making an arrest, and the manner in which the arrest is handled, if contrary to law, may lead to the charges being dismissed; the officer and the Department being vulnerable to public criticism; and subject to civil action. It is impossible to address every arrest situation that an officer may encounter. Therefore an officer should make good sound arrest decisions based on probable cause, applicable laws, court decisions, and good common sense.

### 430.2 POLICY

It is the policy of the Department that arrests will be made in conformance with Florida State Statute and this General Order to ensure the safety of officers and to protect the rights of prisoners/detainees. It is the Department's policy to comply with the highest standards of legal and professional conduct. Under a Memorandum of Understanding, the Broward Sheriff's Office operates a remote booking facility from the Department's detention cell area and all provisions of the agreement between the Town and BSO shall apply. See attached appendix, Memorandum of Understanding.

### 430.3 DEFINITIONS

Arrest – The apprehending or placing into custody (physically or verbally) of a person by the authority of law.

Arrest Warrant – An order of arrest signed by a judge.

Capias – An order of arrest signed by the Clerk of the Court upon the order of a judge, or information filed by the State Attorney's Office.

Civil Sanctions – A civil form of punishment, usually a fine or other form of intervention such as an injunction.

Criminal Sanctions – An actual punishment usually a fine or jail term.

Discretion – The authority to make decisions within legal boundaries using reasonable personal judgment. Use of discretion is guided and framed by Law, policies, rules, procedures, training, and supervision.

Injunction – A Court Order that prohibits a party from doing something (restrictive injunction) or compels them to do something (mandatory injunction).

Probable Cause – When facts or circumstances within an officers knowledge, and which he/she has reasonable trustworthy information, are sufficient in themselves to justify a prudent man to believe a crime has been or is being committed and the person to be arrested has committed or is committing it.

#### **430.4 ARREST GUIDELINES**

- A. **Officer Discretion:** The Administration of this Department is fully aware that a Police Officer possesses a wide range of discretion within the guidelines of the Law and Department Policies. The Department requires Officers to exercise reasonable, sound judgment when using discretion in service to the community and for the benefit of the citizens. Officer should always take into consideration the conditions present at the time, the constraints of existing written directives, Statutes, Laws, and Ordinances pertaining to the situation, the available alternatives, and direction of supervisors. Discretionary decisions shall be reviewed and subject to sanctions if found to be imprudent.
- B. **Warrantless Arrest:** Department members shall refer to the Florida Criminal Law and Motor Vehicle Handbook, Legal Guidelines for further information.

##### Probable Cause

1. Any arrest made must be based on probable cause that the crime occurred and that the defendant was the perpetrator of the named crime(s). The source of the probable cause may be evidence gathered from the defendant, the scene of the arrest, informants, or other sources.
2. The experience and training of the arresting officer and his expert analysis of the situation is also material to the totality of circumstances establishing probable cause.
3. The decision to make a warrantless arrest will be guided by the factual situation involved, the officer's probable cause, and any circumstances which may exist that would preclude expending additional time to obtain an arrest warrant for the violator.
4. A finding by a Judge that there was a lack of probable cause for an arrest may result in any of the following:
  - a. Dismissal of the charge.
  - b. Suppression of any evidence found incident to the arrest.
  - c. Require additional investigation to substantiate the charge.
  - d. Civil sanctions for damages against the officer and the Department/Town.
  - e. Criminal charges filed against the officer.

### Causes for Arrests

A person may be arrested without warrant when:

1. A violation of Florida State Statutes, either a felony or misdemeanor; or violation of a County or Town ordinance is committed in the presence of an officer.
  2. A felony has been committed, not within the Officer's presence, and the Officer has been able to establish probable cause that the offender committed it.
  3. A felony has been or is being committed and the person to be arrested has committed or is committing a crime.
  4. A person commits a misdemeanor that occurred in the presence of the officer.
  5. The Officer has knowledge that an arrest warrant has been issued, but another Officer/Agency is holding the warrant for execution.
  6. A violation of the Criminal Traffic Control Laws (Chapters 316, 320, 322) has been committed, not infractions.
  7. An Officer may make a probable cause arrest based on probable cause that has been established by another Davie Police officer.
  8. A Davie Police Officer may detain a person at the request of another Law Enforcement Agency only if sufficient probable cause exists and can be confirmed by the requesting agency.
  9. An officer has probable cause to believe that a person has committed a violation as defined in the Florida Handbook, Florida Legal Guidelines, Warrantless Arrest Section.
- C. **Arrest by Warrant:** When arresting with a warrant the Officer shall adhere to the following:
1. Pursuant to F.S.S. 901.16 an officer making an arrest by warrant will inform the person to be arrested of the cause of arrest and that a warrant has been issued, except when the person flees or forcibly resists or giving the information would imperil the arrest.
    - a. The officer need not have the warrant in his possession at the time of arrest, but on request of the arrested person(s), will make arrangements to show it to him as soon as practical.
    - b. Only Sworn Law Enforcement Officers will execute arrest warrants
  2. Officers will check local NCIC, and FCIC databases for warrants on all arrested persons.
  3. If the computer indicates the existence of a warrant the officer should make every effort to verify the warrant and confirm that the person in custody is the person identified in the warrant.
  4. After verifying the warrant through the Broward Sheriff's Office, the officer will transport the subject to either the Davie Police Department or other booking facility. The officer will obtain a copy of the warrant confirmation from teletype.



- a. If the warrant is from another County within the State or from another state, the officer must verify extradition.
  - b. If the other County or State will extradite the suspect, the officer will obtain a copy of the warrant confirmation and transport the subject to the Broward County Jail.
5. Whenever a person is arrested on a warrant, the officer will complete a Probable Cause Affidavit. The original Probable Cause Affidavit will be accompanied by a copy of the warrant information issued from teletype and delivered with the arrestee to a Broward County Jail facility. A copy of the Probable Cause Affidavit and a copy of the warrant information will be turned in through the chain of command and maintained in the Davie Police Records Unit.
- D. **Notice to Appear:** A Notice to Appear (NTA) may be used as an alternative to a physical arrest for persons charged with first and/or second degree misdemeanors, or violations of Town or County Ordinances, and demand to be taken before a magistrate is not made. If a person does not meet the criteria as outlined below, physical arrest and transport to a jail facility is the only authorized course of action.
1. An arresting officer may issue a Notice to Appear in lieu of a physical arrest **unless:**
    - a. The accused fails or refuses to sufficiently identify him or herself or supply the required information;
    - b. The accused refuses to sign the notice to appear;
    - c. The officer has reason to believe that the continued liberty of the accused constitutes an unreasonable risk of bodily injury to the accused or others;
    - d. The accused has no ties with the jurisdiction reasonably sufficient to assure the accused's appearance or there is substantial risk that the accused will refuse to respond to the notice;
    - e. The officer has any suspicion that the accused may be wanted in any jurisdiction; or
    - f. It appears that the accused previously has failed to respond to a notice or a summons or has violated the conditions of any pretrial release program.
  2. If the accused is issued a Notice to Appear all required information shall be noted on the NTA as prescribed, including the case number.
  3. An accused who has been properly identified and refuses to provide sufficient information or sign a Notice to Appear will be arrested, and transported to either the Davie Police Department, or the Broward County Jail.
  4. Issuance of Notice to Appear to Juveniles: It is the policy of the Davie Police Department not to issue NTA's to juveniles unless the offense is a Tobacco Law Violation as provided for in FSS 569.11. Refer to G.O. 432.
  5. NTA Reporting: In addition to the Notice to Appear the officer will complete an offense/incident report, and record the NTA number.

**E. Misdemeanor Case Filing:**

1. All misdemeanor crimes to be filed by the victim will be handled as follows. The Department member will verbally explain the process of filing a misdemeanor case and will provide the victim with a printed version of the misdemeanor case filing procedure of the Broward County State Attorney's Office. The Department member shall document in their offense incident report that instructions for filing misdemeanor case filing procedures were provided to the victim.
2. Misdemeanor arrests filed by Department members will be documented in the offense/incident or supplemental report and included in the case file.

**F. Miscellaneous Arrests:**

1. Any time an Officer makes an arrest on school property either public or private he/she will notify the administrator of that school as soon as practical.
2. Any time an Officer arrests a Government Official (Federal, State, County, or Local; including the arrest of a sworn Police Officer) he/she will notify a supervisor immediately. The supervisor shall in turn notify the Chief of Police through their chain of command.

**G. Alternatives to Arrest:** There may be instances when a crime may occur and no physical arrest will be made. State Law, Department Policy, and the facts of the situation will guide an officer in making the discretionary decision to arrest. Even when an arrest is permissible, the following alternatives may be employed at the officer's discretion depending on the circumstances and subject to supervisory review in accordance with Florida State Statutes.

1. Baker Act - Refer to F.S.S. 394.
2. Marchman Act - Refer to F.S.S. 397.
3. Homeless Assistance - Davie Police Dispatch maintains a current list of shelters.
4. Traffic Citations.
5. Notice to Appear - Refer to 430.4 D above.
6. Verbal Warning. (Each of these instances shall be reviewed by a Supervisor when offense is serious in nature).
7. Releasing a Juvenile to a parent or legal guardian - Refer to G.O. 432.

**H. Release of Liability:** There may be instances where after taking an individual into custody, upon further investigation, it is determined that probable cause does not exist or it is in the best interest of all parties involved to release an individual from custody pending further information. In these cases, the arresting officer shall utilize the Release of Liability form and attach it to their Offense Incident Report. The arresting officer shall further use proper judgment in releasing the subject by providing them an opportunity for transportation to their home; to the original scene, if safe and will not impede the investigation; or to some other safe location.**430.5 ARREST PROCEDURES**

- A. When making an arrest, officers will inform the subject that he/she is under arrest, and as soon as practical advise the subject of the charge(s).

- B. A law enforcement officer advising a subject that he/she is under arrest is sufficient for a lawful arrest. The officer does not need to touch or handcuff the subject for the arrest to be complete; however, it is advisable to do both.
- C. In arrest situations, whenever practical officers who are not in uniform shall display their badge and ID card and announce that they are Davie Police Officers.
- D. Officers will adhere to General Order 407 in regards to the proper Use of Force.
- E. All prisoners will be handcuffed behind there back, unless a medical condition makes doing so impractical, or extenuating circumstances prevail, with handcuffs double locked.

### **430.6 MASS ARRESTS**

- A. The following procedures will be followed during instances of mass arrests whether as a result of Critical/Unusual Incidents, Field Force Operations or other multiple arrest situations:
  - 1. Supervisors on scene or as part of pre-operations planning may select a location that is designated as a staging area for arrestee processing.
  - 2. Designated personnel may be assigned as support units to assist with prisoner transport and booking.
  - 3. The arresting officer/unit will bring the prisoner to an area designated for processing prisoners.
  - 4. The arresting officer will mark an envelope with the following information:
    - a. Arrest Number visible in bold letters;
    - b. Prisoner's Name and D.O.B.;
    - c. Time and Date of Arrest;
    - d. Location of Arrest;
    - e. Offense Charged;
    - f. Arresting Officer's name and I.D. number.
  - 5. The Probable Cause Affidavit, evidence, and prisoner property (with receipt) will be placed inside the envelope, which will be given to the processing or transporting officer.
  - 6. When necessary, the following steps additional steps may be taken as a cautionary measure to ensure the proper identification of prisoners:
    - a. A photograph may be taken of the prisoner and arresting officer holding the envelope so that the arrest number is visible.
    - b. The prisoner's right thumbprint may be imprinted on the face of the envelope.
    - c. The arrest number may be placed on the probable cause affidavit, temporary flex cuffs/straps, property receipt, property bag, and photographs.
  - 7. Designated personnel will transport prisoners to the Davie Police Department booking facility or county jail. Personnel shall be designated in advance of any operation when possible.

8. All relevant procedures will be followed for juvenile prisoners in accordance with G.O. 432, Juvenile Procedures.

### 430.7 SEARCHING ARRESTEES

- A. In all cases where a physical arrest is made, the arrested person will be thoroughly searched.
- B. The arresting officer may search the immediate area where the person was when arrested for evidence, contraband, and/or tools or weapons used in the commission of a crime or which may be used to escape.
- C. Strip Searches and body cavity searches may be conducted and will be in compliance with F.S.S. 901.211 as follows:
  1. As used in this section, the term "strip search" means having an arrested person remove or arrange some or all of his or her clothing so as to permit a visual or manual inspection of the genitals; buttocks; anus; breasts, in the case of a female; or undergarments of such person.
  2. No person arrested for traffic or misdemeanor offenses, except in a case which is violent in nature, which involves a weapon, or which involves a controlled substance, shall be strip searched.
  3. Each strip search shall be performed by a person of the same gender as the arrested person and on premises where the search cannot be observed by persons not physically conducting or observing the search. Any observer shall be of the same gender as the arrested person.
    - a. If the Officer and the Arrestee are of the opposite sex, the officer may conduct a pat down search for officer safety.
    - b. As soon as practical, a proper search by an Officer of the same sex shall be conducted.
  4. Strip searches will not be conducted without written authorization of the on-duty supervisor. Such approval by a supervisor as well as the actions taken by the person conducting the strip search shall be documented in the arresting officer's offense/incident report.
  5. Members of the Davie Police Department will not perform **body cavity searches**. All **body cavity searches** require approval of the Shift Commander and shall be conducted by appropriate medical personnel at a local medical facility. Any body cavity search must be performed under sanitary conditions in accordance with the established procedures of the medical authorities.

### 430.8 PHYSICAL RESTRAINTS

- A. Handcuffing Prisoners: All prisoners will be searched and handcuffed when physically arrested or transported.
  1. Steel handcuffs will be primarily used. Flex Cuffs can be used in cases of multiple arrests.

2. The prisoner will always be handcuffed behind the back unless a physical handicap makes it impractical. In this instance, the physical handicap shall be documented in the officer's offense/incident report.
3. Handcuffs will be applied tight enough to guarantee control of the arrestees hands, but not tight enough to cause discomfort or injury.
4. Handcuffs will always be double locked.
5. Care should be taken when restraining elderly and juvenile persons or sick, injured, intoxicated, drug impaired, and mentally disturbed persons so as not to complicate or compound their condition.
6. **Positional Asphyxia:** Positional Asphyxia is a phenomenon which some forensic pathologists have associated in the sudden death of some arrestees who have been restrained in a prone position with their hands cuffed behind their back. In cases involving violent prisoners, mentally ill patients, intoxicated or drug impaired persons, or persons sprayed with a chemical agent, it is often necessary to subdue the person, as soon as possible, without regard for ideal positioning. In such cases, the Officer will make every effort to avoid the possibility of Positional Asphyxia by placing the arrestee in an upright position as soon as the person demonstrates cooperativeness and compliance to the arresting officer(s) commands.

#### 430.9 TRANSPORTING PRISONERS

- A. Each sworn officer is required to conduct an examination of their assigned vehicle at the beginning of each shift and after transporting prisoners/detainees, even if they are the only operator of the vehicle. Officers shall search for any weapons or contraband which may have been placed within the interior.
- B. All prisoners will be searched for weapons and contraband prior to being placed in the police vehicle and transported. This requirement applies to all transports including transfers from other officers and agencies.
- C. Stopping along the transport route for reasons other than normal traffic controls is prohibited, except in instances when an Officer needs assistance with the Arrestee. In such circumstances, the Officer shall notify Dispatch over the radio of the need for assistance, the reason, and the location of the stop. Any such occurrence shall be documented in the police report.
- D. When officers transport arrestees to a facility, court, or another agency they will adhere to the following:
  1. **Securing Weapons:** All weapons to include firearms, ammunition, aerosol chemical agent, knives, impact weapons, and flashlights will be secured in either the locked trunk of a patrol vehicle or in a locked locker provided by the facility. Refer to G.O. 405.
  2. **Removing Restraining Devices:** Restraining devices will not be removed from an arrestee unless:
    - a. The arrestee is within a secured facility.
    - b. There is a transfer of custody to another officer or receiving facility.

- c. Arrestees will be re-secured prior to further transport.
3. All required documentation will be delivered with the arrestee to the receiving facility, including at a minimum a probable cause affidavit. Other documentation may include but is not limited to an inmate/detainee property form; an arrest warrant; a teletype confirmation with a warrant confirmation (WC) number; a copy of a restraining order or a domestic or repeat violence injunction; and/or a medical release form.
  4. The transfer of an arrestee will be documented on the officer's probable cause affidavit and offense incident report.
  5. The transporting officer will notify the receiving officer/facility of any potential medical or security hazards.
- E. Officers shall adhere to the following when transporting arrestees of the opposite sex:
1. Arrestees of the opposite sex arrested for unrelated crimes will not be transported together.
  2. Any time an officer transports an arrestee of the opposite sex, the officer will advise dispatch of the destination and the vehicle mileage prior to transport and upon arrival at the final destination as well as the location of any prolonged stop along the transport route.
- F. When an officer transports a sick, injured or disabled arrestee the following will be adhered to:
1. Fire Rescue may be requested to treat any arrestee who displays, or complains of any injury or illness.
  2. If necessary the arrestee will be transported to a local Hospital for examination and treatment. The arrestee must receive medical clearance prior to being transported to the Broward county jail or the Davie Police booking facility. The officer will always remain with the arrestee while at a medical facility. If the arrestee is to be admitted at the hospital, the arresting officer shall notify their supervisor to arrange for custody to be transferred to BSO. The original medical clearance form will accompany the probable cause affidavit and a copy will be attached to the offense incident report.
  3. If the police vehicle is not suitable for transporting a sick or injured arrestee, Fire Rescue will be called for transport, with an officer riding in the Rescue Unit.
  4. Any injury or illness observed by an officer, of a subject prior to placing the subject into custody will be documented in the officer's report.
  5. Any situation in which persons self inflict injuries after police contact will be documented in an offense incident report.
- G. When an arrestee becomes sick, disabled, or injured after being accepted by BSO personnel at the Davie Police Department or the Broward County Jail, BSO is responsible for medical transportation.
- H. All arrestees receiving treatment at the hospital will be guarded by the arresting officer until medical clearance is received or the Broward Sheriffs Office assumes custody,

which generally occurs with felony arrests in which the arrestee is to be admitted to the facility. **Arrestees will remain handcuffed at all times.**

- I. A handicapped arrestee who requires the use of a wheel chair, crutches or prosthetic device may be transported in a police vehicle, as long as the officer is satisfied that the transport can be accomplished safely for both the officer and the arrestee.
  1. Officers will use due care placing the handicapped arrestee in a vehicle.
  2. The wheelchair, crutches, or prosthetic device will be transported with the arrestee.
  3. Arrestees with disabilities who can not be transported by police vehicle may be transported by Fire Rescue.
- J. When an officer arrests a pregnant female, the pregnant arrestee will be delivered directly to the Broward County Jail by a Davie Officer.
  1. If needed the officer can first transport the pregnant female to the Davie Police Department to complete paperwork or conduct an investigation.
  2. Should the pregnant arrestee require medical attention at any time, the officer will contact Fire/Rescue immediately.
- K. When transporting violent prisoner(s) officers shall:
  1. Transport the prisoner directly to the Broward County Jail taking the most direct route.
  2. Restrain all violent prisoners appropriately to avoid injury to the arrestee, the officer and damage to the vehicle.
  3. Notify dispatch that they have a violent prisoner and request that an officer accompany them in the transport vehicle; or that an officer follow the transport vehicle; and/or have an appropriate back-up present at the receiving facility.
  4. In accordance with 430.9 C, if an officer is forced to stop their vehicle along the transport route due to a violent prisoner, the Officer shall notify Dispatch over the radio of the need for assistance, the reason, and the location of the stop.
- L. For transportation of juveniles refer to General Order 432.
- M. Officers transporting prisoners are prohibited from responding to routine or non emergency requests for assistance. Officers transporting prisoners are prohibited from traffic enforcement and vehicle pursuits.
- N. Detectives transporting arrestees in Department vehicles not equipped with a cage will only do so with two or more officers in the vehicle with one officer riding in the back seat with the prisoner. The officer riding in back will sit directly behind the driver and make sure that his/her weapon is on the opposite side of the arrestee.

#### **430.10 ESCAPE DURING TRANSPORT**

- A. If escape occurs within the jurisdictional boundaries of Davie:
  1. The transporting officer will notify dispatch and provide the following information:

- a. Arrestees name, and full physical description;
  - b. Direction of travel;
  - c. Offense charged;
  - d. Time delay;
  - e. Whether the arrestee is handcuffed or armed.
2. Dispatch personnel will broadcast a BOLO to neighboring jurisdictions in the area with information from 430.10 A (1).
  3. A perimeter will be established.
  4. A Patrol Supervisor will respond to the scene and notify proper Command Staff Personnel, along with determining the need for support units. (i.e. Canine, Helicopter, other jurisdictions, etc.)
- B. If escape occurs outside the jurisdictional boundaries of Davie:
1. BSO communications will immediately notify the affected jurisdiction.
  2. All actions taken will be coordinated with the affected jurisdiction.
- C. Documentation: All appropriate reports will be completed and additional charges added by officers involved. After-action reports will be completed by Shift/Unit Commanders.

#### **430.11 PRISONER HANDLING DURING FACILITY EMERGENCIES**

- A. Medical Emergencies: Fire Rescue will be summoned for any medical emergency involving a suspect, arrestee, or prisoner.
- B. Building Evacuation: In case of a building evacuation (e.g. bomb threat, fire, etc.), all personnel responsible for the handling of prisoners/detainees (such as arresting officers, detention personnel, and interviewing detectives) are responsible for the safety of the suspect, detainee, or prisoner under their control or supervision. All suspects, detainees, or prisoners present in the building will be removed from the building in an orderly manner and brought to an area of safety. If necessary, the prisoners will be transported to the County Jail facility for immediate processing.



# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>SPECIAL EVENTS</b>	GENERAL ORDER NO. <b>520</b>
RESCINDS: New	ISSUE DATE: 02/26/2004
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 520.1 PURPOSE

The purpose of this policy is to establish procedures for Special Events.

### 520.2 POLICY

It is the policy of the Davie Police Department to provide a liaison to the Town's Special Events Coordinator for special events which require police presence and to otherwise establish an organized and well-coordinated plan for Department hosted events.

### 520.3 DEFINITIONS

Special Event – An activity, such as a parade, public demonstration, concert, or sporting event that results in the need for control of traffic, crowds, or civil order. Special events are normally time specific of a short duration, but may extend over a longer period of time.

Special Events Liaison – a liaison to the Town's Special Events Coordinator assigned to assist in the planning of Special Events occurring within or sponsored by the Town that have an impact on the Department as it provides service to the Town and its citizens.

### 520.3 PROCEDURE

A. At the direction of the Chief of Police or designee, a Special Events Liaison will be assigned to assist the Town's Special Events Coordinator in the planning of Special Events that impact on the Department. The liaison will develop an incident action plan that will be submitted to the Chief of Police or designee. This plan will include but not be limited to the following information:

1. Recommendations for traffic control.
2. The number of required officers.
  - a. on-duty positions;
  - b. overtime positions;
  - b. off-duty detail positions; or
  - c. outside agency assistance.

3. Fire/Rescue Assistance.
  4. Potential criminal impact.
  5. Recommendations for Crowd Control. The planned staging or activation of Mobile Field Force personnel or the Special Response Team.
  6. Cost Assessment.
  7. Special Equipment and supplies required.
- B. Throughout the year the Department hosts Special Events that are Public Safety related. These events require coordination to run effectively. A Department Special Events Coordinator will be assigned at the direction of the Chief of Police or designee to facilitate the effective management of these events on a per event basis.
- C. At the conclusion of a Special Event that has required a Department liaison, an after action report will be forwarded through the liaison's chain of command to the Chief of Police. The report will include all information pertaining to the Police function at the event, to include specific incidents, arrests, crime reports, etc, along with recommendations for future similar events.

**DAVIE POLICE DEPARTMENT  
GENERAL ORDER**

SUBJECT: <b>SPECIAL RESPONSE TEAM</b>	GENERAL ORDER NO. <b>521</b>
RESCINDS:    G.O. 521 issued 07/25/2003	ISSUE DATE:  11/29/2006
AUTHORIZING SIGNATURE:  Chief Patrick Lynn	EFFECTIVE DATE:  11/29/2007

**521.1 PURPOSE**

The Special Response Team (SRT) has been established for the purpose of handling potentially dangerous or life threatening situations which demand resources, weapons, and tactics that cannot be provided by patrol units. SRT members are trained and skilled in the use of special weapons and tactics that are designed to reduce the risk of injury or death to law enforcement officers or innocent civilians, apprehend criminal elements, and bring about the safest resolution to any situation.

**521.2 POLICY**

SRT members shall conduct themselves in accordance with overriding principles outlined in other general orders governing Use of Force and Critical Incident Response. The objectives when responding to a situation requiring SRT response shall be Life Safety, Incident Stability, and Property Conservation. Department members shall attempt to avoid confrontation in favor of containing and controlling a dangerous situation until those personnel appropriately trained to defuse such situations are prepared to intercede. SRT members will be used to provide protection for innocent persons and police personnel during these high-risk situations.

**521.3 DEFINITIONS**

Barricaded Subject(s) – is defined as those subjects who have secured themselves within a structure or conveyance; and, are armed or believed to be armed with a weapon; or, have threatened to do or have actually done acts of violence to themselves or others and have refused to surrender themselves to police custody or medical authorities pursuant to a court order or other legal authority.

Incident Command Post (ICP) – A field location that is in proximity to the critical incident from which on-scene response activities are directed.

Staging Area – Specific locations at the scene of an incident where resources can be safely placed while awaiting deployment.

Operations Plan – A plan describing the tactical deployment of resources at an incident or event to meet the objectives of the Incident Action Plan.

Explosive Breaching – The deployment of a manufactured, explosive device by a properly trained and qualified police officer in order to guarantee safe entry into a building.

## 521.4 SRT ORGANIZATION AND AUTHORITY

- A. Division Commander: An Administrative level of command appointed by the Chief of Police. The Team is a subordinate unit within the command and authority of a Division within the Department. The Division Commander will ensure that the primary purpose of SRT is carried out in an effective and efficient manner and that the Team is maintained with an appropriate compliment of equipped and trained personnel.
- B. SRT Commander: A command level supervisor of the rank of Lieutenant or higher. The SRT Commander is accountable for effectively directing, controlling, and coordinating the operational duties and related administrative tasks of the Team. The SRT Commander shall function as the Incident Commander upon arrival on a scene involving SRT response until relieved by a higher authority.
- C. SRT Supervisor: An SRT member of the rank of Sergeant responsible for developing tactical operational plans, organizing and scheduling of training sessions, identifying equipment needs, and preparing training and after action records.
- D. Team Leader: An SRT member or a supervisor responsible for the coordination and deployment of SRT members during tactical operations. The Team Leader will be responsible for a subordinate group of members and will assist with training and tactical decisions involving routes of advancing, points of entry into buildings or structures, and directing target acquisition.
- E. Team Member: A sworn officer trained in the use of special weapons and tactics who is utilized in various capacities which include but are not limited: Perimeter Security, Building Entry and Suspect Apprehension, Hostage Rescue, Team Security, Dignitary Protection, and Anti-Sniper Techniques.

## 521.5 ACTIVATION PROCEDURES

- A. Criteria for SRT Activation: SRT will be activated or called-out to respond to the following types of incidents:
  - 1. Snipers
  - 2. Barricaded subjects
  - 3. Hostage situations
  - 4. Service of high-risk search and arrest warrants
  - 5. Dignitary protection
  - 6. Tactical support to outside agencies when approved by SRT Commander
  - 7. Any other situation that may require specialized tactical training, expertise, and equipment (i.e. Terrorist activities, civil disorder, etc.)
- B. Requests to utilize SRT in situations which are non-emergency in nature shall be directed to the SRT Commander via the chain of command.
- C. General Provisions for SRT Activation:
  - 1. All SRT members are on a 24 hour availability call-out unless properly relieved by a SRT Commander or designee. The SRT Commander will be informed of vacation schedules, military leave, or injuries that would render a member unavailable for duty.

2. SRT members are required to carry their Department issued pagers at all times when subject to call-out.
  3. If advised of a situation requiring SRT, the SRT Commander or designee has the authority to notify and order to duty SRT members from the emergency call-out list. The SRT Commander shall ensure that a current roster of SRT personnel is maintained in Dispatch.
  4. The SRT commander or designee has the authority to instruct Dispatch to notify SRT members and Hostage Negotiators of a call-out situation.
- D. Activation Procedures:
1. Any member who responds to an incident which meets the criteria for SRT activation shall notify an on-duty supervisor.
  2. The on-duty supervisor shall respond to the incident to assess the size and scope of the situation and determine whether or not it is necessary for SRT to respond. The supervisor shall then make the appropriate request to the on-call SRT Commander via dispatch.
  3. Upon notification, the SRT Commander or designee will carry out the mobilization process via dispatch.
- E. On-scene Procedures:

**Initial Officer Response:**

1. The first responder to any life threatening incident must take certain steps to gain command and control of the situation which will assist SRT in accomplishing their objectives once on scene. These actions must be consistent with the Department's Critical Incident Response plan and include: Scene Assessment, Scene Containment, and Scene Command.
2. The first responding officer(s) should take the following specific actions when SRT activation is being considered.
  - a. Establish an inner perimeter in order to confine the suspect(s) to the immediate area where they are located;
  - b. Relay information to dispatch including the suspect's description, type of location, weapons involved, known injuries, and safe access routes for additional responding units;
  - c. If possible, safely remove any injured persons or bystanders and determine if evacuation is required;
  - d. Detain and separate any witnesses;
  - e. Establish an Incident Command Post (ICP) area; and,
  - f. Identify a safe Staging Area for responding SRT members.

**Uniform Supervisor Response:**

1. Upon arrival, the responding supervisor shall assume the role as Incident Commander until relieved by a higher authority or a person of functional authority such as the SRT Commander.
2. If SRT has been activated, the supervisor shall then notify the Chief of Police through his or her chain of command.

3. The supervisor will continue to coordinate the operations to ensure that the sufficient personnel are deployed to maintain an inner and outer perimeter and ensure that the ICP and SRT Staging Areas have been placed in locations which are out of harm's way.
4. The supervisor shall establish other Designated Staging Areas such as a Media area or Investigative Unit area, as needed.
5. The supervisor will coordinate a strategy to effectively deal with a suspect who, prior to SRT arrival, unexpectedly:
  - a. Surrenders;
  - b. Attempts to flee;
  - c. Engages in active conflict; or
  - d. Places him or herself in a position to be arrested or subdued.
6. The supervisor shall brief the arriving SRT Commander with the most current information concerning the incident.
7. Once the responding SRT Commander arrives on scene, the uniform supervisor will continue to provide personnel and assistance as needed.

**SRT Commander Response:**

1. The SRT Commander or designee shall respond to all situations when the Team has been activated and shall assume the responsibilities on scene as the Incident Commander.
2. Upon arrival, the SRT Commander or designee will ensure that Team personnel were properly notified and mobilized.
3. The SRT Commander or designee is authorized to direct and control the activities of all personnel assigned to the incident.
4. The SRT Commander will conduct an assessment of the situation and authorize an operations plan. The SRT Commander is in overall command of the operation and must coordinate the functions of an Entry/Assault Team with the Sniper Team and Hostage Negotiators.
5. Upon arrival, responding SRT members will be briefed and given their assignments.

## **521.6 TACTICAL PROCEDURES**

- A. **Perimeters:** In all cases, the SRT team will take control of the inner perimeter upon their arrival on scene, as directed by the SRT supervisor. This will reduce the risk of death and injuries to innocent persons and police officers and it will reduce the avenue of escape by the offender. K-9 officers and patrol officers may also be utilized on the perimeter positions with specific authorization by the SRT supervisor.
  1. Perimeter size will be determined by each situation and the availability of resources. The outer perimeter will consist of patrol officers responsible for keeping unauthorized persons or vehicles from entering the area.

2. The perimeter and ICP will be under the control of the SRT Commander or his designee.
- B. **Incident Command Post:** When establishing an ICP, the Incident Commander will follow these guidelines:
1. Position the ICP away from the general noise and confusion associated with the incident.
  2. Position the ICP in view of the incident when possible but outside the area of present and potential hazards.
  3. The location of the ICP should ensure that it can expand if necessary.
  4. The location selected should ensure that security can be provided and access can be controlled. Unauthorized persons should not be able to gain ready access to the area.
  5. The designated area should be communicated to all responders and to dispatch so that all personnel are aware of its location.
- C. **Search/Arrest Warrants:**
1. Execution: Every warrant service incident requires an evaluation of risk factors and the SRT commander's decision to utilize the team. When the decision has been made to utilize SRT, the SRT Commander will determine the number of SRT members necessary to complete the assignment. Warrants should be served by SRT if there is a possibility that an officer's safety would be in jeopardy without the use of special equipment and training that SRT can provide. It is SRT's responsibility to secure all individuals encountered, make premises safe and prevent evidence destruction.
  2. Legal Provisions: The SRT Commander will ensure that the following specifications of F.S.S. 933 Search Warrants are followed:
    - a. An Officer may break open any door, inner door or window of a house or anything therein, to execute the warrant, if after due notice of the officer's authority and purpose he or she is refused admittance to said house or access to anything therein.
    - b. Therefore, when serving a warrant, SRT members will announce their authority by knocking and announcing their presence "Davie Police, we have a search warrant, open the door." SRT will wait a reasonable amount of time for the door to be opened before using force to enter.
    - c. However, the above announcement may not be required if any of the following exceptions are present:
      1. The person within already knows of the Officers authority and purpose.
      2. Persons within are in imminent peril of bodily harm.
      3. The Officer's risk factor would be increased if they demand entrance and state their purpose.
      4. Increased risk to the preservation of evidence.
      5. Increased risk of escape.
      6. The warrant specifically waives such requirement.

## 521.7 SRT SELECTION PROCESS

The SRT Commander is responsible for overseeing a selection process when personnel needs exist. The SRT Commander shall develop personnel announcements that identify the criteria to be met for consideration and selection for the Team. The selection process shall be designed utilizing several parts including firearms proficiency, a physical agility component, and an oral interview. The work history and job performance of the officer may be reviewed and input may be sought from the candidate's supervisors. Recommendations for selection by the SRT Commander will be subject to final approval by the Chief of Police.

## 521.8 TRAINING

- A. Formal Training: Members of the Special Response Team will receive technical training in the areas of special weapons and tactics.
- B. In-service Training: Training will be conducted under the direction of the SRT Commander and/or Supervisor. The SRT Commander has the authority to notify and order to training SRT members and Hostage Negotiators for mandatory SRT training sessions. Training is mandatory unless excused by the SRT Commander. The location and curriculum will vary for each training session. Instructors specialized in areas of team-related functions will be selected in accordance with training needs. Training areas will include, but not be limited to the following:
  - 1. Weapons
  - 2. Tactics & Scenario based training
  - 3. Physical training & conditioning
  - 4. Sniper/ Anti-sniper techniques
  - 5. Chemical munitions
- C. Weapons Training: Each SRT member will be required to demonstrate proficiency with each assigned weapon and firearm semi-annually. Firearms and weapons include but are not limited to:
  - 1. 45 caliber Sig Sauer handgun
  - 2. 45 caliber H & K UMP submachine gun
  - 3. 9 mm MP5 submachine gun
  - 4. 12 gauge shotgun
  - 5. 37/40 mm gas launcher
  - 6. M 16 rifle

Members who fail to meet the proficiency standards established by the SRT Commander will have 30 days to demonstrate proficiency or be subject to suspension or removal from the team.

- D. Physical Fitness: Due to the potential physical demands of the assignment, each member is expected to maintain a high level of physical fitness.
  - 1. A physical fitness program will be maintained and monitored by the SRT Commander or designee. Each team member will be responsible for an overall self-administered physical fitness program. This will include cardiovascular, strength, and agility.
  - 2. SRT members will be provided with 3 hours of on-duty physical training per work week. Each member is to coordinate this training time with their immediate supervisor.
  - 3. Each SRT member will be required to successfully complete the approved physical fitness test annually. Members who fail to meet the physical



requirements will be barred from team functions until they are able to meet the standards. Members shall have 30 days to meet the standards or be subject to suspension or removal from the team.

## 521.9 EQUIPMENT

- A. **SPECIALIZED EQUIPMENT:** Each team member will be issued the following equipment. Each SRT member will be responsible for routine maintenance of said equipment and any deficiencies or problems should be brought to the SRT Supervisor's attention immediately. This equipment includes but is not limited to:
1. Specified weapons according to assignment
  2. Ballistic protective vest
  3. Helmet
  4. Tactical communications headset
  5. Clothing and other designated equipment (i.e. gloves, holsters, gas masks, etc)
- B. **SPECIAL WEAPONS:** The SRT Commander will authorize and approve any special firearms issued to SRT team members. These will be carried and utilized only by those members trained on the use and care of such firearms. These weapons include but are not limited to:
1. 45 caliber Sig Sauer handgun
  2. 45 caliber H & K UMP submachine gun
  3. 9 mm MP5 submachine gun
  4. 12 gauge shotgun
  5. 37/40 mm gas launcher
  6. 223 assault rifle
  7. 308 caliber rifle
  8. M16 rifle
- C. **SPECIAL PURPOSE MUNITIONS:** Special purpose munitions will be authorized and approved by the SRT Commander and shall be carried only by those members trained in the use and delivery of such devices. These include:
1. **Chemical Agents:** These can be utilized to force barricaded subjects from an enclosed structure or used in hostage rescue situations to disorient and confuse the suspect. Chemicals agents will be utilized upon the approval of the SRT Commander or designee. (OC, CS, Smoke)
  2. **Diversionsary Devices:** These can be utilized to confuse & disorientate suspects and provide a safety margin to SRT Officers. They include:
    - a. 12 gauge bean bag rounds
    - b. 12 gauge frangible breaching rounds
    - c. 12 gauge gas rounds
    - d. 37/40 mm gas rounds
    - e. 37/40 mm foam baton rounds
    - f. handheld distraction devices
- D. The SRT team will be assigned a specially equipped mobile command vehicle to transport equipment and personnel. SRT members will be responsible for loading and unloading any equipment. It will also be the SRT members' responsibility for the care and upkeep of said vehicle.

## 521.10 EXPLOSIVE BREACHING EQUIPMENT AND PROCEDURE

- A. Explosive Breaching will be utilized whenever deemed necessary by the on scene SRT Commander. Situations will include but not be limited to:
  - 1. Barricaded subjects
  - 2. Hostage situations
  - 3. Incidents involving firearms or active shooters
  - 4. Search/Arrest warrants
  - 5. Whenever speed and surprise is vital to the success of the operation.
  - 6. Anytime that conventional means of breaching will be ineffective.
  - 7. Anytime where conventional means of breaching have failed, or when the use of conventional methods place SRT members or innocent civilians in danger.
- B. Explosive Breaching serves a number of purposes including:
  - 1. To guarantee entry;
  - 2. To produce a shock and stunning effect;
  - 3. To defeat barricades;
  - 4. For the safety of all parties involved;
  - 5. When all other options have been exhausted or failed and this action presents an acceptable level of success.
- C. Selection and Training:
  - 1. The Command Staff of the Special Response Team will choose team members they feel would best fulfill the requirements of the position.
  - 2. Members chosen will attend a Nationally Accredited Explosive Handlers Course and an Explosive Entry and Tactics Course.
  - 3. Members chosen will maintain a level of proficiency by conducting in-house training for themselves and other SRT members.
- D. Safety:
  - 1. Safety equipment will be used for all training exercises. Safety equipment will include the following:
    - a. Eye protection;
    - b. Ear protection;
    - c. Long sleeve shirts;
    - d. Ballistic vest;
    - e. Kevlar helmet;

- f. Gloves;
- g. Clear plastic shield.

2. A designated range safety officer will:

- a. Be utilized in all training exercises to ensure that the range is clear before any explosive charges are deployed.
- b. Ensure that the back blast area is clear and that there are no other safety violations.

E. Utilization of Explosives:

- 1. There will be no utilization of explosives during an operation without proper intelligence information concerning the target location.
- 2. An explosive breach may be initiated by the SRT Commander or supervisor in command of the scene.
- 3. **If provided direction by the SRT supervisor, the certified explosive breacher has the sole discretion as to the deployment of an explosive device.**

F. Storage of Explosives:

- 1. The explosives and constructed devices will be securely stored in the SRT armory. They will be locked in a storage container that meets ATF standards.
- 2. Blasting Caps **will not** be stored in the same container as the explosives or the constructed devices. They will also be stored in a container that meets ATF standards.

G. Transporting Explosives:

- 1. All drivers of vehicles transporting explosives are responsible for observing the following:
  - h. The cargo area of the vehicle is to be clean and clear of material.
  - i. During loading, unloading, and refueling, the vehicle(s) will be turned off, the emergency brake applied, and if on a grade the wheels will be chocked.
  - j. No person is to travel in the cargo area of the vehicle.
  - k. A mixed load of explosives and non-explosives will **not** be carried together.
  - l. Blasting caps must be carried in a metal container in the interior compartment (cab) of the vehicle, or in a separate vehicle.
  - m. Smoking is not permitted within 200 feet of the vehicle.
- 2. When necessary to use multiple vehicles to transport explosives, the vehicles will remain 100 yards apart at all times.

H. Construction of Devices:

- 1. Devices and charges will only be constructed by certified explosive handlers, or under their direct supervision.
- 2. All devices and charges will have the date of manufacture, the type and amount of explosives, and the initials of the builder marked conspicuously on each device.

3. The firing device will be constructed away from the team, as well as away from the completed charge.
- I. Preparation of the Firing Device:
    1. The firing device will be constructed away from the team, as well as away from the completed charge.
    2. In training scenarios the firing device can be attached either administratively or tactically depending on the training.
  - J. Detonation
    1. Once the explosive breaching device(s) are set and the entry team is in position, the firing device will be readied.
    2. The entry team leader will direct the Breacher when to initiate the charges.
  - K. Reporting
    1. The breacher will maintain a Breacher's Log to include:
      - n. Amount of explosives used;
      - o. Type of target;
      - p. Success or failure of the charge;
      - q. Whether this was a training exercise or actual deployment.
    2. At the conclusion of a mission the Breacher will complete a Breacher's Report which details the specific composition of the explosive charges used.

### **521.11 POST INCIDENT FOLLOW-UP**

- A. **AFTER ACTION REPORT:** Following any incident involving SRT, an after action report will be completed by the SRT Commander or designee. All responses will be evaluated to determine effectiveness in accomplishing the goals and objectives and to improve future performance. All SRT members, the patrol shift commanding officer, and all patrol officers on the scene of the special threat should be thoroughly debriefed by the SRT Commander or designee. All After Action Reports will be forwarded to the office of the Chief within 24 hours for review and shall be stored within the Internal Affairs Unit.
- B. **CRITICAL INCIDENT STRESS DEBRIEFINGS:** These debriefings are intended to ensure the well-being of incident personnel and inform them of special services that may be available if any physical or psychological problems are experienced as a result of the incident. These briefings will not be ignored by personnel directed to attend.

### **521.12 STANDARD OF CONDUCT**

All SRT members are to abide by the highest standards of conduct, both on and off-duty, and should govern themselves accordingly at all times. Failure to follow these guidelines at any time will result in suspension or removal from the SRT team, at the discretion of the SRT Commander and/or the Chief of Police.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>HOSTAGE NEGOTIATIONS</b>	GENERAL ORDER NO. <b>522</b>
RESCINDS: G.O. 522 issued 03/21/2005	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 522.1 PURPOSE

The purpose of this General Order is to establish guidelines for the utilization of Hostage Negotiators/Crisis Response Team during potentially dangerous or life threatening situations involving subjects who may be armed and/or barricaded and pose a threat to themselves, hostages, innocent bystanders, law enforcement members or other emergency response personnel.

### 522.2 POLICY

Hostage Negotiators shall be referred to as the Crisis Response Team and will respond to those incidents where an initial confrontation and process of containment is taking place. The use of the Crisis Response Team is intended to maintain communication with the involved subject(s) in an effort to bring about the safest resolution to the situation.

### 522.3 ORGANIZATION AND AUTHORITY

- A. The Crisis Response Team Supervisor: A sworn Department member of the rank of Sergeant or above responsible for developing operational objectives in coordination with the S.R.T. Commander, organizing and scheduling of training sessions, identifying equipment needs, and preparing training and after action records.
- B. Hostage Negotiator: A sworn officer who is a member of the Crisis Response Team and is specially trained in the use of crisis negotiating techniques and conflict resolution.

### 522.4 ACTIVATION PROCEDURES

- A. Criteria for Activation of the Crisis Response Team: Hostage Negotiators will be activated or called-out to respond to the following types of incidents:
  - 1. Snipers
  - 2. Barricaded subjects
  - 3. Hostage situations
  - 4. Any other crisis situation that may require specialized training, expertise, and equipment (i.e. Non-barricaded suicidal subject or other stand-off situations, etc.)

- B. General Provisions for Activation of the Crisis Response Team members:
1. All Hostage Negotiators are on a 24 hour availability call-out unless properly relieved by the the Crisis Response Team Supervisor. The Crisis Response Team Supervisor will be informed of vacation schedules, military leave, or injuries that would render a member unavailable for duty.
  2. Hostage Negotiators are required to carry their Department issued pagers at all times when subject to call-out.
  3. If advised of a situation requiring Hostage Negotiators, the Crisis Response Team Supervisor, or SRT Commander or designee has the authority to notify and order to duty negotiators from the emergency call-out list. If the Crisis Response Team Supervisor is unavailable, the responding Road Patrol Supervisor may order negotiators to respond directly. The Crisis Response Team Supervisor shall ensure that a current roster of on-call negotiators is maintained in Dispatch.
  4. The Crisis Response Team Supervisor, as well as the SRT commander or designee, has the authority to instruct Dispatch to notify SRT members and Hostage Negotiators of a call-out situation.
- C. Activation Procedures:
1. Any member who responds to an incident which meets the criteria for activation of Hostage Negotiators shall notify an on-duty supervisor.
  2. The on-duty supervisor shall respond to the incident to analyze the situation and determine whether or not it is necessary for Hostage Negotiators or SRT to respond. The supervisor shall then make the appropriate request to the on-call SRT Commander and/or Hostage Negotiations Supervisor via dispatch.
  3. Upon notification, the Crisis Response Team Supervisor or SRT Commander or designee will further carry out the mobilization process via dispatch.
- D. On-scene Procedures:
- Initial Officer Response:**
1. The first responder to any life threatening incident must take certain steps to gain command and control of the situation which will assist the Hostage Negotiators and SRT in accomplishing their objectives once on scene. These actions must be consistent with General Order 150, Critical Incident Response, and General Order 521, Special Response Team.
  2. The first responding officer(s) should take the following specific actions when responding to a Barricaded Subject or Hostage Situation.
    - a. Establish an inner perimeter in order to isolate and confine the suspect(s) to the immediate area where they are located;
    - b. Relay information to dispatch including the suspect's description, type of location, weapons involved, known injuries, and safe access routes for additional responding units;

- c. If possible, safely remove any injured persons or bystanders and determine if evacuation or sheltering-in-place is required;
  - d. Detain and separate any witnesses for interviewing by responding negotiators or investigators.
  - e. Establish an Incident Command Post (ICP) area; and,
  - f. Identify a safe Staging Area for responding negotiators and/or SRT members.
3. The responding officer(s) should attempt to identify a means to contact the subject if it becomes necessary. The responding officer(s) should however attempt to avoid confrontation in favor of controlling and containing the situation unless; after conducting an immediate threat assessment, it is determined that the Use of Lethal Force or other immediate intervention is necessary to neutralize the subject.
  4. The Use of Force which is utilized shall be governed by the Department Policies on Use of Lethal Force, Use of Kinetic Energy Impact Projectiles, Expandable Baton, Use of Chemical Agents and Florida State Statutes.

**Patrol Supervisor Response:**

1. Upon arrival, the responding patrol supervisor shall assume the role as Incident Commander until relieved by a higher authority or a person of functional authority such as the SRT Commander.
2. If the Crisis Response Team or SRT have been activated, the patrol supervisor shall then notify the Chief of Police through his or her chain of command.
3. The patrol supervisor will continue to coordinate the operations to ensure that sufficient personnel are deployed to maintain an inner and outer perimeter and ensure that the ICP and SRT Staging Areas have been placed in locations which are out of harm's way. Critical intersections and routes of travel shall be controlled in case subject is mobile and tries to move from original location.
4. The patrol supervisor shall coordinate response with Fire Department and emergency medical personnel. Other Staging Areas such as a Media area or Investigative Unit area should be designated as needed.
5. News Media should be staged outside the outer perimeter and not placed in a position which could undermine the tactical operation or place them in harms way. When the situation is safely resolved, access to the scene by the media shall be coordinated by the Department Public Information Officer in a controlled and limited fashion as to not interfere with the preservation of the crime scene.
6. The supervisor will determine the necessity for immediate dialogue with the subject (if this has not occurred already). This should be done in cases where the subject has initiated a dialogue or where the possibility of suicide exists.
7. The patrol supervisor shall ensure that a proper radio frequency has been secured for use by on-scene personnel, and if necessary, a channel that is suitable for communications with other agencies. The need for surveillance

or other specialized equipment shall be determined and requested if necessary.

8. The patrol supervisor shall brief the arriving Crisis Response Team Supervisor and SRT Commander with the most current information concerning the incident.

**Hostage Negotiations Supervisor:**

1. After being briefed by the Patrol Supervisor, the Crisis Response Team Supervisor shall develop objectives in coordination with the SRT Commander.
2. Ensure that an adequate compliment of negotiators have responded to the situation. The negotiators will be briefed and given assignments.
3. Ensure that the proper communication and other equipment such as portable phones are in place.
4. The Crisis Response Team Supervisor will ensure that the point of negotiation is established and a line of communication is maintained with the Incident Command Post to provide a current status of negotiations.
5. The Crisis Response Team Supervisor will act as a liaison to the SRT Commander unless performing the function of a primary or secondary negotiator.
6. If negotiations are being conducted by an officer or other person, the Crisis Response Team Supervisor shall make a determination if that person shall continue or if negotiations will be taken over by the responding negotiator.
7. The Hostage Negotiations Supervisor is responsible for advising the SRT Commander when the belief exists that negotiations have ceased to progress.

**Hostage Negotiators:**

1. Negotiators shall work in teams of two when possible. Only one person should be designated as the primary negotiator. The secondary negotiator is there to assist with note taking and communicating information back to the Crisis Response Team Supervisor and Incident Command Post.
2. If the subject provides intelligence to the negotiator or suggests by word or action of something which is about to take place, it shall be communicated to the Incident Command Post immediately.
3. Overall, the Hostage Negotiators shall employ special training and techniques to distract and divert the subject from committing the intended or threatened course of action in order to bring about a peaceful resolution to the situation.
4. The first priority of the Hostage Negotiators will be to develop and maintain a rapport with the subject.



**SRT Commander Response:**

1. When the Special Response Team has been activated in coordination with the utilization of Hostage Negotiators, The SRT Commander or designee shall assume the responsibilities on scene as the Incident Commander and maintain overall authority of the operational plan.
2. Upon arrival, the SRT Commander or designee will ensure that negotiators and SRT personnel were properly notified and mobilized.
3. The SRT Commander or designee is authorized to direct and control the activities of all personnel assigned to the incident.
4. Upon arrival, responding negotiators and SRT members will be briefed and given their assignments.
5. The SRT Commander will ensure that all designated staging areas have been identified and that all assistance from other agencies has been requested when necessary.
6. The SRT Commander will include in the Operational Plan a contingency plan for mobilization. A determination will be made for the need for pursuit vehicles in such cases where the subject may have a conveyance. The need for surveillance equipment or other specialized equipment shall be assessed.

**522.5 TACTICAL PROCEDURES**

- A. Once on scene, The SRT Commander as the Incident Commander will decide on the appropriate course of action based upon the intelligence information that is being obtained through negotiations and observations including, but not limited to, the authorization of the use of force, the use of chemical agents, or the use of specialty impact munitions.
- B. Face-to-Face Negotiations: May only be utilized as a last resort and close face-to-face negotiations should never be utilized when a subject poses a threat with an explosive device. The negotiator should always have an escape plan and utilize protective cover.

**522.6 EQUIPMENT**

Specialized Equipment: Any specialized equipment assigned to the Hostage Negotiators including, but not limited to, telephones, recording devices, surveillance devices, etc. shall be inspected, maintained, and kept readily available for use in a crisis situation by the Crisis Response Team Supervisor or designee.

**522.7 SELECTION PROCESS**

The Crisis Response Team Supervisor is responsible for overseeing a selection process when personnel needs exist. The Crisis Response Team Supervisor shall develop personnel announcements that identify the criteria to be met for consideration and selection for the Team. The selection process shall be designed utilizing an oral interview in accordance with the Department Policy governing Career Pathing. The Department member applying for a position as a Hostage Negotiator shall be a sworn officer and possess the knowledge, skills, and abilities needed for selection to the specialized function. The work history and job performance of the officer may be

reviewed and input may be sought from the candidate's supervisors. Recommendations for selection by the Crisis Response Team Supervisor will be subject to final approval by the Chief of Police.

### **522.8 TRAINING**

- A. **Formal Training:** Department members selected to serve as Hostage Negotiators will receive technical training in negotiating techniques and crisis resolution.
- B. **In-service Training:** In order to maintain an appropriate state of readiness and facilitate a coordinated effort by both the Hostage Negotiators and the Special Response Team, it is necessary for both sets of teams to train with each other on a periodic basis as determined by the Crisis Response Team Supervisor and SRT Commander. Sniper teams will also be included in such training. Training exercises shall be developed by the SRT Commander in cooperation with the Crisis Response Team Supervisor in order to improve operational performance. Hostage Negotiators should also attend ongoing training seminars and schools, or other negotiator meetings.

### **522.9 POST INCIDENT FOLLOW-UP**

- A. **AFTER ACTION REPORT:** Following any incident involving Hostage Negotiators, an after action report will be completed by the Crisis Response Team Supervisor. All responses will be evaluated to determine effectiveness in accomplishing the goals and objectives and to improve future performance. Hostage Negotiators shall receive a debriefing following any incident. All After Action Reports will be forwarded to the SRT Commander and made part of the SRT After Action Report. The After Action Report will then be forwarded to the office of the Chief within 24 hours for review and shall be stored within the Professional Compliance Unit.
- B. **CRITICAL INCIDENT STRESS DEBRIEFINGS:** These debriefings are intended to ensure the well-being of incident personnel and inform them of special services that may be available if any physical or psychological problems are experienced as a result of the incident. These briefings will not be ignored by personnel directed to attend.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>DIVE TEAM</b>	GENERAL ORDER NO. <b>526</b>
RESCINDS: G.O. 526 issued 11/12/2003	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 526.1 PURPOSE

This General Order provides a guideline for Department members responding to incidents of a water related nature, so that determinations can be made for response of Police Divers to water related investigations/recoveries and or rescues of persons.

### 526.2 POLICY

It is the policy of the Davie Police Department to provide safe underwater rescue and recovery operations in and around the Town of Davie and as approved in mutual aid operations. Members of the Underwater Dive Team shall be sufficiently prepared to deal with water related incidents and investigations.

### 526.3 DEFINITIONS

Dive Team Supervisor - A police officer with the minimum rank of Sergeant and shall be responsible for directing policy to insure the efficient, effective and safe operations of the Dive Team at all times.

Team Training Officer - Is responsible to the Dive Team Supervisor for insuring that all divers are meeting all certification, fitness and training standards at all times.

Dive Master - Coordinates diving operations under the direction of the Dive Team Supervisor.

Diver Down - Divers assigned to actual underwater aspects in a primary or back up role.

Safety Diver - Maintains a state of standby readiness to dive should an emergency arise.

Time Keeper - Records all aspects of the mission relating to bottom times, air supply and will be responsible for documenting and custody of any recovered physical evidence. Once assigned will remain in this position for the duration of the mission.

Relief Diver - Relieves any other position, as necessary, at the direction of the dive master.

## 526.4 GENERAL PROVISIONS

- A. Criteria for Activation of Dive Team members: Dive Team members may be activated or called-out to respond to the following types of incidents.
  - 1. Evidence recovery requiring entry into or under the water.
  - 2. Submerged vehicle recovery requiring search by divers.
  - 3. Rescue of persons i.e., drowning or occupied vehicles submerged (Davie Fire Department will have primary role for rescue operations).
  - 4. Crime scene searches of bodies of water at the discretion of the Criminal Investigations Unit or Traffic Homicide Unit.
  - 5. Mutual Aid requests
- B. The common objectives when responding to a water related incident are as follows:
  - 1. Water related rescue of persons in jeopardy of drowning.
  - 2. The safe and efficient recovery of evidence or vehicles.
  - 3. The effective searching of water related crime scenes.
  - 4. Documentation of response and actions taken by members of the Dive Team.
- C. The Department will govern its mobilization procedures according to the following:
  - 1. Two Diver Team - May be utilized for non-scuba operations at the discretion of the on scene Dive Supervisor.
  - 2. Three Diver Team - Minimum number of divers required for any scuba operation.
  - 3. Four Diver Team – Utilized for incidents involving prolonged search, depth in excess of 20 feet, or other hazards requiring additional support.
  - 4. Request for additional divers will be at the discretion of the Dive Supervisor on scene.

## 526.5 PROCEDURES

### ROAD PATROL FIRST RESPONDER/SUPERVISOR RESPONSIBILITIES:

- A. The first responder to a water related incident will initially be responsible for on-scene evaluation and scene management. The first responder will communicate his evaluation of the scene to his immediate supervisor. In the event of a potential drowning in progress or submerged occupied vehicle, the first responder needs to request Fire Department Divers and secure any witnesses in an effort to establish a last seen point.
- B. In the event of a drowning or submerged occupied vehicle, the on-duty supervisor shall respond to the scene. A decision will be made to contact the Dive Team Supervisor regarding the call-out of divers at the supervisor's discretion based upon the above activation criteria.
- C. The response of Divers does not relieve the first responders from their duty to perform life saving actions.
- D. Any Dive Team Member on-duty during a water related incident shall notify their supervisor and respond to the scene. The Dive Team Member will evaluate the scene and contact the Dive Team Supervisor should divers be needed.

- E. Should the situation warrant a rescue mode of operation, Dive Team Members are authorized to expedite their response according to the Department policy governing Vehicle Operation.

CALLOUT PROCEDURES:

- A. The Dive Team shall be called-out for any waterborne incident that meets the above activation criteria.
- B. Call-out for the Dive Team must be approved by a sergeant or above.
- C. The Dive Team Supervisor will be called prior to any call out. The supervisor will determine the divers to be called and will notify dispatch. The Dive Team Supervisor shall maintain a current roster of on-call Dive Team members in dispatch.
- D. The Dive Team Supervisor can schedule requests for the Dive Team that is not exigent in nature, for a later time.

MUTUAL AID:

- A. Dive Team Members may be requested by another agency to assist in emergency or non-emergency incidents. The agency that has jurisdiction will be in charge of the scene. Shift supervisors will utilize on-duty divers to respond to extra-jurisdictional requests for emergencies only and based upon staffing levels. The Dive Team Supervisor will be notified of the response.
- B. Should the request require off-duty personnel to be called out, the Dive Team Supervisor will be notified prior to any call-outs.

SCENE RESPONSIBILITIES:

- A. The on scene patrol officers are responsible for crowd control and witness identification. A police officer faced with a life saving incident requiring him/her to enter the water demands a high level of assessment on the part of the officer, such as depth and ability to see the victim. SUBMERGED HAZARDS probably exist. A decision whether or not to enter the water is strictly up to the Department member's individual judgment. Removal and securing of duty belt and body armor is strongly suggested.
- B. Patrol supervisors must ensure that only trained Police or Fire Department Divers enter the water for recovery operations. The only exceptions are mentioned above and for tow recovery of visible vehicles that are not of evidentiary value. The contract tow company will be responsible for such recoveries.
- C. Any Dive Team member that responds to a water-borne incident shall notify the on-duty supervisor and the Dive Team Supervisor.
- D. The on scene Patrol Supervisor will be responsible for command of the incident and protecting the integrity of the investigation until the Dive Team Supervisor assumes command of the dive scene.
- E. The Dive Team Supervisor will be responsible for the dive scene until all underwater work is completed.

**SAFETY ISSUES:**

- A. Rescue vs. Recovery - as a general rule the Davie Fire Department will have the primary responsibility for rescue operations. Dive Team members who are on-duty status and properly equipped may conduct rescue operations and/or assist the Fire Department.
- B. In the event that a rescue is not completed within 60 minutes from the time of the victim being last seen, the operation will be deemed a recovery. This 60 minute window may be increased or decreased at the discretion of the Dive Team Supervisor, based on available information and or elements present.
- C. Dive Team members will have the final say regarding the decision to dive on any given operation. If a member will not or cannot dive, the member will not be ordered to dive. Should a pattern of non-diving conduct develop, the Dive Team Supervisor will review the Dive Team Member's conduct. Risk versus benefit considerations will continually be evaluated during any dive operation.
- D. Dive Team Members will immediately notify the Dive Team Supervisor and/or the shift supervisor in the event of a dive related injury or illness. The on scene supervisor shall forward a memorandum along with appropriate Notice of Injury paperwork through the chain-of-command to the Office of the Chief.

**REPORTING:**

- A. The assigned Time Keeper will be responsible for the completion of the Dive Report and the Dive Log. Each diver assigned will complete a supplemental report for criminal incidents. Reports will be completed in a timely manner.
- B. An Operations Plan and Pre-Dive Checklist will be completed by the Dive Supervisor, for any scheduled dive operation.
- C. All reports relating to a Dive incident will be turned in to the Dive Team Supervisor in a timely manner.

**526.6 TRAINING STANDARDS**

- A. Certification:
  - 1. Each diver must hold a current Diving Certification as approved by the Dive Team Supervisor.
  - 2. Each Dive Master must hold an Advanced Diving Certification or equivalent as approved by the Dive Team Supervisor.
  - 3. Each instructor must be certified in his or her area of expertise.
- B. Recurrent Training Minimums:
  - 1. The Team Training Officer is responsible to the Dive Team Supervisor for planning, administering and recording in-service training.
  - 2. Each diver must attend a minimum of in-service training in a calendar year as determined by the Dive Team Supervisor and approved by the Chief of Police.

3. If a diver fails to meet the minimum training requirements, they shall be suspended from diving until said requirements are met.
4. No training will be conducted until a lesson plan is completed by the instructor and approved by the Dive Team Supervisor.
5. Basic Qualification Training Standards (to be met annually)
  - a. 400 meter swim test using any stroke.
  - b. Tread water for five minutes with 5 lbs. of ballast.
  - c. Basic underwater skills test.
  - d. Underwater exercise with simulated zero visibility.

Note: Successful completion of qualification standards shall be conducted and evaluated by Dive Team Supervisor and submitted to the Professional Standards Unit for records maintenance.

## 526.7 EQUIPMENT

1. Dive Team Members are responsible for the proper care and maintenance of dive gear issued to them. Any lost, damaged, or malfunctioning equipment shall be reported to the Dive Team Supervisor immediately.
2. Dive Team Members should have access to their equipment at all times with exception to officers assigned to Motors or SIU.
3. Members who wish to utilize personal equipment may do so with a written request. This request will be approved by the Dive Team Supervisor. The Town will not reimburse members for the use/damage to personal equipment.
4. Basic issued equipment will include but is not limited to the following:

2 Scuba Tanks (minimum two-thirds full)  
Buoyancy Compensator  
Weight belt or integrated weights  
Mask and Snorkel  
Fins and Booties  
Regulator with alternate air source  
Underwater light  
Wetsuit w/hood  
Dive knife  
Gloves  
Marker buoy  
Search line  
Life line  
"D" rings  
Glow Sticks  
5'x7' Poly Tarp  
Ear Drops  
Mask De-fog  
Dive Flag

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>DIGNITARY PROTECTION</b>	GENERAL ORDER NO. <b>527</b>
RESCINDS: N/A	ISSUE DATE: 04/22/2004
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 527.1 PURPOSE

The purpose of this policy is to establish guidelines for a Law Enforcement response by the Davie Police Department for dignitary protection requests. The Davie Police Department favors equal protection to all, regardless of their status, but realizes that certain visitors to the Town require additional security measures to ensure their protection and/or to preserve order. Therefore it becomes incumbent upon the Department to have specific procedures in place for those unique instances when specialized protection is required.

### 527.2 POLICY

The Davie Police Department will provide escort, increased security, and/or special protective measures to dignitaries, political figures, or other individuals when potential danger exists for that person because of their status or position or when police presence may be required for the purpose of ensuring that order is maintained.

### 527.3 PROCEDURE

- A. All requests for dignitary protection will be forwarded to the Chief of Police via the chain of command. The Chief of Police will be responsible for authorizing additional security measures in situations when they are needed. The Chief of Police will designate the Special Response Team Commander to plan, coordinate, and supervise dignitary protection operations.
- B. The Special Response Team Commander will utilize S.R.T. members for all dignitary protection operations. Should the S.R.T. Commander require additional specialized department members (i.e. K-9, Traffic, Field Force, C.I.U./S.I.U.), approval from the Operations Bureau/Division Commander is required. When assistance is required from outside Law Enforcement Agencies, the request shall be approved by the Chief of Police through the Operations Bureau/Division Commander.
- C. When Dispatch personnel or other Department members receive intelligence information related to a visiting dignitary, the information shall be directed to the S.R.T. Commander or supervisor. The S.R.T. Commander shall ensure that the Chief of Police is notified of any updated information concerning the operations plans.



- D. The S.R.T. Commander will ensure that the following areas of concern are addressed:
1. Assess the equipment needs of the operation and assure that all required equipment is available. (i.e. weapons, vehicles, body armor etc.)
  2. The gathering of intelligence information.
  3. The planning and reconnaissance of all primary and alternate travel routes.
  4. Advance inspection of sites and facilities.
  5. Coordination of operations within the agency and outside agencies.
  6. Identification of Fire/Rescue and hospital facilities.
  7. Identify the need and designate specific radio channel(s), as well as secure frequencies to be used by personnel involved in the operation.
  8. Identification for plain clothes personnel (i.e. lapel pins, clothing description, arm bands, etc)
- E. The S.R.T. Commander will be responsible for completing an operational plan identifying all elements of this policy. At the conclusion of the operation the S.R.T. Commander will submit an after action report to the Chief of Police through the Operations Bureau/Division Commander identifying any issues or incidents that occurred during the operation and concerns to be addressed for future operations.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>BOMB THREATS &amp; EXPLOSIVE DEVICES</b>	GENERAL ORDER NO. <b>528</b>
RESCINDS: G.O. 528 issued 10/28/2004	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 528.1 PURPOSE

To establish guidelines for the response and handling of bomb calls, threats and explosive devices.

### 528.2 POLICY

The Department will respond to all emergencies occurring within the Town regarding bomb calls, threats and/or explosive devices.

### 528.3 PROCEDURE

- A. All bomb threats shall be considered real and extreme caution shall be used.
- B. Any person who receives information of an explosive device or bomb threat should obtain the following information:
  1. Essential information such as:
    - a. The specific location of the device.
    - b. Exact time of scheduled detonation.
    - c. Description of the item.
    - d. Type/size of explosive device (incendiary, dynamite, plastics, etc.)
  2. Identity of the threat maker and/or the organization that the subject represents.
  3. Method used to deliver the device (mailed, hand carried, delivery service, etc).
  4. The subject's purpose or reason.
  5. Description of the subject or caller and/or characteristics of the subject's voice, including but not limited to: Accent, Demeanor, Excited, Normal, Calm, Angry, Lisps, Laughter, etc.)
  6. Background noises heard during call.
  7. Duration of Call.

C. Initial Response:

1. Generally, two officers (a primary and secondary unit) should be dispatched to all explosive devices or bomb threats depending upon the availability of back-up units.
2. Fire/Rescue will respond to all cases of explosive devices or bomb threats.
3. The respective on-duty patrol supervisor will be notified and advised of all cases of explosive devices or bomb threats.
4. All radios, cell phones and pagers will be turned off within 300 yards of any scene. All communication will take place via a nearby landline telephone.
5. All personnel responding to the scene of a threat or explosive device will be aware of their surroundings. Personnel should take note of the following:
  - a. Area rooftops and surrounding areas for suspicious persons.
  - b. Suspicious vehicles parked near buildings.
  - c. "Secondary" explosive devices (especially near locations selected for triage, command post, staging areas, etc.)
6. The initial responding officer(s) will establish inner and outer perimeters, and that a command post is established in between the perimeters with access to a landline phone to be utilized during periods of radio silence.
7. Responding officers shall **never** handle a suspected or actual explosive device.
8. Responding officers will meet with the reportee as well as key property owners or custodians to assess the situation and the degree of response.
9. Responding officers will request additional units to assist with perimeters, searches, or evacuations.
10. Any witnesses should be questioned and directed to remain on scene for further investigation.
11. A unified command post will be established between involved property owners/custodians, Police, Fire Rescue, and other emergency service providers.

## 528.4 EVACUATIONS

- A. The incident commander will discuss the necessity of evacuation with the property owner or custodian. A unified command decision will be made on whether or not an evacuation will be conducted. If the decision is made to evacuate:
  1. The incident commander will be responsible for coordinating the evacuation as well as any reunification points.
  2. If the evacuation calls for the movement of persons with special needs, Fire Rescue may assist.

- B. In case of evacuation, **do not** pull the fire alarm since the use of electronics may set off an explosive device. Leave the position of electric switches, doors, or windows unchanged.

## 528.5 USE OF SEARCH TEAMS

- A. Canine Teams: Canine Handlers along with their Explosive Detection Canine(s) shall be called to search buildings, vehicles and areas as per General Order 525.
  - 1. The on-scene supervisor will contact the Canine supervisor to determine if an Explosive Detection Canine will respond.
  - 2. If a Davie Explosive Detection Canine is unavailable, a request for an Explosive Detection Canine will be made to the BSO Bomb & Arson Squad or another external agency.
- B. If property owners or custodians (those persons most familiar with the facility location) have begun a preliminary search for devices, unusual objects, or packages; or Canine Teams are unavailable the incident commander shall ensure that the search operation is systematic and the visual search is well coordinated.
  - 1. If possible, blueprints or a diagram of the area or building should be obtained and kept at the incident command post.
  - 2. Once police are present on-scene, under no circumstances will an employee or other civilian person be permitted to search without a Police Officer accompanying them.
  - 3. The number of available Police Officers and employees combined with the size of the area to search will determine the number of teams needed to conduct the search and length of time to conclude it.
- C. The incident commander will be responsible for assigning the locations to be searched by the search teams. Search Teams should stay together to enhance the thoroughness of the search.
- D. When searching the outside of a building, the Search Teams (either Canine Teams or Police Personnel Search Teams) shall:
  - 1. Include the exterior visual check and examination of automobiles parked within 100 yards of the inner perimeter.
  - 2. Visually check and examine planters, window areas, bushes, shrubs, ledges, trash receptacles, and over doorways.
  - 3. **NOT** probe freshly turned earth.
  - 4. Check utility and equipment rooms that have exterior access.
- E. When searching the inside of a building the teams will:
  - 1. Pay special attention to rest rooms, waiting rooms, hallways, closets, water fountains and other places having public access.
  - 2. Be careful of booby traps when opening doors.

3. When entering a room, stop in the doorway and make a visual search of the room before you enter.
  4. Make a complete visual inspection of desks and file cabinet drawers, etc., for trip wires or tampering before opening.
  5. Avoid touching light switches or any other electrical items such as radios etc.
- F. If a suspicious item is located:
1. The device should not be disturbed and should be reported to the incident commander immediately.
  2. The search area will be secured and all search teams will be removed from the building.
  3. The perimeters will be re-established, if necessary, and the on-scene supervisor shall notify the BSO Bomb & Arson Squad immediately.
  4. The incident commander and/or the BSO Bomb & Arson Squad Investigators will determine the need for the use of specialized equipment for the safe removal of any suspected explosive device.

## **528.6 EXPLOSION OR POST BLAST RESPONSE**

- A. If an explosion occurs, the immediate concerns will be the following:
1. The on-duty supervisor shall notify their respective Commanding Officer.
  2. Communications Center personnel will contact the Chief of Police along with Command Staff.
  3. First responding officers and other emergency response personnel should be alert for:
    - a. Damaged utilities;
    - b. Structures in danger of collapse and falling debris;
    - c. Additional ("secondary") explosive devices;
    - d. HAZMAT substances, including undetonated explosive material from the initial explosion.
  4. Perimeter radius from the seat of the explosion should equal one and one-half times the distance to the farthest debris.
  5. The first responding officer will ensure that Fire Rescue is dispatched to provide emergency medical treatment. Officers will coordinate efforts as first responders with the on-scene incident commander.
  6. A unified command will be established between the Police Department and the Fire Rescue Command personnel.
  7. Fire Rescue as well as the Town's Building Inspectors will be requested to assess and determine if the structure of any premises affected by an explosion is safe for occupancy.

- B. It will be the responsibility of the on-scene Supervisor to coordinate efforts with outside agencies and specialty units to include:
  - 1. Fire/Rescue
  - 2. BSO Bomb & Arson Squad.
  - 3. Explosive Detection Canine Handlers
  - 4. Criminal Investigation Unit
  - 5. B.S.O. Crime Scene
  - 6. Extra-jurisdictional Law Enforcement Agencies
  - 7. State Fire Marshal
  - 8. Town Officials/Building Inspectors
  - 9. Utility companies
  - 10. F.B.I.

### **528.7 FOLLOW-UP INVESTIGATION**

- A. Collection of Physical Evidence:
  - 1. If the bomb threat is received by a written note, the note should not be handled unnecessarily or contaminated.
  - 2. Any internal document such as a "Bomb Threat Report" or "Bomb Threat Checklist" that is completed by the reporter should be collected as evidence.
  - 3. The collection of physical evidence such as the device or explosive debris shall be coordinated with BSO Bomb & Arson Squad.
- B. Investigation of bomb related incidents:
  - 1. All witnesses will be separated prior to questioning.
  - 2. The incident commander will determine the need for an investigative staging area away from the scene.
  - 3. Assigned Investigators will coordinate their investigations with the responding BSO Bomb & Arson Squad Investigators with regard to the suspect apprehension.

### **528.8 CONTINUING EXPLOSIVE INCIDENTS OR HOSTAGE SITUATIONS**

- A. Continuing Explosives in Use:
  - 1. The immediate concerns for first responding officers will be the following:
    - a. Safe evacuation of innocent persons;
    - b. Establishing inner and outer perimeters;
    - c. Request for Fire Rescue response to provide emergency medical treatment;
    - d. Gain control of the scene and make areas safe for staging of resources.
  - 2. The on-scene supervisor will determine the need to call-out the Special Response Team and Hostage Negotiators.

3. Hostage Situations will be governed by the provisions outlined in General Order 522, Hostage Negotiations.
- B. An assessment of the scene will be ongoing to determine the need to mobilize off-duty personnel, other external agencies, and mutual aid, as well as the following:
  1. The continued danger to responding emergency providers and innocent persons.
  2. The ability to isolate and intervene against any immediate or active threat or perpetrators.

## **528.9 POLICE BUILDING BOMB THREATS**

- A. If a Department member receives a bomb threat affecting the Police Department building, the on-duty shift supervisor and shift commander will be notified and the following will occur:
  1. The Shift Commander or highest ranking patrol supervisor on-duty will assume the role as Incident Commander and decide whether to evacuate and/or search the building and notify the Chief of Police via the chain of command of the decision.
  2. The Shift Commander or highest ranking patrol supervisor will remain in the position of Incident Commander until relieved by a higher authority on-scene.
- B. If it is determined that the Police Building is to be evacuated, the announcement to evacuate will be conducted by personnel designated by the Shift Commander and done without the use of phones, radios, or fire alarms.
  1. The Shift Commander will establish a perimeter around the building.
  2. The Shift Commander will request the response of Canine Explosive Detection Team(s) to conduct a search of the exterior and interior of the building.
  3. The Shift Commander will assess the facility for any breach in established security systems.
  4. If Canine Teams are unavailable to respond, the shift commander shall ensure that the search of the building is systematic and the visual search is well coordinated. The search will attempt to identify devices, unusual objects, or packages.
  5. If any devices, unusual objects, or packages are identified, the Shift Commander will ensure that the Administrators of the two neighboring schools and the adjacent Fire Department station command are notified of the situation for the safety of those facility occupants.
  6. If any devices, unusual objects, or packages are identified, the Shift Commander will ensure that the BSO Bomb & Arson Squad is immediately notified to respond.
- C. In the event that the Communications Center personnel must be evacuated, Communications Center personnel will take with them a portable "Go Kit" containing

all important information necessary for the continuity of operations ("COOP") from outside of the building including but not limited to:

1. Portable police radios;
  2. Cellular/Portable Phones;
  3. Map Books;
  4. Daily Line-Up/Schedule.
- D. The Departments main phone number will be forwarded to an alternate location or cell phone in order to sustain phone communication and continued service. This will be done outside the established perimeter.
- E. When it is determined that the building is safe the Incident Commander on-scene will give the order to re-enter the building and resume operations.



# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>ARSONS AND SUSPICIOUS FIRES</b>	GENERAL ORDER NO. <b>529</b>
RESCINDS: G.O. 23 issued 10/14/1982	ISSUE DATE: 01/21/2005
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 529.1 PURPOSE

To provide guidelines that will be utilized in connection with the investigation of arsons and fires of suspicious origin.

### 529.2 POLICY

The Davie Police Department shall respond to and investigate all arson offenses and fires of suspicious origin. It is the policy of the Department to work in conjunction with the Davie Fire Rescue Department to provide emergency service at the scene of a fire and to take the most appropriate actions necessary to initiate any criminal investigation which may be necessary.

### 529.3 PROCEDURE

- A. Upon notification by the Fire Department of an arson or fire of suspicious origin where death or injury has occurred the supervisor will immediately respond to the location of said fire and cause a police offense/incident report to be written. The shift supervisor will immediately notify the Broward Sheriff's Office Arson Squad and request assistance from that unit. The Commander of the Criminal Investigation Division will be notified and a detective requested to respond.
- B. Upon notification by the Fire Department of an arson or fire of suspicious origin of a structure where no death or injury has occurred, the shift supervisor will respond to the scene and cause a police offense/incident report to be written. The shift supervisor shall request assistance from the Broward Sheriff's Office Arson Squad and shall also notify the Commander of the Criminal Investigation Division.
- C. Upon notification by the Fire Department of an arson or fire of suspicious origin involving a vehicle, the Shift Supervisor shall respond and cause a police offense/incident report to be written. The shift supervisor shall notify Broward Sheriff's Office Arson Squad and the Commander of the Criminal Investigation Division. The shift supervisor shall have the vehicle involved towed and secured by one of the authorized wrecker services in a secured compound. As a matter of policy, the Broward Sheriff's Office Arson Squad will not respond to the scene of vehicle fires to conduct an investigation until the following day.

- D. For the purpose of this directive it should be noted that the Broward Sheriff's Office Bomb & Arson Squad's responsibility will not extend beyond the discovery, collection, transportation and processing of physical evidence from such crime scenes. Investigation of arsons is the responsibility of the Police Department and/or the State Fire Marshall.
- E. Shift supervisors are cautioned that arsons and fires of suspicious origin are crime scenes and should be handled as such. It should also be noted that as a matter of policy of this Department, the working on-duty detectives will not respond to such scenes unless injury or death has occurred, extreme damage to a large area or structure has resulted, or is requested by the Broward Sheriff's Office Bomb & Arson Squad.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>TRAFFIC LAW ENFORCEMENT</b>	GENERAL ORDER NO. <b>530</b>
RESCINDS: G.O. 530 issued 10/28/2004	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 530.1 PURPOSE

The purpose of this order is to establish guidelines for the enforcement of the traffic laws of the State of Florida and the Town of Davie as well as to maintain a system of accountability for all uniform traffic citations issued to Department members. It is incumbent upon all sworn officers of the Davie Police Department to be observant of violations of traffic laws and other suspicious or unusual activity in order to keep our citizens free from crime, our streets and highways safe to drive upon, and to detect and apprehend criminals.

### 530.2 POLICY

It is the policy of the Department to conduct traffic enforcement in a proactive manner, while insisting that citizens only be stopped or detained when there exists probable cause to believe that the driver has committed a violation of the motor vehicle laws. This policy does not, however, preclude officers from investigating suspicious activity or stopping and detaining a motorist when there exists reasonable suspicion to believe they have committed, are committing, or are about to commit a criminal offense. It is the policy of this Department to enforce all traffic laws of the State of Florida and the Town of Davie, in an effort to keep those citizens safe and to gain voluntary compliance. The enforcement of traffic laws shall be accomplished fairly and courteously, and in a consistent manner.

### 530.3 DEFINITIONS

UTC – Uniform Traffic Citation.

CMV – Commercial Motor Vehicle.

Traffic Mailer – An informational pamphlet, issued by the Clerk of the Court, which explains the penalties and remedies for traffic violations.

Emergency Lights – Any after-market light installed in or on the Department vehicle that flashes, pulses, or rotates, and displays a red, blue, or amber color.

## 530.4 PROCEDURES

### A. GUIDELINES FOR ENFORCEMENT:

1. Uniform Traffic Citations and parking citations will be issued to violators of the law based upon probable cause, which satisfies the elements of the specific violation for which the person is being charged. Discretion should be used by the officer, taking into consideration the nature and seriousness of the violation.
2. Discretion should be exercised when considering the issuance of multiple citations. Factors to consider are whether or not a single citation, that encompasses multiple lesser violations, is appropriate, such as: aggressive or careless driving; and the seriousness of multiple criminal violations. Officers should consider that the primary objectives of traffic enforcement are to prevent accidents, educate the public, and gain compliance to traffic laws.
3. Selective Enforcement:
  - a. At the discretion of any supervisor, unmarked or unconventional vehicles may be used in selective enforcement assignments, and whether the officers will use covert or overt stationary observation techniques.
  - b. If unmarked vehicles are used for selective traffic enforcement, they must be equipped with installed emergency lighting and siren. If the use of an unconventional vehicle is authorized by the supervisor it may not be utilized for traffic stops. This does not preclude those officers normally assigned unmarked vehicles from making traffic stops should the need arise.
4. Speed Violations:
  - a. Radar Detection: [Radio Detection and Ranging]
    1. Only officers certified by the Florida Criminal Justice Standards and Training Commission will use a Radar device to conduct speed enforcement. Non-Radar-Certified officers may, however, act in a support role to officers who are certified. Non-certified officers will list, on the back of the citation, the name and ID number of the Radar-certified officer that was operating said Radar at the time.
    2. Only Radar devices, which are issued by the Department, will be used by an officer in the performance of his/her duties. No privately-owned Radar devices will be used.
  - b. LIDAR (Laser) Detection: [Light Detection and Ranging]
    1. Only officers certified by the Florida Criminal Justice Standards and Training Commission will use a LIDAR to conduct speed enforcement. Non-LIDAR-Certified officers may, however, act in a support role to officers who are certified. Non-certified officers will list, on the back of the citation, the name and ID number of the LIDAR-Certified officer that was operating said LIDAR at the time.
    2. Only LIDAR devices, which are issued by the Department, will be used by an officer in the performance of his/her duties. No privately-owned LIDAR devices will be used.

- c. Pace Clocking:
1. Officers using speedometers to establish probable cause to issue speed violation citations must pace the violator for an adequate distance to ensure an accurate reading prior to making the traffic stop.
  2. Officers will have the calibrations of the speedometers of their assigned vehicles checked every six months. Arrangements for calibrations will be made by the Administrative Bureau Support Services personnel responsible for Fleet Management. One copy of the certificate of calibration will be kept by the officer. The second copy will be given to Court Liaison, to be maintained for courtroom presentation.
5. Equipment Violations: Officers may consider issuing written warnings, depending on the severity of the violation, in lieu of UTC's.
  6. Public Carrier or Commercial Violations: CMV's and public carriers must comply with all applicable laws, rules and regulations. If an officer is not familiar with federal and state motor carrier regulations the officer may, with the approval of his/her supervisor, contact the Florida Department of Transportation Motor Carrier Compliance (D.O.T.M.C.C.) office to ask for assistance from a DOTMCC officer.
  7. Parking Violations: Officers and P.S.A.S.A's shall, with discretion, enforce parking violations in accordance with the Town of Davie's Code of Ordinances or Florida State Statutes.
  8. Other Moving and Non-Moving Violations: All other violations of Florida law regarding driving, vehicles, drivers' licenses and vehicle registrations shall be enforced. Officers should make themselves familiar with the applicable laws and have a working knowledge of the same.
  9. Warnings: An officer has discretion to issue either verbal or written warnings for any non-criminal infractions. Again, the officer should use discretion and consider the seriousness of the violation.

### **530.5 EMERGENCY EQUIPMENT**

- A. Emergency Lights: When conducting a traffic stop, during traffic law enforcement, an officer will activate the vehicle's emergency lighting system, giving visual warning from the front and rear of the vehicle. The vehicle's "wig-wag" headlamp system shall also be activated, if installed.
- B. Sirens: The vehicle's siren, or other audible warning device, shall be activated in order to gain the attention of motorists, particularly the motorist which the officer intends to stop. The officer shall decide when the use of the siren is no longer necessary and shall turn it off.
- C. Hazard Warning Lights: When stopped on the roadway, the vehicle's hazard warning lights may be activated in addition to other emergency lighting equipment.
- D. Spotlights: The use of the vehicle's spotlight and take-down lights is encouraged, even during daytime traffic stops. However, for the safety of the subject driver, caution should be used when utilizing spotlights and take-down lights until the

violator has safely pulled over and has stopped movement of the vehicle, due to the fact that, the use of these lighting systems may partially hinder the vision of the subject driver.

- E. Public Address System (P.A.): Use of the P.A. is encouraged in order to give verbal commands to the operator of an occupied vehicle.

## **530.6 APPROACH AND CONTACT**

Most officers use different techniques for approaching and contacting violators. Given the fact that no one-way is the best for every situation, the following approaches and contacts are recommended, however, alternatives are not prohibited by this policy:

### **A. APPROACH:**

1. An approach on the non-traffic side of the violator's vehicle is recommended. This keeps the officer out of the path of on-coming traffic.
2. If the non-traffic side of the vehicle happens to be the passenger side, the violator is usually surprised when the officer makes contact. Additionally, the officer has a better view of the violator when viewed from the passenger side.

### **B. CONTACT:**

1. It is the discretion of the officer as to whether the officer approaches the vehicle to make contact with the violator or the officer calls the violator out of his/her vehicle, taking into account the following factors:
  - a. Weather conditions;
  - b. Traffic conditions;
  - c. Location of stop;
  - d. Nature of violation and/or actions of the violator;
  - e. Officer safety – including the number of occupants, characteristics of the vehicle, etc.;
  - f. Whenever a violator is directed out of their vehicle, the utmost consideration should be given to their safety, such as other traffic.
2. Officers will present a professional image during the course of the contact.
3. Officers shall greet violators with their name and rank, and in a courteous manner.
4. Officer shall advise the subject of the violation and complete the required forms.
5. When the contact is complete, the officer will assist the violator in safely re-entering traffic.

- C. **HIGHER RISK STOPS:** A "higher risk stop" is utilized for anyone being stopped who is wanted in connection with a violent incident, is suspected of being armed, or is wanted for a serious crime.

1. **Technique:** The following tactics are recommended, but may not be applicable to all cases. Each officer should use their best judgment, given the situation in which they find themselves.

- a. If at all possible, the officer following the vehicle should wait for a secondary unit before initiating the traffic stop. If the subject's vehicle suddenly stops on its own, freeze the situation with voice commands until backup arrives.
- b. The officers involved in the stop should use all available emergency lighting equipment as well as the P.A. system if available.
- c. The preferred positioning for the police units is two-to-three vehicles side-by-side, a safe distance back (25 – 30 feet back is recommended).
- d. One officer should issue voice commands to the subjects to avoid contradictory orders or confusing the subjects who may then exploit the situation to their advantage.
- e. The first priority upon stopping the subject's vehicle is to control the movement of the subjects and get all hands up high and visible. The hands can be placed on the back of the head.
- f. Have the driver turn their vehicle off. Remember that power windows will then be inoperative. Have the driver toss the keys from the vehicle opening the door if necessary.
- g. Order the driver out first. Have the driver close the door behind him/her with his/her foot and then turn 360 degrees, with hands up upon their head, to visually look for weapons. Then order out each of the other occupants one at a time.
- h. Have the subject(s) face away from the officers and then back up to a spot between the subject's and officers' vehicles, stopping at the front of the police vehicles.
- i. Order the subjects to keep their hands on their heads with fingers interlaced and to take a kneeling position.
- j. A designated cuffing officer should holster their weapon, have the cuffs ready in their hand, and then approach the subject, cuffing immediately.
- k. After the handcuffing is completed, the subject will be searched and any weapons found will be secured.
- l. The subject should be placed into the rear of a marked police vehicle. The subjects should be kept separated if possible.
- m. The subject's vehicle should then be cleared and any unseen subjects should be ordered out of their vehicle. If there is no response, the subject's vehicle should be checked using available cover or other techniques.

### **530.7 DRIVING WHILE LICENSE SUSPENDED, REVOKED OR CANCELLED**

- A. If the violator cannot be proven to have knowledge of the suspension, the penalty is that of a moving violation, as set forth in s. 322.34(1). The violator should be given the benefit of doubt when his/her knowledge of the suspension cannot be proved. If the violator is cited for the moving violation, the violator's license will still be confiscated and the violator will not be allowed to drive when the contact is completed.

- B. The officer shall attempt to determine whether or not the violator has knowledge of the suspension, revocation or cancellation. This can be accomplished by:
1. Obtaining verbal admission of the violator.
  2. Making a driver's license check that indicates a notification by the Courts and/or DHSMV.
  3. Identifying whether the violator has been previously cited for DWLSR.
  4. All suspensions for "failure to pay a traffic fine" or for "financial responsibility" do not automatically fulfill the qualification for knowledge.
- C. If the officer is satisfied that the violator has knowledge of a suspension, revocation or cancellation, the officer may either:
1. Release the violator with a traffic citation, indicating a mandatory court appearance.
    - a. The date of the court appearance will be provided, by the officer, on the citation.
    - b. The violator's driver's license will be confiscated and attached to the citation(s), for forwarding to the Clerk of the Court.
    - c. The violator's vehicle will be handled in accordance with General Order 533, Vehicle Towing and Recovery.
  2. Take the violator into physical custody.
    - a. The violator will be arrested in accordance with G.O. 430, Arrest Procedures.
    - b. The violator's vehicle will be handled in accordance with G.O. 533, Vehicle Towing & Recovery.
    - c. The violator may be remanded to the custody of the Broward County Sheriff or released by the issuance of a traffic citation.
  3. Any person who operates a motor vehicle while their driver's license has been suspended, revoked or cancelled because they are a "habitual traffic offender" commits a felony and, therefore, should be taken into custody. The officer does not have to prove, in this case, that the violator had knowledge of that suspension.

## 530.8 UNIFORM CITATIONS

- A. UTC Issuance to Violators: (Moving and Non-moving Violations)
1. Once the citation is completed, the issuing officer will explain the violation, the traffic citation, and the procedure for complying with the traffic citation, to the violator. An explanation of the traffic mailer will also be given. The violator will be requested to sign the traffic citation. After signing the citation, the violator will be given the yellow copy of the citation and a traffic mailer. The provisions for the



violator to comply with the traffic citation, as prescribed in F.S.S. 318.18, are as follows:

- a. The violator may pay the civil penalty.
  - b. The violator may elect to attend a court hearing by contacting the Clerk of the Court as explained in the traffic mailer.
  - c. The violator may elect to attend and complete a Driver Improvement Course, if eligible, by contacting the Clerk of the Court as explained in the traffic mailer.
2. The officer will make sure that the violator understands his/her options and point out that they are listed on the back of the violator's copy of the UTC and also on the mailer, should the violator wish to refer to them at a later time.
  3. If a mandatory court appearance is required the violator, by signing the citation, is promising to appear in court. The violator should be told that a failure to appear in court will result in the suspension of their privilege to operate a motor vehicle.
  4. Refusal to Sign a Citation: Pursuant to F.S.S. 318.14, any person who willfully refuses to sign and accept a traffic citation will be guilty of a misdemeanor of the second degree, except as provided in 530.10 A.
    - a. Before a violator is charged with the criminal violation of refusing to sign and accept a traffic citation, the officer will advise the violator that by signing the citation the violator is not admitting guilt, rather promising to answer to the charge, as provided above. The officer will further explain that, in refusing to sign and accept the citation, the violator will be committing a misdemeanor in the presence of the officer and may be subject to arrest.
    - b. When refusing to sign and accept the citation, the officer, at his/her discretion, may place the violator under arrest. The officer will follow the arrest procedures as outlined in General Order 430.
  5. Criteria for Physical Arrest: The following are some examples of misdemeanor traffic offenses for which the violator may be physically arrested:
    - a. The violator refuses to sign and accept the citation, except as provided in 530.10 A.
    - b. The violator fails or refuses to sufficiently identify himself/herself or to supply the required information for the completion of the traffic citation.
    - c. The violator refuses to give a thumb print when not in possession of a driver's license and is charged with such.
    - d. Any criminal violation of F.S.S. chapters 316, 320, or 322.
- B. D.U.I. Citations:
1. D.U.I. Citations are to be issued only for a D.U.I. arrest when the driver's blood alcohol level is .08 or higher regardless of the type of motor vehicle operated or for a D.U.I. arrest when the driver refuses to take a blood, breath or urine test, regardless of the type of vehicle operated.
  2. D.U.I. citations will be issued to supervisors for use by officers as needed upon arrest of violators.

- C. Parking Citations: The Davie Police Department utilizes the County Municipal Citation. A parking citation shall be issued for vehicles observed to be in violation in accordance with the following procedures:
1. The license tag of the vehicle shall be checked via FCIC to ensure that it is registered to the vehicle. If not, the VIN number shall be recorded on the citation.
  2. The issuing member must check the appropriate box on the citation and provide a brief description of the violation. For example, Parking in Handicapped Space, Parking within 15' of a Fire Hydrant, Parking in a Fire Station/Zone.
  3. Once the citation has been properly completed, the envelope portion of the citation shall be placed on the windshield of the vehicle and both the pink and white copies are to be turned in with the member's daily paperwork.
  4. The Department's Court Liaison personnel have the responsibility of recording the issued parking citations and transmitting them to the County Parking Division. The County Parking Division shall handle the collection of fees and any related disputes arising from the issued citations.

### **530.9 ADMINISTRATION OF CITATIONS**

- A. Maintenance of Citation Booklets: Uniform Traffic Citations (UTC's) and D.U.I. Citations are issued by the Department of Highway Safety and Motor Vehicles (DHSMV), to the police department, on an as needed basis. The Davie Police Department establishes the following procedures for preparing, processing, and maintaining a system of accountability for those citations.
1. UTC's and D.U.I. citations shall be ordered by the Court Liaison when the current inventory reaches a three month supply level. Upon receipt of the UTC's from DHSMV, Court Liaison shall:
    - a. Examine the contents of the shipment and contact DHSMV (Uniform Traffic Citations Section) immediately to resolve any discrepancy.
    - b. Maintain a copy of the invoice of each shipment of citations identifying the quantity of cases of citations received.
    - c. Return the white copy of the invoice and receipt form to the Uniform Traffic Citations Section.
    - d. Notify the Uniform Traffic Citations Section immediately if any citations are discovered to be mutilated or missing so that those citations can be deleted from our inventory at the DHSMV.
    - e. Return any citations damaged in shipment.
    - f. Contact the Uniform Traffic Citations Section for an emergency supply of citations, should the need arise.
  2. A "chain-of-custody" of UTC's and D.U.I. citations shall be maintained from the time that Court Liaison receives them until the completed citations are transmitted back to DHSMV.
  3. All Department members along the chain-of-custody shall be held accountable for the citations issued to them.
  4. Under no circumstances is it permissible for one law enforcement agency to transfer citations to another law enforcement agency.

5. Upon resignation or discharge, an officer's citation book shall be surrendered to an immediate supervisor per F.S.S. 316.650(4). The full or partially used books shall be returned to court liaison for reassignment to another member.
- B. Maintenance of Parking Citations:
1. Parking citations shall be ordered by the Court Liaison when the current inventory reaches a three month supply level. Upon receipt of the parking citations, Court Liaison shall examine the contents of the shipment and contact the distributor to resolve any discrepancies.
  2. Under no circumstances is it permissible for one member to transfer a parking citation to another member of this Department or other law enforcement agency.
  3. Upon resignation or discharge, an officer's parking citation book shall be turned over to an immediate supervisor. The full or partially used books shall be returned to court liaison along with a Request for Dismissal form for each citation in the book. The Broward County Clerk of the Courts will not allow a parking citation booklet to be reissued to another member of the Department.
- C. Secure Storage and Disbursal of Citations: UTC's, D.U.I., and Parking citations shall be stored in the Records Unit and shall only be disbursed in the following manner according to procedures established by Court Liaison and under the direction of the Records Supervisor:
1. An individual case of UTC, D.U.I., or Parking citations will be opened and the case will be logged on a Citation Disbursal Log using the starting and ending citation numbers for the booklet numbers contained inside, i.e. (0001CRN) – (1250CRN).
  2. Once a case of UTC or Parking citations has been opened and logged, a member of Records may disburse the booklets of citations directly to individual Department members. In the case of D.U.I. citations, they are to be issued to supervisors only. D.U.I. citations shall only be disbursed to supervisors who shall maintain an accountability log of citations distributed to subordinate officers.
  3. The citation booklet issued will be logged by Records personnel on the same Citation Disbursal Log that was used to log the whole case of citation booklets. The Citation Disbursal Log shall be maintained in a conspicuous location readily accessible to all Records personnel until such time as the case has been expended. The completed log will then be forwarded to the Court Liaison personnel for filing.
  4. A supervisor or member of the traffic unit may sign out multiple citation booklets at one time in order to have an increased supply available for purposes of selective enforcement or other targeted enforcement function. All citation booklets will be logged in the same manner and Department members are responsible for any citations they receive.
  5. All Department members and supervisors shall only receive citation booklets after signing the Citation Disbursal Log. The member of Records will also sign the form, as provided, as the "Issuer". Members must submit a completed Citation Accountability Log (see 530.9 D below) in order to receive a new citation booklet.

6. Members shall complete the receipt, in the front of the booklet, and give the original to the issuing member of Records. When receiving more than one booklet, the member shall complete the receipt for all booklets upon the time of issuance.
- D. Accountability of Citations:
1. Members are required to document the disposition of all UTC citations on a Citation Accountability Log (issued by Court Liaison personnel):
    - a. The form is used to account for each citation issued, voided, spoiled, lost/stolen, or transferred to another member.
    - b. Every citation will be logged on the form by the Department member.
    - c. Voided citations will be logged as such and the member will also submit a Citation Void Request form.
    - d. When the entire citation booklet has been exhausted the member will submit the form to the Records Unit personnel in order to be issued a new citation booklet.
  2. Supervisors will document the disposition of all D.U.I. citations using Citation Accountability Log by noting the citation number and the officer to whom the citation was transferred.
  3. A Citation Accountability Log is **not** required for the documentation of parking citations.
  4. All Department members will also document all citations (UTC, D.U.I., and Parking) issued during their tour of duty on their daily activity log along with any related case number.
- E. Lost, Stolen, or Voided Citations: The Citation Void Request form (Addendum 1) shall be used to account for lost or stolen citations, improperly completed citations that were **not** issued, spoiled citations, or any other reason why the citation was not issued to a citizen. A citation **cannot** be voided once it is issued to an alleged violator, per F.S.S. 316.650 (4). It is unlawful for an officer to dispose of a citation other than as required by F.S.S. 316.650.
1. The member shall complete the Citation Void Request form and attach the citation in question to the form, except in the case of lost or stolen citations.
  2. The member shall then forward the form, with attached citation, to his/her supervisor.
  3. Once the supervisor has approved the void, by signing the form, the supervisor shall forward the form to the Shift/Unit Commander for review and approval.
  4. After review and approval, the Division Commander shall send the form, with attached citation, to the Records Unit for filing.
- F. Request for Dismissal: The appropriate Request For Dismissal form (issued by Court Liaison personnel) will be utilized for any citation (UTC, D.U.I., Parking) that **was issued** to a citizen in error. The Request For Dismissal form shall be submitted with the citation attached and submitted through the member's chain of command to Records.
- G. Internal Auditing Procedures:

1. The UTC and D.U.I. citation system shall be audited periodically under the direction of the Records Supervisor. The purpose of the audit is to determine if any citations, which should be accounted for, are missing.
  2. This audit will check the sequence of citations that were disbursed to members but have not, yet, been returned to Records.
  3. Citations not accounted for will be identified along with the member who was issued the citation booklet.
    - a. This list will be forwarded to the member's Division Commander.
    - b. Members will be required, via memorandum, to provide an accounting for the citations on the list. The citations will be categorized as:
      1. Issued;
      - 2). Not yet issued;
      - 3). Lost/stolen, or Voided;
      - 4). Transferred to another Department member.
    - c. Department members who cannot account for citations issued to them may be subject to corrective or disciplinary action.
- H. Records Storage:
1. All records for each shipment of citations shall be maintained by the Records Unit, Court Liaison personnel.
  2. All records relative to each shipment shall be maintained in one folder.
  3. This folder shall contain the original copies of all forms, including:
    - a. Shipment invoice;
    - b. Citation Disbursal Log;
    - c. Citation Accountability Log;
    - d. Citation Void Request;
    - e. Officer's Receipt for each citation booklet.

### **530.10 TRAFFIC LAW VIOLATIONS COMMITTED BY NON-RESIDENTS, JUVENILES, LEGISLATORS, FOREIGN DIPLOMATS, CONSULAR OFFICIALS AND MILITARY PERSONNEL**

- A. Foreign diplomats and consular officials, although immune from arrest in many cases, are still subject to the enforcement of the traffic laws of this state. An officer should use discretion in considering what type of enforcement should be utilized. Foreign diplomats and consular officials are not required to sign Uniform Traffic Citations, but shall be given the yellow copy, if issued. The official should display an immunity card issued by the U. S. Department of State. The back of the card lists the provisions and the extent of immunity enjoyed by the official.
- B. Pursuant to G.O 432, Juvenile Procedures, juveniles will only be taken into custody for felonies, non-traffic misdemeanors and ordinances that have jail penalties.

- 1. If a juvenile is being charged with a misdemeanor-level criminal traffic violation, the juvenile will either be issued a traffic citation, with a mandatory court appearance, or released in accordance with General Order 432.5(F). The date, time, and court venue of the mandatory appearance will be the same as any adult charged with the same violation.
  - 2. If the violation is that of a felony-level criminal traffic violation then the juvenile shall be arrested and processed in the same manner as any other felony charge.
  - 3. Officers may operate portable breath test devices and issue "zero tolerance" administrative suspensions to juveniles in accordance with G.O. 535.12, D.U.I. Investigations.
- C. Non-residents, legislators and military personnel, who commit violations of Florida traffic laws, will not be given any special consideration and will be warned, cited, or arrested in accordance with this policy.

**530.11 TRAINING**

- A. Officers shall be advised of newly enacted laws and/or regulations via legal bulletins by the Training Unit and through roll call training.
- B. Officers will receive mandatory re-training within every four year period regarding the Department's expectations for conducting professional traffic stops in accordance with current CJSTC standards and recommendations.

Addendum 1

**DAVIE POLICE DEPARTMENT**  
**CITATION VOID REQUEST**

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I, \_\_\_\_\_, request that Citation number  
(Print Officer's Name and I.D. Number)

\_\_\_\_\_ be voided for the following reason(s):

- Lost or stolen citation
- Improperly completed citation
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Spoiled citation

Other: -

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Requesting Officer's Signature

Approving Supervisor's Signature

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Shift/Unit Commander's Signature  
Records

Date Transmitted to

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>ANCILLARY TRAFFIC SERVICES</b>	GENERAL ORDER NO. <b>532</b>
RESCINDS: G.O. 532 issued 10/28/2004	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 532.1 PURPOSE

The purpose of this General Order is to establish guidelines for performing ancillary police related services to the community regarding traffic and roadway matters.

### 532.2 POLICY

Department members will perform ancillary services related to traffic and roadway situations in accordance with the following procedures.

### 532.3 PROCEDURES

- A. ASSISTING DISABLED MOTORISTS: Disabled vehicles shall be towed in accordance with G.O. 533, Towing and Recovery, section 533.4 B.
1. DIRECTIONS: Members will provide directional and informational assistance to motorists when needed. Members will give directions to members of the public to the best of their abilities and will not knowingly give false or misleading directions.
  2. PROTECTION FOR STRANDED MOTORISTS: Should a member come upon, or be summoned to assist a stranded motorist or pedestrian, the member will utilize any means available to him/her to ensure that help arrives in a timely fashion. The member will ensure that the motorist is directed or transported to a place of safety if there is going to be a considerable time before help arrives.
  3. EMERGENCY ASSISTANCE TO HIGHWAY USERS: Should a member come upon a motorist in need of emergency assistance, he/she will advise dispatch of the following:
    - a. Nature of the emergency.
    - b. Location of the emergency.
    - c. What assistance is required (i.e. Fire-Rescue).
    - d. In medical emergencies the patient will be transported by Fire Rescue. An escort of civilian vehicles is prohibited for emergency medical situations.



- e. First aid will be rendered by the member, to the extent that the member has been trained, until the arrival of, and relief by, trained emergency medical personnel.

B. HAZARDOUS ROADWAY CONDITIONS:

1. It will be the responsibility of the members to recognize potentially dangerous/hazardous roadway conditions and to take immediate and appropriate corrective action.
2. Roadway and roadside hazards will be reported to dispatch for proper information routing and corrective actions.
  - a. Debris on the roadway.
  - b. Defects in the roadway.
  - c. Defects in roadway safety features (i.e. traffic control devices, guard rails, etc.).
  - d. Visible obstructions.
  - e. Roadway obstructions.

C. VEHICLE LOCK-OUTS:

1. Due to lack of available training and vehicle damage liability members will **not** perform the service of unlocking vehicles for members of the public who lock their keys in their vehicles.
2. If a member is requested to open a locked vehicle, the following procedure will be followed:
  - a. The member will ensure that there are no humans or pets locked in the vehicle. In cases of emergency, the member may take whatever action he or she deems necessary to safeguard the lives of persons or pets locked in a vehicle.
  - b. The member will advise the owner/operator of the vehicle that the Town-authorized towing service or a locksmith can be called to assist them. The owner/operator of the vehicle should be advised that there will be a fee for such service which is the owner's responsibility.
  - c. If the situation warrants it, the member may stand by with the civilian until assistance arrives.
3. If the Department Dispatch receives a call for lock-out assistance, the following procedure will be followed:
  - a. Dispatch personnel will ascertain if there is a human or pet locked in the vehicle. If there is, a member will be dispatched to the call. If no human or pet is in the vehicle, the Dispatcher will advise the civilian that a locksmith or Town-authorized tow service can be called to assist them, at their expense, if they so decide.
  - b. If a locksmith or Town-authorized tow service is requested by the civilian, the Dispatcher will call the appropriate service.

D. JUMP STARTING VEHICLES

1. Officers shall not utilize their patrol vehicle to jump start any vehicle.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>VEHICLE TOWING &amp; RECOVERY</b>	GENERAL ORDER NO. <b>533</b>
RESCINDS: G.O. No. 18, 30, 48	ISSUE DATE: 06/21/2004
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 533.1 PURPOSE

The purpose of this General Order is to provide guidelines for the towing, recovery, and releasing of vehicles which are required to be towed or seized for a variety of reasons in order to provide accountability and protection for the vehicle and its contents.

### 533.2 POLICY

The Department recognizes the importance of proper safeguarding of vehicles and personal property that has been placed in our care. It shall be the policy of this Department to properly account and care for vehicles and property that comes into our possession. The towing of vehicles, and the safekeeping of valuables, shall be properly documented in accordance with this General Order.

### 533.4 PROCEDURES FOR TOWING OR IMPOUNDING

#### A. VEHICLES INVOLVED IN A TRAFFIC CRASH:

1. When a vehicle is involved in a traffic crash and becomes disabled to the extent that it cannot be driven from the traffic way, it is the assigned Department member's responsibility to ensure that the vehicle is moved to a safe location.
2. If the vehicle requires a tow, the member shall inquire of the owner or operator whether they have a preference of a tow/wrecker service. If they have, then the member shall contact the Department Dispatch and request that this private service respond to the scene to remove the vehicle. The member shall also have Dispatch inquire as to an approximate estimated arrival time. If the privately-requested tow service cannot respond in a reasonable amount of time, and traffic flow will be hindered as a result of this delay, the officer may request that a Town-authorized wrecker service remove the vehicle.
3. If the owner or operator of the vehicle does not have a preference for a particular wrecker service, the member shall advise Dispatch to send a Town-authorized wrecker service to the scene. The member shall also advise Dispatch if a special tow vehicle or any special equipment is needed in order to tow the vehicle.
4. Members shall ensure that the responding wrecker operator cleans up all broken glass and other debris prior to leaving the scene with the vehicle.

5. Upon arrival of the Town-authorized wrecker service, the member shall inform Dispatch of the time of arrival. Additionally, the wrecker operator shall sign their full name when signing the Vehicle Storage Receipt.
6. As a matter of common practice, the vehicle ignition keys should remain with the vehicle when it is towed.
7. When vehicle tows are requested by a Department member, and the vehicles are to be stored at the Town-authorized wrecker service compound or the Davie Police Department, a Vehicle Storage Receipt is to be completed. When vehicles are to be towed at the request of the owner or operator, to any other location, no Vehicle Storage Receipt needs to be completed.

**B. DISABLED VEHICLES:**

1. Members shall assist the operator of a disabled vehicle in obtaining the necessary assistance required.
2. If the disabled vehicle is blocking traffic, the member shall endeavor to have it removed by assisting the owner in its removal from the roadway or by calling for a wrecker service in accordance with section 533.4 A (2) & (3).
3. All vehicles towed at the direction of a Department member require a police report regardless of the circumstances. In the case of an owner's request a Vehicle Storage Receipt is not required unless special circumstances are present.
4. Members are **not** authorized to use Department police vehicles to jump-start, push, or tow any vehicle.

**C. ABANDONED VEHICLES:**

1. Members shall determine the status of the vehicle (i.e. stolen, overdue rental, etc.) by checking the license tag information through NCIC/FCIC and also determine information related to the registered owner of the vehicle.
2. If it is determined that the vehicle has been abandoned the member shall complete the required reports, noting the vehicle's condition, tag, and VIN.
3. Members shall tow an abandoned vehicle if it is obstructing the flow of traffic and a driver or owner cannot be quickly contacted or located.
4. Department Dispatch personnel shall enter the vehicle's pertinent information into NCIC/FCIC, and it shall be the responsibility of the impounding member to ensure that the entry is completed. NCIC/FCIC related paperwork shall accompany the member's incident report.
5. If it is determined that the vehicle has been reported stolen, the procedures outlined in 533.4 D concerning stolen vehicles shall be followed:

**D. RECOVERED STOLEN VEHICLES:**

1. Vehicles stolen and recovered in the Town of Davie:

- a. The reporting member shall notify Dispatch to have the vehicle listed as recovered in NCIC/FCIC. Dispatch shall attempt to contact the owner and notify them of the recovery. Dispatch shall advise the reporting member whether or not contact was made with the registered owner.
  - b. The reporting member shall then complete a supplemental report to the original offense incident report documenting the recovery information. NCIC/FCIC related paperwork shall accompany the member's incident report.
  - c. In the event notification of recovery was not made to the registered vehicle owner, Dispatch shall make further attempts to contact the registered owner or the lien holder of the vehicle as appropriate by certified mail.
2. Vehicles stolen in Davie and recovered in another jurisdiction:
- a. If a vehicle which was originally stolen in Davie is recovered in another jurisdiction, Dispatch personnel receiving notice of the recovery will cancel the entry in NCIC/FCIC and attempt to notify the registered owner.
  - b. Dispatch personnel shall then complete a supplemental report to the original offense incident report documenting the recovery information. NCIC/FCIC related paperwork shall accompany the member's incident report.
  - c. In the event notification of recovery was not made to the registered vehicle owner, Dispatch personnel shall make further attempts to contact the registered owner or the lien holder of the vehicle as appropriate by certified mail. Dispatch personnel shall complete a supplemental report which will be sent to Records and subsequently forwarded to C.I.U.
3. Vehicles stolen in another jurisdiction and recovered in the Town of Davie:
- a. If a vehicle which was originally stolen in another jurisdiction is recovered within the Town of Davie, an original offense incident report will be required to be completed by the recovering member. Dispatch shall be notified of the recovery.
  - b. Dispatch personnel shall then notify the original reporting agency of the recovery along with the following information: recovery location, condition of the vehicle, time of recovery, recovering member's name, name of tow company, address where vehicle will be stored, Davie case number, name of arrested persons and charges, if any. It should also be ascertained if the original agency requires a hold to be placed on the vehicle. NCIC/FCIC related paperwork shall accompany the member's incident report.
  - c. The originating jurisdictional agency will be responsible for notifying the vehicle owner or lien holder.
- E. VEHICLE IMPOUNDS:
1. When the operator or owner of a vehicle is arrested, the vehicle may, in certain circumstances, be impounded and towed, depending upon the discretion of the officer. If the vehicle is needed for processing as evidence or for other police purposes; or the location of the vehicle creates a traffic hazard/nuisance to motorists/pedestrians, the vehicle shall be impounded or towed. If the vehicle is not needed for evidence nor creating a traffic hazard, the member may provide

the arrestee with the option of leaving the vehicle properly parked at the place of arrest or towed by the owner's request. If the vehicle is left at the place of arrest, the member **must ensure that the arrestee signs the release** on the Vehicle Storage Receipt. If the arrestee refuses to sign the release then the vehicle shall be impounded and the Storage Receipt marked refusal. In the case of arrest involving the charge of D.U.I., or the arrestee's judgment is otherwise impaired, the arrestee **shall not be given an option** to leave the vehicle at the place of arrest and the vehicle will be towed.

2. If the vehicle is in such a location that it creates a traffic hazard or nuisance, the vehicle shall be towed by a Town-authorized wrecker service, or released to someone of the arrestee's choosing, provided that the vehicle can be removed in an expeditious manner. The reason for the towing shall be documented in the member's offense incident report.
3. Members are to conduct an inventory search of all impounded vehicles. This search will encompass the entire vehicle including unlocked, closed containers within the vehicle. If any containers are found to be locked they will **not** be forced open, and will be described and listed as "locked" on the Vehicle Storage Receipt. The purpose of such inventory searches is to protect an owner's property while it is in police custody, protect officers from later claims for the property, and to guard officers from potential harm from dangerous instruments that might be in the vehicle when impounded.
4. Subsequent to the inventory, valuable items shall be removed and placed into Property. A separate property receipt will be completed. Illegal items found within the vehicle shall be seized and may result in the additional charges against the arrestee, if all essential elements of a lawful arrest exist.
5. Members shall ensure that the arrestee is advised of the name and address of the tow company that removes the vehicle.

Note: An inventory is a warrant-less search and its validity depends on the legality of the initial impoundment of the vehicle. No officer shall use impoundment of a vehicle as a pretext/false reason to conduct an inventory of said vehicle or the contents thereof, as same would render any evidence found to be inadmissible in a court of law.

E. VEHICLE HOLDS: All provisions pursuant to F.S.S. 323.001 apply.

1. A Department member may place a hold on a motor vehicle stored within a wrecker service's storage facility for a period not to exceed five (5) days, excluding holidays and weekends, unless extended in writing.
2. The Department member placing the hold must notify the wrecker service in writing within five (5) days, excluding weekends and holidays, whether the hold is to be continued. If no notification is made, the wrecker service may release the vehicle to the owner.
3. If the hold is to continue beyond five (5) days, excluding holidays and weekends, the Department member may have the vehicle removed to the designated impound lot. In the event that the Department member chooses to have the vehicle remain at the wrecker service's facility beyond the five (5) days, excluding weekends and holidays, the Department is responsible for payment of storage charges incurred for the extended period of time. The owner or lien holder is responsible for the accrued towing and storage charges for the first five (5) days.

4. The requirements for a written hold apply when the following conditions are present:
  - a. The officer has probable cause to believe the vehicle should be seized and forfeited under the Florida Contraband Forfeiture Act.
  - b. The officer has probable cause to believe the vehicle was used as the means of committing a crime.
  - c. The officer has probable cause to believe that the vehicle is itself evidence that tends to show that a crime has been committed or that the vehicle contains evidence, which cannot readily be removed, which tends to show that a crime has been committed.
  - d. The officer has probable cause to believe the vehicle was involved in a traffic accident resulting in death or personal injury and should be sealed for investigation and collection of evidence by a traffic homicide investigator.
  - e. The vehicle is impounded or immobilized pursuant to F.S.S. 316.193 or 322.34.
  - f. The officer is complying with a court order.
5. Members will contact their supervisor and advise him/her of the circumstances that require a hold to be placed on the vehicle. With permission of the supervisor, the vehicle will be placed on hold and the applicable areas will be completed on the Vehicle Storage Receipt.
6. If it is necessary to extend the vehicle hold beyond the first five (5) days, the member shall request permission from their supervisor and notify the wrecker service in writing. (A supplemental Vehicle Storage Receipt will be provided to the wrecker service detailing that the hold is being extended.) If the hold is to continue beyond a period of thirty (30) days the Chief of Police shall be notified.
7. Members are encouraged to complete their investigations with regard to the vehicle being held within that five day period. If it is determined that it is no longer necessary to hold the vehicle, the impounding officer shall notify the vehicle owner and/or lien holder.
8. When a vehicle is being subjected to forfeiture procedures, the vehicle shall be towed or transferred to the designated impound lot within the first five (5) days after towing. (Refer to G.O. 220 regarding Forfeiture procedures).

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>D.U.I. INVESTIGATIONS</b>	GENERAL ORDER NO. <b>535</b>
RESCINDS: G.O. 535 issued 11/12/2003	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 535.1 PURPOSE

The purpose of this policy is to establish consistent procedures for all members of the Davie Police Department for the processing and handling of suspected impaired drivers due to alcohol and/or narcotics.

### 535.2 POLICY

It shall be the policy of the Department that all Officers effecting the arrests of impaired drivers follow these established procedures. It is the policy of the Department to utilize Department certified personnel and breath testing instruments during all phases of investigative and enforcement. In case the Department's instrument is unavailable, the closest available Breath Alcohol Testing (BAT) facility will be utilized in order to ensure that arrests are processed in a timely manner. Further, it is also the policy of the Department that whenever, available vehicles equipped with in-car mobile video camera systems will be used in investigations of impaired drivers.

### 535.3 DEFINITIONS

Breath Test Operator - Any member who has received training and holds a valid certificate from F.D.L.E.

Voluntary Roadside Exercises - A series of Divided Attention Exercises which require a driver to concentrate on two things at once.

Normal Faculties - Those faculties of a person such as the ability to walk, talk, judge distances, drive an automobile, make judgments, act in emergencies, and in general to normally perform the many mental and physical acts of our daily lives.

Portable Breath Test Operator - Any Officer who has received training in the Zero Tolerance Law and in the operation of a portable breath tester in accordance with state and local requirements.

Implied Consent – Any person who accepts the privilege of operating a motor vehicle is, by operating such a vehicle, deemed to have given his or her consent to submit to an approved chemical or physical test of his or her breath for the purpose of determining the alcoholic content of his or her blood or breath, and to a urine test for the purpose of

detecting the presence of chemical or controlled substances, if the person is lawfully arrested for any offense allegedly committed while the person was driving or was in actual physical control of a motor vehicle while under the influence of alcoholic beverages, chemical or controlled substances.

Officers shall utilize a prepared text to advise arrestees the following: The person shall be told that his or her failure to submit to any lawful test of his or her breath or urine, or both, will result in the suspension of the person's privilege to operate a motor vehicle for a period of 1 year for a first refusal, or for a period of 18 months if the driving privilege of such person has been previously suspended as a result of a refusal to submit to such a test or tests, and shall also be told that if he or she refuses to submit to a lawful test of his or her breath or urine, or both, and his or her driving privilege has been previously suspended for a prior refusal to submit to a lawful test of his or her breath, urine, or blood, he or she commits a misdemeanor in addition to any other penalties.

## 535.4 PROCEDURES

- A. Conducting Traffic Stops: All observations in this stage are crucial in establishing probable cause. Officers must perform the following tasks:
1. Recognize and identify specific identification clues of driving behaviors that have a high probability of signifying that the driver may be impaired, including but not limited to: weaving, braking erratically, headlights off, wide turns, etc. Any one of these violations, in itself, may not indicate D.U.I. but a combination may.
  2. Recognize and identify specific reinforcement cues occurring during the vehicle stop that provide additional evidence that the driver may be impaired, including but not limited to: inappropriate signaling and/or stopping, fleeing, etc.
  3. All observations leading to the suspicion that the driver may be impaired should be noted.
  4. Extreme caution must be used when stopping the vehicle. A safe location must be selected for the stop as soon as is practical.
  5. Once the vehicle is stopped, if the driver is suspected of being impaired they should not be allowed to move the vehicle again.
  6. Request a back-up Officer whenever possible. A back-up Officer with an in-car mobile video camera system is preferred, if available.
  7. Obtain documents from the driver such as their driver's license or identification card, registration, and insurance. Make note of any difficulty driver has when trying to produce the requested items.
  8. Note direct observations of the driver, such as:
    - a. Does the driver emit an odor of alcoholic beverage, and if so, does the odor seem to get stronger when they speak?
    - b. Is the driver's speech slurred or incoherent?
    - c. Are the driver's eyes bloodshot, watery, or glassy?
    - d. Does the driver exhibit poor manual dexterity when exiting the vehicle?



9. Determine if the driver has any physical or medical handicaps. Ask the driver if he/she is taking any medication, is a diabetic, or has any physical injuries or disabilities of which you should be made aware.
  10. If **reasonable suspicion**, exists ask driver to submit to a series of Voluntary Roadside Exercises. If the driver agrees, move to a safe location to proceed with further investigation (See 535.4(B) below, Administering Roadside Exercises). If the driver refuses, advise the suspect that by their refusal to submit to the exercises the officers decision to arrest or not arrest will be based upon the driving pattern (if observed) and physical characteristics of the suspect and that by refusing to take the exercises it may be held against them in court.
- B. Administering Roadside Exercises: When possible, a well-lit area with a dry, level surface, clear of debris shall be used to perform the roadside exercises. The following **three standardized exercises** will be used in order listed below to comply with the National Highway and Traffic Safety Administration (NHTSA): (1) **Horizontal Gaze Nystagmus (HGN)**; (2) **Walk and Turn**; and (3) **One Leg Stand**.
1. **HGN Exercise:**
    - a. The Officer will instruct the driver to stand with his feet together and arms down by his side.
    - b. The Officer will hold the stimulus approximately 12-15 inches in front of the driver's face and move it from side to side looking for the following six clues:
      1. Lack of smooth pursuit (in each eye)
      2. Distinct and sustained nystagmus at maximum deviation (in each eye)
      3. Onset of nystagmus prior to 45 degrees (in each eye).
    - c. The clues are counted for each eye individually making a total of six clues.
  2. **Walk and Turn:**
    - a. The Officer will instruct the driver to stand with left foot on a marked line (if possible) and place driver's right foot in front of the left foot, with the heel touching toe.
    - b. During the instruction phase the driver must maintain the above position while listening to the instructions and should not start until being directed to so.
    - c. Instruct the driver to take nine heel to toe steps (in a straight line or on marked line) counting each step out loud. Upon completion the driver is to turn around and take nine steps back in same manner, with arms down by his/her side.
  3. **One Leg Stand Exercise:**
    - a. Officer will instruct the driver to stand with his feet together and arms down by his side for the instruction phase.
    - b. During the instruction phase the driver must maintain his balance while listening to the instructions.
    - c. During the balance and counting stage the driver must stand on one foot holding the other one stiffly straight out in front approximately 6 inches off the

ground. The driver must then count out loud for thirty seconds while looking at the raised foot. If the driver has to put his foot down at any time instruct them not to start over just continue counting where they left off.

- d. Officers may wish to use discretion when administering these exercises to persons the age of 65, or 50 pounds or more overweight, or who may have physical impairments that affect their ability to balance.
- e. If the driver is physically unable to perform any roadside exercises, do not jeopardize their safety. Alternate Divided Attention Exercises can also be used.

C. Alternate Roadside Exercises:

1. **Finger to Nose:** Have driver stand with feet together and arms down by their side. Officer will instruct the suspect to raise their hand and touch the tip of the suspect's nose with the index finger on the hand the officer calls out. The order is Left, Right, Left, Right, Right, Left.
2. **Finger Touch:** Have driver stand with feet together and either arm extended with the palm facing up. Instruct the driver to touch their thumb to the tip of their index finger. Beginning with the count of one, touch each finger, counting aloud until reaching the pinky finger, ending on the count of four. Then from the pinky finger (four) count backwards to one reaching the index finger. Repeat this series three times. Look for slurred speech, miscounting numbers, and swaying while standing in a stationary position.
3. **Hand Slap:** Have driver stand with feet together and arms in front, palms touching. Have driver "clap" hands together counting 1-4, alternating with the top hand, palm and back.
4. **Rhomberg Alphabet:** Have suspect stand with feet together and arms down by their side. Instruct suspect to recite the alphabet. Do not let suspect sing or rhyme the alphabet. Listen for clear articulation of letters and look for visible swaying while standing in a stationary position.

## 535.5 UTILIZING IN-CAR MOBILE VIDEO CAMERA SYSTEMS

In-Car Mobile Video Camera Systems will be assigned to sworn Road Patrol Officers to use in their P.A.P.V.'s by their Division Commander, or designee. If a mobile camera system is not functioning properly, the officer to whom it is assigned shall immediately notify their shift commander via memo and submit their device for repair.

A. Procedures for using a camera system in a D.U.I. Investigation:

1. Whenever possible, the entire stop, including the driving pattern of the suspected impaired driver shall be recorded.
2. The Officer will ensure that there is adequate lighting for night taping of any investigation. The use of headlights and or takedown/spotlights may be required.
3. The Officer who is assigned the mobile camera system will be responsible for the operation and quality of the videotaping.

4. The Officer who is assigned the mobile camera system will be responsible for placing the tape into evidence, regardless if any malfunction occurs or not. The officer will be responsible for the proper marking of the tape as evidence and maintaining chain of custody. The officer is also required to complete a supplemental report.
5. The video tape will be marked with the appropriate date, case number, Arresting Officer's name, and the defendants name and date of birth.

## 535.6 ARREST PROCEDURES

- A. General guidelines for arrest procedures are outlined in G.O. 430.
- B. Once probable cause to arrest has been established, the driver will be physically placed under arrest and requested to submit to a chemical breath and/or urine test. If the driver refuses to submit to a chemical breath and/or urine test the Officer will then read Implied Consent from a prepared card supplied by the Department. The arrestee shall not be allowed to ingest anything, smoke a cigarette, etc. so that an accurate chemical breath test may be administered.
- C. Once probable cause to arrest is determined, the suspect shall not be allowed to move their vehicle from the original position of the traffic stop. Upon arrest, the suspect's vehicle shall be towed in accordance with Department policy governing towing of vehicles.

## 535.7 POST ARREST PROCEDURES

- A. The arrestee will be transported to Davie Police Department or closest chemical testing facility depending upon availability.
- B. When a chemical testing facility is utilized (BAT), it shall be for the purposes of offering a breath and/or urine test, as required by the Implied Consent Law. The series of Divided Attention Exercises should only be administered at Roadside in connection with the traffic stop. Whenever possible, the Voluntary Roadside Exercises shall be recorded by the use of the assigned In-Car Mobile Video Camera Systems.
- C. A person who is arrested for a violation of Driving Under the Influence may not be released from custody until the person is no longer affected to the extent that there normal faculties are impaired; the person's blood alcohol level is less than .05; or 8 hours have elapsed from the time the person was arrested. **Therefore, the arrestee may not be issued a Notice to Appear and released by the arresting officer unless the arrestee is being held or admitted at the hospital** (whether due to injuries sustained or due to the person's blood alcohol level being above .30). Furthermore, in such cases, it may be preferred to file a Not-In-Custody Complaint Affidavit rather than issuing an NTA. Consultation with the on-call Assistant State Attorney is recommended.

## 535.8 REPORTING

- A. The arresting Officer will complete all necessary paperwork pertaining to the arrest to include the following:

- Probable Cause Affidavits
- Offense Reports (if necessary)
- Inmate Property Forms
- Traffic Citations
- DUI Citations
- Vehicle Storage Receipts
- Traffic Crash Report (if necessary)
- Breathalyzer Report and/or Refusal to Submit (must have 3 copies with original signatures)
- Field Interview Card
- Property Receipts

- B. Officer will document their observations accurately to reflect a detailed account of the driver's actions.

## 535.9 TRAFFIC CRASH/D.U.I. PROCEDURES

- A. Traffic Crash Investigations involving D.U.I.'s will be conducted in accordance with normal established procedures. Whenever possible, a secondary Officer or PSASA should conduct the crash investigation, and the primary Officer should commence with the D.U.I. investigation when the crash investigation is completed. Once the traffic crash investigation is complete, the Officer will inform the driver that the crash investigation is complete and that a criminal investigation to determine if the person is under the influence of alcohol and/or narcotics is now underway. The procedures for investigating D.U.I.'s as outlined in this policy shall be followed.
- B. Prior to beginning a D.U.I. Investigation a wheel witness or physical evidence is necessary to determine the driver of the vehicle, if the crash was not witnessed by an officer. In crashes involving serious bodily injury and/or death to a human being blood draws will be mandatory. See 535.10(D)

## 535.10 EVIDENTIARY CHEMICAL TESTING

- A. If a suspect's Breath Alcohol Content is not consistent with their impairment and drugs are suspected, a urine test may be requested in accordance with the following provisions.
1. An Officer or Detention Deputy (of the same gender as the suspect) must be present with the suspect during the collection of the urine sample.
  2. The urine sample will be treated as evidence and will have the following recorded on the specimen cup (which are maintained in the booking facility):
    - a. Name of suspect.
    - b. Date and time of sample collection.
    - c. Legible initials and id# of the collecting and transporting officer.

3. The urine sample will be immediately transported by the arresting Officer to the Medical Examiner's Office, and a property receipt will be completed and submitted with the sample to document the chain of custody.
- B. If a suspect refuses to submit to a breath and/or urine test appropriate forms will be completed to invoke the implied consent law.
- C. Blood tests will be mandatory in all crashes resulting in the death or serious bodily injury to a human being if alcohol or drugs are suspected. Reasonable force may be used, if such force is necessary, to require the suspect to submit to a blood test. Also, if a breath test is impossible or impractical in medical related cases, a blood test will be requested. (Blood Kits are maintained in the Shift Supervisor's Office.)
1. In cases where certified Fire/Rescue Department paramedics are available they may draw blood samples. This must be done in the back of an ambulance.
  2. At the hospital, only physicians, registered nurses, licensed practical nurses, duly licensed clinical laboratory technicians, or other personnel authorized by a hospital to draw blood, can withdraw blood samples for testing.
  3. Two vials of blood will be obtained from the suspect by properly authorized personnel and must be collected in the "Grey Top" vials, containing non-alcoholic anticoagulant, found in the blood kits.
  4. When the blood samples are obtained they will be treated as evidence and must have the following information printed on each vial:
    - a. Name of suspect
    - b. Date and time of blood draw
    - c. Legible initials of person drawing the blood
    - d. Legible initials and id# of officer witnessing the blood draw and/or transporting the blood kit.
  5. The blood samples will immediately be transported to the Medical Examiner's Office. A property receipt will be completed and submitted with the samples to document the chain of custody.
- D. In all cases involving evidentiary chemical testing, the investigating Officer shall take appropriate action upon receiving the lab report and document the same with a supplemental report.
- E. Independent Blood Alcohol Testing
1. Independent blood alcohol testing by the defendant will only occur after completion of Department evidentiary breath/blood requirements.
  2. The suspect may, at his or her own expense, have physicians, registered nurses, licensed practical nurses, duly licensed clinical laboratory technicians, or other personnel authorized by a hospital to draw blood, or other persons of his or her own choosing administer an independent test in addition to the test administered at the direction of the law enforcement officer. The Officer shall not interfere with the suspect's opportunity to obtain the independent test and shall provide the person with timely telephone access to secure testing, but the burden is on the suspect to arrange and secure testing at his or her own expense.

## 535.11 CHEMICAL BREATH TEST OPERATORS

### A. Breath Test Operator Responsibilities:

1. Conducting breath tests to determine the presence of alcohol will be the primary function of the Breath Test Operator when attempting to ascertain alcohol impairment in non-death/non-serious injury D.U.I. Investigations.
2. Any suspect who has been arrested for D.U.I., and indicates any confusion about the requirement to take a breath test, will be read Implied Consent from a prepared card by the arresting officer and/or a certified breath test operator.
  - a. If the suspect is willing to submit to a breath test, a complete and valid alcohol test consisting of two or more samples shall be administered by the breath test operator after a twenty minute observation period has passed.
  - b. If the suspect refuses to submit to a breath test, the arresting Officer will complete a Refusal Form containing original signatures by the Officer and notarizing officer.
3. Must hold a valid breath test certificate issued by the Florida Department of Law Enforcement.
4. Must receive re-certification training in accordance with FDLE standards.
5. Breath test operators are required to follow all FDLE rules and regulations in performing breath tests and completing required checklists, breath tests, print cards, breath test reports and breath test logs.
6. Breath test operators are required to contact the Agency Inspector as soon as possible in the following instances.
  - a. If the breath testing equipment, or any other equipment within the breath testing room, malfunctions or becomes inoperative.
  - b. If the breath testing equipment is damaged or tampered with.
  - c. If there is any damage to any equipment within the breath testing area caused by a suspect or other another person.
  - d. If there is a shortage of supplies or forms within the breath testing area.
  - e. Or any other malfunction or damage is observed.

### B. Agency Inspector Responsibilities:

1. Inspect all FDLE approved Intoxilyzer instruments that are used to conduct evidential breath tests.
2. The Agency Inspector will comply with all guidelines established by FDLE regarding inspections, documentation, maintenance of records, and testing.

3. The Agency Inspector must ensure the security, cleanliness, and accuracy of the Department's Intoxilyzer instrument and check appropriate logs for completeness.
4. When the Agency Inspector is confronted with a malfunction to the instrument, he/she will determine if the malfunction can be corrected at the field level. If repairs are needed, the Agency Inspector will notify the regional inspector. The instrument must be sent to an authorized repair facility after obtaining authorization from the Department through the chain of command.

## **535.12 ZERO TOLERANCE ADMINISTRATIVE SUSPENSIONS**

- A. Per F.S.S. 322.2616, notwithstanding 316.193, it is unlawful for a person under the age of 21 who has a breath alcohol of 0.02 or higher to operate or be in actual physical control of a motor vehicle.
- B. In enforcing the non-criminal administrative suspension provision of this statute, the officer will initially conduct a D.U.I. investigation. If the suspect does not meet the criteria of impairment for the arrest of D.U.I., the Officer will conduct the Zero Tolerance investigation.
- C. The Officer will request the suspect to take a breath test with a Portable Breath Test device (P.B.T.). Two breath tests will be administered. If the suspect has a breath alcohol level of a 0.02 or higher, the Officer shall suspend the driving privilege of the suspect. The officer will take the suspect's driver's license and issue an administrative notice of suspension.
- D. If the driver refuses to submit to a lawful breath test, the officer must advise the suspect that his/her driving privilege will be suspended for a period of one year for a first refusal or a period of 18 months if their driving privilege has been previously suspended as a result of a refusal to submit to a test.
- E. If the driver only gives one sample and refuses to give a second sample the officer will take whatever action was warranted based on the first sample.
- F. If one sample is below 0.02 and the second is above 0.02, no suspension should be issued.
- G. An arrest should not be made under 316.193 if breath samples exceed 0.08; since probable cause has already been eliminated for the charge of D.U.I. (see section 535.11(B)). Instead a notice of suspension under 322.2616 should be issued. The Portable Breath Test Unit cannot be used to establish probable cause and is not admissible in any criminal proceedings.
- H. A driver who has tested a 0.02 or higher should be afforded the opportunity of contacting a person with a valid driver's license to remove their vehicle or a towing company of their choice. If there is no one readily available the Town's contracted tow company should be notified to remove the vehicle. In the case of a juvenile, the parents or guardians should be notified in order for the juvenile to be turned over to them.
- I. When issuing an administrative suspension, the case number classification should be a signal-1, unless superseded by a higher classification, and should be coded out "Mike" when not resulting in a written report. A written report is not required

when there is only a suspension accompanied by citations which did not involve a physical arrest.

- J. Only Officers who are certified portable breath test operators shall administer a breath test with the Department's portable breath test unit.
- K. Every portable breath test operator will be responsible for the routine care of each instrument assigned to them. The operator shall immediately refer any problems or damage to the Department's intoxilyzer Agency Inspector and notify their supervisor.
- L. All portable breath test units shall be calibrated and checked for accuracy according to the manufacturer's recommendations once each calendar month. A service log shall be kept for each portable breath test unit by the Agency Inspector.

### **535.13 D.U.I. SAFETY CHECKPOINTS**

All D.U.I. Safety Checkpoints shall be conducted in accordance with state law and departmental policy. All checkpoints and/or lane squeezes will adhere to the following procedures designed to minimize the danger to officers and the public and minimize the intrusion to drivers. The purpose of D.U.I. Safety Checkpoints is to detect and apprehend intoxicated drivers who are an immediate threat to the safety of the general public.

- A. Prior Approval: Officers will not conduct any traffic checkpoint and/or lane squeeze without prior approval from the Chief of Police or his designee.
- B. Advance Notification:
  - 1. The supervisor designated by the Road Patrol Division Commander will notify the public information officer via memo of the checkpoint and/or lane squeeze at least 48 hours before it is conducted.
  - 2. The supervisor will maintain a checkpoint file consisting of all notifications, news articles, operational plans, memorandums, site diagrams, and letters to assisting agencies.
- C. Operational Guidelines: Written operational plans must be reviewed by all participating Officers prior to each checkpoint. A copy of the operational plan shall be provided to Dispatch prior to the start of the checkpoint. The operational plan will include the following information:
  - 1. Location.
  - 2. Personnel assignment.
  - 3. Duty assignments and proper attire.
  - 4. Procedures on vehicle selection.
  - 5. Copies of public notices.
  - 6. Emergency/contingency plans.
  - 7. Chain of command.
- D. Staffing Requirements: The following minimum staffing will be required for each checkpoint:
  - 1. A designated supervisor.
  - 2. At least 10 officers.
  - 3. A K-9 officer utilizing a Narcotic Detection Canine.



4. An adequate compliment of PSASA's and/or Police Explorers to assist with paperwork and direction of vehicles.
- E. Safety Considerations:
1. The checkpoint location will be selected by the designated supervisor.
  2. The site must have adequate lighting to illuminate the site, ensure the safety of all officers and the public, and provide safe and clear movement of vehicles and pedestrians.
  3. The location should provide enough space for officers and marked police units to be in plain view.
- F. Restriction of Traffic:
1. Traffic will be reduced to a single lane. The lane squeeze will be attained by using orange traffic cones, flares, barricades, and/or lighted arrow boards.
  2. Barricades will be marked using block letters of reflective tape with "SLOW DOWN", "STOP", "POLICE CHECKPOINT AHEAD", and/or other directional messages.
  3. Barricades, traffic cones, and flares will be arranged diagonally so traffic is gradually reduced to a single lane. A guideline of 100 feet for every 10mph of the posted speed limit should be used.
  4. A sign should be placed at the beginning of the lane squeeze stating "POLICE CHECKPOINT AHEAD" to alert motorists of the purpose of the lane squeeze.
  5. At least two marked police units will have their emergency lights on to aid in the identification of a police operation and for the safety of the motoring public.
- G. Attire: All officers participating in the checkpoint are required to wear their regular Agency duty uniform or other uniform approved by the supervisor.
- H. Operations Briefing: The checkpoint supervisor will conduct a briefing for all assigned personnel before the beginning of the operation. During the briefing the following will be discussed:
1. Operational plan.
  2. Purpose of the checkpoint.
  3. Safety and legal issues.
  4. Emergency/contingency plans.
  5. Conduct at checkpoint.
  6. Arrest and/citation procedures.
  7. Policy and procedures.
  8. Any other relevant information to the checkpoint and/or location.
- I. Emergency/Contingency Plan:
1. If traffic conditions cause officers to deviate from the predetermined order of interviewing, a contingency plan will be established and included in the operational plan. The reasons for departure must be documented in the after action report.

2. If all assigned officers become involved in arrests, or investigations of drivers violating the law for which the checkpoint was created, or if traffic was unnecessarily delayed, stopping of vehicles shall be discontinued until the normal traffic flow is resumed and officers are again available.
- J. Conclusion of Checkpoint: The time frame for a checkpoint will be established in writing before its implementation. However, if officers are no longer available to safely conduct a checkpoint or if the weather is unsuitable, the checkpoint will be discontinued earlier than scheduled.
- K. Reports:
1. After action reports will be completed and sent to the Chief of Police via chain of command. The after action report should contain the operational plan, attendance, total statistics, and any major incidents that took place at the checkpoint location.
  2. Upon completion and final review a copy of the operation plan and after action report, a copy shall be filed with the state attorney's office upon their request.
  3. Division Commanders shall submit a copy of the after action report in their monthly report.

## **535.14 SATURATION PATROLS**

Purpose: The purpose of Saturation Patrols is to detect and apprehend traffic violators who are an immediate threat to the safety of the general public and to enforce all traffic laws.

- A. Prior Approval: Officers will not conduct any operation without prior approval from the Chief of Police or designee.
- B. Operational Guidelines: Written operational plans must be reviewed by officers prior to each operation. The guidelines will include:
1. Location of targeted area.
  2. Personnel assignment.
  3. Duty assignments and proper attire.
  4. Procedures on vehicle selection.
  5. Emergency/contingency plans.
  6. Chain of command.
- C. Staffing Requirements: The following minimum staffing will be required for each operation:
1. A designated supervisor in charge.
  2. 10 police officers.
  3. A K-9 officer with certified narcotics partner, when available.
  4. 2 police service aides.
- D. Operations Briefing: The designated supervisor will conduct a briefing for all assigned personnel before the beginning of the operation. During the briefing the following will be discussed:
1. Purpose of the operation.
  2. Target areas.
  3. Safety and legal issues.

4. Chain of command.
5. Arrest and/or citation procedures.

E. Reports:

1. After action reports will be completed and sent to the Chief of Police via chain of command. The after action report should contain the operational plan, total statistics, and any major incidents that took place during the operation.
2. Upon completion and final review of the operation plan and after action report, a copy shall be filed with the state attorney's office upon their request.
3. Division Commanders shall submit a copy of the after action report in their monthly report.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>TRAFFIC CRASH INVESTIGATIONS</b>	GENERAL ORDER NO. <b>540</b>
RESCINDS: G.O. 540 issued 06/21/2004	ISSUE DATE: 03/21/2005
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 540.1 PURPOSE

The purpose of this general Order is to establish guidelines for assigning responsibilities and ensuring that traffic crash investigations will be conducted in compliance with Florida law.

### 540.2 POLICY

As it is the responsibility of law enforcement officers to investigate and report motor vehicle crashes, it shall be the policy of this Department to investigate all traffic crashes that result in death, serious bodily injury or property damage in accordance with Florida State Statutes. The information gathered as a result of these investigations can be used to assist in developing traffic laws and safety programs, as well as revealing traffic patterns that may need to be addressed by increased traffic law enforcement.

### 540.3 DEFINITIONS

Crash Report Forms – Forms supplied to law enforcement agencies by the Florida Department of Highway Safety and Motor Vehicles (DHSMV) intended for reporting traffic crashes.

Fatal Injury – An injury that results in death.

Injury Crash – A vehicle crash that results in one or more injuries.

Motor Vehicle – Any self-propelled vehicle not operated upon rails or guideway, but not including any bicycle, motorized scooter, electric personal assistive mobility device, or moped.

Motor Vehicle Crash – A transport crash that involves a motor vehicle in transport; is not an aircraft nor a water craft accident; and does not involve any harmful event involving a railway train in transport prior to involvement of a motor vehicle in transport.

Traffic Crash – A motor vehicle crash in which the stabilized situation originates on a traffic way or a harmful event occurs on a traffic way.

Vehicle – Every device, in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks.

## 540.4 PROCEDURES

### A. RESPONSE:

1. Within the jurisdiction of the Town of Davie, members will respond to the scene of traffic crashes involving death or injury, hit-and-run, damage to vehicles or property, impairment of an operator due to drugs or alcohol, disturbances between involved persons, major traffic congestion resulting from a crash, involvement of hazardous materials, damage to vehicles to the extent that towing is required, or a crash involving a Town vehicle.
2. Within the jurisdictional confines of the Town of Davie, members who discover, witness, or are dispatched to a traffic crash will ensure that medical attention is provided when necessary, that appropriate units are dispatched to investigate the crash, and originate necessary reports. If the crash involves a fatality, or near-fatality, in which a Traffic Homicide Investigator (T.H.I.) must be called to the scene the original responding officers shall remain on-scene, unless relieved, to assist with traffic control, generate an original report, or assist in any other way directed by the T.H.I.

### B. RESPONSIBILITIES OF FIRST RESPONDING MEMBERS:

1. Protect the crash scene by placing the police vehicle in such a manner as to keep passing traffic from driving into or through the scene.
2. When necessary, administer first aid and request Fire Rescue to provide medical attention for any injured parties.
3. Locate and isolate potential or existing hazards (fire, fuel spills, hazardous materials, downed wires, etc.) and summon the appropriate emergency services to control the hazards in accordance with the provisions of G.O. 545, Hazardous Materials.
4. Summon additional assistance as needed (other Department members, Fire Rescue, wrecker service, power company, etc.).
5. Secure and preserve the scene and items of evidentiary value by placing temporary warning devices (flares, cones, barricades, vehicle, etc.) if necessary and available. Take additional measures to preserve evidence which may be short-lived (evidence that may be lost or compromised as a result of the elements, footsteps, tiretracks, etc.)
6. Locate, secure, isolate and interview principals and witnesses.
7. Examine and record vehicle damage and effects of the crash on the roadway.
8. Take measurements and photographs as appropriate.
9. Maintain peace and order on the scene. The parties involved should be separated to prevent any disturbances from occurring. If there is a

disturbance between parties involved on-scene which has the potential to escalate to a physical confrontation, back-up assistance shall be summoned immediately.

10. If the crash is a hit-and-run, follow proper investigative procedures and issue informational bulletins as needed.
11. Provide traffic control, as needed, and have the vehicles removed from the roadway as soon as possible. In the event that the vehicles remain in place, responding members shall establish a safe traffic pattern around the scene to control the flow of traffic by utilizing personnel, flares, or cones. If the crash involves a fatality or near-fatality, and T.H.I. is taking over the investigation, the vehicles shall be left in place until released from the scene by T.H.I.
12. Request a wrecker service for vehicles in need of towing in accordance with the provisions outlined in G.O. 533, Vehicle Towing & Recovery.
13. Assist involved parties in delivering emergency messages.
14. Members will take measures to ensure the security of personal property.

C. PROTECTION OF PERSONAL PROPERTY:

1. Members will remove the personal property of value from the vehicle of any person who is incapacitated, document the items on a Property Receipt, and place the items into Property for safekeeping.
2. Vehicle inventories shall adhere to the provisions of G.O. 533, Vehicle Towing & Recovery.

## 540.5 SAFETY AND REGULATORY EQUIPMENT

- A. Members, who are dispatched to or investigate traffic crashes, shall have in their vehicles and readily accessible, the following equipment:
  1. Bio-hazard protective kit;
  2. A minimum of 12 flares;
  3. Traffic crash report forms;
  4. Uniform traffic citations;
  5. Flashlight;
  6. Reflective safety vest;
  7. Measuring wheel;
  8. A traffic template.
- B. Traffic Homicide Investigators, while on-call, shall have the following equipment in their vehicles:
  1. Roller tape;

2. Tire gauges;
3. Tire tread depth gauge;
4. 35mm camera and film;
5. Crime scene tape;
6. A minimum of one case of flares;
7. Blood collection kits;
8. Nikon Total Station, complete;
9. A minimum of five (5) cones;
10. Disposable rubber/latex gloves;
11. Assorted plastic and brown-paper bags;
12. Cassette tape recorder and blank tapes.

C. TRAFFIC REGULATION – EQUIPMENT

1. The following is a list of equipment that can be used in order to regulate traffic at the scene of a crash in order to protect the scene and to temporarily detour traffic:
  - a. Flares – Lit and placed along the perimeter of the scene to visually warn motorists of the cordoned-off area. Members should use caution around flammable materials.
  - b. Traffic cones – Placed on the perimeter of the scene and along the approach to visually warn motorists and provide a physical barrier to the scene.
  - c. Barricades – May be requested from Public Works when necessary to divert traffic for extended periods of time.

## 540.6 LAW ENFORCEMENT REPORTING RESPONSIBILITIES

- A. Florida traffic crash reports will be written in accordance with F.S.S. 316.066, whether the crash occurred on public property or private property. If a crash occurs on private property, and the victim does not want to report the crash, and statute allows, the member will write a brief information report.
- B. Members investigating a traffic crash will complete a Florida Traffic Crash Report, HSMV-90003 (long form), along with Florida Traffic Crash Narrative/Diagram Report, HSMV 90005 under the following circumstances:
  1. The crash results in the death or personal injury of a person.
  2. A Town-owned/leased vehicle or Town-owned property is involved.

3. A vehicle transporting hazardous materials is involved.
  4. Any of the following violations occurs:
    - a. Leaving the scene of the crash resulting in death or serious bodily injury.
    - b. Leaving the scene of a crash resulting in damage to another vehicle or property, which is attended.
    - c. D.U.I. pursuant to F.S.S. 316.193.
  5. The completion of a Florida Traffic Crash Report, HSMV-90003 (long form) is optional and at the discretion of the Department member when a vehicle is rendered inoperative to a degree that requires a wrecker to remove it from traffic.
  6. Along with the HSMV-90003 (long form) and HSMV-90005, members conducting a crash investigation should also use Florida Traffic Crash Report HSMV-90006 as a driver's exchange form so that persons involved in the crash have the information they need to begin filing insurance claims. Only the top sheet of the HSMV-90006 should be included with the long form reports when forwarded to records.
- C. If the crash does not involve any of the aforementioned conditions but results in damages to any vehicle or property of at least \$500.00, the investigating member shall complete a Florida Traffic Crash Report, HSMV-90006 (short form).
1. Check the box marked "Law Enforcement Short Form Report."
  2. Fill in all applicable spaces.
  3. Forward the original copy of the report to records.
- D. Members investigating a traffic crash will issue a Florida Traffic Crash short form report HSMV-90006 to the driver(s), checking the box marked "Driver Report of Traffic Crash" in the upper left-hand corner, under the following conditions:
1. The driver of the vehicle wishes to report damage to his/her vehicle which occurred at an unknown time and/or unknown location.
  2. The driver was involved in a crash in another jurisdiction.
  3. The driver wishes to file a delayed report of a traffic crash.
- E. Driver Exchange of Information, HSMV-90006 may be used when none of the requirements for form HSMV-90003 are met, the damage is less than \$500.00, and all drivers involved wish to just exchange information for insurance purposes.
1. The responding member will complete all applicable areas of the report.
  2. Each driver will be given a copy of the report.
  3. No original copy will be forwarded to records. The individuals will have to send the copy to Tallahassee, as instructed on the back of the form.



## 540.7 TRAFFIC HOMICIDE INVESTIGATIONS

- A. If a fatal or a possibly fatal crash occurs, the responding member will notify the on-duty Patrol Supervisor. The Patrol Supervisor will then contact the on-call Special Operations Supervisor, who will then authorize the call-out of the on-call Traffic Homicide Investigator.
- B. A fatal crash investigation is a two-part investigation. The responding member conducts the initial investigation and a more comprehensive investigation is conducted by the Traffic Homicide Investigator.
  - 1. The responding member will complete the original Florida Traffic Crash Report, HSMV-90003 and HSMV-90005, unless otherwise directed by the Traffic Homicide Investigator.
  - 2. If the responding member completes the original Florida Traffic Crash Report, HSMV-90003, the member will note the name and rank of the Traffic Homicide Investigator who will be conducting the Traffic Homicide Investigation. The original report shall be submitted to Records through their supervisor.
- C. The responding Traffic Homicide Investigator will have control of the crash scene for the duration of the on-scene portion of the investigation.
- D. The Traffic Homicide Investigator will take care to gather all pertinent evidence and data in order to conduct a complete and comprehensive investigation.
- E. It is the duty of the Traffic Homicide Investigator to ensure that the deceased is properly identified, the next-of-kin is notified, the F.H.P. Notice of Fatality is sent, the P.I.O. is briefed on the case and the Medical Examiner's Report is completed.
  - 1. The P.I.O. shall provide information to media outlets in accordance with the provisions outlined in G.O. 710, Public Information Officer.
  - 2. The Traffic Homicide Investigator will decide whether or not it is necessary to attend the autopsy based on the circumstances of the case.
- F. Special Operations Supervisors will monitor the progress of Traffic Homicide Investigations and provide sufficient time and resources needed to complete the investigation following the date of the traffic fatality.

## 540.8 HIT-AND-RUN INVESTIGATIONS

- A. The member who conducts the initial investigation of a hit-and-run traffic crash will, within the constraints of duty assignment, time, distance, and jurisdiction, investigate the hit-and-run traffic crash to the fullest extent possible.
- B. The member investigating the hit-and-run traffic crash will collect and preserve latent and physical evidence. A copy of the property receipt will be attached to the original crash report but will not be numbered as a page of that report.
- C. The member will conduct interviews of witnesses, drivers, passengers and

suspects.

- D. Hit-and-run traffic crash investigations requiring lengthy follow-up, contacts in other jurisdictions, or which cannot be completed by the original member, are to be referred to the Traffic Unit for follow-up investigation.
- E. A Special Operations Supervisor shall assign a member of the unit to follow up on all active hit-and-run traffic crashes.
- F. The Traffic Unit member who is assigned the hit-and-run traffic crash investigation is responsible for collecting off-scene data, obtaining and/or recording formal statements, and contacting any necessary expert assistance (i.e. a Traffic Homicide Investigator). It is the responsibility of the member to file any appropriate charges and to properly close-out the case when completed.
- G. A Traffic Homicide Investigator will be called to the scene of any hit-and-run crash that results in a fatality or possible fatality to assume control of the criminal investigation of the case. T.H.I.'s shall consult with their respective supervisors as to the need for any assistance by the Criminal Investigations Unit during follow-up.

## 540.9 DEPARTMENTAL VEHICLES

The following section applies to Police Department vehicles. Damage to other property including other government owned property shall be investigated in accordance with applicable Florida Law.

### DEFINITIONS:

Property Damage – Damage that is an act of nature or a criminal act (e.g. tree branch falling on car or prisoner kicking out the window.)

Vehicle Contact – The unintentional contact between a motor vehicle and any other vehicle or pedestrian that does **not** result in damage and/or injury.

Traffic Crash – The unintentional contact between a motor vehicle and any other vehicle, pedestrian or object that results in damage and/or injury.

Minor Crash – Any crash that has a combined damage amount not to exceed \$1,000.00 and no personal injury.

Major Crash – Any crash that has a combined damage amount over \$1,000.00 and/or personal injury.

### PROCEDURES:

- A. Property Damage: When property damage occurs the member shall:
  1. Immediately notify their on-duty supervisor, whether the member is on-duty or off-duty. If a supervisor from the member's shift or unit is unavailable, the member shall contact the on-duty patrol supervisor.
  2. Promptly notify the proper jurisdiction if the crash occurs outside of the jurisdiction of the Town.

3. If the incident occurs within the Town's jurisdiction, complete an Offense Incident Report detailing the incident. If the incident occurs outside of the Town's jurisdiction, the member will submit a memorandum to the Chief of Police through his/her chain of command detailing the incident, including the investigating agency's case number.

B. Minor & Major Crashes and Intentional Vehicle Contacts:

1. All personnel will promptly notify communications and their on-duty supervisor of any crash or intentional vehicle contact involving police personnel while operating Town vehicles (on or off duty). If a supervisor from the member's shift or unit is unavailable, the member shall contact the on-duty patrol supervisor. Personnel will promptly notify the proper jurisdiction of crashes or intentional vehicle contacts that occur outside of the Town. Personnel involved in the incidents will leave the vehicles at final rest until the investigator arrives on scene, taking reasonable precautions to ensure public safety (i.e. flares, traffic direction, etc.).
2. Upon notification of a police vehicle crash or intentional vehicle contact, the member's on-duty supervisor will immediately respond to the scene of the incident. In cases of serious injury to the employee and/or civilians, the supervisor will notify the Chief of Police through his/her chain-of-command.
3. If the crash or intentional vehicle contact occurs outside of the Town's jurisdiction, the on-duty supervisor will determine if an investigator should respond to the scene. If so, a request will be made to the investigating agency to leave the vehicles at final rest until the responding investigator arrives, if possible.
4. In the case of a minor crash, the on-duty supervisor will have a traffic officer respond and investigate the crash if one is on-duty. If no traffic officer is working the on-duty supervisor or a patrol officer will conduct the investigation.
5. The on-duty supervisor will ensure that photographs are taken for all police vehicle crashes and property damage cases.
6. In the case of a major crash, the responding on-duty supervisor will secure the scene and have a Traffic Homicide Investigator respond to the scene in compliance with this General Order.
7. In the case of intentional vehicle contact by a suspect resulting in injury or major damage, the C.I.U. and Special Operations supervisors will be notified and a decision will be reached as to whether or not it is necessary for an investigator to respond. All minor incidents of intentional vehicle contact will be investigated by patrol. All intentional vehicle contact by an officer that results in injury or major damage require that the on-duty supervisor notify the Professional Compliance Unit, Special Operations and C.I.U. supervisors to have investigators respond. Intentional vehicle contact by an officer must meet the guidelines for the use of deadly force. All other intentional vehicle contact by the officer will be investigated by patrol.
8. Officers involved in a motor vehicle crash or intentional vehicle contact are subject to State law and Departmental disciplinary action.

9. The on-duty supervisor will complete a memorandum to the Chief of Police in all traffic crashes involving Town vehicles and cases of intentional vehicle contact. The memorandum will include a brief synopsis of the incident, the nature and extent of injuries, estimated dollar amount of damage, expected time the vehicle may be out of service, the case number, and whether or not any citations were issued. The memorandum will be submitted prior to the completion of the supervisor's shift.
- C. Vehicle Contact: When a Department member is involved in a occurrence of vehicle contact as defined by this policy they shall:
1. Immediately notify their on-duty supervisor, whether the member is on-duty or off-duty. If a supervisor from the member's shift or unit is unavailable, the member shall contact the on-duty patrol supervisor.
  2. The member will submit a memorandum to the Chief of Police through his/her chain of command detailing the incident.
- D. Motor Vehicle Crash Review Board:
1. The Chief of Police, or his designee, will convene a Crash Review Board when a member is involved in a departmental motor vehicle crash, intentional vehicle contact or property damage caused by vehicle operation.
  2. The Operations Bureau Commander or designee will act as Board Chairman. The board shall consist of four additional members of the Department. The Chief of Police or designee will appoint board members. The board is a standing committee and members may be replaced at the discretion of the Chief of Police. The board will meet once a month if a qualifying incident has occurred.
  3. The board's authority and responsibilities are as follows:
    - a. The board shall have access to all written documents within the Department and complete cooperation of all members.
    - b. The board is authorized to perform any lawful act to accomplish its mission, including, but not limited to:
      1. Summon the Department member involved in the crash.
      2. Summon other Department members and/or civilians for the purpose of taking testimony.
    - c. The board will take into consideration the investigation reports, statements, and other documents or photographs, testimony of witnesses and any other pertinent evidence and/or information.
    - d. The board will identify fault and/or policy violation, if any.
    - e. If the board determines that the department member is at fault, they will research the member's history of crashes for the preceding TWELVE (12) months from the date of the crash being reviewed. However, if a pattern of poor driving history is consistently demonstrated in consecutive years the Chief of Police may issue a higher level of corrective or disciplinary action.
    - f. The board will identify appropriate corrective or disciplinary action

consistent with the crash schedule as listed below in section 540.9 C (5) of this General Order, if applicable.

- g. At the completion of the board's investigation, the Board Chairman shall submit a report to the Chief of Police, signed by the concurring board members, containing their findings.
- 4. The Chief of Police is not bound by the Crash Discipline Schedule, and will make the sole decision concerning disciplinary or other corrective action.
- 5. Crash Discipline Action Schedule:

	FIRST VIOLATION	SECOND VIOLATION	THIRD VIOLATION	FOURTH VIOLATION
MINOR VIOLATION	TRAINING	WRITTEN REPRIMAND & RETRAINING	ONE DAY SUSPENSION	40 HOUR SUSPENSION
MORE SERIOUS CLEAR-CUT VIOLATION	WRITTEN REPRIMAND & TRAINING	ONE DAY SUSPENSION & RETRAINING	40 HOUR SUSPENSION	80 HOUR SUSPENSION
EXTREME / COMPLETE DISREGARD	SUSPENSION THROUGH DISMISSAL (TO BE DETERMINED BY THE CHIEF OF POLICE)			

- a. A minor violation is caused by slight negligence or carelessness, which does not have the potential for serious injury. (Example: Backing slowly and hitting a sign or a pole; slow forward motion bumping another car.)
- b. A more serious, clear-cut violation is caused by greater negligence or carelessness, which had the potential for serious injury or damage. (Example: A crash caused by excessive speed, improper passing or right-of-way violation.)
- c. Driving a vehicle in a reckless or irresponsible manner, with gross disregard for the safety of persons or property, or which exhibits willful abuse of authority causes an extreme violation. (Example: Driving through an intersection in Response Mode, without regard for approaching traffic.)
- d. Note: More than four (4) violations may greatly influence the disciplinary action taken by the Chief of Police.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>HAZARDOUS MATERIALS</b>	GENERAL ORDER NO. <b>545</b>
RESCINDS:    G.O. 545 issued 11/12/2003	ISSUE DATE:  11/29/2006
AUTHORIZING SIGNATURE:  Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 545.1 PURPOSE

The purpose of this policy and procedure is to establish guidelines for the response and handling of incidents involving Hazardous Materials. Law enforcement as first responders can provide the initial decisions that are critical to the outcome of a Hazardous Material Incident.

### 545.2 POLICY

It shall be the policy of the Davie Police Department to utilize effective procedures in the handling of Hazardous Materials incidents in order to reduce the risk of harm to emergency service providers and civilians. Responding members have a "Duty to Act" during a Hazardous Material Incident; however, members should not exceed the level to which they are trained and equipped.

### 545.3 DEFINITIONS

Hazardous Material – means any substance or material that when released from its container may produce an adverse effect on the health or safety of the person exposed.

Hazardous Material Incident – an emergency created by the release or potential release of a hazardous material. A hazardous material incident may require the use of specialized equipment and resources. A hazardous material incident may occur at the scene of a traffic crash, a fire, retail establishment, industrial accident, etc.

### 545.4 PROCEDURES

#### A. Initial Response Guidelines:

1. The responding member's initial actions shall be based upon the recommendations of the North American Emergency Response Guidebook (NA-ERG).
2. All patrol members shall be issued the (NA-ERG) and shall be required to have the guidebook in their patrol vehicles accessible at all times.

3. All responding members shall be trained at the Awareness Level in dealing with Hazardous Material Incidents. Awareness Level training provides those members likely to respond to, witness, or discover a Hazardous Material Incident the training necessary to initiate an emergency response sequence and make proper notifications to authorities. Department members **shall not** engage in spill or leak control activities due to their lack of Operational Level training and equipment.
- B. Duties and Responsibilities of responding members: The four objectives when responding to a Hazardous Material Incident are as follows:
1. Recognition/Identification – responding members shall attempt to recognize that an incident involves Hazardous Materials and, if possible, identify the materials involved, if this can be accomplished at no risk to the member using the following identifiable clues:
    - a. Occupancy and Location;
    - b. Container shape and size;
    - c. Placards and Labels (see UN/NA Identification Number below);
    - d. Shipping papers and facility documents (Material Safety Data Sheets);
    - e. Markings and Colors; and,
    - f. Human Senses (Members shall only use senses which provide the greatest safety and distance from the hazard such as sight. Members shall **never** intentionally use human senses such as taste, touch, or smell that place them in direct contact with the hazard or so close as to constitute an unacceptable risk.

**UN/NA Identification Number:** Established by the Department of Transportation as an identifier of the Hazardous Material being transported. The four digit ID number may be found in three locations during transport: Shipping Papers; On Placards; and on the Orange Rectangular Panel. This four digit ID number may be cross referenced in the North American Emergency Response Guidebook (NA-ERG).

2. Isolation – the responding members shall isolate the involved area, cordoning off the immediate incident site location referred to as the “hot zone”; and, denying access to the area by establishing both inner and outer perimeters. The responding members shall assist with establishing an access corridor for other emergency service providers to be used to assist with evacuations and decontamination routes.
3. Protection –
  - a. Responding members shall approach Hazardous Material Incidents from upwind and uphill, with upwind taking priority.
  - b. The responding members shall utilize personal protective equipment as necessary to ensure their personal safety and shall assist with the evacuation or sheltering-in-place of persons depending upon the type of hazard and the circumstances surrounding the incident.
4. Notification – responding members shall make the appropriate notifications as required for the size and scope of the emergency.
  - a. Hazardous Material Incidents may include a variety of unexpected and unpredictable hazards such as toxic, flammable, explosive, and corrosive

materials. Upon recognizing and identifying the presence of a Hazardous Material, the responding members must notify other responding emergency service providers of the potential hazard on scene or through dispatch.

- b. Public Safety: Responding members shall notify the CDC Duty Officer of any Hazardous Material Incident, including a spill, leak, roadway hazard, or other contamination which may pose a risk to public safety and/or require specialized resources such as Fire Services or County HazMat Units.
- c. Additional information regarding the Hazardous Material can be obtained by contacting CHEMTREC twenty-four hours a day via dispatch.



# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>COMBAT AUTO THEFT PROGRAM</b>	GENERAL ORDER NO. <b>550</b>
RESCINDS: G.O. 550 issued 04/03/2001	ISSUE DATE: 11/29/2006
AUTHORIZED BY: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 550.1 PURPOSE

This General Order officially institutes the Combat Auto Theft Program and provides the Program guidelines to be followed by Department officers and citizens.

### 550.2 POLICY

The Combat Auto Theft Program (CAT) is a community policing effort that serves as a deterrent to vehicle theft. Citizen participation in the program is to be encouraged, and involvement by Department officers is expected during routine patrol duties.

### 550.3 PROCEDURES

- A. Participating vehicles will display a bright yellow "C.A.T." decal secured to the left bottom corner of the rear window. (Refer to Appendix 1 for Decal)
- B. Broward County Ordinance 90-22 and Town of Davie Ordinance 92-10, Section 24-28, under the Florida Uniform Traffic Control Law, provide the authority for Department officers to stop vehicles between the hours of 0100-0500 when displaying an official "C.A.T." decal. If circumstances warrant, a felony-type traffic stop is permissible.
- C. Display of the "C.A.T." decal provides the probable cause for initiating a traffic stop and is to be noted in any ensuing offense report, citations, arrest documents, etc. Any search and/or arrests incidental to the traffic stop will be governed by the legal guidelines set forth in State and Federal law.
- D. Copies of all "C.A.T." registration records will be maintained in the Davie Dispatch Unit. Also, registration information will be available on the police server for computer access.
- E. If a traffic stop occurs and the status of the vehicle cannot be determined through teletype, contact with the registered owner/primary user should be attempted. If proof of ownership cannot be established by the proper presentation of the vehicle registration, proof of insurance, or by query and investigation, the vehicle may be towed at the owner's expense.

- F.** Registration for the "C.A.T." Program may be obtained through the Department's Records Unit or through Support Service's Community Relations Unit. The original registration will be maintained in the Records Unit, and copies given to the Dispatch Unit. (Refer to Appendix 2)
- G.** Davie citizens, business owners and their employees, and Town of Davie employees are eligible to participate in the "C.A.T." Program. Participants agree to the following:
1. A registration form must be completed to provide driver and vehicle information.
  2. The participant must sign a Release and Indemnity Agreement.
  3. The participant authorizes officers to make a traffic stop on the vehicle that may include a felony-type traffic stop.
  4. The participant will pay an initial registration fee of \$3 to the Town of Davie and renew participation, plus fees, every two years.
  5. Participants are required to immediately notify the Department, in writing, if they have a change of address, telephone, or a change in vehicle information.
  6. If the vehicle is sold, or if the participant wishes to withdraw from the Program, he will immediately notify the Department, in writing, and will remove the "C.A.T." decal from his vehicle.
  7. If a program participant loans the vehicle to another person, it is his responsibility to caution the driver regarding the "C.A.T." program.

APPENDIX 1



COMBAT AUTO THEFT DECAL  
(Yellow Background with Black Lettering)

APPENDIX 2

**DAVIE POLICE DEPARTMENT  
COMBAT AUTO THEFT (C.A.T.) PROGRAM  
CONSENT FORM**

PLEASE PRINT  
NUMBER \_\_\_\_\_

DECAL

Name of Auto Owner \_\_\_\_\_  
\_\_\_\_\_

Home Phone

Last      First      Mi.      Other Phone:

Address:

Street Code	Apt. /Lot. Number	City	Zip
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Local/Out of State Acting Agency Contact: Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Vehicle Make: \_\_\_\_\_ Model: \_\_\_\_\_ Year: \_\_\_\_\_  
Color: \_\_\_\_\_

License Plate Number: \_\_\_\_\_ State: \_\_\_\_\_

VIN: \_\_\_\_\_

**RELEASE AND INDEMNITY AGREEMENT C.A.T. PROGRAM**

As a voluntary participant in the C.A.T. Program, I hereby agree to waive and hold harmless the Town of Davie Police Department, any other duly authorized law enforcement agencies, their employees and agents against any and all claims that may be incurred, including but not limited to, any vehicular accidents or dangerous incidents normal recovering stolen vehicles, and by executing this document, I hereby agree to assume risk of any incident that may occur.

I realize that persons operating my vehicle between the hours of 1:00 a.m. and 5:00 a.m. with my consent are subject to a police stop based on this consent. In such instances, I understand that police action will include the necessary precautions generally taken to protect officers when approaching a potentially stolen vehicle. I agree to specifically advise any person that I give possession of the vehicle that this agreement exists and that they will be subject to being stopped by the police during the described hours. I will not authorize such person to let anyone else use the vehicle.

I understand that I may withdraw from the C.A.T. Program at any time by notifying the Davie Police Department, in writing, (1230 S. Nob Hill Rd., Davie, Florida 33324) and by completely removing the decal from my rear window. I understand that the decal must be removed from the vehicle once it ceases to be my property.

I understand that the Davis Police Department must be notified of any changes in my telephone and/or home address. A representative of the Davie Police Department has explained the purpose of the C:A.T. Program and I understand the advantages/disadvantages that might result from my participation in the program.

I hereby grant consent to law enforcement officers to stop my vehicle between the hours of 1:00 a.m. and 5:00 a.m. Furthermore, I will advise anyone I let use my car between such hours of these conditions. I affirm that I have fully read and I understand the aforementioned conditions, and that all information has been completed prior to signing.

Owner's Signature: \_\_\_\_\_ Witness Signature:

\_\_\_\_\_

Driver License#: \_\_\_\_\_

Date:

\_\_\_\_\_

Date: \_\_\_\_\_

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>ALARM RESPONSE</b>	GENERAL ORDER NO. <b>555</b>
RESCINDS: G.O. 555 issued 10/28/2004	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 555.1 PURPOSE

It is the purpose of this policy to provide law enforcement officers with guidance for responding to and handling alarm calls.

### 555.2 POLICY

It is essential that all law enforcement officers understand their role and responsibilities when responding to alarm calls and the inherent dangers involved. Therefore, when responding to alarms, officers shall follow the procedures set forth in this policy in order to enhance arrest possibilities of suspects and observe proper precautions for the safety of officers, property owners, and bystanders.

### 555.3 PROCEDURES

#### A. Audible Alarm Calls: (Residential or Commercial)

1. Generally, two officers (a primary and secondary unit) should be dispatched to an audible alarm depending upon the availability of back-up units. When in-service, Canine Units will be utilized to respond to alarm calls as one of their primary responsibilities.
2. Responding officers should position their vehicles upon arrival at the alarm location in order to maximize cover and concealment during the approach.
3. Responding officers should make sure that all possible entrances and exits of the premise are secure and check the roof top when able to be done safely.
4. If a door, window, or other entranceway is found to be unsecured the responding officer shall ensure that a secondary officer is dispatched and will stand-by upon their arrival.
5. The interior of the premise should then be checked in a methodical and tactically safe manner. When available, a Canine Unit will be utilized for all building searches.
6. If a crime in progress is discovered, actions will be taken to apprehend any perpetrators including establishing perimeters or utilization of Canine.

7. If it is discovered that a delayed crime has occurred, officers shall request a property owner call-out for the premises via dispatch.
8. If no call-out exists, the officers will make attempts to secure the premises and complete an offense incident report documenting their actions. If the premises cannot be secured, the officer will place an extra watch on that location.
9. The reporting officer shall stand-by for a responding property owner for a reasonable amount of time. Upon arrival of the property owner, the reporting officer will then complete an offense incident report documenting the reported crime and commence with a preliminary investigation.
10. In every instance of an alarm call, the responding officer shall complete an Alarm Response Notification form and leave the bottom door hanger copy at the location of the alarm.

B. Silent Alarm Calls:

1. When responding to calls of silent alarms, responding officers shall stand-by upon arrival utilizing available cover and concealment until dispatch can make contact with the occupants. Once contact is made, the occupants will be instructed to make contact with the officers.
2. Upon making contact with the occupants, officers shall verify the identification of the owner and conduct the appropriate inquiry to determine that no hostage situation or other crime is occurring.
3. In the case of false/accidental silent alarms, no report is necessary however the officer shall leave the bottom door hanger copy of the Alarm Response Notification form.

C. Financial Institution Alarm Calls:

Dispatcher's Responsibilities:

1. If the robbery notification is received by telephone, a complete description of the perpetrators shall be obtained from the caller, along with as much additional information as possible; particularly, whether the perpetrator is at the scene and, if not, their direction and mode of travel and a complete description of any vehicle involved.
2. If the robbery notification is made by alarm, the dispatcher shall not attempt to contact the institution in order to determine the validity of the alarm until officers have given notice that they are in position at the establishment.
3. If the dispatcher is subsequently notified that the alarm is false, he/she shall:
  - a. Advise the caller that police units are responding;
  - b. Obtain the identity of and maintain contact with the caller;
  - c. Verify the false alarm with a key employee of the establishment (i.e. manager or head teller) and advise them they will need to exit the facility to meet the responding officers; and
  - d. Obtain a physical description of the key employee and provide responding officers with the description and the fact that the employee will meet them outside as required.

Responding Officers Procedures:

1. Responding officers shall make sure all audible warning devices are shut off as they approach the scene, so as not to alert any robbery suspects.
2. Units responding to the scene should be observant of any suspicious vehicles leaving the scene, as well as other vehicles or persons outside the facility who may be serving as lookouts, cover or drivers for a robbery team.
3. The first unit on the scene shall serve as the primary unit and shall take a position in front of the facility that provides good observation without being easily visible to those inside. The primary unit shall report on observable conditions at the location to the dispatcher, but should not initially approach the building.
4. The primary and all subsequent units arriving at the robbery location shall report their arrival and position to dispatch. The primary unit should direct responding units into positions that will establish a building perimeter covering all entrances and exits. Officers will allow people to leave the bank, but if possible will prevent people from entering until it can be determined that it is safe to do so.
5. Once the building perimeter has been established and no notice of a false alarm has been received, the primary unit on the scene shall determine whether the dispatcher shall telephone the establishment. If the call is made, the dispatcher shall identify themselves and inquire whether a robbery is in progress. If the call is not answered or a questionable response is provided to the inquiry, officers at the scene shall be informed of these facts and told that a possible robbery is in progress.
6. If a robbery in progress is suspected, the responding officers shall stand-by until the on-duty supervisory has arrived on-scene. Unless otherwise directed, officers shall wait until suspects have exited the building before attempting apprehension. This helps avoid the development of a hostage situation.
7. If a robbery has been committed and perpetrators have left the scene, the primary officer should begin the preliminary investigation by identifying witnesses, caring for injured parties, protecting the crime scene and obtaining necessary information regarding the perpetrators for supplemental broadcast. Remaining units should initiate the search for suspects on likely escape routes, being alerted to unusual activities and circumstances.
8. Once perpetrators have been apprehended, the crime scene shall be secured by officers in preparation for processing by crime scene technicians, departmental investigators, and federal agents.
9. If the dispatcher notifies officers that he/she has been in contact with an employee of the establishment and there does not appear to be a robbery in progress, officers shall determine the identity and description of the employee and wait for him/her to exit the building and approach the officers. Officers shall accompany the employee into the establishment in order to verify the situation and shall notify dispatch once the verification is complete.
10. If the alarm is received after business hours and the establishment is not occupied, responding officers shall assume positions on the front and rear of the building and jointly conduct an inspection of the facility for signs of entry into the facility. If signs of forced entry exist, officers shall follow procedures for conducting a building search utilizing Canine Units when available. If the building



is secure, dispatch shall be notified to contact the owner or the establishments designated contact person to meet them at the location.

Supervisor Responsibilities:

1. Upon receipt of an alarm at a financial institution, the on-duty supervisor shall ensure that a minimum of two officers, a primary and a back-up officer shall be dispatched to the call.
2. If it is determined that a robbery in progress is occurring, the on-duty supervisor will respond to the scene and take command.
3. If it is determined that a robbery in progress is occurring, the on-duty supervisor shall determine whether to request additional back-up and whether specialized units shall be mobilized including K-9 and/or SRT teams.
4. If it is determined that a robbery in progress is occurring, the on-duty supervisor will assume the role as Incident Commander and follow the procedures outlined in G.O. 522 governing Hostage Negotiations.
5. The on-duty supervisor will make notifications via their chain of command of an in-progress robbery or hostage situation and notify the P.I.O as necessary.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>CRIMINAL INVESTIGATIONS ADMINISTRATION</b>	GENERAL ORDER NO. <b>600</b>
RESCINDS: G.O. 600 issued 04/29/2004	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 600.1 PURPOSE

The purpose of this General Order is to delineate responsibilities for criminal investigations and establish guidelines for the management of cases and the maintenance of case files.

### 600.2 POLICY

It shall be the policy of the Davie Police Department to establish and maintain a process for accountability and procedures for the management of criminal investigations and the maintenance of case files.

### 600.3 CASE MANAGEMENT

- A. All active or pending reports of criminal activity shall be forwarded to the Criminal Investigations Unit for review and necessary follow-up. C.I.U. supervisors shall review each report and assign a Detective to a case for follow-up investigation using a Case Screening process.
- B. **Case Screening:** The purpose of case screening is to improve the efficiency and overall effectiveness of the Criminal Investigation Unit by reducing redundancy, maximizing caseload effectiveness, increasing productivity, and focusing resources.
  1. Case Prioritization: Various factors influence the priority by which reports of criminal activity may be assigned to detectives or other members for follow-up investigation. Supervisory decisions regarding the assignment of cases should be guided by the following criteria:
    - a. the seriousness of the offense;
    - b. the urgency for action;
    - c. certain solvability factors (see below);
    - d. requirement of skilled investigative methods;
    - e. offenses of exceptional nature or circumstances; and
    - f. other established policies and procedures.
  2. Case Assignment: Cases assigned for investigation will be guided by the

following priorities:

- a. Priority One: These cases involve the following:
    - 1) Felony and misdemeanor crimes or other serious incidents or offenses when there exists sufficient evidence to support prosecution;
    - 2) A suspect is identified or can be determined;
    - 3) When there exists a high probability that an arrest can be made or warrant issued; or
    - 4) Details that indicate the case can be unfounded, exceptionally cleared, or reclassified to a lesser offense.
  - b. Priority Two: These reports contain sufficient information to enable the possible development of suspects or evidence as a result of the following:
    - 1) Physical evidence (such as latent print analysis);
    - 2) Significant *modus operandi* identified;
    - 3) Significant crime pattern or number of crimes; or
    - 4) Identifiable stolen property;
  - c. Priority Three: These reports contain insufficient evidence and list unidentified suspects that minimize the likelihood of a successful investigation. These cases are generally inactive and may have information value, but limited solvability potential. These cases have limited physical evidence of value; and/or limited suspect information (such as vague physical or vehicle description)
  - d. Information Only: These reports have informational value and may involve felony or misdemeanor cases, or other miscellaneous non-criminal matters. These cases present no leads; there are no witnesses or suspects identified; no physical evidence; and no identifiable property that could be recovered through investigative databases. These reports do not require a supplemental report unless additional information is received that changes the status of the report
3. Case Status: The Davie Police internal administrative case status designations are:
- a. **Active**: An open or pending case. The following will apply:
    - 1) The victim/complainant will be contacted as soon as reasonable, preferably in person, but phone contact is permissible.
    - 2) A supplement report will be submitted within fourteen (14) days by the assigned investigator.
  - b. **Suspended**: An inactive case indicating that all available leads have been exhausted but the case has not been brought to a conclusion. Investigative efforts may be resumed if new information is received or uncovered.
  - c. **Cleared**: The case has been closed utilizing the Uniform Crime Reporting guidelines: Cleared by Arrest; Exceptionally Cleared; or Unfounded.
- C. Uniform Crime Reporting: Criminal cases may be officially **cleared** in one of the following ways:

1. Cleared by Arrest: An offense may be cleared by arrest when the following conditions occur:
    - a. At least one person is arrested and charged with the commission of the offense and turned over to the court for prosecution. (When an arrest warrant has been obtained, the case will remain in an inactive status until the warrant has been served. Once the warrant is served, the disposition may be changed to "cleared by arrest" with the appropriate supplement.)
    - b. A principal, aider, abettor, or conspirator is arrested, even if charged with a lesser offense.
    - c. A juvenile is cited to appear in court or before other juvenile authorities (this does not include a civil citation).
    - d. Several offenses may be cleared with one arrest, and multiple arrests may clear only one case.
  2. Exceptionally Cleared: An offense may be exceptionally cleared when **all** of the following conditions can be established:
    - a. The identity of the offender is positively established; there is sufficient information to support an arrest and prosecution; and the exact location of the offender is known; and,
    - b. There is some reason, beyond law enforcement control that precludes arrest, charging, or prosecution of the offender, such as:
      - 1) Death of the offender.
      - 2) Extradition is declined.
      - 3) Victim or witness refuses to cooperate in the prosecution.
      - 4) Prosecution is declined.
      - 5) The arrest is on a primary offense without prosecution on a secondary offense.
  3. Unfounded: An offense may be unfounded when:
    - a. After a thorough investigation the allegation is determined to be false or baseless; or
    - b. The offense is determined through investigation to be a higher or lower crime than originally classified; or
    - c. The offense is classified as a justifiable homicide.
- D. When cases are cleared as outlined above (whether by cleared by arrest, exceptionally cleared, or unfounded), investigative personnel shall strictly adhere to the law, UCR guidelines, and policy concerning the appropriate reporting requirements. Supervisors reviewing and approving cases which have been cleared are responsible for ensuring that all elements are met prior to approval.

#### **600.4 COMMAND RESPONSIBILITIES**

The Investigative Services Division Commander is responsible for the management of the overall operation of the Investigative Services Units (Criminal Investigations Unit and Special Investigations Unit). The Investigative Services Commander shall structure the respective units and assign personnel under his or her command to achieve the optimal effectiveness in the investigation of criminal activity. The

Investigative Services Division Commander reports directly to the Operations Bureau Commander.

## **600.5 SUPERVISORY RESPONSIBILITIES**

- A. Supervisors who are assigned to the Criminal Investigations Unit are responsible for reviewing all offense/incident reports forwarded to C.I.U. via the Records Unit which have not been cleared by Road Patrol. Supervisors will utilize the case screening process outlined above, see 600.3(B), to determine whether or not the case requires follow-up investigation. If warranted, the supervisor will then assign the case to a Detective.
- B. Reports having only informational value will be distributed, as appropriate.
- C. Supervisors shall ensure that information pertaining to the case such as: the detective assigned, the date of assignment, and ultimately the case status and date of case disposition are recorded appropriately within the record keeping database.
- D. Case Review: Supervisors who are assigned to the Criminal Investigations Unit are responsible for monitoring the status of all assigned cases in their respective areas for progress, completeness, and to ensure that deadlines are being met. Regular case reviews shall be conducted in order to ensure that the necessary investigative steps are being taken for each case assigned.
- E. Supervisors in their discretion may change the case priority or the Detective assigned if warranted by reasons such as but not limited to: the receipt of additional information; a reclassification of the offense; or a determination that the case is related to another investigation.
- F. Supervisors are responsible for the daily supervision of Detectives and non-sworn members within their respective area along with the following:
  - 1. Case management;
  - 2. Liaison with State Attorney's Office;
  - 3. Coordinating with other Department Units as well as outside agencies;
  - 4. Compiling monthly statistics and reports;
  - 5. Identifying and submitting training recommendations;
  - 6. Identifying and submitting equipment needs;
  - 7. Identifying and facilitating the attainment of specialized resources needed;
  - 8. Scheduling and staffing to ensure that there is an appropriate amount of personnel available on-duty and/or on-call as needed.
  - 9. Planning and scheduling accordingly to ensure efficient use of overtime and other costs associated with investigations.
  - 10. Maintaining personnel compliance with Department policies and procedures.
  - 11. Other duties as assigned by Investigative Services Commander.
- G. Training: Upon initial assignment to the Investigative Services Division, Detectives selected will be assigned to an experienced investigator and will undergo a training/orientation program. Detectives assigned to investigative components will be provided with specialized and advanced training to enhance their skills and expertise in conducting and participating in complex criminal investigations.

## **600.6 DETECTIVE RESPONSIBILITIES**

- A. Each Detective is responsible for the individual cases assigned to them.
  - 1. Upon receipt of an assigned case, the detective will conduct a thorough investigation in accordance with the General Order 601, governing the Criminal Investigations Process.
  - 2. Supplement reports will be completed for every case assigned, excluding cases forwarded for informational only. Any additional action taken or new information that is developed shall be documented in an additional supplement.
- B. Each Detective assigned a case is responsible for creating and maintaining an Investigative Case File until the case is cleared or suspended. Each Investigative Case File may contain a working copy of the following:
  - 1. The original report (in written or electronic form);
  - 2. All supplemental reports (in written or electronic form);
  - 3. Any and all documents, statements, letters, lab reports, property receipts etc. pertaining to the case.
  - 4. Investigative notes and case tracking information (in written or electronic form).
- C. Detectives are responsible for ensuring that the pertinent information contained in their investigative notes is documented within their supplemental reports as appropriate. Once the pertinent information contained in their investigative notes has been preserved and documented in a supplemental report, the notes may be destroyed.
- D. At the conclusion of an investigation, the assigned Detective will ensure that all information relevant to the investigation has been included in the Completed Case File. This includes information such as: copies of the initial report and all supplements, a Complaint Affidavit, all property receipts, all statements, and the results of examinations for physical evidence.
- E. At the conclusion of an investigation, Detectives shall submit all Completed Case Files to their supervisors for review and approval, either electronically or in written form.
- F. All Completed Case Files shall be forwarded through the Detective's supervisor to the Records Unit for storage. No item, document, report, or supplement shall be submitted directly to the Records Unit by the investigator without prior supervisory approval. **Completed Case Files submitted to the Records Unit shall not contain investigative notes and case tracking information.**
- G. Detectives shall record the disposition of the case by utilizing the appropriate Department internal administrative case status designation listed above, see 600.3(b)(3).
- H. It will be the investigator's responsibility to keep victims of crime informed of the current status of any investigation and to notify them of any changes.

## 600.7 CASE FILE MAINTENANCE

- A. Criminal Investigation Cases:

1. Records personnel will ensure that copies of paperwork associated with evidence obtained with the original report are forwarded to C.I.U. for inclusion in the Investigative Case File.
  2. Investigative Case Files may be stored by the investigating detective or in C.I.U. case file storage areas. All case files will be maintained in a neat and organized form.
  3. No item of evidentiary value, such as cash, checks, receipts, original written confessions, etc., will be placed into the Investigative Case File. The original document will be placed into the Property Room, and a photocopy made for inclusion in the case file.
  4. Investigative Case Files maintained by Detectives will not be left unsecured when unattended.
  5. Access to C.I.U. files will be limited to the Chief, the Operations Bureau Commander, the Investigations Services Division Commander, the S.I.U. Unit Commander and members assigned to the C.I.U. Members of other law enforcement agencies authorized to review Department files will do so only in the presence of a member of the Criminal Investigations Unit. Closed case files will be available for review by detectives, crime analysts, other law enforcement officers and members of the public in accordance with state law.
  6. All original reports and closed case files are the property of the Davie Police Department and shall be stored within the Records Unit. They will remain in the custody of the agency upon completion of the investigation and archived in accordance with state law. Investigative case files will be maintained and purged in accordance with public records laws. Unresolved homicide case records will be kept indefinitely.
- B. Vice and Narcotics Cases: Because of their sensitive nature and for the safety and integrity of these investigations, active Special Investigations Unit files will be secured and maintained separately from Criminal Investigations Unit files and from the central records system until closed.
1. Investigative case files assigned to an S.I.U. detective shall be secured within a locked filing drawer when unattended. Investigative case files shall be maintained within the S.I.U. detective's work area and shall not be stored in a common area of the Investigative Services Division. The case file reports will not be sent to the Records Unit until the investigation is concluded.
  2. No items of evidentiary value, including audio and video tapes and original written confessions, will be contained in case files, but will be placed in the custody of the Property Unit. Photocopies or transcriptions of material held by the Property Unit may be included in the case file.
  3. Access to Special Investigations Unit files will be limited to the Chief, the Operations Bureau Commander, the Investigations Services Division Commander, the S.I.U. Unit Commander and members assigned to the Special Investigations Unit. Members of other law enforcement agencies authorized to review Department vice and narcotics files will do so only in the presence of a member of the Special Investigations Unit.
  4. S.I.U. personnel assigned to multi-agency or other state or federal task forces shall adhere to all provisions of any memorandums of understanding which

may be in place. Department members assigned to task force duties shall utilize forms and other paperwork; reporting and filing systems; and protective security measures as required by the officer/agent in charge of the task force.

## 600.8 CRIMINAL INTELLIGENCE:

- A. Intelligence Information: All Department members in the performance of their duties will ensure that information collected is **limited** to criminal conduct and/or relates to activities that present a threat to the community.
1. As part of their duties, Department members will be provided with or made aware of criminal intelligence information. This information will be considered confidential and will not be released to the public. Any Department member that knowingly releases information which is “confidential” or “law enforcement sensitive” may be subject to discipline.
  2. When suspicious activity related to criminal conduct and/or a potential threat to the community is uncovered or reported to Department members, they shall inform their supervisors of intelligence information as soon as practical.
  3. Department supervisors will evaluate criminal intelligence and determine its impact on the community. The supervisor shall make proper notifications through the chain of command and/or appropriate law enforcement agency having functional or jurisdictional authority depending on the intelligence received.
  4. An incident action plan shall be designed to either monitor ongoing developments or respond in a manner sufficient to address the issue.
- B. Information Submission and Dissemination: Intelligence information is received and processed by the Department in various ways. The primary responsibility for the maintenance and dissemination of intelligence information belongs to the Investigative Services Division unless otherwise specified by the Chief of Police.
1. Intelligence information related to the following topics should typically be directed to an on-duty or on-call C.I.U. supervisor:
    - a. Youth gangs or traveling criminals;
    - b. Criminal extremist and hate groups;
    - c. Threats and other offenses against public officials;
    - d. Corruption of public officials;
    - e. Other criminal activity such as extortion.
  2. Intelligence information related to the following topics should typically be directed to an on-duty or on-call S.I.U supervisor:
    - a. Illegal manufacture, possession, sale, of narcotics;
    - b. Organized crime, racketeering, prostitution, money laundering, and other vice related activities.
  3. Intelligence information related to the following topics should typically be directed to an S.R.T. Commander or supervisor:
    - a. Protection of visiting dignitaries (V.I.P.'s).



4. Intelligence information related to terrorist activities should typically be directed to the Chief of Police, Operations Bureau Commander, and Regional Domestic Security Task Force (RDSTF) Representative for further dissemination as appropriate. Intelligence information may include but is not limited to:
    - a. Terrorist information bulletins;
    - b. Terrorist threat alerts;
    - c. An elevation in the Homeland Security Advisory System.
  5. In the event that the Homeland Security Advisory System's threat level is elevated to SEVERE (Red Alert), The Chief of Police or designee will convene all Bureau/Division Commanders, the S.R.T. Commander, the Mobile Field Force Commander, the RDSTF Representative, and the P.I.O for an intelligence briefing.
  6. Dissemination of threat alerts to Town officials, other Department Directors, and public or private facilities, such as schools, will be coordinated through the Office of the Chief or designee.
  7. Information supplied to C.I.U. or S.I.U. members or the Crime Analyst assigned to the Investigative Services Division will be subject to verification, collation, and analysis to determine: its reliability, validity, quality, and accuracy prior to its distribution.
  8. Information involving officer safety received by a Department member from an outside source or discovered during an investigation will be considered high priority. The information will be researched and distributed to all affected law enforcement components and outside agencies as deemed appropriate by the Department member responsible for the investigation or Crime Analyst.
  9. All Department members are responsible for ensuring the legality of the intelligence effort by avoiding indiscriminate collection or distribution of information, and by purging outdated information in accordance with the State of Florida's Records Retention Schedule.
- C. Crime Analyst: The Crime Analyst will be responsible for, but not limited to, the following:
1. Information available from crimes will be systematically collected so comparisons and analysis can be conducted. Crime data will be analyzed to:
    - a. Identify subjects involved, their methods of operation, and association with any criminal activity.
    - b. Facilitate the identification, apprehension, and prosecution of individuals meeting the Florida State Statute's definition of career criminal.
    - c. Determine the existence of evolving crime patterns and trends.
    - d. Furnish future trend data for long-range planning, targeting, budgeting, and resource allocation.
  2. Crime analysis techniques for the collection of crime data include the following:
    - a. Identify the similarities between different offenses and reveal commonalities and patterns in the characteristics of current crime problems.
    - b. Assist in the screening and ordering of lists of suspects.
    - c. Aid in the assembling and ordering of specific crimes that may involve an offender already in-custody.

- d. All sources in the Department that contain data essential to crime analysis will be identified and made accessible for the use in the crime analysis process.
  3. The crime analysis function will, at a minimum, include the following factors:
    - a. Frequency of type of crime;
    - b. Geographical factors;
    - c. Chronological factors;
    - d. Victim and target descriptors;
    - e. Suspect and suspect vehicle descriptors;
    - f. Suspect *Modus Operandi*
    - g. Physical evidence factors;
    - h. Property loss information.
  4. The Crime Analyst will develop and distribute statistical reports analyzing crime occurrences, trends, and patterns using appropriate mapping and graphic technologies.
  5. Authorized representatives of law enforcement investigative agencies may request information regarding active investigations or crime analysis information by verbal or written request. Under no circumstances will any information contained in intelligence files be disseminated without the approval of the respective Investigative Services Commander or higher authority in the chain of command. Individuals requesting information must be personally known or have their identity verified before any information is provided.
  6. Information disseminated by the Crime Analyst or Investigative Services Division is confidential and will be marked as such. The recipient of the information will treat the contents as confidential and will not release the information to anyone outside their respective unit or division or to members of the public without the permission of their Division Commander.
  7. The collection and dissemination of intelligence is limited to information related to criminal conduct or activities that present a threat to the community.
- D. Utilizing Intelligence members, equipment, and techniques:
1. The Crime Analyst will develop and distribute statistical reports analyzing crime occurrences, trends, and patterns using appropriate mapping and graphic technologies.
  2. The Crime Analyst will assist operational units by the continuous collection, analysis, and dissemination of information on individuals suspected of, or associated with, criminal activity. Information developed by the Crime Analyst that pertains to an active criminal investigation will be supplied to the appropriate investigator or unit.
  3. The Crime Analyst will assist operational units by making available statistical data and reports related to specific problem areas and in coordination with surveillances, raids, special enforcement activities, and other operational plans.
  4. The respective Investigative Services supervisor will evaluate any request for the use of investigative or intelligence personnel, specialized equipment, or techniques. A legitimate reason must be provided for the use of intelligence resources. The respective Investigative Services supervisor will select the appropriate trained personnel, equipment, or techniques for the operation.

E. Safeguarding Intelligence Information:

1. Access to Department intelligence files shall be limited to members approved by the respective Investigative Services supervisor or higher authority in the chain of command.
2. Any Intelligence files that pertain to an active or on-going investigation involving the following criminal activity will be stored in a secure filing system separately from other central records or criminal investigations.
  - a. Illegal manufacture, possession, or sale of narcotics;
  - b. Organized crime, racketeering, prostitution, and money laundering activities; or
  - c. Other investigations of criminal enterprises of a sensitive or confidential nature.
3. Intelligence files will not be removed from their filing or storage areas without the approval of the respective Investigative Services supervisor or higher authority in the chain of command.
4. The Crime Analyst maintains intelligence information in a self-contained computer system, which has no outside agency access. The system is protected against unauthorized attempts to access, modify, remove, or destroy stored information. Only those members designated to perform the Crime Analysis function are assigned a password as an authorized user. The crime analysis process shall be conducted in a secure environment. Inquiries of crime analysis outside the scope of normal operational activities shall be directed to the respective Investigative Services supervisor.
5. Secured, restricted, and controlled access will be maintained on the files of all informants to ensure their anonymity in accordance with G.O. 670, governing Use of Informants.
6. Any Department member who seeks or receives intelligence information from any Department source (i.e. Crime Analyst, Records, FCIC/NCIC, or other database) that is not intended to be used for the purpose of investigating possible criminal conduct or related to activities that pose a threat to the community may be subject to discipline up to and including dismissal.
7. Any investigative case that has been closed is subject to the Public Records Laws.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>CRIMINAL INVESTIGATIONS PROCESS</b>	GENERAL ORDER NO. <b>601</b>
RESCINDS: G.O. 601 issued 04/29/2004	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 601.1 PURPOSE

The purpose of this policy and procedure is to establish guidelines for conducting criminal investigations. A primary function of the Davie Police Department is to thoroughly investigate reports of criminal activity occurring within its jurisdiction. Members of Road Patrol can impact on the successful outcome of a criminal investigation through their initial actions as first responders. However, while an effective criminal investigation process involves a coordinated effort among many components, and is accomplished by both uniformed and non-uniformed members, the primary responsibility for this function rests with the Investigative Services Division.

### 601.2 POLICY

It shall be the policy of the Davie Police Department to set forth general guidelines for the investigation of criminal offenses with the acknowledgement that the investigative process covers a broad range of activities and are not limited to only those steps outlined within this general order. The Detective or member conducting an investigation will take all steps which are reasonable and prudent to bring the investigation to a successful conclusion. Primary objectives of the investigative process are to: 1) establish that the crime was committed within this Department's jurisdiction; 2) identify and apprehend the perpetrator; 3) recover stolen property; and 4) assist in the prosecution of the case.

### 601.3 DEFINITIONS

Case file - The collection of documents comprising information concerning a particular investigation. (This collection may be kept in case jackets, file folders, ring binders, boxes, file drawers, file cabinets, or rooms. Sub-files are often used within case files to segregate and group interviews, media coverage, laboratory requests and reports, evidence documentation, photographs, videotapes, audiotapes, and other documents.)

Documentation - Written notes, audio/videotapes, printed forms, sketches and/or photographs that form a detailed record of the scene, evidence recovered, and actions taken during the search of the crime scene.

"Dying declaration" - Statements made by a person who believes he or she is about to die, concerning the cause or circumstance surrounding his or her impending death.

Multiple scenes - Two or more physical locations of evidence associated with a crime (e.g., in a crime of personal violence, evidence may be found at the location of the assault and also on the person and clothing of the victim/assailant, the victim's/assailant's vehicle, and locations the victim/assailant frequents and resides).

Walk-through - An initial assessment conducted by carefully walking through the scene to evaluate the situation, recognize potential evidence, and determine resources required. Also, a final survey conducted to ensure the scene has been effectively and completely processed. The scene "walk-through"\* provides an overview of the entire scene, identifies any threats to scene integrity, and ensures protection of physical evidence. Written and photographic documentation provides a permanent record.

## 601.4 PROCEDURES

- A. **Preliminary Investigations:** Generally, members of the Patrol Division will conduct the preliminary investigation of most cases, and will conduct follow-up investigations if warranted under the circumstances. In some cases, the initial investigation may be completed by an assigned Detective. The following tasks are usually accomplished at the scene of a crime depending largely on the time delay between the commission of the crime and the time of reporting:

### Initial Officer Responsibilities:

1. Life Safety:

- a. Approach the scene in a manner designed to reduce risk of harm to officer(s) while maximizing the safety of victims, witnesses, and others in the area.
- b. Ensure that there is no immediate threat to other responders.
- c. Survey the scene for dangerous persons and control the situation.
- d. Notify supervisory personnel and call for assistance/backup when necessary.
- e. Assess the victim(s) for signs of life and medical needs and ensure immediate medical attention is provided.
- f. Guide medical personnel to the victim to minimize contamination/alteration of the crime scene.
- g. Point out potential physical evidence to medical personnel, instruct them to minimize contact with such evidence (e.g., ensure that medical personnel preserve all clothing and personal effects without cutting through bullet holes or knife tears), and document movement of persons or items by medical personnel.
- h. Instruct medical personnel not to "clean up" the scene and to avoid removal or alteration of items originating from the scene.
- i. If there is a chance the victim may die, attempt to obtain a "dying declaration."

2. Protection and Preservation of the Scene:

- a. Control all individuals at the scene. Prevent individuals from altering/destroying physical evidence by restricting movement, location, and activity while ensuring and maintaining safety at the scene.
- b. Identify and locate all individuals at the scene, such as:
  - (1) Suspects: Secure and separate;
  - (2) Witnesses: Secure and separate;
  - (3) Bystanders: Determine whether they are witnesses, if so treat as above, if not, remove from the scene;
  - (4) Victims/family/friends: Control while showing compassion;
  - (5) Medical and other assisting personnel. If medical personnel arrived first, obtain the name, unit, and telephone number of attending personnel, and the name and location of the medical facility where the victim is to be taken.
- c. Cordon off the area by establishing inner and outer perimeters. Establish boundaries of the scene(s), starting at the focal point and extending outward to include:
  - (1) Where the crime occurred;
  - (2) Potential points and paths of exit and entry of suspects and witnesses;
  - (3) Places where the victim/evidence may have been moved;
  - (4) Department members should be aware of trace and impression evidence while assessing the scene.
- d. Utilize physical barriers (e.g., ropes, cones, crime scene barrier tape, available vehicles, personnel, and other equipment) or use existing boundaries (e.g., doors, walls, gates) to protect and preserve the scene.
- e. Document the entry/exit of all people entering and leaving the scene, once boundaries have been established including their name, i.d #, and purpose.
- f. Control the flow of personnel entering and leaving the scene to maintain integrity of the scene. Exclude unauthorized and nonessential personnel from the scene.
- g. Effect measures to preserve/protect evidence that may be lost or compromised (e.g., protect from the elements (rain, wind) and from footsteps, tire tracks, sprinklers).
- h. Document the original location of the victim or objects that was observed to have been moved.
- i. Consider search and seizure issues to determine the necessity of obtaining consent to search and/or obtaining a search warrant prior to taking certain law enforcement actions.
- j. Perform evidence processing activities such as identifying, photographing, and collecting items of evidentiary value. Identify the need for additional resources and arrange for the collection of evidence by appropriate crime scene personnel when appropriate.

**Note:** The scene should be maintained as found. Persons should not smoke, chew tobacco, use the telephone or bathroom, eat or drink, adjust the thermostat, open windows or doors, or touch anything unnecessarily. Personnel should not reposition moved items, litter, or expectorate within the established boundaries of the scene. Personnel should not move any items including weapons unless necessary for the safety and well-being of persons at the scene. It is preferable to post an officer at the location of a weapon for security rather than move a weapon. Any items moved must be documented.

3. Information Gathering and Documentation: the responding officer(s) assigned at the crime scene must complete thorough, clear, concise, and accurate reports, documenting information that encompasses his or her observations and actions.
  - a. Note or log dispatch information (e.g., address/location, time, date, type of call, parties involved).
  - b. Upon arrival, be aware of any persons or vehicles leaving the crime scene.
  - c. Scan the entire area to thoroughly assess the scene, and note any possible secondary crime scenes. Be aware of any persons and vehicles in the vicinity that may be related to the crime.
  - d. Make initial observations to assess the scene.
  - e. Document observations of the crime scene, including the location of persons and items within the crime scene and the appearance and condition of the scene upon arrival.
  - f. Document conditions upon arrival (e.g., lights on/off; shades up/down, open/closed; doors, windows, open/closed; smells; ice, liquids; movable furniture; weather; temperature; personal items, etc.)
  - g. Document events as reported by witnesses, victims, and suspects.
  - h. Document by note taking or recording personal information from witnesses, victims, and suspects, and any statements or comments made.
  - i. Document own actions and actions of others at the scene.
4. Apprehension of Suspect(s):
  - a. Non-sworn members of the Department should not be utilized to investigate criminal activity when there is a likelihood of the suspect being present or returning to the scene.
  - b. Officers shall take all steps necessary to identify, locate, detain, and effect the arrest of any persons believed to have committed a criminal offense in accordance with General Order 430, Arrest Procedures, and Florida State Statutes when probable cause has been established.
  - c. When a felony has been committed and the suspect cannot be located, the case shall be forwarded to the C.I.U. for follow-up or C.I.U. will be notified and requested to respond to the scene as required. This does

not preclude an officer from making an arrest if the suspect returns to the scene or is located at a later time. The case report shall be supplemented immediately to reflect that an arrest has been made and forwarded to the C.I.U. Supervisor.

- d. When a misdemeanor has been committed (and probable cause exists) and the suspect is no longer on-scene, the Department member will verbally explain the process of filing a misdemeanor case with the Broward County State Attorney's Office and will provide the victim with a printed version of the filing procedures. The Department member shall document in their offense incident report that instructions for filing misdemeanor cases were provided to the victim. If further investigation is needed, the case shall be forwarded to the C.I.U.
5. Continuing Investigation: this is an extension of the preliminary investigation.
- a. If the offender is not apprehended, efforts will be directed at developing leads and new information.
    - (1) Recover or develop any new evidence;
    - (2) Ensure preliminary information is documented correctly;
    - (3) Ensure scene is properly photographed including injuries, if any;
    - (4) Ensure surrounding area or neighborhood is canvassed and documented;
    - (5) Decide on further course of action (whether or not to conduct follow-up investigation or forward to C.I.U.)
  - b. If an offender is apprehended during the preliminary investigation the continuing investigation is directed at:
    - (1) Recovering property and contraband;
    - (2) Investigating related offenses;
    - (3) Preparing case for case filing and prosecution; and,
    - (4) Identifying and/or apprehending additional suspects.
6. Transfer of the Scene: the initial responding officer shall:
- a. Identify the need for C.I.U. personnel to respond and make request through immediate supervisor.
  - b. Brief their immediate supervisor and investigator(s) of events and observations upon their arrival on-scene;
  - c. Continue to assist in controlling the scene;
  - d. Conduct a "walk-through" with investigators or crime scene personnel;
  - e. Remain at the scene until relieved or instructed to return in-service.

**Supervisor Response:**

1. Patrol Division supervisors shall respond to felony crime scenes and other incidents in accordance with the provisions outlined in G.O. 101, Organization and Command, governing Supervisory Responsibilities and evaluate the situation prior to requesting a Detective.
2. If it is determined that an investigator is needed, the supervisor shall contact the respective C.I.U. supervisor and discuss the situation. The C.I.U. supervisor will identify the number of personnel to respond.



3. If an on-call detective is needed, outside of normal working hours, the Patrol Division supervisor on-scene shall contact the on-call C.I.U. supervisor via dispatch to discuss the situation directly.
4. A C.I.U. Detective shall respond as a matter of course to the following crime scenes or situations:
  - a. Suspicious Deaths (Homicide, Suicide, Accidental);
  - b. Kidnappings;
  - c. Sexual Batteries;
  - d. Armed Robberies with injuries;
  - e. Officers shot, stabbed, or sustained life threatening injuries;
  - f. Officer involved shootings;
  - g. Hostage Situation;
  - h. Arson, Bombing (dwelling/business);
  - i. Terrorism/WMD incident or hoax involving significant disruption of business or government services or property.
  - j. Other situations that the on-duty supervisor believes warrant an investigator present.
5. The Detective assigned to the case will report to the on-scene Road Patrol Supervisor or officer in charge in order to receive a detailed briefing of events.
6. All assignments of Patrol Division personnel will be directed through the on-duty Patrol Division supervisor.

#### **Detective on-call procedures**

1. As a requirement for assignment to the Investigative Services Division, all Detectives are subject to being called in to work for investigative purposes or as directed by their respective Unit supervisor.
  2. The supervisors shall develop practices and procedures to ensure that an appropriate level of staffing is available on-call, twenty-four hours a day.
  3. Criminal Investigations Unit: The C.I.U. supervisors will distribute an On-Call Schedule to all unit members and Dispatch. Changes to the schedule must have the prior approval of the individual's supervisor, or the on-call supervisor.
  4. Special Investigations Unit: Requests for the presence of an S.I.U. detective after normal working hours will be made through the S.I.U. supervisor via dispatch. The S.I.U. supervisor will determine whether or not a detective will respond at that time.
- B. **Follow-up Investigations:** Generally, Detectives assigned to C.I.U. will conduct the follow-up investigation for both misdemeanors and felonies. In some cases, the follow-up investigation may be completed by an initial responding officer when warranted by circumstances.

#### **Investigator's Responsibilities:**

1. The investigator in charge shall identify specific responsibilities, share preliminary information, and develop investigative plans in accordance with departmental policy and local, State, and Federal laws.

2. The investigator in charge should ensure that the following on-scene activities have been accomplished:
  - a. Converse with the first responder(s) regarding observations/activities.
  - b. Evaluate initial scene boundaries.
  - c. Evaluate safety issues that may affect all personnel entering the scene(s) (e.g., infectious diseases, hazardous materials). Use universal precautions and issued Biohazard Kit equipment to prevent contamination of personnel and to minimize scene contamination.
  - d. Evaluate search and seizure issues to determine the necessity of obtaining consent to search and/or obtaining a search warrant.
  - e. Evaluate and establish a path of entry/exit to the scene to be utilized by authorized personnel.
  - f. Determine the number/size of scene(s) and prioritize.
  - g. Establish a secure area within close proximity to the scene(s) for the purpose of consultation and equipment staging.
  - h. If multiple scenes exist, establish and maintain communication with personnel at those locations.
  - i. Establish a secure area for temporary evidence storage in accordance with rules of evidence/chain of custody.
  - j. Determine and request additional investigative resources as required (e.g., personnel/specialized units and equipment). Be aware of the need for additional investigators in cases of multiple scenes or multiple victims and witnesses.)
  - k. Ensure that evidence processing activities such as identifying, photographing, and collecting items of evidentiary value have been conducted. Assess forensic needs and call forensic specialists to the scene for expertise and/or equipment.
  - l. Ensure continued scene integrity (e.g., ensure that the entry/exit of authorized personnel is documented and prevent unauthorized access to the scene).
  - m. Ensure that witnesses to the incident have been identified and separated.
  - n. Ensure the surrounding area has been canvassed and the results are documented.
  - o. Ensure preliminary documentation/photography of the scene, injured persons, and vehicles.
3. The investigator(s) in charge shall conduct a walk-through of a crime scene when held by initial responding officers. The walk-through shall be conducted with individuals responsible for processing the scene. During the walk-through, the investigator(s) in charge should:

- a. Avoid contaminating the scene by using the established path of entry.
- b. Prepare preliminary documentation of the scene as observed.
- c. Identify and protect fragile and/or perishable evidence (e.g., consider climatic conditions, crowds/hostile environment). Ensure that all evidence that may be compromised is immediately documented, photographed, and collected.
- d. Prior to releasing a crime scene, the investigator in charge shall conduct a final walk-through to ensure that:
  - (1) Each area of the crime scene has been visually inspected;
  - (2) All evidence has been collected and accounted for;
  - (3) All equipment and materials generated by the investigation have been removed;
  - (4) Any hazardous or infectious materials and/or dangerous conditions have been addressed.

**C. Methods of Investigation:**

1. Information Development:

- a. Investigators assigned to a case shall review all initial and supplemental offense/incident reports related to the crime reported.
- b. Investigators shall initiate inquiries based on the offense report(s).
- c. Investigators shall analyze the significance of all collected information and evidence.
- d. Investigators shall review all statements and information provided by victims, witnesses, and suspects who have been interviewed during the preliminary investigation.
- e. Individuals should be identified that have not been previously questioned and re-interviewing of victims, witnesses, and suspects should be conducted if necessary.
- f. Investigators should elicit additional information from Road Patrol officers as well as informants and other sources of information.
- g. Investigator(s) in charge should plan, organize, and conduct searches as needed during the course of the criminal investigation according to provisions outlined in G.O. 665, Search and Seizures.
- h. Investigators shall exhaust all reasonable means of identifying the offender in the case and establish probable cause which would justify a prudent man to believe a crime has been committed and the person to be arrested has committed or is committing it. The investigator shall make any arrest in accordance with G.O. 430, Arrest Procedures, and Florida State Statutes.
- i. If a suspect has been apprehended, the investigator(s) shall attempt to determine the involvement of any associates or accomplices and the suspect(s) involvement in the commission of other cases in this or other

- jurisdictions. The proper law enforcement agency shall be notified if the suspect indicates involvement in criminal offenses within another jurisdiction.
- j. The investigator in charge shall compile in an organized, orderly fashion, all reports, statements, affidavits, supplements, lab reports, property reports and receipts, and other evidence required by the State Attorney's Office for case filing and court presentation in accordance with the provisions outlined in G.O. 125, Case Filing. The investigator shall inform the case filing attorney and prosecutors assigned of all pertinent facts in the case and assist in the prosecution of the case.
2. Investigative Techniques: Investigators have the ability to utilize a wide range of investigative avenues depending on the type of offense committed, the seriousness of the offense, and the likely solvability. Examples of investigative techniques include but are not limited to the following:
    - a. Evaluation of physical evidence and lab reports;
    - b. Use of forensic analysis, handwriting analysis, latent print analysis, etc.
    - c. Analysis of crime trends and patterns;
    - d. Analysis of police records, suspect's criminal histories, and other intelligence databases;
    - e. Dissemination of information bulletins to Road Patrol and with other law enforcement agencies, clearinghouses, and at regional meetings.
    - f. Use of news media to broadcast suspect information;
    - g. Use of informants;
    - h. Use of surreptitious recording devices, bugs, or wire intercepts;
    - i. Use of composite sketches or similar process;
    - j. Use of criminal profiling.
  3. Interviewing Techniques: Refer to General Order 602, Interviews and Interrogations.
  4. Surveillance: Refer to General Order 660, Surveillance & Undercover Operations.
  5. Use of Technical Aids for the Detection of Deception:
    - a. Investigators may utilize sworn personnel who are trained and certified in the operation of deception detection devices such as CVSA's and Polygraph machines.
    - b. Investigators should consider the time frame for using such techniques and the anticipated consequences to the furtherance of their investigation.
    - c. Generally, the victim of a crime should not be asked to submit to a deception detection device if the suspect is unwilling to submit to such a test or if the suspect is not identified, unless there are unusual circumstances surrounding the reported offense or the victim has provided ambiguous, vague, or contradictory details about the case.
    - d. Examiners of deception detection devices must have a certificate of training for this purpose and undergo re-certification as required by industry standards.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>INVESTIGATIVE INTERVIEWS</b>	GENERAL ORDER NO. <b>602</b>
RESCINDS: G.O. 602 issued 01/10/2004	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 602.1 PURPOSE

In every criminal investigation, the information gathered through the interviewing process is an integral ingredient in the successful prosecution and/or resolution of that particular case.

### 602.2 POLICY

It shall be the policy of the Davie Police Department to utilize the guidelines set forth in this General Order when interviewing anyone that may possess pertinent information to any investigation including but not limited to witnesses, suspects, and arrestees.

### 602.3 CONDUCTING FIELD INTERVIEWS

- A. Circumstances surrounding Field Interviews: In the performance of daily operational activity, officers routinely investigate circumstances that have aroused reasonable suspicion of criminal activity or cause alarm. When investigating persons under these circumstances, the officers may approach and stop persons in accordance with Florida Statutes and constitutional law. Circumstances where Field Interviews may be appropriate include the following:
1. During consensual encounters;
  2. When an officer comes into contact with an individual for a legitimate reason and believes information about the contact could become valuable at a later time;
  3. When an individual is suspected of committing a crime but evidence does not support an arrest;
  4. The person was engaged in suspicious activity which caused the officer's attention to be focused upon the individual;
  5. The person is a possible suspect in a crime, or their physical description matches or is similar to a suspect in a specific crime;
  6. The person committed a minor infraction or disturbance either reported to or in the presence of the officer and a Field Interview card (F.I. card) is completed in lieu of an arrest.
- B. Field Interview Cards (F.I. Cards):

1. F.I. Cards shall be used to document the stopping and questioning of suspicious persons contacted in the field.
2. F.I. Cards shall be completed prior to the end of the Officer's shift and forwarded with any other paperwork for supervisory review. The supervisor will then route the F.I. Cards along with any photographs attached to the Records Unit for processing.
3. Records personnel will then forward the F.I. Cards along with any attached photographs to the Criminal Investigations Unit for archiving. Photographs may be utilized for the creation of photographic line-ups and then returned to the associated F.I. Card.

#### **602.4 CONDUCTING INTERVIEWS DURING PRELIMINARY INVESTIGATIONS**

- A. Conducting Interviews of Complainants and Witnesses: After identifying themselves; securing the scene; and attending to any victims and injured persons, the preliminary investigating officer shall take the following steps directed at gathering information in conjunction with G.O. 601 governing the Criminal Investigations Process, as necessary depending on the circumstances:
1. Officers shall first attempt to determine or classify what type of crime or incident has occurred, if any.
  2. Officer shall identify the involved subjects or obtain physical descriptions of the perpetrators and/or suspect vehicles.
  3. Broadcast an updated description of the incident, suspect(s), and/or vehicles.
  4. Verify the identity of the complainant and witness(es).
  5. Separate witnesses and instruct them to avoid discussing details of the incident with other witnesses.
  6. Canvass the area/neighborhood for additional witnesses.
  7. Obtain information from complainant and witness(es):
    - a. Establish rapport with the complainant or witnesses.
    - b. Inquire about the victim's or witness's condition.
    - c. Use open-ended questions and augment with closed-ended questions to clarify or elicit specific information.
    - d. Avoid leading questions.
    - e. Clarify the information received with the witness.
  8. Document information obtained from the complainant and witness(es), including their identity, in a written report.
  9. When possible, take a sworn taped statement from the complainant or witness(es) to accurately record their account of the incident. The investigating officer should arrange for the victim and witness(es) to provide sworn taped statements whenever an arrest is made and ensure that applicable sworn affidavits are completed.

10. Ensure that all basic elements of an alleged crime have been established. The following questions should be answered:
  - a. Who are the parties involved?
  - b. When did the incident occur?
  - c. Where did the incident occur?
  - d. Why did the incident occur?
  - e. What were the circumstances surrounding the incident?
  - f. How was the alleged offense committed?
11. Encourage the victim or witness(es) to contact investigators with any further information.

B. Conducting Interviews of Suspects:

1. Interviews with suspects will be conducted in accordance with constitutional requirements outlined below in section 602.5.
2. Interviewing suspects on-scene, in-the-field, or during the preliminary phase of an investigation requires the use of good judgment by the investigating officer or detective. Questioning of suspects during the initial stages of an investigation is usually conducted to gather preliminary information or for issues of public safety.
3. The investigating officer shall make a determination whether or not Miranda warnings need to be read prior to any questioning and whether or not it is the appropriate time to begin questioning the suspect in accordance with 602.5 below.
4. A decision must be made as to whether or not a detective is needed and if interviewing should wait for the detective to respond.
5. The cooperative suspect should be allowed to give a complete accounting of their involvement in an alleged crime.
6. The investigating officer should listen for any omissions, contradictions, and inconsistencies.
7. The questions should be clearly stated using plain language.
8. The investigating officer should avoid leading questions.
9. The investigating officer will maintain a courteous and professional demeanor.
10. The actions of the investigating officer(s) will not be coercive in any way.

## **602.5 CONSTITUTIONAL REQUIREMENTS**

- A. Interviews with suspects will be conducted in accordance with established State and Federal Law, and in compliance with constitutional requirements.
  1. Officers are to advise suspects of their constitutional rights and access to counsel pursuant to the Miranda decision by reading said rights from a prepared text (Addendum 1). These rights are to be read prior to all

custodial interrogations and regardless of whether suspect states he/she is familiar with their rights.

2. Custodial interrogations occur under the following circumstances:
  - a. When the suspect is arrested and officers want to question him/her.
  - b. During custodial questioning, where the suspect's freedom of movement is restricted in any significant manner.
  - c. When the questioning occurs in a police dominant atmosphere.
3. When the suspect is willing, the investigating member should record a sworn taped statement to accurately record the suspect's account of the incident.
4. The investigating member shall preserve whenever possible on tape an affirmation that the suspect was read Miranda warnings and that the suspect understood their rights and is voluntarily speaking with the police by providing a taped statement.
5. The investigating member may use a Davie Police Department Rights Form (Addendum 2) prior to conducting a custodial interview of a suspect. When a Department waiver form is not utilized, the officer shall document the date, time, and location as well as individuals present when the rights were given.
6. The investigating member shall take into consideration the following factors when deciding how the interview should proceed:
  - a. Physical disabilities;
  - b. Alcohol or narcotic impairment;
  - c. Emotional stability;
  - d. Age, education, language barriers; and cultural background.
7. When the victim, witness, suspect, or arrestee being interviewed is a juvenile, then all of the above requirements apply in conjunction with the standards and procedures set forth in G.O. 432 governing Juvenile Procedures and F.S.S. Ch. 985.

## **602.6 CONDUCTING INTERVIEWS DURING FOLLOW-UP INVESTIGATIONS**

- A. Conducting Interviews of Complainants and Witnesses: Generally a function of Detectives assigned to the Criminal Investigations Unit.
  1. Prior to commencement, the investigator should arrange for an effective interview by:
    - a. Reviewing all available case information.
    - b. Planning to conduct the interview as soon as the witness is physically and emotionally capable.
    - c. Selecting an environment that minimizes distractions while maintaining the comfort level of the witness.
    - d. Ensuring that all necessary equipment and resources are available.
    - e. Separating all witnesses.
  2. Prior to the start of questioning, the investigator should:



- a. Develop a rapport with the complainant or witness.
  - b. Volunteer no specific information about the suspect or case.
3. Conducting the Interview: Department personnel may utilize a Statement Guide (Addendum 3) to aid the taking of taped statements in a standard format and to assist with the sequence of the interview. The interview is generally conducted as follows:
- a. Maintain or reestablish rapport with complainants and witness(es) by showing understanding and concern.
  - b. Minimize distractions.
  - c. Avoid leading questions.
  - d. Request a “free narrative” description of the incident.
  - e. Ask open-ended questions and follow-up with closed-ended questions to clarify or elicit specific information related to the witness’s narration.
  - f. Facilitate the witness’s memory and thinking by encouraging the witness to mentally recreate the incident in sequence and jog the witness’s memory by asking specific questions.
  - g. Review notes taken contemporaneously with the interview and other case file information.
  - h. Ask the complainant or witness, “Is there anything else I should have asked you?” or “Is there anything else you would like to add to your statement?”
  - i. Close the interview by encouraging the individual to re-contact the investigator with any additional information and thank the witness for their cooperation.
- B. Conducting Interviews of Suspects: The objective when questioning a suspect(s) is to effectively extract truthful and pertinent information related to the alleged offense.
1. The interview may be accusatory or non-accusatory in nature.
  2. The investigating member should note verbal and non-verbal language; and, may utilize interviewing strategies and techniques commensurate with their training and experience.
  3. The member shall speak in a clear and concise manner.
  4. The member shall provide for the availability of a translator, if applicable.
  5. The following prohibitions apply in all interview situations:
    - a. The subjects will not be subjected to unusually long interview periods.
    - b. Subjects will not be denied necessities such as water, food, or use of facilities.
    - c. Subjects will not be subjected to physical abuse or threats.
    - d. Inducements or promises will not be used to extract information from the subject being interviewed.
  6. The number of personnel present during any questioning will be kept to a minimum, usually 1 or 2 members, to avoid an appearance of coercion unless there are unusual or extenuating circumstances.

## 602.7 USE OF INTERVIEW ROOMS

The officer/detective will adhere to the following guidelines when using agency interview rooms for processing, questioning, or testing suspects, detainees, or prisoners:

- A. When victims, witnesses, and suspects are brought to the Criminal Investigations Unit, the interview rooms will be utilized. Only Detectives are authorized to use the C.I.U. interview rooms for the purpose of taking statements. Detectives will receive training regarding the use of the interview rooms during their initial training program.
- B. **Once brought into an interview room, the suspect, detainee, or prisoner will be continuously monitored under direct, personal supervision and control by a sworn Department member who is capable of intervening on behalf of the Department or prisoner. Continuous supervision can not be accomplished from a remote location or by video monitoring.**
- C. The interviewing Detective is responsible for the humane treatment, safety, and security of persons under his or her control. The Detective will ensure that such persons are provided access to water, restrooms, and other necessities.
- D. Searches/"Pat-Downs": The Detective will:
  1. Search the interview room for any weapons or contraband before and after the interview.
  2. Search arrestees and prisoners for weapons and contraband before placement in an interview room.
  3. Perform a weapon "pat-down" for officer safety reasons on any suspect before placement in an interview room.
- E. The interviewing Detective controls access to the interview room. Any person, other than agency members, allowed access to the interview room may be subject to a "pat-down" for weapons and contraband.
- F. Weapons: Officers/detectives will use discretion when wearing any weapons or firearms in a secure interview room. Such weapons or firearms if not carried will be stored in a secured area in accordance with the Firearms policy.
- G. Restraints: The Detective will ensure that arrestees and prisoners are handcuffed at all times while being moved about the agency. However, the Detective may exercise discretion and remove handcuffs during the interview process providing the interview is being conducted in a secure interview room. Leg shackles are authorized if a prisoner is deemed an escape risk. Arrestees may not be secured to a portable or fixed restrictive device in the interview room.
- H. Prisoner Property: The Detective will place any arrestee/prisoner property (other than weapons or contraband) into a storage bag. The Detective will ensure that the property accompanies the arrestee/prisoner to the jail facility. Any evidence collected will be handled in accordance with the policy governing Property & Evidence.

- I. Juveniles: Juveniles will not be held in the same interview room with any adult.
- J. Gender Separation: Female and male arrestees/prisoners will not be held in the same interview room.
- K. Emergencies:
  - 1. Medical: Fire Rescue will be summoned for any medical emergency involving a suspect, arrestee, or prisoner.
  - 2. Building Evacuation: In case of a building evacuation (e.g., power failure, bomb threat, fire, etc.), the interviewing detective is responsible for control of the suspect, detainee, or prisoner while removing the person from the building. If necessary, the detective will transport the prisoner or arrestee to the County Jail facility for further processing.
- L. Videotaping: Videotape equipment is available for recording interviews.
  - 1. Only members who are properly trained in its use may operate such equipment. Any Detective requiring a videotaped interview may request equipment operation assistance from a supervisor or other trained member.
  - 2. On Major Cases involving crimes against persons [Homicides, Violent/Forcible Felonies, Sexual Offenses, etc.] Detectives shall videotape the formal interview with the suspect(s) while at the police station.
  - 3. The investigating member should read the Miranda Warnings and conduct the signing of the Rights Waiver Form on video tape or at least preserve on tape an affirmation that the suspect was read Miranda warnings and that the suspect understood their rights and is voluntarily speaking with the police by providing a taped statement.
  - 4. Whenever an interview statement is being video taped, there should be a simultaneous recording of the interview on audio tape.
  - 5. The Detective who is conducting the interview will be responsible for placing the tape into Property as evidence, regardless if any malfunction occurs or not. The Detective will be responsible for the proper marking of the tape as evidence and maintaining the chain of custody.
  - 6. The video tape will be marked with the appropriate date, case number, Interviewing Detective's name, and the defendant's name and date of birth.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>CRIME SCENE PROCESSING</b>	GENERAL ORDER NO. <b>605</b>
RESCINDS: G.O. 605 issued 03/30/2005	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 605.1 PURPOSE

The proper handling of physical evidence is essential to the successful outcome of a criminal investigation. The purpose of this policy is to provide guidelines for the collection and handling of physical evidence in a professional manner by Department personnel assigned to perform such duties.

### 605.2 POLICY

All Department members who are responsible for the preservation of crime scenes and/or the collection and processing of physical evidence shall adhere to the procedures outlined within this policy. The Department's Crime Scene Technicians have as their primary function the identification, preservation, collection, packaging and submission of items of possible evidentiary value for investigations. The processing, collection, and submission of evidence to the F.D.L.E. Laboratory shall be performed in adherence to guidelines set forth in the F.D.L.E. Evidence Manual.

### 605.3 DEFINITIONS

Crime Scene – Any structure, conveyance, location, or area in which a violation of law has occurred or where physical evidence may exist. There are four basic classifications of crime scenes.

Minor Crime Scene – Includes cases that are classified as misdemeanor criminal offenses, as well as, conveyance burglaries and economic/fraud type felony cases.

Major Crime Scene – Includes cases that are classified as felony offenses such as aggravated assaults/batteries, robberies, sexual assaults/batteries, kidnappings, child neglect/abuse, and suspicious death investigations.

Homicide Crime Scenes – Includes homicide cases as well as other Major Crime Scenes where the penalty could result in the death or life imprisonment of the offender.

Traffic Homicide Scenes – Includes traffic crashes involving the unintentional death or critical injury of an involved party.

## 605.4 PROCEDURES

All related procedures outlined within G.O. 105, Property & Evidence and G.O. 601, Criminal Investigations Process apply.

### A. Initial Officer(s) Response:

1. The first responding officer(s) are responsible for the protection and preservation of crime scenes in accordance with procedures outlined in G.O. 601, Criminal Investigations Process.
2. Officers and PSA/SA's receive basic training regarding the identification and collection of physical evidence including the processing of latent fingerprints, the use of photography, and the packaging and submission of other articles of potential evidentiary value.
3. Officers and PSA/SA's shall collect, handle, package, and submit items of evidence in accordance with G.O. 105, Property & Evidence.
4. Officers and PSA/SA's are responsible for processing evidence at Minor Crime Scenes. In the event the crime scene contains physical evidence that goes beyond the capabilities of the assigned Officer or PSA/SA, a Department Crime Scene Technician may be requested to respond.
5. The initial responding officer shall remain at the scene until the Crime Scene Technician arrives to conduct a thorough briefing and walk-through of the scene identifying any items of evidentiary value. If a safety concern exists, the officer(s) shall remain on scene until processing is completed and the Technician is prepared to depart the scene as well. The Technician shall request back-up or contact a supervisor immediately if they require assistance.

### B. Crime Scene Unit Response: [Either Department trained and qualified Crime Scene Technicians or BSO Crime Scene Unit personnel are available on a 24 hour basis for the processing of crime scenes.]

1. An **on-duty** Crime Scene Technician (C.S.T.) shall be requested to respond to all Major Crime Scenes, in conjunction with a Detective. In the event that a Crime Scene Technician is **not on-duty**, the Patrol supervisor shall contact the on-call C.I.U. supervisor to request a "call-out". After conferring with the Patrol supervisor, the C.I.U. supervisor shall decide if a Crime Scene Technician will respond and if it is also necessary to send a Detective to the scene.
2. In the event that no Crime Scene Technician is available on a "call-out" status for a Major Crime Scene then the forensic services of the BSO Crime Scene Unit may be requested as determined by the supervisor in charge of the investigation.
3. The BSO Crime Scene Unit shall be requested by the lead investigator for the processing of all Homicide Crime Scenes, unless otherwise directed by the investigating supervisor.
4. A Traffic Homicide Investigator (T.H.I.) will respond and process all Traffic Homicide Scenes.
  - a. If assistance is needed, the T.H.I. may request the response of a Crime Scene Technician via the established call-out procedures.
  - b. T.H.I.'s are available "on-call" on a 24 hour basis.

- c. T.H.I.'s shall receive specialized training as outlined in 605.9 (B) below.

## 605.5 CRIME SCENE UNIT

The Crime Scene Unit shall be under the direction of the designated Criminal Investigation Unit Supervisor.

- A. Crime Scene Technician(s) (C.S.T.) Responsibilities: The appropriate techniques for processing the crime scene shall be determined by the C.S.T. in accordance with their specialized training and may include the following steps:

1. Crime Scene Processing:

- a. Attain and document case information from the first responding officer.
- b. Perform a walk through of the crime scene to identify possible items or indications that could be of evidentiary value, while taking precautions against cross-contamination.
- c. Photograph the scene and evidence using a department issued video camera, 35mm camera, and/or digital camera. The photographs should include, but are not limited to, overall, intermediate and close-up photographs of possible evidence. If photographs are not taken at a scene, indicate the reasons why they were not taken, in the supplement report.
- d. Create a rough sketch identifying the layout of the crime scene and the exact position of evidence within the crime scene.
- e. Process the crime scene using all modern methods available to the Crime Scene Technician for developing evidence.
- f. Obtain sufficient samples of evidence, as well as, control samples, if applicable.
- g. Drying of wet evidence prior to processing. The Broward Sheriff's Office Crime Scene Unit shall be requested to respond to a crime scene which requires the collection, preservation, and/or submission of wet evidence [such as liquid blood, other bodily fluids, or other liquids] in order to properly preserve the evidence and to reduce the potential of cross-contamination.
- h. Collect any items of evidentiary value that need further analysis or submission to a crime scene laboratory. It is the responsibility of the Crime Scene Technician to advise dispatch that they are transporting "**evidence**" to the Police Department when the evidence includes items such as firearms, narcotics, or money that need to be secured at the Police Station prior to the Technician being available for other calls. Note: it is **not** necessary to specify what type of evidence is being transported.
- i. Obtain elimination prints and/or oral swabs for elimination purposes.
- j. Use proper containers for liquids or collected samples. Liquids shall be stored in a department issued, sterile plastic or glass container. Sterile cotton-tipped swabs of blood or bodily fluids may be stored in a swab box or other acceptable packaging. All packaging shall be properly sealed with evidence tape.

2. Fingerprint Identification:

- a. Developing latent fingerprints through various methods.
  - b. Label latent cards or photographs with required information and identify the exact location from where the latent was recovered.
  - c. Photographing latent prints, when applicable.
  - d. Documentation of recovered latent prints.
  - e. Submission of latents along with accompanying latent report form to laboratory.
3. Crime Scene Sketches shall include the following information:
- a. Case number;
  - b. Case type;
  - c. Address of scene;
  - d. Date and time that sketch is being prepared;
  - e. Detail sketching of the crime scene including: basic measurements and points of reference, positions of possible evidence in relation to points of reference and compass direction indicating north.
4. Digital Images: Digital images shall be safeguarded in the following manner:
- a. All digital photographic images shall be preserved by submitting the original images into Property along with a Property Receipt. The original images may be transferred from a memory storage device to a CD-ROM prior to submission to Property. When the images are recorded onto a CD-ROM, the case number shall be written directly on the label side of the CD along with the name and I.D. # of the person taking the photos. The images may be printed; a copy of the CD-ROM may be produced; or the images may be transferred by some other electronic means for investigative purposes.
  - b. All digitally recorded video images shall be preserved by placing the original video recording into property.
  - c. No digital image (photographic or video) taken for evidentiary purposes shall ever be deleted. If an image did not develop as desired or if a malfunction occurs while taking a series of images, the entire series of images shall be preserved.
  - d. Digital images shall also be safeguarded by maintaining the proper chain of custody.
  - e. Department members using digital photography or digital video recording shall be prepared to testify to the authenticity of the image.
5. Property/Evidence Submission & Storage:
- a. All personnel responsible for the handling of physical evidence shall complete a property receipt for all property/evidence received, collected, or transferred to maintain the proper "chain of custody" in accordance with the procedures outlined in G.O. 105, Property & Evidence and the Department's Report Writing Manual.
  - b. The Department member collecting evidence should generally be the same member transporting evidence to the property room to maintain the chain of custody.

- c. Collected items should remain in the possession of the Crime Scene Technician who initially collected them to ensure preservation of evidence during and after collection. The same Technician will be responsible for photographing that evidence, transporting it and securing the item(s) pending processing. After processing, the items shall be packaged; sealed with tamper-resistant evidence tape; and placed into an evidence locker along with a detailed property receipt.
  - d. Any items containing bodily fluids require separate packaging to include utilizing paper bags and a visible 'Biohazard' label on the exterior front portion of the evidence bag.
  - e. Preservation and timely delivery of blood and other perishable evidence to the laboratory or to a refrigerated storage area within the property room.
  - f. In the event that Property personnel are not on-duty, then the technician should contact the Support Services Supervisor to access the refrigerated storage area or store in authorized evidence storage refrigerator.
  - g. The technician should use the appropriate containers for storing evidence (i.e. arson debris, unknown liquids, flammable materials/substances, sharp objects or firearms).
6. Members' Request for Processing of Evidence Collected:
- a. In the event that a Department member collects evidence, it is that member's responsibility to complete a Request for Processing Form (see Addendum 1), should processing be necessary.
  - b. All Request for Processing Forms are to be submitted to the C.I.U Supervisor's inbox designated for that purpose. Generally, investigators conducting follow-up investigations will make the request for processing. A member of Patrol may also make such a request as a result of their preliminary investigation.
  - c. A Request for Processing Form with all relevant vehicle and impound location information should be submitted when processing of a vehicle is requested.
  - d. Any items released to a Technician for purposes of processing should be processed, repackaged, resealed and placed into a secured property locker in a timely fashion.
  - e. It is the C.S.T.'s responsibility to make sure the package(s) being signed-out for processing are sealed properly prior to the Technician signing the property out. If the property is not properly sealed, the Technician shall notify the Property Room Custodian before signing for the property. If the C.S.T. opens a sealed package and the package does not consist of EVERY item listed on the property receipt, the Technician shall contact a Supervisor immediately before processing any items.
7. Laboratory Submission Requests/Transfer of Custody:
- a. The investigator in conjunction with the Crime Scene Technician(s) submitting evidence shall be responsible for requesting any laboratory testing and/or completing the attached property receipt.



- b. The following information must be recorded on the Laboratory Submission request and/or the accompanying property receipt.
    1. Date, time, and method of transfer;
    2. Receiving persons name and responsibility;
    3. Reason for transfer;
    4. The name and location of the laboratory;
    5. A synopsis of the event;
    6. Examinations requested;
    7. Date and time laboratory received the evidence;
    8. The name and signature of the receiving Lab Technician.
  - c. Crime Scene Technicians and/or other investigative personnel who submitted a Laboratory request shall document the findings of such request in a supplemental report.
8. Processing of Recovered Stolen Vehicles:
- a. The officer or PSA/SA that conducts the investigation is responsible for having the vehicle towed and is responsible for completing a property receipt for the vehicle and a Request for Processing Form. This property receipt needs to indicate, in addition to the required information, the location that the vehicle was towed to and whether or not the vehicle needs to be processed by a Crime Scene Technician.
  - b. If the Crime Scene Technician is notified that a vehicle needs to be processed at a Towing Company, then the Technician shall gather all information needed to verify the identity of the vehicle including the vehicle Make, Model, and VIN Number, prior to responding for processing.
  - c. After the vehicle is processed at a Towing Company, it is the responsibility of the lead investigator to release the Hold on that vehicle.
  - d. Photographs and collection of possible evidence may be necessary for vehicles which have been completely submerged in a body of water.

## 605.6 REPORT WRITING

- A. All procedures outlined within G.O. 601, Criminal Investigations Process and the Report Writing Manual apply. The Crime Scene Technician should document the crime scene in a detailed manner at the time of observation.
- B. The Technician should write a detailed supplement including the following information: case number, case type, address, date, time arrived at scene and time that the Technician cleared the scene, measurements and sketches (if applicable), items processed and results, items collected and any further processing after collection, camera equipment and processing materials used, and a detailed description of evidence found and its location within the scene.
- C. After returning from a scene, The Crime Scene Technician shall enter the call into a log book located within the unit and accessible to all Technicians and Department members.

## 605.7 COURT APPEARANCE

- A. Crime Scene Technicians are subject to receiving subpoenas to court related proceedings.
- B. Crime Scene Technicians should prepare themselves before attending depositions and/or trials by reading their original supplements and reviewing any sketches, pictures or latent reports.
- C. Prior to court, Crime Scene Technicians should make contact with lead investigator and/or the State Attorney's Office to inquire as to what documentation will be needed, i.e. photos or reports.
- D. Should photographs, charts, sketches, diagrams or other visuals of the scene be needed for court, it shall be the Crime Scene Technician's responsibility to have the items prepared in advance.
- E. C.S.T.'s shall wear proper attire to court appearances to include their uniform pants and issued shirt with embroidered badge and insignia identifying them as Crime Scene Technicians.

## 605.8 CRIME SCENE VEHICLES

- A. Each Crime Scene Technician is responsible for ensuring that each vehicle assigned to them is properly maintained and equipped with necessary supplies needed for processing during their tour of duty.
- B. Each Crime Scene Technician shall maintain a clean and organized vehicle at all times.
- C. Each Crime Scene Technician will inspect their vehicle for adequate quantities of supplies and shall replenish supplies as needed at the beginning of their tour of duty.
- D. Any damage or deficiencies to the vehicle shall be reported to the C.I.U. Supervisor immediately upon discovery.
- E. All drawers and cabinets should be properly labeled according to the equipment stored within for quick identification.
- F. Crime Scene Technicians are not authorized to operate a Crime Scene van in a non-routine manner, as determined by G.O. 165. The emergency lights may be used when the vehicle is stopped at a crime scene to block traffic from entering the crime scene perimeter.
- G. The Crime Scene vehicles are to be used to respond to crime scenes and transport evidence to and from the Department, the Courthouse, Medical Examiner's Office, other law enforcement purposes only. Any other use of the vehicle must be approved by the C.I.U. Supervisor in advance.

## 605.9 TRAINING

- A. Crime Scene Technician's will receive specialized training in the equipment, computer programs, and techniques utilized by the Department to process crime scenes. This training may include but is not limited to the following:
1. Detection and collection of latent fingerprint and palm print processing;
  2. History, analysis and comparison of latents;
  3. Photography and videotaping utilizing a variety of types of camera equipment (digital and conventional);
  4. Collection of evidence to include preservation, lab transmittals, firearms, trace evidence, D.N.A. and biohazard safety precautions;
  5. Measurement of crime scenes and evidence;
  6. Sketching;
  7. Report writing, case preparation, and courtroom testimony;
  8. Detection and collection of foot, tool, and tire impressions;
  9. Performing presumptive tests for blood and/or Seminal fluids;
  10. Collection, preservation, and submission of physical evidence, including biological materials, trace evidence, and gun shot residue;
  11. Collection of eliminations to include, but not limited to: fingerprints, shoe patterns, tire track impressions, palm impressions and D.N.A.
  12. Firearm safety and collection;
  13. Evidence packaging;
  14. Labeling evidence at a crime scene, i.e. numbers, letters and arrows;
  15. Miscellaneous specialized training in areas such as: serial number restoration, tool mark impressions, collection of paint transfers, stain patterns, crime scene reconstruction and shooting reconstruction;
  16. Infectious disease training;
  17. Refresher training.
- B. Traffic Homicide Investigators and Crime Scene Technicians will receive specialized training in the equipment, computer programs, and techniques utilized by the Department to process traffic crash scenes. This training will include but is not limited to the following:
1. Detection and collection of latent fingerprint and palm print processing;
  2. Detection and collection of foot, tool, and tire impressions;
  3. Photography and videotaping utilizing a variety of types of camera equipment (digital and conventional);
  4. Sketching;
  5. Collection, preservation, and submission of physical evidence, including biological materials and trace evidence;
  6. Refresher training.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>DEATH INVESTIGATIONS</b>	GENERAL ORDER NO. <b>610</b>
RESCINDS: G.O. 610 issued 05/10/2004	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 610.1 PURPOSE

The purpose of this General Order is to establish procedures for the investigations of deaths by Department personnel in various functions. The Department is dedicated to conducting a thorough investigation of all deaths while respecting the physical and emotional needs of the family and friends of the decedent.

### 610.2 POLICY

It shall be the policy of the Davie Police Department that all manners of death, whether natural, accidental, homicide, or suicide are thoroughly investigated. Department members shall display professionalism and compassion while in the presence of relatives and friends of the decedent. Department members shall answer questions openly and honestly without jeopardizing the integrity of the investigation.

### 610.3 DEFINITIONS

Attended Death – Occurs when the decedent was under the care of a licensed physician or other recognized health care practitioner who is willing to sign a death certificate. It does not require that the physician was actually present at the time of the death.

Homicide – a killing of one human being by another.

Hospice Program – A program of caring for terminally ill people so that a person may live the last days of their life with dignity and in comfort, at home or in a home-like setting.

Suicide – Any act taken by a person in an attempt to end their life, which results in the death of the person.

Unattended Death – Any death that occurs outside of a medical facility, nursing home, hospice, or when no physician licensed in the State of Florida will sign a death certificate.

## 610.4 PROCEDURES

### A. **General Duties and Responsibilities:**

1. Traffic Homicide Investigations: A Traffic Homicide Investigator (T.H.I.) assigned to the Special Operations Traffic Unit will investigate unintentional deaths that occur as a result of a traffic crash.
2. Death Investigations: The Criminal Investigations Unit (C.I.U.) in liaison with the Medical Examiner's Office will investigate deaths involving any of the following circumstances:
  - a. Accidental, not caused by a traffic accident. (Such as drownings, industrial accidents, deaths involving toxic agents, or overdose of alcohol, medication, or controlled substances.)
  - b. Suspicious or unusual deaths.
  - c. Homicides and other deaths caused by criminal acts.
  - d. Suicides.
  - e. Sudden deaths when in apparent good health.
  - f. Police in-custody deaths.
3. Medical Examiner Investigations: Below is a partial list of those cases justifying inquiry by the Medical Examiner as defined by F.S.S. 406.11. In addition to those cases mentioned above in 610.04 A(1) & A(2), the Medical Examiner is required to be contacted for deaths that involve any of the following circumstances; and, therefore, a C.I.U. Detective will investigate these incidents:
  - a. A death unattended by a practicing physician or other recognized health care practitioner.
  - b. Criminal Abortion.
  - c. Poisoning.
  - d. Disease, constituting a threat to public health.
  - e. Death resulting from injury.
  - f. Other circumstances as requested by the Medical Examiner's Office.
4. Natural deaths:
  - 1) When an attending physician will **not** sign the death certificate, the death will become a Medical Examiner's case.
  - 2) If the attending physician agrees to sign the death certificate, a C.I.U. Detective will not investigate and the death does not become a Medical Examiner's case but still requires the M.E.'s Office to be contacted.

### B. **General Death Scene Protocol:**

1. Under normal circumstances, Fire Rescue will be dispatched to respond to death scenes, however, the first responding officer will ensure that Fire Rescue has been dispatched.
2. Police and Fire Rescue Response: The preservation of life will always take precedence over the safeguarding of evidence. Therefore, responding Officers must remain aware and work in conjunction with Fire Rescue to preserve evidence whenever possible.

- a. Upon contact with the victim, Fire Rescue will conduct the initial examination and advise the Police Department if the victim is deceased.
  - b. In cases of obvious death, where injuries are so severe as to be incompatible with life, the investigating officer will escort the ranking Fire Rescue personnel on scene to the site of the body for death verification. This procedure will help to minimize the contamination or disturbance of the potential crime scene.
  - c. Rescue's presence (their assigned unit number) will always be documented in the police report.
  - d. Investigating officers will document the following:
    - 1) The collection of any clothing or evidence removed from the victim.
    - 2) Any disturbance to the scene during rescue operations.
- C. **Preliminary Investigation Procedures:** When an officer is dispatched to a death, the following steps shall be taken (Procedures outlined in GO 601, Criminal Investigations Process apply):
1. Ensure that the scene is safe and secured for all responding units.
  2. Upon making contact with the decedent, attempt to determine if the death is from natural causes or circumstances of a suspicious nature.
    - a. If the death meets any of the criteria in 610.4 A(2) or A(3), a C.I.U. Detective shall be called to the scene to investigate.
    - b. If the death is the result of traffic crash, a Traffic Homicide Investigator shall be called to the scene to investigate.
    - c. If the death appears to be from natural causes, the procedures outlined in section 610.5 below shall be followed.
  3. Locate and interview all witnesses or relatives to determine the following:
    - a. Who last saw or spoke to the decedent alive?
    - b. When and where did they last see or speak to the decedent?
    - c. What may have caused the death of the decedent?
    - d. If there was an attending physician?
    - e. What medications the decedent may have been taking?
    - f. Medical history?
    - g. Decedent's identification and personal information (i.e. age, date of birth, social security number, next of kin, etc.)
  4. Establish the existence of narcotics, weapons, or notes.
  5. Notify the supervisor of the circumstances.
  6. Document the following information:
    - a. Location of the decedent.
    - b. Position of the decedent.
    - c. Scene conditions.
    - d. Clothing, jewelry, or other items on the body.
    - e. Body temperature by touch (warm, cool, cold).
    - f. Observable trauma (i.e. wounds, marks, blood, skin discoloration).

- g. Lividity or rigor mortis.

D. **Patrol Supervisor Responsibilities:**

1. Ensure adequate response to the scene in terms of manpower.
2. Ensure that an inner and outer perimeter has been established as needed based upon the circumstances. (This includes the use of physical barriers, such as crime scene tape and vehicles, and the use of personnel assigned to perimeter posts).
3. Ensure that the scene is protected from outside sources.
4. Assign an officer to maintain a Crime Scene Log.
5. Make proper notifications to the on-duty or on-call C.I.U. supervisor in accordance with GO 601, Criminal Investigations Process.
6. Provide the responding C.I.U. Detective(s) with resources and assistance as needed.

E. **Follow-up Investigative Procedures:** (Procedures outlined in GO 601, Criminal Investigations Process apply):

1. The responding C.I.U. Detective is responsible for the following:
  - a. Requesting additional assistance as needed.
  - b. Conferring with responding officers and supervisors on-scene.
  - c. Gathering preliminary information from assisting officers.
  - d. Ensuring the integrity of the crime scene.
  - e. Searching for evidence using appropriate techniques in accordance with Constitutional law requirements. Ensure consent to search forms are completed or search warrants are obtained as appropriate.
  - f. Questioning all witnesses and canvassing neighborhood or area for other witnesses.
  - g. Ensuring that any potential suspects that remained on scene have been identified and properly detained.
  - h. Contacting and requesting the M.E.'s Office as needed.
  - i. Requesting Crime Scene Technicians/Forensic Unit services through the on-duty or immediate supervisor as needed.
  - j. Directing the actions of officers and technicians on-scene through the on-duty supervisor.
  - k. Coordinate the walk-through of the scene with the M.E. and crimes scene/forensic unit personnel.

- l. Ensuring that the identification, collection, and processing of items of evidentiary value is performed.
- m. Ensuring that the scene is properly photographed.
- n. Ensuring that the scene is properly secured and/or released.

**F. C.I.U. Supervisor Responsibilities:**

1. The on-duty or on-call C.I.U. supervisor shall respond to the scene of a death investigation involving but not limited to the following circumstances:
  - a. Multiple victims.
  - b. Murder.
  - c. Suspected serial killing.
  - d. Death in which the victim was a minor.
  - e. Industrial accident.
  - f. Homicide involving a Police Shooting.
  - g. Police in-custody death.
  - h. High profile cases or incidents with the potential for heightened media interest.
2. Whenever the C.I.U. supervisor is notified of or responds to a homicide, as well as, the above incidents outlined in 610.4 F(1), he or she will ensure that the C.I.U. Command Staff and Chief of Police have been advised through the chain of command, as well as, the Department P.I.O as governed by G.O. 710.
3. The C.I.U. supervisor shall assign a Detective as the lead investigator in the case and control and coordinate the assistance of additional personnel.
4. The C.I.U. supervisor shall act as a liaison with the S.A.O., Broward Sheriff's Office, F.B.I., F.D.L.E. or other agencies or specialized resources as necessary.

## **610.5 NATURAL DEATHS**

In addition to 610.4(A) General Duties and Responsibilities, 610.4(B) General Death Scene Protocol, and 610.4(C) Preliminary Investigation Procedures, if the death appears to be of natural causes, the following protocol will be implemented by the responding officer.

- A. Examination of the decedent: Officers will physically examine all parts of the decedent's body to determine the following:
  1. Evidence of trauma such as wounds, marks, puncture wounds, blood, and skin discoloration.



2. Lividity consistent with body position.
  3. Identification of decedent.
  4. Jewelry and other items of value. If items of value can be easily removed, they shall be secured on scene or placed into property. Valuables should not remain with the decedent's body upon removal from the scene.
- B. Examination of the premises or area: Officers will physically examine the residence, premises, or surrounding area to locate:
1. Information identifying the next of kin.
  2. Prescribed medications. The following information should be recorded:
    - a. Medication type;
    - b. Name;
    - c. Dosage (including concentration of milligrams and how many times taken daily);
    - d. Date prescribed;
    - e. Prescribing physician's name.
  3. Attending physicians.
  4. Positive identification of the decedent.
  5. Children and or pets that may require care.
- C. Contacting the attending physician: Officers will identify and contact the attending physician to establish if the decedent had been treated recently by the physician. If so, the following information should be documented:
1. The decedent's medical history, known medical problems, and length of illness.
  2. If the physician will sign the death certificate.
- D. Contacting the Medical Examiner's Office:
1. Regardless of whether the attending physician will sign the death certificate, the Officer will contact the M.E.'s Office.
  2. If the doctor refuses to sign the death certificate, the death becomes a M.E. case and all medications will be delivered to the M.E. along with the decedent's body. The on-duty or on-call C.I.U. supervisor will be notified.
  3. If the doctor is willing to sign the death certificate, the Officer must provide the M.E. with the victim's information and circumstances surrounding the death and the M.E. will normally release the body. In this instance, the C.I.U. supervisor is not required to be called.
- E. Hospice Care: Officers will not usually be called to the scene of a natural death where the decedent was a participant in the Hospice Care Program, however if an Officer is dispatched the following actions will occur:
1. The Officer must confirm that the decedent was part of a Hospice program and that the death was not caused by suspicious or purposeful causes. If suspicious circumstances exist or allegations of wrongdoing are asserted then a Patrol Supervisor shall be contacted and C.I.U. notified.
  2. The M.E.'s Office does **not** need to be notified in cases of natural death where the decedent was part of the Hospice Program.

- F. Removal of the decedent:
1. If the death is determined to be natural, the attending physician is willing to sign the death certificate, and the M.E. has released the decedent's body, the family of the decedent can make their own arrangements for funeral services. The reporting Officer shall remain on-scene until the funeral service has arrived and removed the decedent's body. As a representative of the Department, the Officer should extend to the victim's family their sympathies and answer any final questions prior to clearing the scene.
  2. If the family has not made arrangements for a funeral service, is unavailable, or otherwise unable to make a decision at that time, the Officer will contact the County Contracted Body Removal Service for removal.

### **610.6 SECURING THE SCENE**

- A. Decedent residing alone:
1. Prior to removal of the body, all items except clothing will be removed from the decedent. Items of value that are removed will be inventoried, documented on a Property Receipt, and placed into the Property Unit for safekeeping.
  2. Prior to clearing the scene, the Officer(s) will close and lock all doors and windows in an effort to secure the premises.
  3. The next of kin will be notified of the extent to which the premises were secured and that the Department cannot assume any liability for the items remaining in the residence.
  4. The next of kin will be advised of any property that was placed into the Property Unit and the procedures for retrieving those items. A copy of the Property Receipt will be left at the residence of the decedent.
- B. Decedent residing with another person not married or related:
1. Prior to removal of the body, all items except clothing will be removed from the decedent.
  2. The Officer should conduct a cursory plain view search in an attempt to identify tangible personal property over \$1000.00 in value such as cash and jewelry (not items that are a fixture of the residence) which belonged to the decedent. These items as well as any contraband found should be secured in the Property Unit.
  3. Items of value that are removed will be inventoried, documented on a Property Receipt, and placed into the Property Unit for safekeeping.
  4. The next of kin will be advised of any property that was placed into the Property Unit and the procedures for retrieving those items. A copy of the Property Receipt will be provided to the next of kin when applicable.
- C. Decedent residing with a relative or spouse:

1. Prior to removal of the body, all items except clothing will be removed from the decedent.
2. Possessions found upon the body or inside the premises can be left or placed in the care and custody of the relative.
3. The Officer should conduct a cursory plain view search for any contraband that may exist in connection with the decedent. Any contraband found should be secured in the Property Unit.

## **610.7 NOTIFYING NEXT OF KIN**

### **A. Notification within the Town's jurisdiction:**

1. The assigned member(s) will make all notifications in person, whenever possible.
2. The assigned member(s) should have as much information as possible to enable them to carry out the notification in a professional and considerate manner.
3. The lead investigator or supervisor shall consider the utilization of the Department's Victim Advocate to assist in the notification process or provide further support, counseling, and services in accordance with the Victim Assistance policy.
4. In instances where the decedent's family is at the hospital, the assigned member in conjunction with hospital personnel should make the notification together in the hospital's "family room" or other appropriate location to provide privacy to family members.
5. Documentation concerning notification of the next of kin will be included in the police report.
6. If the next of kin cannot be located, the hospital or M.E.'s Office will be advised.

### **B. Notification outside the Town's jurisdiction:**

1. The assigned member will instruct the Dispatch personnel to transmit a message to the respective Law Enforcement Agency, requesting that Agency to contact the Member.
2. It is preferred that the Department member request that the local Officer make the notification in person; or as an alternative the local Officer may have the next of kin contact the Department member directly for notification purposes; however, the local Officer should be requested to stand-by while notification is being made.
3. Documentation concerning notification to the next of kin will be included in the police report.

4. If the next of kin cannot be located, the hospital or M.E.'s Office will be advised.
- C. Notification requests from outside agencies:
1. When an Officer receives a call for service to perform a notification to the next of kin , the following procedures will be adhered to:
    - a. Dispatch will confirm the accuracy and legitimacy of the request.
    - b. The assigned member will ascertain if the originating agency is requesting the Department member to conduct a notification directly or rather to have the next of kin contact the requesting agency.
    - c. The assigned member will make the appropriate notification and render any additional assistance and support which may be required.
    - d. The member will advise Dispatch if notification attempts were unsuccessful to be relayed to originating agency.
  2. No police report is required for notification service.
- D. Under all circumstances, the Department member should attempt to arrange for friends, neighbors, family clergy, or relatives to remain with the next of kin upon notification.

## **610.8 MEDICAL EXAMINER INVESTIGATION REPORTS**

- A. In **all** cases involving the transport of the decedent's body to the M.E.'s Office, the Medical Examiner's Investigative Report will be completely and accurately filled out by the assigned member responsible for the investigation.
- B. The Medical Examiner's Investigative Report will be sent along with the body to the M.E.'s Office.
- C. If requested, the officer responsible for the investigation will provide the M.E.'s Office with copies of any and all initial or supplemental reports and/or conduct follow-up investigative activities.

## **610.9 POLICE INVOLVED SHOOTINGS**

Refer to G.O. 408, Response to Use of Lethal Force, regarding duties and responsibilities of Department members.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>SEXUAL CRIMES INVESTIGATIONS</b>	GENERAL ORDER NO. <b>611</b>
RESCINDS: G.O. 611 issued 10/28/2004	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 611.1 PURPOSE

The purpose of this General Order is to establish procedures for the investigation of sexually related offenses. The Department is dedicated to reducing the incident and severity of sexual offenses, conducting thorough investigations of all sex crimes, and protecting victims of sexual violence.

### 611.2 POLICY

It shall be the policy of the Davie Police Department that all sexually related offenses be investigated in a thorough, compassionate manner in accordance with the protocol and procedures established by this policy.

### 611.3 PROCEDURES

[Procedures outlined in GO 601, Criminal Investigations Process apply]:

#### A. **On-scene Response:**

1. Initial Response: During every investigation concerning a Sexual Battery or related offense, members will take several initial actions to include:
  - a. An assessment of the victim's need for medical attention.
  - b. The separation of victims, witnesses, and any suspect(s).
  - c. Obtaining suspect information, such as: time delay, physical description, clothing, direction of travel, and the radio transmission of an information bulletin regarding the suspect.
  - d. The preservation of the crime scene depending upon the time delay and location of the victim.
  - e. Brief interview of victim and any witnesses. The victim should only be interviewed initially by the reporting officer. Inquiries from other Department members should be channeled through the reporting officer.
  - f. Defining the applicable Florida State Statute classification that occurred.

- g. Request an on-duty patrol supervisor to respond.
  - h. Request for Crime Scene Technicians as appropriate.
2. Patrol Supervisor's Responsibilities: The responding supervisor is responsible for:
- a. Responding to any crime scene depending upon the time delay and location of incident.
  - b. Contacting the on-call Criminal Investigation's Unit Supervisor to request a call-out when necessary.
  - c. Facilitating any request for Crime Scene Technicians.
3. Investigator's Response: The responding C.I.U. Detective is responsible for the following:
- a. Quality care and services to the victim in accordance with G.O. 650, Victim Assistance.
  - b. Conferring with responding officers and supervisors on-scene.
  - c. Gathering preliminary information from assisting officers.
  - d. Defining the applicable Florida State Statute classification that occurred.
  - e. Ensuring the integrity of the crime scene.
  - f. Gathering and collection of physical evidence:
    - 1. Searching for evidence using appropriate techniques in accordance with Constitutional law requirements. Ensure consent to search forms are completed or search warrants are obtained as appropriate.
    - 2. Requesting Crime Scene Technicians/Forensic Unit services through the on-duty or immediate supervisor as needed.
    - 3. Ensuring that the identification, collection, and processing of items of evidentiary value is performed.
    - 4. Collecting and securing evidence of a sexual assault in all cases regardless of the victim's willingness to pursue a complaint.
    - 5. Determining whether there are multiple crime scenes.
    - 6. Assessing the crime scene for physical evidence (e.g. fingerprints, bodily fluids, clothing, bedding, footprints, displaced objects, property destruction).
    - 7. Ensuring that the scene is properly photographed.
    - 8. Advising the victim that subsequent appearance of bruising or evidence of injury should also be photographed.



- b. Determine the need for information regarding access to counseling or medical services.
  - c. Obtain additional information and recorded statements, as needed;
  - d. Arrange for computer composite sketch of suspect, when appropriate;
  - e. Afford victims and witnesses the opportunity to view photos or videos.
4. Interview the suspect.
  5. Determine if the suspect's blood, hair, and/or saliva are needed for submission for lab analysis.
  6. If needed, transport the victim to the Sexual Assault Treatment Center (S.A.T.C) unless already accomplished during preliminary investigation. Generally, if the crime occurred within 72 hours of dispatch, there is a possibility that forensic evidence will be present.
    - a. A victim's decision not to undergo a forensic exam will be respected.
    - b. The assigned Department member investigating the offense will contact S.A.T.C. to notify them that a victim is being transported. If an officer is transporting the victim, S.A.T.C. will be contacted by the Davie Communications Center.
    - c. A change of clothes will be made available by S.A.T.C to the victim if their clothes are collected as evidence.
    - d. Request a urine sample for toxicology if drug-facilitated sexual assault is suspected.
    - e. Confer with examining medical personnel to obtain further information about the victim's condition and any evidence that may have been collected.
    - f. Request that the victim sign a medical information release form for medical records related to the sexual assault.
    - g. Ensure the preservation of articles of evidentiary value through proper chain of custody and storage.
  7. Complete and submit all supplemental reports.
  8. Ensure that information related to the offense or suspect is submitted to regional clearinghouses as appropriate.

**D. Medical/Counseling Assistance:**

1. The initial responding officer is responsible for ensuring that the victim receives any immediate medical attention necessary.
2. The investigator assigned for follow-up investigation will ensure the following assistance or services have been provided to the victim:



- a. S.A.T.C. referral.
- b. Crisis Counseling referral.
- c. Women in Distress referral, when necessary.
- d. Family Services referral, when necessary.
- e. Obtaining a restraining order, when necessary.
- f. Victim Advocate referral. Victim Advocate will be responsible for ensuring that compensation information and applications are provided to victim as well as court advocacy as necessary.
- g. Ensure that the procedures contained in G.O. 650 concerning Victim Assistance are applied.

**F. Arrest Procedures:**

1. Suspect On-scene – If the suspect has remained on-scene or is apprehended by responding officers, and probable cause exists, the suspect shall be placed under arrest by the responding member.
  - a. The suspect shall not be interviewed or advised of their Miranda warnings by the arresting officer on-scene until the assigned investigator has been consulted and provided authorization, unless the safety and well-being of the public is at risk.
  - b. The suspect will be transported to the Davie Police Department Holding facility or to the C.I.U. Interview room as directed by the lead investigator.
  - c. The arresting officer will ensure that the Victim Information Notification Everyday (V.I.N.E.) form has been completed and attached to the Probable Cause Affidavit.
2. Suspect Not On-scene – If there was a delayed report or the suspect was not on-scene, the investigating Detective will review the case and proceed with the follow-up investigation. The investigating Detective will review the case with their investigative Supervisor and decide on the appropriate course of action. The investigating Detective will consider the following:
  - a. Making a probable cause arrest;
  - b. Obtaining an arrest warrant;
  - c. Direct file with the State Attorney's Office.

#### **611.4 SEXUAL OFFENDER/PREDATOR REGISTRATION AND NOTIFICATION**

**A. Registration of Sexual Offenders and Sexual Predators:**

1. Sexual Offender and Predator Registration is governed by F.S.S. 775.21 known as the "Florida Sexual Predators Act".

2. A Sexual Offender/Predator must register with the Florida Department of Law Enforcement by providing the following information:
  - a. Name;
  - b. Social Security Number;
  - c. Age;
  - d. Race;
  - e. Sex;
  - f. Date of Birth;
  - g. Height;
  - h. Weight;
  - i. Hair;
  - j. Eye Color;
  - k. Photograph;
  - l. Address of Legal Residence;
  - m. Address of any Current Temporary Residence, within or out of the State;
  - n. Date and Place of any Employment;
  - o. Date and Place of Each Conviction;
  - p. Fingerprints;
  - q. A Brief Description of the Crime(s) Committed by the Offender.
  - r. Any other information determined necessary by FDLE, including criminal and corrections records, nonprivileged personnel and treatment records, and evidentiary genetic markings when available.

A post office box may not be provided in lieu of a physical residential address.

3. If the Sexual Offender/Predator is **not** in the custody or control of, or under the supervision of, the Department of Corrections, or is not in the custody of a private correctional facility, and establishes or maintains a residence in the state, **the sexual offender/predator shall register in person at an office of the FDLE, or at the sheriff's office in the county in which the offender/predator establishes or maintains a residence, within 48 hours** after establishing permanent or temporary residence in this state.
4. If the Sexual Offender/Predator registers with the sheriff's office, the sheriff will take a photograph and a set of fingerprints of the predator and forward the photographs and fingerprints to FDLE, along with other information the offender/predator is required to provide.
5. Within 48 hours after the initial registration required, a sexual offender/predator who is **not** incarcerated and who resides in the community, including a sexual/offender/predator under the supervision of the Department of Corrections, shall register in person at a driver's license office of the DHSMV and shall present proof of their initial registration.
6. Any sexual offender/predator who contacts the Davie Police Department in an attempt to register as an offender or predator shall be directed to the Broward Sheriff's Office or Florida Department of Law Enforcement for appropriate processing.

B. Verification of Sexual Offenders/Predators residing within the Town of Davie jurisdiction:

1. The Davie Police Department will comply with any and all efforts by FDLE to verify the addresses of sexual offenders/predators who reside in our

community who are not under the care, custody, control, or supervision of the Department of Corrections. Sex Offender/Predator address verification shall be the responsibility of the Criminal Investigations Unit, Sex Crimes Unit.

2. The designated Criminal Investigations Unit supervisor is responsible for maintaining a current database of sex offenders/predators residing in our community. The C.I.U. supervisor shall maintain a system of address verification as established by FDLE.
  3. The Davie Police Department will participate in any scheduled sex offenders/predators address verification checks/sweeps as determined by FDLE. An after action report will be completed by participants and maintained by the C.I.U. supervisor.
- C. Community Notification of Sexual Offenders/Predators residing within the Town of Davie jurisdiction:
1. Law enforcement agencies must inform members of the community and the public of a sexual predator's presence. Upon notification of a **sexual predator**, the Davie Police Department shall, **within 48 hours**, notify members of the community and the public of the presence of a sexual predator.
  2. Upon notification of a **sexual predator**, the Davie Police Department shall, **within 48 hours**, notify each licensed day care center, elementary school, middle school, and high school within a one (1) mile radius of the temporary or permanent residence of the sexual predator of the presence of the sexual predator
  3. Sexual Predator Community Notification shall be the responsibility of the Criminal Investigations Unit, Sex Crimes Unit and shall be conducted in the following manner:
    - a. Typically, the Davie Police Department will receive notification of a sexual predator residing in our community via an administrative FCIC message, mail or telephonically from FDLE, DHSMV, DOC, Probation/Parole, Sheriff's Office or another agency.
    - b. The C.I.U. Sex Crime Investigators will verify that the subject is a registered sexual predator through FCIC and confirm the residential address provided is within the Town of Davie's jurisdiction. If it is determined that the address is not within our jurisdiction, the information will be forwarded to the proper agency having jurisdiction.
    - c. If it is determined that the Sexual Predator resides within our jurisdiction, the Sex Crimes Investigators will create fliers for community notification and distribution. A standard format will be used for the flier and it must include the following information:
      1. The name of the sexual predator;
      2. A description of the sexual predator, including a photograph;
      3. The sexual predator's current address, including the name of the municipality and the county;
      4. The circumstances of the sexual predator's offense(s);
      5. Whether the victim of the sexual predator's offense was, at the time of the offense, a minor or an adult.

**6. The name of any victim will not be published.**

- d. The sexual predator fliers will be distributed to each public and private school (elementary, middle, and high) and each licensed day care center within a one (1) mile radius of the confirmed sexual predator's residential location. The name and address of each school noticed will be maintained on a log sheet by the C.I.U. supervisor.
- e. The sexual predator fliers will be distributed door-to-door within a three block radius of the sexual predator's confirmed residential location, to include the street that the predator resides and one street in each direction running parallel or adjoining. The Sex Crimes Investigators can seek the assistance of other personnel to facilitate this process; however, an investigator or C.I.U. supervisor will oversee this activity. A list of each address noticed will be maintained on a log sheet by the C.I.U. supervisor.
- f. The Sex Crime Investigators assigned will coordinate with the Department P.I.O. for the issuance of a press release containing the sexual predator information and photograph. Any press release will be maintained by the C.I.U. supervisor along with a copy of any subsequent related newspaper articles.
- g. A current list of sex offenders/predators residing within the Town of Davie shall also be maintained by the C.I.U. supervisor and posted for display in the lobby of the Police Department and updated on a monthly basis.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>VICTIM ASSISTANCE</b>	GENERAL ORDER NO. <b>650</b>
RESCINDS: G.O. 650 issued 04/22/2003	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 650.1 PURPOSE

The purpose of this policy and procedure is to establish guidelines for all employees of the Davie Police Department in assisting victims and witnesses of crime and to define the position, duties and responsibilities of the Victim Advocate as designated by the State.

### 650.2 POLICY

In an effort to comply with the laws of the State of Florida governing victims and witnesses of crime, it shall be the policy of the Davie Police Department to inform all victims and witnesses of their rights as enumerated in Florida Statute, at the scene of the crime, during the criminal investigation or at the earliest possible time. It shall be the policy of the Davie Police Department to treat victims and witnesses with fairness, compassion, and dignity. The Department is committed to the development, implementation, and continuation of appropriate victim/witness assistance programs and activities. The victims and witnesses shall be made aware of their rights and that there are services available to victims and witnesses of crime through the distribution of a Victim Rights Brochure.

### 650.3 DEFINITIONS

Victim - A person who suffers physical, financial, or emotional harm as a direct result of a crime committed upon his/her person or property. Also regarded as victims are a victim's parent or guardian if victim is a minor, the lawful representative of the victim or the victim's parent or guardian if the victim is a minor, and the next of kin of a homicide victim.

Witness - A person, as determined by law enforcement, who has information or evidence relevant to a crime.

### 650.4 PROCEDURES

A. Duties and Responsibilities of sworn members:

1. All Officers shall provide a copy of the **Victim's Right Brochure** to every victim and witness when responding to the scene of a crime, during the criminal investigation or in any other appropriate manner given of the earliest possible time. **Domestic Violence**

**Pamphlets** will be given to all alleged victims of Domestic Violence in addition to the Victim Rights Brochure.

2. The responding Officer shall document in his/her initial report that the victim was given a Victims Right Brochure advising their rights. The case number shall be written on brochure.
3. All Officers shall have the victim sign a **Disclosure of Victim Information Form** pursuant to F.S.S. Ch. 119 for purposes of confidentiality when pertaining to such cases as: aggravated battery, child abuse, domestic abuse, felony stalking, sexual battery. Officers shall inform victims of these crimes of their right to request an exemption prohibiting the disclosure of information to the public, which reveals the name, home and work telephone numbers, home and work addresses, and personal assets not otherwise held confidential under the Public Records Law.
4. All Officers, when making the initial arrest, shall have the victim complete or have completed for the victim a **Victim's Notification Form** which will travel with the booking information to serve as notification upon the offenders release from any detention facility. It shall be the arresting officer's responsibility to advise the victim of the offender's arrest.
5. All Officers shall provide information to victims of their right to be protected from intimidation and harassment pursuant to F.S.S. 914.22.
6. Officer(s) shall refer victims and witnesses to the Victim Advocate, if needed, when further explanation is needed regarding their rights as enumerated in the Victims Right Brochure.
7. All members responding to calls for service must be cognizant of the needs beyond routine police service and take measures to ensure those needs are met including but not limited to:
  - a. Making necessary phone calls to referral agencies.
  - b. Making contact with family members and other relatives, whether local or out of the area, to inform them of problems/situations and some suggested course of action.
  - c. Assisting with transportation needs (i.e. transport to station, shelter, etc.)
  - d. Remaining on scene, particularly where a death has occurred, until such time as a responsible individual can respond for a lone party.
  - e. Provide information regarding applicable services (i.e. counseling, medical attention, compensation programs, and the existence of victim advocacy.
  - f. Initiate call-out for victim advocate if patrol or investigative personnel cannot meet the needs of the victim(s) or their families.

B. Duties and Responsibilities of Victim Advocate:

1. Provide emergency crisis intervention by responding to the scene, other location, or by phone as directed.

2. Inform victims of available crisis intervention services, supportive or bereavement counseling, social service support referrals and community based victim treatment programs that could best serve and meet the needs of the victim as a result of any physical, psychological, or emotional trauma.
3. Explain to victims their role in the criminal justice process.
4. Where a hardship exists, transportation can be provided to victims and witnesses by the victim advocate, when appearance is needed at court or other applicable situations.
5. Assist victims during any criminal investigation stage including case status or disposition, protective services, the return of property, and victim impact statements.
6. Inform victims of their right to apply for Victim's Crime Compensation and assist them in the process as needed.
7. Provide personal advocacy in assisting victims with other agencies, intervening with landlords, employers, or creditors as needed.
8. Assist with death notifications when directed. When making notification of a death or serious illness to the next-of-kin, the following steps should be taken:
  - a. notification shall be carried out as promptly as possible;
  - b. notification will be made in a considerate manner, in person when possible;
  - c. whenever possible, a relative, friend, or member of the clergy should assist with the notification;
  - d. Notification shall be carried out at the direction of an assigned lead investigator/Detective.
9. Inform victims that a Victim Advocate can be present during a deposition upon request. Victims can also request that an Assistant State Attorney be present however sufficient notice should be given for consideration.
10. Assist victims in filing for temporary/permanent injunctions for protection against repeat/domestic violence.
11. Inform the victims' parent or legal guardian or any siblings of their rights, shall the offender attend the same school.
12. Arrange for interpreters of the deaf or non-English speaking victims, when needed.
13. The Victim Advocate shall attend meetings, training, and seminars in order to remain knowledgeable about current laws and trends concerning victim assistance programs and to facilitate networking with personnel from other agencies.

14. The victim advocate shall assist in any in-service training activities as directed by their supervisor or coordinated by the Training Unit.
- C. Duties and Responsibilities of Communications and Records Personnel:
2. Non-sworn members working in the Dispatch or Records Unit functions are responsible for being knowledgeable about victim/witness services available.
  3. Manuals with phone contact numbers for referral services will be maintained in the Dispatch Unit immediately available to Communications personnel on a 24 hour basis.
  4. On a daily basis, Records Unit personnel will provide copies of Offense/Incident Reports to the Victim Advocate for review pursuant to F.S.S. Ch. 960.
  5. Records Unit personnel shall take great care to ensure the confidentiality of records and files containing victim/witness information in accordance with F.S.S. Ch. 119.

## **650.5 REPORTING**

- A. The Victim Advocate shall make contact with all victims regarding cases assigned for their review. Contact can be made directly or indirectly, by person, phone, or mail.
- B. The Victim Advocate will document and log all contacts made to victims.
- C. The Victim Advocate shall prepare a monthly case report outlining contacts and services provided to victims of crimes. Also, included in the report shall be any continued training given and/or received, monthly meetings attended, or any other services provided by the Victim Advocate.

## **650.6 VICTIM ADVOCATE SAFETY**

- A. The Victim Advocate will have in his/her possession a Department issued radio and vehicle when conducting advocacy services in the field.
- B. Great care must be taken by the Victim Advocate and other Department members not to place the Victim Advocate in unsafe or threatening situations that would likely result in harm.
- C. The Victim Advocate will not be left alone at the scene of a violent crime if the perpetrator is still at large or any other danger is present.

## **650.7 ON-CALL PROCEDURES**

- A. The Victim Advocate may be called-out to scenes on an as needed basis. There may be situations that require the Victim Advocate to be called back to work outside of the prescribed work hours. If there is the need for the Victim Advocate services off-duty, approval must be received from the on-call C.I.U.



Sergeant prior to any contact with the Victim Advocate.

## **650.8 TRAINING**

- A. So that all victims may be treated fairly, victim assistance education and training shall be offered to all employees taking courses at law enforcement training facilities or on an in-service basis.
- B. Training regarding the familiarization with the Department's Victim's Advocate Unit and victim assistance programs as prescribed by F.S.S. will be provided to new members during in-service training.
- C. In addition, all members, and other employees as necessary, will be provided with the latest information pertaining to victim's rights and services available to them through the regularly scheduled in-service dealing with Human Diversity and Domestic Violence Awareness.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>SURVEILLANCE, UNDERCOVER, &amp; DECOY OPERATIONS</b>	GENERAL ORDER NO. <b>660</b>
RESCINDS: G.O. 660 issued 05/10/2004	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 660.1 PURPOSE

The purpose of the policy is to establish guidelines for Surveillance, Undercover, and/or Decoy Operations to assure that critical decisions are made at appropriate levels of authority.

### 660.2 POLICY

The Davie Police Department is committed to the investigation and arrest of persons involved in criminal activity. Covert investigative methods assist in identifying suspects involved in illicit activities. Due to the inherent risks associated with surveillance, undercover and decoy operations, guidelines are necessary to ensure the safety of the involved officers and the public, and the overall success of the operation.

### 660.3 DEFINITIONS

Covert Operations – An operation conducted to avoid detection, which is divulged only to those directly involved in the investigation.

Decoy Operation – An operation in which a sworn member poses as a potential victim.

Surveillance – Close observation of a person, location, or thing.

### 660.4 SURVEILLANCES

- A. Surveillance: may involve a simple, periodic check on a stationary subject or location or the continuous long-term observation of persons, places, or things to obtain information. Surveillances are useful for the purposes of:
1. Observing or following a targeted subject or associates;
  2. Locating subjects;
  3. Gathering intelligence on ongoing illegal activities;
  5. Securing probable cause and information on premises for search warrant;
  6. Protecting undercover operations; and,
  7. Preventing crime.

- B. Investigators should consider the following when planning a surveillance:
1. Officer safety issues (including the wearing of body armor or tactical vests);
  2. The use of an operations plan;
  3. Legal Issues should be addressed in consultation with the State Attorney's Office, when necessary;
  4. Use of technological surveillance equipment such as audio/video recording devices, bugging devices, and tracking devices.
- C. The Bureau/Division Commander shall be made aware of all pre-planned surveillance, undercover, or decoy operations conducted by personnel assigned to their respective areas. Review of the operations plan and authorization is required from the Bureau/Division Commander or designee prior to the operation being conducted.
- D. It will be the responsibility of the coordinating supervisor to have an analysis performed of various crimes and their victims, and to identify probable offenders, habits, associates, vehicles, methods of operation and any other pertinent information. Background information, such as personal/criminal history and locations frequented will be gathered on identified probable offender(s).
- E. Prior to a surveillance, undercover, or decoy operation, an operations plan shall be prepared by the lead officer/detective or supervisor involved addressing or identifying the following:
1. One supervisor will be designated as the coordinator and command the operation.
  2. All participants will be identified.
  3. Upon approval of the operations plan and prior to the application, the objectives and details of the operation will be provided to all participants. All participants will be briefed by the case agent or coordinating supervisor and shall familiarize themselves with the identity of the suspect, the suspect's vehicles, and the neighborhood or target area. Any provisions regarding the contact with the suspect or "take-down" shall be determined in advance when possible. "Take-down" and "distress" signals and the timing of arrests should also be pre-determined when possible.
  4. All participants will have an opportunity to ask questions and/or address any concerns.
  5. Participants will be supplied with "Investigative funds", when needed in accordance with the General Order governing Investigative Funds.
  6. Appropriate surveillance or unmarked vehicles and equipment will be utilized. (Electronic surveillance of a telephone or within a residence will be in conformance with F.S. 934.)
  7. A means of routine and emergency communication will be established between participants via hand-held radios, mobile telephones, or other means. Routine and emergency radio channels will be pre-designated.

8. The supervisor should be kept advised of all ongoing surveillance operations. In long term operations, the supervisor will arrange for relief personnel, as needed. The coordinating supervisor will maintain close supervision over any ongoing operations and will continually monitor all related radio communications.
9. The on-duty patrol supervisor responsible for the target area will be advised of the operation when appropriate.
10. Upon arrival of operatives at the target location, the location will be confirmed by the lead case agent or those personnel with direct knowledge of the target area.
11. If the surveillance extends beyond the agency's jurisdiction, outside agencies will be notified, as needed.
12. All personnel will be notified when the surveillance is terminated.
13. A debriefing with all participants will be conducted as required by the operations plan.
14. All surveillance operations will be documented utilizing proper operations plan forms, after action reports, memorandums, and offense incidents reports as required.

## **660.5 UNDERCOVER & DECOY OPERATIONS**

Certain investigations require undercover or decoy operations. When such an operation is warranted, all provisions of 660.4 governing Surveillances apply along with the following:

- A. Coordinating supervisors will be aware of all details of the operation and shall maintain constant, close and direct supervision over the operation to ensure that Department guidelines are followed.
- B. Victims, crimes, and crime locations will be analyzed to determine appropriate locations, disguises, and methods for conducting the operation and for maximum safety to operatives.
- C. The neighborhood or target where operatives will work will be analyzed to determine appropriate locations and cover for the safety of participants.
- D. Participants will be chosen from those who best fit the requirements of the particular investigation. Factors to consider when selecting members include the following:
  1. Ability to infiltrate and remain in the target area;
  2. Familiarity with procedures, culture, and language associated with the target area; as well as,
  3. Ability to establish rapport with offenders.
- E. Specific operations plans will be made for suspect contact. Operations plans will designate the roles and responsibilities of participating members including but not limited to: back-up, decoys, disguised personnel, "take-down" teams and other resources to ensure officer safety in the event the suspect is arrested,

- armed, or becomes physically violent. The location, proximity to innocent persons, and light conditions are some factors which should be considered.
- F. Upon approval of the operations plan by the Bureau/Division Commander and prior to the application, the objectives and details of the operation will be provided to all participants. All participants will be briefed by the case agent or coordinating supervisor and shall familiarize themselves with the identity of the suspect, the suspect's vehicles, and the neighborhood or target area.
  - G. All participants will have an opportunity to ask questions and/or address any concerns.
  - H. Undercover and decoy operatives will be provided backup security during all operations.
  - I. Provisions for routine and backup emergency communications will be determined in advance, i.e., hand held radio, body bug, mobile telephone, etc.
  - J. The coordinating supervisor shall make a request for Fire Rescue personnel to stand-by in the area of the target location in advance of the operation when appropriate and contingent on availability. Participating members shall immediately request Fire Rescue to respond whenever there is any need for medical assistance during the operation by participants, target subjects, or other bystanders.
  - K. A debriefing with all participants will be conducted as required by the operations plan or appropriate Department supervisor in charge.
  - L. All undercover/decoy operations will be documented utilizing proper operations plan forms, after action reports, memorandums, and offense incidents reports as required.

## **660.6 FALSE IDENTIFICATION AND CREDENTIALS**

- A. Department members shall protect the identity of officers engaged in covert operations and shall not intentionally expose their identity or occupation; and shall not reveal any knowledge of covert operations to members of the public. Members shall not initiate any public contact with any member who is knowingly assigned to covert operations whether on or off duty. Department members shall wait for the undercover officer to initiate acknowledgement or recognition.
- B. Sworn Officers/Detectives will be supplied with appropriate identification or other credentials, as needed, utilizing the following procedures:
  1. As a function of the role and responsibility of the Special Investigations Unit, Detectives assigned to S.I.U. may need to obtain false identification for their protection and/or in the furtherance of ongoing undercover operations.
  2. The S.I.U. supervisor shall provide direction to subordinate members and oversee the process for acquiring false identification. Any member requiring a false identification, shall submit a memo through their chain of command to the Chief of Police providing a reason for the request and accompanied by any other necessary paperwork.
  3. A Fictitious License Request Form shall be completed and submitted to the Department of Highway Safety and Motor Vehicles. Department members

shall adhere to any and all regulations as governed by the Department of Highway Safety and Motor Vehicles. Department members possessing a fictitious identification shall ensure that it remains valid and is updated prior to expiration.

4. The S.I.U. supervisor shall ensure that any fictitious identifications which have been issued to subordinate members are appropriately closed out upon transfer of the member or conclusion of the undercover operation for which it was created.
  5. Copies of all paperwork related to the creation of fictitious identification shall be maintained by the S.I.U. supervisor until the records become obsolete, are superseded, or have lost administrative value. The records shall then be forwarded to the Professional Compliance Unit for archiving.
- C. S.I.U. supervisors and detectives participating in regional, state, or federal task forces shall receive official credentialing pertaining to their respective assignment. Assigned members shall adhere to all rules and regulations as governed by Memorandums of Understanding (MOU's) or other agreements made between the Davie Police Department and the task force or other governmental institution.

## **660.7 USE OF SURVEILLANCE EQUIPMENT**

- A. The surveillance and undercover equipment will be maintained under the control of the designated Investigations Services Division Supervisor.
- B. This S.I.U. supervisor will be responsible for the maintenance and issuance of all surveillance/undercover equipment.
  1. All equipment must be returned within twenty-four (24) hours of issuance (excluding weekends and holidays), unless the S.I.U. supervisor approves a longer period of time.
  2. The Detective or other sworn member using the equipment is responsible for its care. Before using any equipment, the personnel must be trained and knowledgeable of its operation.
  3. When any equipment needs repair or replacement, the S.I.U. supervisor will take the necessary initiative through their chain of command.
- C. Any equipment that is to be loaned to outside agencies must first be authorized by a S.I.U. supervisor.
- D. The Department Surveillance Vehicle(s) are assigned to the Investigative Services Division to be utilized on covert operations. The Investigative Services Commander or designee shall control the authorization and usage of the Department Surveillance Vehicle(s). No one will utilize this vehicle without the prior consent of the Investigative Services Division Commander or designee. Personnel utilizing the vehicle(s) must be trained on the use of the electronic equipment and other special devices contained within. The make, model, and type of vehicle are confidential and restricted to personnel who are involved in surveillance operations as directed by the Investigative Services Division Commander.



# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>EXECUTING SEARCH WARRANTS</b>	GENERAL ORDER NO. <b>665</b>
RESCINDS: G.O. 665 issued 05/10/2004	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 665.1 PURPOSE

Search warrants demand careful planning and execution to guarantee that legal requirements are met and to ensure the personal safety of the Department members involved. The purpose of this policy and procedure is to establish guidelines for the preparation and service of search warrants.

### 665.2 POLICY

It shall be the policy of the Davie Police Department to utilize effective procedures in the preparation and execution of search warrants as well as for searching and seizing of evidence and/or contraband.

### 665.3 DEFINITIONS

Affiant – one that swears to an affidavit.

Affidavit – a sworn statement in writing made especially under oath or on affirmation before an authorized magistrate or officer.

Search Warrant – A court order signed by a judge, supported by oath or affirmation, particularly describing the place to be searched, and the person or thing to be seized.

### 665.4 PROCEDURES

- A. Drafting the Affidavit: Generally, obtaining a search warrant will be a function of the Investigative Services Division personnel. If a Department member other than a Detective needs to obtain a search warrant, the member shall notify their supervisor who shall discuss the facts and circumstances with a respective Investigative Unit supervisor. If warranted, the Investigative Unit supervisor shall assign a Detective to assist the member with the drafting of the application for search warrant or identify alternative investigative avenues.

Signature spaces for the affiant(s) that will be attesting to the facts will be included within the Affidavit along with the following information:



1. A detailed description of the dwelling, structure, or conveyance to be searched. This includes, but is not limited to: the name and street address, address numbers and markings, type of structure, color, window and door locations, directions of travel to locate the place to be searched, and other identifying features of the location and curtilage.
  2. A photograph of the dwelling, structure, or conveyance to be searched, if possible.
  3. The grounds for issuance, citing the Florida Statute violated, (i.e. 893.135 (1) (b), Trafficking in Cocaine)
  4. The property, article, evidence or person sought in the search.
  5. The probable cause. A detailed chronology of the events that support the application for the search warrant. This includes any information that constitutes probable cause and will include, but is not limited to, the following:
    - a. Sworn statements from witnesses.
    - b. Plain view observations.
    - c. Prior purchases from the location.
    - d. Positive results from issued field test kits when the case involves the purchase of controlled substances.
    - e. Information from a confidential informant with proven credibility.
    - f. Corroborating intelligence or past history information.
    - g. Corroborating statements of arrested subjects.
- B. Drafting the Warrant: The warrant must include the following:
1. Wording that commands the affiant(s), and/or law enforcement officers of the Davie Police Department, and/or the Sheriff, and/or Deputy Sheriffs, County of Broward, State of Florida, with proper and necessary assistance to search the described premises and curtilage and to search those who shall be connected with violation of the law and furthermore to seize any and all property found; and authority to execute the warrant either in the day or night time and any day of the week including Sunday.
  2. A list of items of evidentiary value suspected of being at the location at the time of the search.
  3. A signature space for the judge.
- C. Approval and Signing of Search Warrant:
1. Unless directed otherwise, the affiant shall submit the search warrant to their respective Investigative Unit supervisor for review. Upon supervisory review, the General Affidavit and Application for Search Warrant shall then be submitted to an on-duty or on-call State Attorney for review prior to being presented before the judge.
  2. Upon approval from the State Attorney, the affiant shall then go through proper channels in order to obtain the on-duty or on-call judges signature.
  3. Upon locating a judge, the affiant will then be placed under oath and will sign the affidavit. The judge will then sign the original warrant.

D. Execution of Search Warrant:

1. The level of authority which can authorize the execution of a search warrant is the rank of Sergeant or higher. The Department's Special Response Team will be utilized for the service of high-risk search warrants in accordance with G.O. 521. Every warrant service requires an evaluation of risk factors and the S.R.T. Commander's decision whether or not to utilize the team. The coordinating supervisor and S.R.T. Commander shall review the signed search warrant to determine its legal sufficiency.
2. The authorizing supervisor will be aware of all details of the operation and shall maintain constant, close and direct supervision over the warrant service to ensure that Department guidelines are followed.
3. The affiant will obtain approval to proceed from the supervisor in charge of the investigation and provide (in the form of an operations plan) the following detailed information or items when available:
  - a. A complete description of the suspects involved in the situation or individuals who may possibly occupy the premises to be searched. Photographs of the suspects and the place to be searched should be obtained, if available.
  - b. Criminal histories and current "wanted status" on the known occupants.
  - c. A description of "innocent parties" potentially on the premises, such as children or elderly persons.
  - d. An accurate description of the interior of the structure to be searched as well as the location of the entry and exit points, including the most likely escape routes.
  - e. Type and extent of locking mechanism used on the doors and windows, which direction the doors open, and whether there are any bars on the doors or windows.
  - f. A description of any weapons believed to be located on the premises to be searched.
  - g. Location of any obstacles in the yard such as fences, pools, swing sets, animals, clotheslines, etc.
  - h. Information on neighboring residences or structures for determining their potential as a source of hostile action or concern for the welfare of occupants, such as child care centers or nursing homes.
4. When utilized, the S.R.T. Commander or designee shall oversee, coordinate, and control the tactical and operational plans of the execution of the warrant. If not utilized, the supervisor in charge of the investigation will ensure that the following tasks have been accomplished:
  - a. Determining total manpower needed to include additional personnel for relief, back-up, and support services;
  - b. Positioning and responsibilities of personnel;
  - c. Assigning personnel to their individual tasks;

- d. Identifying approach routes, along with primary and secondary entry points;
  - e. Determining the need for special vehicles, equipment, and weapons;
  - f. Consideration of any special problems;
  - g. Determining operational procedures for arrests;
  - h. Advising on any restrictions for the use of force;
  - i. Identifying the radio channels for routine and emergency communications;
  - j. Request that Fire Rescue personnel stand-by in the area of the target location in advance of the operation when appropriate and contingent on availability. Participating members shall immediately request Fire Rescue to respond whenever there is any need for medical assistance during the operation; and,
  - k. Verifying the address to be searched and confirming target location upon arrival at the search location. The affiant of the warrant or the officer most familiar with the location will confirm the target location and identify the potential entry point(s).
5. A pre-operation briefing shall be conducted in which the individual and team assignments and responsibilities are specified along with the following.
- a. A preliminary diagram of the premises to be searched will be utilized to designate positions and member assignments.
  - b. Strategies and tactics for approaching, entering, securing, and leaving the target area shall be identified. Any special problems should be presented.
  - c. All members who will take part in the operation should be present at the briefing to avoid mistaken identity at the scene.
  - d. Specialized equipment, weapons, and special purpose munitions shall be issued as needed.
6. Tactical Considerations: Tactical considerations shall be performed in accordance with the G.O. 521, governing the Special Response Team. The S.R.T. or other sworn personnel utilized for purposes of executing the warrant shall be given specific duties and responsibilities.
- a. An entry team comprised of S.R.T. or other sworn personnel shall be used for the purposes of entering the premises and securing the occupants.
  - b. It is mandatory for S.R.T. or other sworn personnel utilized to execute a search warrant or other high risk pre-planned operation to wear their issued body armor for the duration of the operation.
  - c. Unless a "no knock" entry is authorized by the Court and stated in the warrant, the entry team will knock and announce in accordance with the provisions in G.O. 521.
  - d. The entry team may use whatever means necessary to search the structure or premises for occupants in the most efficient and expedient manner possible in order to prevent the escape of occupants, maintain safety for persons involved, and prevent the destruction of evidence.
  - e. S.R.T. supervisors and/or entry team leaders or point personnel shall make tactical decisions involving routes of advancing, points of entry into buildings or structures, and directing target acquisition.

- f. Weapons should be drawn during entry and carried in a safe manner.
  - g. All subjects present will be secured upon entry using appropriate levels of force.
  - h. Sworn personnel and/or S.R.T. members shall be assigned to perimeter positions surrounding the target location in accordance with G.O. 521.
  - i. Persons who escape or flee from the premises should not be pursued outside the building or structure by entry team members, unless exigent circumstances exist. Perimeter post members will be responsible for apprehending these fleeing subjects.
  - j. It will be the responsibility of the inner perimeter team to contain and secure the exterior of the structure or premises to be searched. The Inner Perimeter Team will also be responsible for the following:
    - 1. Preventing persons from escaping.
    - 2. Covering and containing potential escape routes.
    - 3. Avoiding crossfire positions.
    - 4. Denying unauthorized entry access to the scene.
    - 5. Inner Perimeter Team personnel shall also have their weapons drawn and carried in a safe manner.
    - 6. Inner Perimeter Team personnel should not rush or enter the structure or premises unless ordered by a supervisor or it is necessary to prevent death or serious bodily injury.
  - k. Outer perimeter units shall be utilized as deemed necessary due to exceptional circumstances and will be responsible for establishing crowd and traffic control and assisting in apprehending persons fleeing the scene by foot or by vehicle.
  - l. The S.R.T. Commander or coordinating supervisor in charge shall determine when the premise is considered secured and ready to be transferred to investigative personnel. No S.R.T. or other sworn personnel shall leave their posts either inside or on perimeter until express authorization is given by the S.R.T. Commander or supervisor in charge.
  - m. Leaving the target area shall be done upon order of the S.R.T. Commander or supervisor in charge and shall be conducted in an expeditious, orderly, and professional manner.
- E. Searches and seizures of evidence and/or contraband:
- 1. Searches and seizures of the premises, persons, property, and articles for evidence and/or contraband is primarily a responsibility of investigative personnel and case agents assigned to the operation.
  - 2. Evidence collection shall be performed in accordance with the provisions of G.O. 105, Property & Evidence.
  - 3. Investigative personnel shall not enter the premises until given express authorization from the S.R.T. Commander or supervisor in charge.

4. Upon entry, the affiant, or designee in the absence of the affiant, shall read aloud the search warrant in its entirety prior to searching the premises regardless of whether or not the premise is occupied.
  5. The scope of the search should be limited to those areas where the named items or persons could be legitimately concealed. When considering what may be considered the curtilage, investigative personnel should consider the following:
    - a. The proximity of the area to the main building;
    - b. Whether the area is included within an enclosure such as a fence;
    - c. The nature of the uses of the area;
    - d. The steps taken by the resident to protect the area from observation by people passing by.
  6. Investigative personnel most familiar with the case shall effect the arrest of persons named in the warrant and any other persons found in violation of the law as a result of probable cause established during the execution of the warrant, unless otherwise specified during the pre-operational briefing.
  7. All persons present shall be advised of the "Miranda Rights" prior to custodial interrogation.
- F. Documentation:
1. The affiant and other investigative personnel involved shall supplement their investigative reports with information pertaining to and gained from the execution of the search warrant.
  2. Following any S.R.T. involvement, the S.R.T. Commander or designee shall complete and submit an after action report in accordance with G.O. 521.
- G. Post Search:
1. All search warrants shall be issued in duplicate. A copy of the entire search warrant will be delivered to the person named in the warrant, or in his or her absence to some person in charge of, or living on the premises, or at the location of the search if no one is unavailable or on-scene.
  2. A written inventory of the property seized and a receipt of said property shall be delivered to the Clerk of the Court. A duplicate copy of said property and receipt shall be left with the person in possession of the premises or left on the premises if unoccupied.
  3. The original affidavit and search warrant along with the return inventory and property receipt(s) must be delivered to the Clerk of the Court within ten (10) working days of the search. Unserved search warrants must also be delivered to the Clerk of the Court.
  4. Photocopies of the warrant will be made for the SAO and the case file.
  5. A post incident debriefing of involved personnel shall be conducted by the appropriate Department supervisor in charge or by the S.R.T. Commander as required.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>USE OF CONFIDENTIAL INFORMANTS</b>	GENERAL ORDER NO. <b>670</b>
RESCINDS: G.O. 670 Issued 11/29/2006	ISSUE DATE: 03/18/2008
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 04/18/2008

### 670.1 PURPOSE

The Davie Police Department recognizes that the use of confidential informants can be a very successful investigative tool that may lead to the identification, arrest, and prosecution of those involved in illegal activities. Individuals who furnish information expect that their identities will not be disclosed and therefore detailed documentation and administrative control is required. The following procedures will provide uniformity, accountability, and protection to personnel and the Davie Police Department in official actions with confidential informants. This general order is applicable to all sworn personnel.

### 670.2 POLICY

It is the policy of the Davie Police Department to establish strict guidelines for the development and use of confidential informants. The identity of all confidential informants shall remain confidential until the informant gives up his or her right to confidentiality or unless directed by a higher authority. No member of the Department shall pay an informant except as authorized by the procedures set forth in this policy.

### 670.2 DEFINITION

Confidential Informant – A specific person identified in reports by a code name who by direction seeks out and furnishes criminal intelligence information on a continuing basis under the following conditions:

1. For payment and compensation of any nature.
2. When the Confidential Informant, or any person on his/her bequest, is to receive beneficial treatment in any criminal justice investigation, trial judicial hearing, or probation or parole matter.
3. When equipped by a criminal justice agency with a covert electronic listening device to gather evidence or to monitor criminal activity for anonymous inclusion in criminal or intelligence reports.

## 670.4 PROCEDURES

### A. Precautions to be taken with paid informants:

1. Potential informants will always be contracted and thoroughly interviewed by a minimum of two officers.
2. A records check will be made to determine motivation, associates, and past criminal activities. A personal history report will be completed. (TOD CI Biological & Background Report and CI Activity / De Briefing Log forms).
3. Investigators exercising control of confidential informants shall always meet or otherwise deal with the informant in an official capacity.
4. Investigators will only meet with a confidential informant in the field with a second sworn member present as a witness.
5. When the informant is on probation or any other type of community/government control, the investigator shall advise the informant's probation and / or community control officer that they are acting in the capacity as a confidential informant.
6. If the informant is currently or has in the past assisted another agency then that agency or unit will be contacted to avoid duplicating or compromising an existing investigation.

### B. Special precautions to be taken with Juvenile Informants:

1. When the informant is a juvenile, the parents or guardians should be present during the initial interviewing process concerning the use of the juvenile in a capacity as an informant.
2. When a juvenile (minor under the age of 18) is to be utilized as a confidential Informant, the above procedure will be followed and a juvenile release form will be completed by the investigation officer and signed consent will be given by a parent or legal guardian prior to use. (TOD Confidential Informant Policy and Consent Agreement Form) If parental or guardian consent is not given, the juvenile cannot be used as an informant.
3. A juvenile cannot be used if there is a danger to the juvenile or juvenile's family.
4. A juvenile cannot be used as an informant in areas where he or she may be encouraged to take part in delinquent activity; such as the commission of a crime, using narcotics, or taking part in sexual activity.

### B. Use of confidential Informants:

1. The initial interview process should detail the Davie Police Department policy concerning informant sources (TOD CI Activity/De Briefing Log Form). No departmental personnel shall offer any immunity from prosecution nor guarantee how a judge may sentence an informant.

2. The assistance to the Department that the potential informant can render must be thoroughly discussed and documented. (TOD CI Activity/De Briefing Log Form).
3. The controlling investigator will fill out the Town of Davie Police Department Confidential Informant Biological & Background Report (TOD CI Forms) completely and subsequently sign and date it. The form will then be forwarded to their immediate supervisor for review.
4. The informant will read and sign in the presence of two officers the Town of Davie Police Department Adult Confidential Informant Policy and Consent Agreement. (TOD CI Form).
5. Upon completion of the interview process, the immediate supervisor shall review and either approve or disapprove the documentation of the informant by the investigating officers.
6. After determination that the individual may be used as an informant, the immediate supervisor or designee will initiate the documentation and inclusion of the informant into the master file through the South Broward Drug Enforcement Unit's Informant Control Numbering System.
7. A file will be used to store all related documentation on the informant. This file shall be maintained in a locked filing drawer at the Davie Police Department with access controlled by the assigned investigator. Access to the information by persons other than S.I.U. personnel shall only be authorized by the Special Investigations Unit supervisor only. Specific items to be included in the file are as follows:
  - a. Confidential Informant Activity/De Briefing Log (TOD Form) completed upon interview.
  - b. Town of Davie Police Department Confidential Informant Biological & Background Report (TOD Form) completed upon initial documentation.
  - c. Town of Davie Police Department Adult Confidential Informant Policy and Consent Agreement. (TOD CI Form) completed upon initial documentation.
  - d. Town of Davie Police Department Confidential Informant Index File (TOD Form) completed each time used.
  - e. A current photograph and arrest record.
  - f. Town of Davie Police Department Confidential Informant Payment Receipt (TOD Form) completed each time used.
8. Informant Files maintained at Davie Police Department are to be reviewed on an annual basis by the S.I.U. supervisor and the investigating officer who documented the informant to discuss the status or possible de-activation of the informant.
9. De-activation notation will be made on the informant file if the informant is no longer of use to the department. The closing file will be completed indicating why the informant was de-activated and will be placed in the file.
10. Investigative funds paid to an informant require a written receipt (Town of Davie Police Department Confidential Informant Payment Receipt) and the approval of the immediate supervisor. The payments made to an informant will be on a case



by case basis depending on the following considerations: amount of involvement of the informant, type and nature of the information received, quantity and quality of items being sold and many other considerations. The informant will sign the Town of Davie Police Department Confidential Informant Payment Receipt (TOD Form). A copy of this form and request for payment will be placed in the informant file. The informant's signature shall be witnessed by two officers.

11. Requests for investigative funds in an amount over \$500.00 dollars for payment to an informant require the express approval of the Investigative Services Division Commander.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>INVESTIGATIVE FUNDS</b>	GENERAL ORDER NO. <b>680</b>
RESCINDS: G.O. 680 issued 03/30/2005	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 680.1 PURPOSE

Investigative funds are intended to be used by authorized Departmental personnel involved in the investigation of criminal activity, conducting confidential investigations, and for the purpose of purchasing contraband or stolen items. Payments can also be made to confidential informants or any other person whose information is deemed valuable in the furtherance of an official departmental investigation. Effective management of any organization requires the reasonable and proper accounting of appropriated revenues and expenditures. The purpose of this General Order is to develop a methodology to control the access and use of investigative funds and also provide a method to audit the cash.

### 680.2 POLICY

It is the policy of the Davie Police Department to maintain an expense accounting procedure for Investigative Funds administered by the Department. These funds are intended for use in official Departmental investigations. The system of accountability outlined within this policy is required to insure the proper accounting and disbursement of these funds.

### 680.3 PROCEDURE

- A. Investigative Funds are under the control of the Special Investigations Unit Supervisor. In the absence of the S.I.U. supervisor any Departmental personnel requiring access to Investigative Funds will do so through their respective supervisor and will require authorization from the Investigative Services Commander.
- B. Investigative Funds are generally intended for use in the following circumstances.
  - 1. Payment to a confidential informant for information or services that he or she provides. Refer to General Order 670, governing Use of Confidential Informants.
  - 2. Payment of reasonable expenses incurred by an informational source pertaining to a criminal or departmental investigation.
  - 3. Purchase of illegal narcotics, stolen property, and any other contraband/evidence pertaining to a criminal or departmental investigation.

4. To be used for investigation related expenses, such as the purchase of items from legitimate businesses needed to further undercover, sting, or decoy operations.
  5. Payment for relocation of a witness/source; temporary living expenses; or travel and other expenses incurred by a witness/source which are necessitated by real or potential threats made or anticipated towards a witness/source.
  6. Allowable expenditures shall include the rental of vehicles and equipment as required and other such emergency investigative expenses which may be necessary.
  7. At no time will investigative funds be utilized for personal use.
- B. Requests for Investigative Funds:
1. Supervisor(s) in charge of the Special Investigations Unit will utilize the following procedure for requesting and accepting additional Investigative Funds. Only Supervisor(s) in charge of the Special Investigations Unit have the authority to dispense cash from investigative funds.
    - a. A memorandum will be directed through the chain of command to the Chief of Police requesting said funds. The memorandum will include the amount desired and also a brief synopsis of what the investigative funds are to be used for.
    - b. The Office of the Chief of Police will then take necessary steps in order to access the approved funds. A check will be drafted in the name of the Chief of Police or his designee for the desired amount. The Investigative Funds will generally be requested in increments of \$6000.00. The Investigative Funds are to be maintained in a secure location under the control of the S.I.U. supervisor. An invoice (receipt) for cash received will be maintained by the S.I.U. supervisor.
  2. Departmental personnel requiring access to Investigative Funds will do so through their respective supervisor as outlined in 680.3 A. The supervisor controlling the funds will issue a two copy receipt to the investigator. The receipt will have a pre-designated number and will include the following information:
    - a. The name of the issuing supervisor as well as the receiving investigator.
    - b. The amount of funds being issued.
    - c. The date of the disbursement.
    - e. Signature of the requesting investigator. The signed receipt is considered acknowledgement of the request for funds by the investigating member. The investigator will then be given the top copy of the receipt and the other half will be kept by the supervisor as a permanent record.
  4. A journal will be maintained recording the on going balance of these funds.
  5. Receipt books shall be maintained listing all personnel that are issued funds.
- C. Disbursement procedures.
1. All cash disbursed from Investigative Funds shall require signed receipts prior to disbursement to departmental personnel. When a confidential informant is paid for his/her services, the confidential informant must be documented according to

G.O. 670. Any time a confidential informant is paid for information or services an Informant Payment Receipt shall be completed. The Informant Payment Receipt shall include the following information:

- a. The amount of money.
  - b. The related case number.
  - c. The type of case or purpose of expenditure.
  - d. The payee's name and signature.
  - e. The informant's identifier.
  - f. The investigator's signature as well as a witness.
  - g. A supervisor's signature.
  - h. A thumbprint of the informant if the amount is over \$500.00. Payments to informants in excess of \$500.00 also require the approval of the Chief of Police or designee.
2. All expenditures, including those documented on an Informant Payment Receipt, shall be recorded on an Expended Monies Form detailing all expenditures. These forms are to be turned into their respective supervisor within 5 working days in which the funds are expended. Supervisors shall maintain expended monies forms for accountability purposes. The Expended Monies Form shall include the following information:
- a. The Department member's name and I.D. #.
  - b. The total amount of funds issued.
  - c. The amount of money expended and the purpose for expenses.
  - d. Information or material purchased.
  - e. A related case number for expenses.
  - f. The date of expenditure.
  - g. The informant's identifier; if applicable.
  - h. Subsequent law enforcement action, if any.
- D. Report of Expenditures and Audits.
1. Internal Audit: An internal audit and report of expenditures will be performed by the Investigative Services Commander and submitted to the Chief of Police within the Division's Monthly Report. This report shall identify the initial balance of investigative funds, cash received and cash disbursed, as well as, the remaining balance.
  2. A quarterly accounting of investigative funds and expenditures shall be conducted by a designated Department member outside the chain of command in control of these funds. A copy of this report will be forwarded to the Investigative Services Commander as well as the Professional Standards Unit within a timely manner of the audit.
  3. External Audit: Independent audit requirements shall be as follows:
    - a. A designated independent Town of Davie official shall conduct an independent audit when additional investigative funds are requested.
    - b. This report shall include a reconciliation of cash received and expended, as well as, the remaining balance.
    - c. Copies of all receipts, police reports, and confidential records of cash expended shall be provided to the person conducting the audit. Under no circumstances will names of confidential informants be recorded in the audit.

## 680.4 USE OF FLASH CASH

Flash Cash in the amount of \$10,000.00 shall be maintained available for the use by the Department as separate investigative funds used for "show" in large scale deals of contraband.

### A. Use and access of Flash Cash.

1. Flash Cash will be assigned to and maintained by the Special Investigations Supervisor. It will be kept in a secured area (i.e. safe) especially designated for this purpose. Access to this Flash Cash will be limited to the S.I.U. Supervisor. Authorization to use the Flash Cash for investigative purposes will be made by the S.I.U. Supervisor. In the absence of the S.I.U. supervisor any Departmental personnel requiring access to Investigative Funds will do so through their respective supervisor and will require authorization from the Investigative Services Commander. The S.I.U. Supervisor will be required to maintain a log of all transactions requiring the use of the flash cash. The log and Flash Cash will be available at all times for spot inspections.
2. The Unit Commander assigned to supervise the S.I.U. operations will be responsible to periodically inspect the S.I.U. Supervisor's logs associated with Police Department Flash Cash. The Unit Commander will also maintain a record of the Flash Cash amount, a record of the serial numbers of the bills in the inventory of the Flash Cash and also maintain a log recording dates and results of the periodic inspection of the S.I.U. Supervisor's log and inventory of the Flash Cash.
3. If the Flash Cash should become commingled with any other agency's Flash Cash, having been previously authorized by the S.I.U. Supervisor for the purpose of criminal investigation, the circumstances of the commingling of the cash will be documented in the control log. A verification count and a new record of the serial numbers of the bills in inventory of flash cash will be recorded and forwarded to the Unit Commander.
4. **Only with the approval of the Chief of Police or designee will flash cash be used to supplement Department Investigative Funds, combined with Investigative Funds, or utilized for any other purpose.**
5. Flash cash will be subject to spot inspections at any time by the Chief of Police or designee outside the chain of command of the Investigative Services Division.
6. There will be no deviation from this procedure unless authorized by the Chief of Police.

### B. Bank Withdrawal of Additional Flash Cash

A bank withdrawal of currency, the amount to be approved by the Chief of Police, is authorized to Police Department personnel for short term investigative use. This amount of currency shall be utilized for the sole purpose of displaying to a suspect in an active investigation. The following procedure will be utilized to obtain all or part of these funds.

1. The C.I.U. or S.I.U. Supervisor will forward a memorandum to the Chief of Police via the chain of command, requesting authorization to withdraw currency for an

- ongoing criminal investigation. This memo shall include an in depth explanation of why the withdrawal of currency is required and the amount requested.
2. Once the approval is received, a requisition for this amount of currency will be prepared. This funding is to be taken from the Forfeiture Fund. The secretary to the Chief will be provided the original memorandum authorizing this request and a copy of the requisition, which was prepared to obtain funding for the purpose of entering information into the original control file.
  3. The requisition form will be taken by the requesting supervisor and an accompanying officer to the Finance Director or designee for review.
  4. The requesting supervisor and accompanying officer will then respond to the Town Administrator for approval. Once the Town Administrator approves this withdrawal, a designated person in Town Hall will prepare a check in the name of the requesting supervisor. This check will be drawn from the Forfeiture account. (The requesting supervisor shall allow a minimum of 5 hours for this transaction to be completed.)
  5. A copy of this check shall be made and forwarded to the Office of the Chief of Police by the requesting supervisor. This will become part of the control file that is maintained by the Office of the Chief of Police.
  6. The funds received from this transaction shall be utilized for the sole purpose of displaying to a criminal suspect in an active investigation. No other use will be authorized under any condition. **These funds will not, for any reason, be commingled with the flash cash that the S.I.U. Supervisor currently maintains.**
  7. At the conclusion of the investigation, the withdrawn amount of investigative funds is to be returned without delay. The requesting supervisor will respond to the Administrative Bureau Commander with an accompanying Davie Police Officer and have the funds prepared for deposit to the bank.
  8. The requesting supervisor and an accompanying officer will then transport the amount to be deposited to the bank. Once this deposit is completed the supervisor will prepare a memorandum directed to the Chief of Police, via the chain of command. This memorandum will include a summary of the investigation, indicating the outcome and that the currency was re-deposited. This memo will have the original deposit receipt and a copy of the deposit attached to it.
  9. The Investigative Supervisor will hand carry the memo to the Chief of Police indicating the return of the currency to the bank, the original deposit receipt and a copy of the deposit receipt, to the secretary to the Chief. This memo will also include the case number of the investigation. The Administrative Aide to the Chief of Police will complete the control file, which will consist of the original request memo, a copy of the requisition for the currency, a copy of the check written to the requesting supervisor, a copy of the deposit receipt, and the original closing memo. This file will then be forwarded to the Chief of Police for review. The original deposit receipt will be forwarded to the Finance Department by the Administrative Aide to the Chief of Police.
  10. Copies of this completed control file will be provided upon request.

- C. **It is the responsibility of all personnel involved to see that this policy is followed. If, at any time, there becomes a breach of this policy, discrepancy in the currency, any obstacle encountered during the process, or any unforeseen problem that might occur, it is the duty of the person who detects the problem that may occur to immediately notify the Administrative Bureau Commander so that an appropriate investigation may commence.**

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>COMMUNICATIONS</b>	GENERAL ORDER NO. <b>701</b>
RESCINDS: G.O. 701 issued 10/28/2004	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 701.1 PURPOSE

In order to provide the best level of service possible, the Davie Police Department Communications Center will operate using a set of procedures set forth in this General Order. By utilizing the procedures contained in this General Order the following objectives will be accomplished: 1) Excellence in Service; 2) Consistency; and 3) Knowledge of Procedures. Members of the public should receive the same level of service delivered in a consistent manner. Service delivery must not vary substantially between employees and/or shifts.

### 701.2 POLICY

The Davie Communications Center is established as a functional component of the Administrative Bureau/Support Services Division. The Davie Communications Center provides secondary radio dispatch and complaint reception services for the Davie Police Department. Communications interface with local, state and federal criminal justice agencies is provided through radio networks, telephone, FCIC II/NCIC software links, and computer-based information systems. The Davie Police Department utilizes the services of the Broward Sheriff's Office Cooperative Dispatch Center (C.D.C.) to perform all primary dispatch functions. All Department members will be governed and regulated by the established radio communications of the B.S.O. C.D.C. in accordance with their Standard Operating Procedures.

### 701.3 DEFINITIONS

Dispatch Signals – Radio codes describing nature or circumstances of specific calls.

FCIC (Florida Crime Information Center) - a computerized filing system of accurate and timely documented criminal justice information made readily available to as many criminal justice agencies as possible.

NCIC (National Crime Information Center) - A nationwide computerized information system established as a service to local, state, and federal criminal justice agencies.

Phonetic Alphabet - International alphabetical identifiers/names assigned to each letter of the alphabet are utilized to eliminate confusion when transmitting information (i.e. "A" Alpha, "B" Bravo, "C" Charlie, etc.).



Numeric Alpha Designators - Indicate the agency (numeric) and duty assignment (alpha) and zone assignment or assigned number (numeric). Examples: 21(Davie Police Department) Charlie (afternoon shift) 11 (zone 11); 21(Davie Police Department) Delta (sergeant) 1 (assigned number). Off duty officers not assigned permanent designators will use "Uniform" to indicate duty assignment. Example: 21 Uniform (identification number); as in 21 Uniform 349.

Ten Codes - Codes, which pertain to instruction, requests, status of units, communications messages and various information.

Unit - On-duty patrol personnel, support personnel, and/or members working off-duty details who may be outside the station on assignment, responding to a dispatched call, or in a department vehicle, with a police radio.

CDC (Cooperative Dispatch Center) - staffed by Broward Sheriff's Office personnel. Operates and maintains 9-1-1 system and dispatches for this department.

Emergency Call - The nature of the incident requires an immediate response by a police officer, whereby, any prolonged response would increase the potential hazards of the incident.

Non Emergency Call - The nature of the incident does not require the immediate response by a police officer. Response will be made as soon as an officer is available according to priority.

#### **701.4 DAVIE COMMUNICATIONS CENTER**

- A. The Davie Police Department's Communications Center is staffed 24 hours/day and provides radio communications, telephone and teletype functions. Davie Communications Center personnel are required to monitor all radio communications involving the Department's members. Radio transmissions and emergency telephone conversations will be continuously recorded within the Communications Center. The equipment allows an immediate playback of an emergency telephone or radio call in the event the caller is disconnected or unable to repeat the message.
- B. All radio communications will be conducted in accordance with all Federal Communications Commission (F.C.C.) procedures and requirements. An F.C.C. manual will be made available in the Davie Communications Center to ensure compliance with Federal procedures and requirements.
- C. The Davie Communications Center is a restricted access area. Electronic Security Access Cards control entry into the Communications Center. The door to the communication area shall remain locked at all times.
  1. Entry to the Davie Communications Center area will be restricted to the following:
    - a. Personnel assigned to the area;
    - b. Supervisory personnel;
    - c. Department members granted access for official Department business.
    - d. Cleaning and repair personnel with the authorization of the communications supervisor.
- D. On-duty employees not assigned to communications and all off-duty employees will not loiter in the communications room.

- E. The Davie Communications Center personnel will have the responsibility to contact any other emergency or non-emergency services requested by Departmental personnel; such as Fire Rescue, Public Works; Wrecker Service; Taxis; Environmental and Human Services (i.e. D.C.F.); Special Aircraft assistance; Animal Control; or other services which are not a component of this Department. The Communications Center will maintain an updated reference list of phone numbers and contacts for outside agencies, emergency service providers, and other special resources. The requesting Department member shall be advised if a request is of a nature that must be made directly through the C.D.C. Duty Officer.
- F. Davie Communications Center personnel are not trained in first aid instruction. The Davie Communications Center personnel will transfer all calls requiring medical assistance to B.S.O. C.D.C. Fire Rescue Dispatch. This will include any requests for first-aid instruction over the phone.
- G. Tactical Dispatching Plans: Davie Communications Center personnel shall have immediate access to all tactical dispatching plans, including the following:
  - 1. Directing resources and obtaining information on crimes in progress. (See Davie Communication Center Training Manuals or individual General Orders for procedures regarding a specific type of call.)
  - 2. Tactical Operations. (Refer to respective Operations Plans for duties and responsibilities of Communications Center personnel during the duration of a tactical operation.)
- H. The Davie Communications Center will maintain a current duty roster of personnel including the officer in charge, as well as the **home telephone and address** of all Department members.

### **701.5 B.S.O. COOPERATIVE DISPATCH CENTER**

- A. This Department utilizes the services of the Broward Sheriff's Office Cooperative Dispatch Center (C.D.C.) to perform all 9-1-1 dispatch functions. C.D.C. maintains a 24 hour two- way radio system capable of providing continuous communication.
- B. The B.S.O. Cooperative Dispatch Center in Broward County along with all affiliated cities uses the Ten Signal Code and the Dispatch Signal Code. Department members will use these two sets of codes during radio communications with units of this agency and with other interacting agencies.
- C. The criteria used for the number of units assigned to respond to an incident are outlined within B.S.O. C.D.C.'s Standard Operating Procedures.
- D. The C.D.C. shall be responsible for verifying the status of Department members after an established period of time has elapsed without contact.

### **701.6 RADIO COMMUNICATIONS TO AND FROM FIELD MEMBERS**

- A. All Department members are required to document their activity and information related to their status and well-being by communicating via the designated main radio dispatch channel under the following circumstances:
  - 1. In-service;

2. Change in status (i.e. Enroute to a call; Arrival; Meals and Breaks; Change in location, traffic stop, etc.);
  3. Completion of call or activity (proper code out);
  4. Request for Back-up assistance;
  5. Emergency or Life-Threatening situation;
  6. Request for Fire Rescue, nature of illness/injury, and response code;
  7. Request for other Emergency Service Providers;
  8. Direct and control other response units during crimes in progress unless alternate channel provided;
  9. Roll Call/Safety Checks/Verification of status by C.D.C.;
  10. Out-of-Service;
  11. As prescribed by other Department General Orders or B.S.O. C.D.C. SOP's.
- B. Department members are identified during the radio transmissions by the use of Numeric Alpha Designators as defined by this General Order, section 701.3.
- C. The Davie Communications Center has the ability to access the radio frequencies of surrounding agencies, including but not limited to B.S.O. dispatch, utilities, and public works.

## 701.7 TELEPHONE COMMUNICATIONS

- A. Davie Communications Center personnel shall use proper judgment when using telephone communications. Personal phone calls shall be limited to essential communications and shall not interfere or distract from the performance of duties. Department members use of long distance telephone communications (either office or cellular) shall be limited to police business only. Misuse of telephone communications may subject Department members to corrective or disciplinary action and/or may require reimbursement of associated costs. All Department members shall be held to the same telephone use restrictions.
- B. Davie Communications Center personnel are responsible for answering all incoming telephone calls received at the communications desk. All callers are to be treated in a courteous manner and assistance rendered to the fullest extent possible. The telephone is to be answered, "Davie Police Department, may I help you?"
1. If a telephone call is received of a non-emergency nature requiring police service the call may be forwarded to the B.S.O. C.D.C. for dispatching.
  2. If an emergency call is received the Davie Communications Center member should obtain the nature of the problem, the name of the complainant, address/location of occurrence, call back telephone number and any information which will be of assistance to the responding officers.
  3. This information will be relayed to the B.S.O. C.D.C. via the Davie base radio for dispatch. The Communications Center member will attempt to keep the complainant on the line during any in-progress emergency call. If emergency information is received for a location outside Davie jurisdiction, the information will be taken and forwarded by the quickest means possible.
  4. Incoming telephone calls to the Davie Communications Center are taped and available for playback.

## 701.8 RECORDING PROCEDURES

- A. All incoming emergency telephone calls received on 9-1-1 are toll free to caller. Access is available 24 hours a day. The Broward Sheriffs Office C.D.C. operates the 9-1-1 system. The Broward Sheriff's Office C.D.C. records incoming 9-1-1 telephone calls and they are available for immediate playback.
- B. The Davie Communications Center also records all incoming telephone calls and dispatch channels. Recorded conversations may be requested for review for the following reasons:
  1. Clarification of information;
  2. Investigative purposes;
  3. Internal Investigations;
  4. Training;
  5. Audits; and
  6. Pursuant to Public Records Request per Florida Statue 119.011(1).
- C. The following will be the procedures for reviewing phone and radio conversations which are recorded and stored by the Davie Communications Center:
  1. **Departmental requests:** A Sergeant or above must submit a Tape Request Form (see Addendum 1) identifying the reason for the request in order to obtain a copy of a recorded conversation. Members of the Professional Compliance Unit have staff authority designated by the Office of the Chief and are not required to submit a Tape Request Form. The Communications Supervisor will make a copy of the requested recorded conversation and give it to the requesting supervisor. The following information must be provided if possible:
    - a. Case number assigned to incident;
    - b. Date of transmission;
    - c. Time of transmission;
    - d. Location of occurrence;
    - e. Radio Channel.
  2. **Requests from outside the Department:** All external requests for a copy of a recorded phone or radio conversation require a Public Records Request be sent to the Public Information Officer. The PIO will keep all requests for the current calendar year. Each January the PIO will forward the previous years request to records for retention according to appropriate public records statutes. The request should contain the following information:
    - a. Case or arrest number assigned to incident;
    - b. Date of transmission;
    - c. Time of transmission;
    - d. Location of occurrence;
    - e. Radio channel.
  3. The Communications Supervisor will maintain a log of all requests for phone or radio conversations.
- D. Radio and telephone recordings are necessary for criminal and internal investigations, training, and audits. Tapes of radio transmissions and telephone conversations that are recorded by the Davie Communications Center will be retained in the secured Davie Communications Center for a minimum of 31 days.

## 701.9 WORKSTATION SOFTWARE

- A. The Davie Communications Center has access to local, state, and federal criminal justice information via remote teletype terminals. The teletype terminal is part of the Florida Crime Information Center (FCIC) System. FCIC is an information and communications systems repository of criminal information for rapid response to inquires. Administrative messages may also be sent to other agencies, the National Criminal Information Center (NCIC) and the National Law Enforcement Teletype System (NLETS) via the FCIC System. The Broward County Computer (CRT) is a part of the teletype system.
1. The use of teletype and the dissemination of the obtained information are strictly controlled by state and federal regulations.
  2. Only personnel certified by NCIC/FCIC and personnel under the supervision of a certified operator will operate the NCIC/FCIC teletype.
  3. Confidentiality:
    - a. All information obtained via teletype is intended solely for official use.
    - b. Information shall not be released to unauthorized personnel.
    - c. Criminal History Information shall not be broadcast via radio, cellular telephone or portable telephone unless it is a matter of officer safety, (i.e. armed robbery, aggravated assault, battery L.E.O., resisting arrest etc.)
  4. Authorized Teletype Uses:
    - a. Refer to the FCIC II Operators Manual kept in the communications center.
    - b. All gun entries will remain in the system until recovered, destroyed or returned to owner.
    - c. Stolen gun entries: When contact information for the victim is no longer valid, a modification to the original entry shall be made by adding "INFORMATION ONLY DO NOT ARREST" to the miscellaneous field.
  5. Davie Communications Center personnel will enter stolen vehicle information as soon as received by officers in the field. Teletypes received on stolen vehicles will be forwarded to the shift supervisor and investigators.
  6. Davie Communications Center personnel will accept emergency notification messages such as death notices, assist hospitals/physicians with medical emergencies and assist other agencies with notifications.
- B. The FCIC/NCIC workstation must be placed in an area where only authorized individuals have access to the screen, the printer and the keyboard.
1. The screen must not be visible by unauthorized personnel. Facing the screen away from outside windows, doors, or hallways may be necessary to maintain proper system security.
  2. Staff personnel must accompany all visitors to computer centers and/or workstation areas at all times.

- C. Any electronic device that uses wireless or radio technology to transmit data may be used for the transmission of computer criminal history (CCH) information when an officer determines there is an immediate need for this information for further investigation or there is a situation affecting the safety of an officer or general public.
- D. The data stored in FCIC II/NCIC is criminal justice information, and must be protected to ensure security. The dissemination of this criminal justice information is for criminal justice and/or Florida State Statute defined purposes only. Any individual receiving a request for criminal justice information must ensure that the person requesting the information is authorized to receive the information. Interstate Identification Index (III) data obtained from FCICII/NCIC devices must be afforded security to prevent any unauthorized access or use of the data.
- E. Computer Security Incident Response: The Davie Police Department will comply with the current CJIS Security Policy. If an operator believes the security of the FCIC/NCIC system has been compromised, he/she shall:
  - 1. Notify the Communications Supervisor.
  - 2. The Communications Supervisor will check the problem and if he/she believes there has been a compromise the Information Technology Department and Support Services Commander shall be notified immediately.
  - 3. If the Information Technology Staff determine that the system has been compromised, the Communications Supervisor shall immediately notify the Florida Department of Law Enforcement.

## **701.10 CRIMINAL HISTORIES**

- A. Criminal histories may be obtained for official investigations only. Non-sworn personnel are not authorized to request history information.
- B. Criminal histories may be requested for the following incidents:
  - 1. Criminal Investigations;
  - 2. Administrative Inquiry or Internal Affairs Investigations;
  - 3. Pre-employment background investigations of Criminal Justice related applicants.
- C. When a criminal history is released either verbally or physically to an authorized person from another agency, for authorized purposes, the following information must be recorded in a secondary dissemination log:
  - 1. To whom the information relates;
  - 2. To whom the information was released;
  - 3. Who released the information;
  - 4. The date of the dissemination;
  - 5. The purpose for which the information was release;.
  - 6. State Identification Numbers, FBI Numbers, FDLE Numbers.
- D. The secondary dissemination log must be retained on site and available for four years after the date of inquiry, and must be available for FCIC 11/NCIC audit purposes.

- E. When retention of all records is no longer required, disposal will be accomplished in a secure manner so as to thoroughly destroy all elements of the records and preclude unauthorized viewing, access or use. When users are finished with CCH information, it should be destroyed in accordance with the Florida Records Retention Laws.

## **701.11 TRAINING**

- A. All newly assigned PSA/SA's assigned to the Communications Center shall receive training during an orientation and field training program regarding their duties and responsibilities.
- B. The Communications Center shall maintain copies of Training Manuals accessible at all times which shall be used as a reference for the following information:
  - 1. General Procedures.
    - a. Duties and Responsibilities;
    - b. General Information;
    - c. Types of Calls/Obtaining Information;
    - d. How to Use the Radio;
    - e. Radio and Phone Techniques.
  - 2. Complaint Operator.
    - a. Duties and Responsibilities;
    - b. Cameras, Video Monitors, and Video Recordings;
    - c. In-progress calls;
    - d. Taking Complaint Information;
    - e. Security of Information;
    - f. Call-outs;
    - g. Emergency Business Call-outs;
    - h. Tow/Repo Logs;
    - i. Lost/Found Animal Logs;
    - j. Reference Material.
  - 3. Teletype.
    - a. Duties and Responsibilities;
    - b. Use of FCIC Workstation;
    - c. General Use of Radio and Computer;
    - d. Log Books;
    - e. Lo-jack;
    - f. Warrants;
    - g. General Teletype.

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>PUBLIC INFORMATION OFFICER</b>	GENERAL ORDER NO. <b>710</b>
RESCINDS: G.O. 710 issued 02/26/2004	ISSUE DATE: 11/29/2006
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

### 710.1 PURPOSE

The purpose of this policy is to establish procedures for contacting the Departments Public Information Officer, and the manner in which information is provided to the media and general public.

### 710.2 POLICY

It is the policy of the Davie Police Department to cooperate with all requests for information and to provide information to the media and public in a timely and effective manner in accordance with the laws of the State of Florida.

### 710.3 PROCEDURE

- A. The Public Information Officer (P.I.O.) shall be designated by the Chief of Police. The P.I.O. function shall be reflected as a component of the Organizational Structure of the Department.
- B. The Public Information Officer will have as his or her function the following duties and responsibilities:
  - 1. Respond to police scenes of media interest in order to gather pertinent information for release to media representatives and news agencies in a factual and timely manner.
  - 2. Be available on an "on-call" status.
  - 3. Prepare and distribute Department press releases.
  - 4. Arrange new conferences for incidents of public interest.
  - 5. Coordinate and authorize the release of information regarding victims, witnesses and suspects to the media in accordance with F.S.S. 112 and F.S.S. 119.
  - 6. Coordinate and authorize release of information concerning confidential investigations and operations under the guidance of the Chief of Police or designee in accordance with F.S.S. 112 and F.S.S. 119.



7. Keep updated and knowledgeable regarding current Public Records Law.

C. News Release:

1. A written press release will be completed on any and all Police activities which are of significant interest to the public.
2. The subject matter of the release will include at a minimum the following information:
  - a. Time and date of incident;
  - b. Location of incident;
  - c. Nature of the incident;
  - d. The author of the release and contact information for the Department and P.I.O. or, when appropriate, the investigator-in-charge or tip line.
  - e. Suspect information or information for the safety of the public when criminal conduct or other activities has occurred that present a threat to the well-being of the community.
3. The Public Information Officer or designee is authorized to release Department information to the media under the authority of the Chief of Police. The P.I.O is granted direct access to members of all Divisions/Units whose presence or direct knowledge of an incident is necessary in order to achieve successful public relations.

D. News Media and Photography Access:

1. News media representatives will be permitted to operate at the scenes of critical incidents such as major fires, natural disasters or other catastrophic events provided such operations do not interfere with the emergency management function.
2. At crime scene perimeters a "media staging area" should be outside the established perimeter, providing media personnel a good working view of the secured area without violating the integrity of the scene or hindering Police operations.

E. The following information related to Ongoing Investigations is **Restricted**:

1. Unless approved by the PIO, no information on the prior criminal record, character, or reputation of an accused will be released.
2. Unless approved by the PIO, in coordination with the appropriate Bureau/Division Commander, no photographs of an arrested person will be released.
3. Unless approved by the PIO, in coordination with the appropriate Bureau/Division Commander, the results of any type of examination or test involving the accused will not be released.
4. No information concerning the contents of a statement or confession given to the police (or the refusal to provide a statement) by the accused will be released.
5. The identity, testimony, or credibility of a prospective witness will not be released.

6. Department personnel will not state any personal opinion or speculation regarding the guilt or innocence of the accused or the merits of an on-going investigation.
7. Department personnel will not release personal information that would identify a victim of a crime without the authorization of the P.I.O. or designee. The identity of injured or deceased persons will not be released prior to notification of next-of-kin or other appropriate family members.
8. Unless adjudicated as an adult, information pertaining to the identity of a juvenile will not be released.
9. Information received from other agencies will not be released unless approved by the P.I.O. in coordination with the involved agency(s).

#### **710.4 NOTIFYING THE PUBLIC INFORMATION OFFICER**

- A. It is the responsibility of the shift supervisor to notify the P.I.O. of any unusual incidents or police scenes of media interest which may be considered newsworthy.
- B. The P.I.O. will be notified any time the Traffic Homicide Unit or Special Response Team is notified of an incident as well as any incident involving a homicide, fatality, or possible fatality.
- C. The P.I.O. will be notified any time representatives of the media are present on a scene, even though the supervisor may not feel the incident is newsworthy.
- D. All media inquiries regardless of the time of day will be forwarded to the P.I.O. either in person or by phone or pager.
- E. In the event that the P.I.O. is unavailable, a representative from the Department will be designated by the highest ranking on-duty supervisor to act as a liaison with the media.
- F. If the P.I.O. or designated representative is delayed arriving to a scene the shift supervisor will be responsible for dealing with the media until the P.I.O. arrives.
- G. It will be the responsibility of all personnel to provide the P.I.O. with all information that may be released without jeopardizing an investigation.
- H. **Members of the Department are not authorized to contact news media without following the proper Department procedure or without authorization from the Chief of Police.**

# DAVIE POLICE DEPARTMENT

## GENERAL ORDER

SUBJECT: <b>INFECTIOUS DISEASES</b>	GENERAL ORDER NO. <b>750</b>
RESCINDS: G.O. 750 issued 11/12/2003	ISSUE DATE: 02/18/2008
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 03/18/2008

### 750.1 PURPOSE

Law Enforcement Officers frequently face unpredictable, uncontrollable, dangerous, and life threatening circumstances. There is an extremely diverse range of potential situations that can put Department members at risk. In an emergency, Department members can be exposed to blood and contaminated equipment. The purpose of this policy and procedure is to ensure that an Exposure Control Plan is available to all Department members that outlines precautionary measures to be used in order to protect Departmental personnel and citizens from unnecessary exposure to infectious diseases.

### 750.2 POLICY

It shall be the policy of the Davie Police Department to safeguard Department members from infection or communicable diseases by providing training, equipment, and supplies for the purpose of reducing the risk of exposure. The Department will offer a Hepatitis A & B vaccination program to all Department members who are at a high risk of occupational exposure as defined by F.S.S. 112.181. Contact with persons suspected of having a communicable or infectious disease does not release an officer from performing their sworn duty; however proper precautions should be taken.

### 750.3 DEFINITIONS

Bloodborne Pathogens – Infectious materials in blood that can cause disease in humans, including hepatitis B and C and human immunodeficiency virus, or HIV.

Contaminated – means the presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.

Exposure Control Plan – A written plan to eliminate or minimize employee exposures.

Universal Precautions – a set of precautions used as a method of infection control in which all human blood and certain body fluids are considered potentially infectious. Universal precautions are to be observed in all situations where there is potential for contact with blood or other potentially infectious material.

## 750.4 PROCEDURES

- A. **Hepatitis A & B Vaccination Program:** The Department shall offer all members who have high risk of occupational exposure to infectious diseases including but not limited to sworn members and crime scene technicians vaccinations for Hepatitis A & B. The vaccination program is strictly voluntary however all high risk employees are encouraged to participate. The Department shall offer the vaccinations at no cost to the members. All high risk employees who decline the vaccination will be required to sign a declination form.
- B. **Exposure Control Plan:**
1. All Department members who are at a high risk of occupational exposure shall be issued a Biohazard Kit containing the following supplies:
    - a. Two (2) pairs of gloves.
    - b. Eye goggles.
    - c. Face Mask.
    - d. A one-piece body suit including a protective coat, cap, and shoe covers.
    - e. Biohazard warning labels.
    - f. Red Disposal Bag with closure.
    - g. Identification Tag for red bag.
    - h. One-way valve, mouth-to-mouth (CPR) protective shield.
    - i. Container for needles, syringes, other sharp objects.
    - j. Disinfectant hand towelettes.
    - k. Instructions.
  2. The above supplies are to be part of the required equipment officers are expected to carry and maintain in their vehicles. If any item is missing, a request shall be made by the Department member for replacement.
  3. Universal Precautions - Universal precautions are to be observed in all situations where there is potential for contact with blood or other potentially infectious material. The following general precautions should be taken unless under rare and extraordinary circumstances, based upon the Department member's professional judgment, that using the Biohazard Kit and other personal protective measures would pose an increased hazard to the safety of the worker or co-worker.
    - a. Department members should limit their exposure to infectious diseases by avoiding direct contact with blood and other bodily fluids whenever possible.
    - b. Department members are required to have their issued Biohazard Kits accessible during their tour of duty and should utilize the supplies provided to them in the Biohazard Kit in specific instances when necessary.
    - c. A protective mask shall be worn when dealing with a subject who is suspected of having an infectious disease which is capable of being transmitted by airborne particles; i.e. tuberculosis.
    - d. Department members shall use extraordinary care when conducting searches of suspects or vehicles. Never blindly place hands in areas where there may be sharp objects that could puncture the skin.

- e. Department members shall not eat, drink, or smoke at crime scenes where bodily fluids are present, or other contagious factors exist.
- f. Department members shall bandage open wounds, cuts, or sores in order to avoid direct exposure to blood or other bodily fluids.
- g. Members should be aware that certain prescribed medications, such as cortico-steroids and asthma medications suppress their immune system and make them more susceptible to infectious disease. Members should consult with their private physician if they are taking prescription drugs.
- h. Members who are pregnant are advised to report to their physician and Department medical service providers any direct contacts with bodily fluids, in the line of duty. Infectious diseases can cause severe problems in newborns.
- i. Subjects with blood or bodily fluids present on their persons should be transported separately from other subjects, when possible.
- j. Persons claiming to have a communicable disease shall be isolated in a holding cell for their own protection from other detainees. Medical Rescue shall be requested for any persons in need of medical attention.
- k. Department members have an obligation to inform other emergency service providers and support personnel whenever a transfer of custody occurs and the subject has made a voluntary statement that he or she has a contagious disease.

4. Labels and Signs:

- a. All Department members shall recognize the international "Biohazardous" waste warning symbol below:



- b. Warning labels shall be affixed to containers of regulated waste, refrigerators and freezers containing blood or other potentially infectious material; and other containers used to package, store, or transport potentially infectious materials as well as other contaminated areas such as but not limited to detention cells and vehicles.

**C. Exposure Risk Determinants:**

- 1. Members anticipated to face occupational exposures will be considered high risk. This determination will be based on the work duties and procedures of members in each job classification and work area. Members in the high risk category are sworn Officers, Crime Scene Technicians, and PSASAs.

2. The occupational actions that create the expectation of an occupational exposure to infectious diseases include, but are not limited to the following: providing first aid; processing crime scenes where human blood and other bodily fluids are present; entering an area where the presence of bodily fluids can be expected; gathering and handling contaminated evidence; arrest situations involving force or physical confrontations; contact with infected persons; and exposure to sewage or contaminated waterways.

D. **Exposure:**

1. An exposure occurs when the blood or body fluid of one person is transferred into the blood stream of another. This can occur in three (3) ways:
  - a. Through needle sticks (i.e. accidental needle stick while searching people or places).
  - b. Through openings in the skin (i.e. cuts, wounds, sores, abrasions, etc.) which are exposed to blood or body fluids or through human bites.
  - c. Through bodily fluids which are splashed into the eyes, nose, or mouth.
2. Transfer fluids include: blood, saliva, tears, vomitus, semen, urine, and feces, or any other bodily fluids.
3. The mere handling of an arrestee during the arrest process, or during subsequent detention does not constitute exposure. For an actual exposure to occur there must be a transfer of bodily fluids from one person to another.

E. **Exposure Treatment:**

1. A Department member who comes in contact with persons or places that have a high risk of contagious factors (i.e. persons who are injured and/or bleeding; have open wounds, sores, cuts, or abrasions; persons who are violent or who are at an increased risk of carrying a communicable disease; or places with visible signs of blood or other bodily fluids present such as vomitus) shall take personal protective measures by using their Biohazard Kit and immediately afterward by washing their hands and other potentially contaminated body areas with warm water and soap. Eyes should be thoroughly washed out with cool water.
2. When an **Exposure** has occurred as defined in section 750.4(B) of this policy, the Department member shall seek medical attention from a health care facility as soon as possible, in accordance with the posted Medical Services Provider List.
3. Reporting:
  - a. Department members who have incurred an **Exposure** shall document the incident utilizing an Exposure Report. Once completed, the original Exposure Report shall be forwarded to the Office of the Chief and a copy shall be submitted to Records along with the Offense Incident Report.
  - b. In cases where an injury was sustained or the member sought treatment at a health care facility, a First Report of Injury or Illness form shall be completed and submitted to the Office of the Chief along with the Exposure Report. All forms and accompanying documentation will be

subsequently forwarded to the Human Resources, Risk Management Division.

- F. **Clean-up & Decontamination:** The Department shall contract with a 24 hour on-call authorized biohazard material clean-up service for the purpose of clean-up, disinfection, and decontamination of biohazardous substances and other infectious material. The contact number for the contract company shall be maintained in dispatch for emergency and non-emergency situations. Supervisor review and approval is required for call-outs regarding clean-up service. All incidents of this type shall be documented in the related offense/incident reports. In all instances where disinfection and decontamination procedures are not feasible, Department members shall notify their supervisor. The supervisor shall then make a determination as to whether or not the articles should be discarded.

1. Personal:

- a. Department members shall adhere to the precautions and procedures outlined in the above **Exposure Control Plan** and with regard to **Exposure Treatment**. Department members shall wash areas thoroughly with soap and water after coming into contact with potentially contaminated persons or places. Department members are encouraged to follow the instructions given by emergency medical service providers when treatment is sought.
- b. Personal protective equipment shall be removed whenever possible before leaving the perimeter of the exposure area.
- c. Department members shall adhere to the decontamination processes established by the Incident Commander on scene.

2. Uniforms and Equipment:

- a. Uniforms, equipment, and other clothing that has become contaminated shall be placed in a Biohazard bag, sealed properly, and taken to the infectious waste receptacle for disposal or other designated area for laundering or decontamination.
- b. Department members are encouraged to keep an extra set of uniforms at the Police Department in order to change uniforms should they become contaminated.
- c. The authorized biohazard material clean-up service shall be notified to respond whenever Department owned or personal property becomes contaminated in the line of duty with potentially biohazardous or infectious substances. Equipment such as handcuffs, radios, flashlights, etc. will be placed and sealed within a Biohazard bag for the purpose of decontamination and to prevent further cross contamination. Protective gloves shall be worn whenever handling contaminated items.
- d. If it is determined that disinfection procedures are not feasible, the items shall be properly bagged and sealed and disposed of in the infectious waste receptacle. The Department members shall then submit a memorandum through their chain of command for replacement explaining the circumstances under which the item(s) were contaminated and why disinfection procedures were not practical.

3. Vehicle:
    - a. Disinfection procedures shall be implemented when a police vehicle has been contaminated with blood or other bodily fluids. The Department member shall report to their supervisor any time a vehicle has been placed out of service for decontamination purposes.
    - b. The vehicle shall be taken or towed to the service center as soon as possible. The vehicle shall be immediately designated by posting of a "Biohazard" label/sign across the door seam(s) or window(s) while awaiting disinfection. A vehicle work order shall be completed identifying the maintenance problem as a "Biohazard" clean-up and specify the location which is contaminated.
    - c. The authorized biohazard material clean-up service shall be notified by the service center to respond for clean-up and disinfection of the Department vehicle. If necessary, the professional cleaning service may be called by dispatch on an emergency basis in order to quickly restore the vehicle to in-service condition.
  4. Detention Cells: Cell contamination shall be addressed in accordance with current established procedures and Memorandums of Understanding with the Broward Sheriff's Office. A contaminated cell shall be designated as out-of-service by the posting of a "Biohazard" label/sign. The clean-up and disinfection of the cell shall be the responsibility of the authorized biohazard material clean-up service.
  5. Department Facilities: Areas of the Department other than the detention cells that become contaminated with blood or other bodily fluids shall be isolated and cordoned off to protect cross contamination. An on-duty supervisor shall be notified to respond to ensure that proper protective measures have been taken. The authorized biohazard material clean-up service shall be notified to respond for clean-up and disinfection.
  6. Public Areas: Areas which have ready public access such as public streets, entranceways, parking lots, public buildings and other crime scene locations, etc. shall be isolated and cordoned off to prevent a potential public health risk and cross contamination. The authorized biohazard material clean-up service shall be notified to respond for clean-up and disinfection. The clean-up and disinfection of privately owned property such as apartments or inside business, stores, or restaurants, etc. is the responsibility of the proprietor.
- G. **Waste Disposal:** All contaminated items including but not limited to protective disposable gloves, cleaning items, or other materials contaminated with blood or bodily fluids of a non-evidentiary nature shall be placed in plastic bags and discarded in a designated "Biohazard" infectious waste receptacle located at the Department or by medical service providers. The Property/Evidence Custodian shall also utilize designated "Biohazard" waste containers for disposal of materials contaminated with blood or bodily fluids when no longer needed to be stored for evidentiary purposes. The Department shall contract with an authorized private waste management company for removal of biohazardous waste.



**H. Property and Evidence:**

1. Evidence or other property coming into custody of the Department suspected of being contaminated should be treated with extraordinary care. All material contaminated with blood or bodily fluids should be handled with disposable gloves.
2. Sharp objects shall be packaged in puncture resistant containers. To prevent needle sticks, needles should not be capped, bent, broken, removed from syringe or otherwise manipulated by hand.
3. Packages containing suspected contaminated items shall be clearly labeled. The warning label "Biohazard" shall be prominently displayed on the outside of the packaging materials in such a fashion that anyone coming into contact with the item will be aware of the risk.
4. Any items marked "Biohazard" shall be documented on a separate property receipt and stored separately while in Property.
5. If the blood or other bodily fluids is dry, then the item should be placed into a paper bag and properly sealed and labeled in accordance with the procedures as outlined in the policy governing Property and Evidence. The bag will be clearly marked with a "Biohazard" label affixed to the outside of the package. Liquid samples should be air dried and packaged as described above or collected and processed by trained crime scene technicians.
6. Department members should always wash thoroughly with warm soap and water after handling any items suspected of being contaminated with blood or other bodily fluids, even if the member was wearing protective gloves.
7. The Property/Evidence Custodian shall adhere to a regimen when handling, processing, and storing items with potentially infectious diseases, including but not limited to the wearing of disposable gloves at all times when handling suspected contaminated materials and washing with warm soap and water afterwards.
8. The Department will provide a refrigerator/freezer to be used under the control of the Property Custodian for storing evidence such as blood samples, rape kits, or any other liquid or fluid items as necessary until such items are required to be transported to or processed by the Lab, Medical Examiner's Office, or as otherwise needed.

**750.5 TRAINING**

- A. The Department shall maintain a training program for all members who have occupational exposure to infectious diseases including but not limited to sworn members and crime scene technicians. The training will occur at the time of initial assignment and refresher training will be provided on an annual basis thereafter.
- B. An annual review of Department training and the Exposure Control Plan shall be conducted by the Professional Standards Unit and the Support Services Division. New information is obtained by the medical community on infectious diseases continually. It shall be the policy of the Department to disseminate in a timely manner new information pertaining to infectious diseases as it comes available.

**DAVIE POLICE DEPARTMENT**  
**GENERAL ORDER**

SUBJECT: AUTOMATED EXTERNAL DEFIBRILLATOR	GENERAL ORDER NO: 761
RESCINDS: N/A	ISSUE DATE: 10/03/2007
AUTHORIZING SIGNATURE: Chief Patrick Lynn	EFFECTIVE DATE: 11/29/2007

**761.1 PURPOSE**

The purpose of this General Order is to provide members of the Davie Police Department with established guidelines for the deployment, use, and maintenance of the Automated External Defibrillator (AED).

**761.2 POLICY**

It is the intent of the Davie Police Department to augment the high level of care already provided to the community by local emergency medical services by distributing Automated External Defibrillators to trained and qualified personnel throughout the agency. Members of the police department will only use the AEDs in accordance with the manufacturer's recommendations and within the scope and limitations of training received.

**761.3 DEFINITIONS**

AED Coordinator: The designated member who is responsible for ensuring proper maintenance of AEDs. The coordinator shall serve as a liaison with the AED manufacturer and will ensure that AED data is downloaded properly and reviewed before being forwarded to the Professional Standards Unit.

Automated External Defibrillator (AED): A device used to assess a heart rhythm and, if needed, provide an electronic shock to correct an abnormal rhythm.

Cardiopulmonary Resuscitation (CPR): The process of providing blood and air flow to a person who is in cardiac and respiratory arrest, to include manually manipulating the chest of the victim and providing rescue breathing.

Designated Responder: A member who has successfully completed the required AED training and is assigned an AED unit.

## 761.4 PROCEDURES

- A. AED units will only be assigned to members who have successfully completed documented training pertaining to the deployment, use, and maintenance of the equipment. Assignments will include selected personnel as well as fixed locations as supplies permit.
- B. The AED Training course will include, at a minimum:
  - 1. The proper use, maintenance, and inspection of the AED.
  - 2. AED safety precautions to enable the user to administer a shock without jeopardizing the safety of the victim, him/herself, or bystanders.
  - 3. Assessment of an unconscious person to determine if sudden cardiac arrest has occurred and the appropriateness of applying the AED.
  - 4. How to interact with emergency medical personnel during a sudden cardiac arrest emergency.
  - 5. Cardiopulmonary Resuscitation and the definitions of defibrillation, basic life support, and advanced life support.
  - 6. Initial and refresher training will be in compliance with American Heart Association and/or the Emergency Care and Safety Institute Standards.
- C. At the start of every shift, personnel with assigned AED units will conduct preventative maintenance checks which include the following:
  - 1. Conduct a battery check to verify AED is operational.
  - 2. Check pads for expiration date.
  - 3. Check electrodes for loose wires.
  - 4. Restock pads, razor, mask, and gloves as needed.
  - 5. If any damage is noted or an equipment failure occurs, notify the shift supervisor immediately. Document the failure/malfunction/damage and advise the AED Coordinator.
- D. Personnel will carry their assigned AED in the trunk of their patrol car.
- E. The AED Coordinator will ensure that the Communications Unit has a list of department members that have been assigned an AED.
- F. An AED unit will be assigned to the SRT vehicle so that it is readily available during tactical operations.
- G. The AED is intended for adult victims and pediatric victims greater than 80lbs. in suspected cardiac arrest without a pulse and respirations, as determined by the American Heart Association and/or the Emergency Care and Safety Institute guidelines.

#### H. CPR/AED Utilization

1. Initial First Responder will secure the scene and ensure that EMS is enroute.
2. The First Responder will determine the absence of respiration and pulse (ABC assessment).
3. If the First Responder is not equipped with an AED, he will request an on-duty unit equipped with an AED to respond to the scene and then the First Responder will initiate CPR immediately in accordance with the American Heart Association (AHA) and/or Emergency Care and Safety Institute (ECSI) recommendations. If the First Responder is equipped with an AED device, he will immediately begin deploying the device according to the following procedures:
  - a. Attach the AED pads and activate the unit as soon as possible in accordance with specifications and training. Ensure no patient movement or handling during the analysis.
  - b. Stop CPR and allow the AED to analyze the rhythm.
  - c. If a shockable rhythm is determined, verbally state "All Clear", and in addition, visually clear the area. Discharge the shock by pressing the orange shock button upon command.
  - d. Listen to the unit prompts and follow instructions by repeating sequence or resuming CPR.
  - e. Give a quick verbal report to EMS upon their arrival and turn the rescue effort over to them when so directed by EMS personnel.
  - f. Once on the scene, EMS will have patient care authority.

#### **411.5 REPORTING**

- A. Whenever an AED is used for anything other than training, the on-duty supervisor will be notified and the designated responder will document the use on an AED Usage Form and in an Offense/Incident Report. The original AED Usage Form will then be forwarded to the AED Coordinator and a copy will be attached to the Offense/Incident Report.
- B. The on-duty supervisor will also notify or ensure notification of the AED Coordinator of the deployment within 24 hours by e-mail, voice mail, or telephone. The AED Coordinator will coordinate with the Department's Quartermaster to ensure that the responder's AED supplies are replenished promptly.
- C. The AED Coordinator will coordinate the downloading and preservation of all data stored in Department AED(s) on a bi-annual basis.