

INTRODUCTION

This manual is an official publication of the Monroe County Sheriff's Office. Each member bears the responsibility of becoming familiar and knowledgeable of all the directives, procedures, and rules and regulations contained in this manual.

The contents of this manual are in effect as of January 8, 2013. The manual supersedes all previous directives, policies, procedures, orders, memorandums, and rules and regulations.

An electronic version of the manual is available for all members to view on the Office's intranet. Members who have been issued a hard copy of the manual are required to update it as new or revised directives are issued. Members who have been issued a hard copy of the manual will keep the manual in good condition and will be required to pay for lost or damaged manuals.

Sheriff Ramsay shall be the sole authority for amending this manual. No other changes or deviations from the directives, policies, procedures, orders, memorandums, and/or rules and regulations shall be permitted.

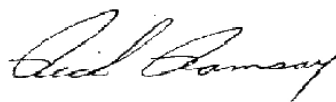
Nothing contained in this manual shall establish a property or liberty interest in any position of any member of the Monroe County Sheriff's Office. Sheriff Ramsay, pursuant to law, shall maintain the sole right to appoint members and withdraw appointments of members at his sole discretion.

All members should note and understand that no other member of the Office, other than Sheriff Ramsay, has any authority to enter into any agreement for appointment for any specified period of time or to make any agreement contrary to the foregoing.

Sheriff Ramsay may add, delete, change, modify or interpret any or all of the provisions of this manual at his sole discretion.

Failure of any member to comply with the provisions of any portion of this manual may result in disciplinary action, up to and including, withdrawal of appointment.

The manual and all of its provisions shall be continuously in effect from January 8, 2013 unless rescinded by the order of Sheriff Ramsay.



Rick Ramsay, Sheriff

Mission Statement

Partnering with our community to provide exceptional service and safety in the Florida Keys.

Vision Statement

To meet the needs of the community as a recognized and respected professional agency by doing the right things for the right reasons at the right time.....always.

Core Values

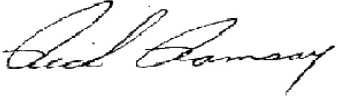
- Loyalty
- Responsibility
- Respect
- Pride
- Professionalism
- Moral courage
- Physical courage
- Fair and without prejudice
- Courtesy / Customer service
- Perseverance

We also see these things as important...

- Innovation
- Persistence
- Neatness / Appearance
- Compassion
- Achievement
- Discipline

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 1		TITLE: Organizational Structure
EFFECTIVE DATE: July 28, 2010	NO. PAGES: 11	REVIEWED/REVISED: May 15, 2013
REFERENCE: CALEA 1.2.1; 11.1.1; 12.1.1		RESCINDS:
 Sheriff of Monroe County		

PURPOSE

The purpose of this directive is to establish and describe the organizational structure and functions of the Monroe County Sheriff's Office.

DISCUSSION

This directive shall apply to all Sheriff's personnel. The Monroe County Sheriff's Office is headquartered in Key West, Florida and has satellite substations and detention centers throughout Monroe County. The Office performs three main functions; Law Enforcement, Corrections, and Administration.

Each year the organizational structure of the office is updated and charted for distribution to all personnel electronically.

POLICY AND PROCEDURE

Organizational Structure

The order of rank within the Sheriff's Office is as follows:

- Sheriff
- Undersheriff (Colonel)
- Bureau Commander (Chief/Major)
- Captain
- Lieutenant

- Director
- Sergeant/Supervisor

Authority of the Sheriff:

The Sheriff is the Chief Constitutional Law Enforcement Officer in Monroe County. The Sheriff's authority is derived from F.S. 30.15.

The Sheriff is the Chief Correctional Officer in Monroe County pursuant to F.S. 951.061 and Ordinance of the Monroe County Commission.

[CALEA 1.2.1, 12.1.1]

Directly under the Sheriff's control:

- General Counsel. The General Counsel is appointed by the Sheriff. It is the function of the General Counsel to render legal advice to the Sheriff, to initiate civil forfeiture proceedings against vehicles and other personal property used in the commission of a felony, and coordinate defense presentation in major civil litigation.
- Undersheriff. The Undersheriff is appointed by the Sheriff for control and operation of the Office and shall have authority to implement orders, rules, and regulations for the more efficient and effective operation of the Office.

The Undersheriff shall be considered the first appointed executive officer in charge of the Office. Upon the absence of the Sheriff, the Undersheriff shall be in charge of the efficient and effective operation of the Office until the return of the Sheriff at which time the command

of the Office shall automatically revert to the Sheriff.

Authority of the Undersheriff:

Directly under the control of the Undersheriff are the three Bureau Commanders, Community Relations, HIDTA-Miami and the Commander of Professional Standards.

- All Bureau Commanders are appointed by the Sheriff for the control and operation of their respective Bureau. Each Commander shall have authority to implement orders, rules, and regulations for their respective Bureau for the more efficient and effective operation of the Bureau so long as such orders, rules, and/or regulations do not violate, contradict, or dissolve the orders, rules, and regulations set forth in this manual.
 - The Major of the Bureau of Law Enforcement is charged with all matters pertaining to the enforcement of the laws.
 - The Major of the Bureau of Corrections is charged with all matters pertaining to the Monroe County Detention Centers.
 - The Chief of the Bureau of Administration is charged with all matters pertaining to the administration of the office of the Sheriff.
- The Community Relations Division is under the direct control of the Director of Community Relations who answers directly to the Undersheriff. The functions of the Community Relations Division include:
 - Citizen's Crime Watch
 - School Resource Officers
 - School Crossing Guards
 - Juvenile Diversion
 - Animal Farm/Landscaping
 - Public Information
 - Media Relations
- HIDTA-Miami is under the direct control of the Chief of HIDTA who answers directly to the Undersheriff. The functions of HIDTA-Miami include:

- Assist Federal, State, and local Law Enforcement agencies in their efforts to investigate drug trafficking organizations and disrupt the market for illegal drugs in the United States
- The Commander of Professional Standards who answers directly to the Undersheriff is charged with the following:
 - The Office of Internal Affairs is under the control of the Commander of Professional Standards who answers directly to the Undersheriff and on a case by case basis directly to the Sheriff. The functions of Internal Affairs include:
 - Investigating member's misconduct.
 - The Airport Security Division assigned to the Key West International Airport is under the control of the Commander of Professional Standards who answers directly to the Undersheriff. The Airport Security Division is responsible for patrolling the property on and around the airport 24 hours a day. Duties and responsibilities of the Division include:
 - Maintaining security posts in and around the airport.
 - Checking vehicles and personnel in security areas.
 - Maintaining smooth and consistent pedestrian vehicular traffic.
 - Processing new employees for commercial carriers and airport businesses through fingerprinting and background checks.
 - The Accreditation Division is under the direct control of the Lieutenant who answers directly to the Commander of Professional Standards. The functions of this Division include:
 - Ensuring that all policies and procedures are being adhered to in compliance with State and National Accreditation Commissions

- Staff inspections
- Policy development
- HIDTA- Monroe is under the direct control of the Commander of Professional Standards who answers directly to the Undersheriff. The functions of HIDTA-Monroe include:
 - Assist Federal, State, and local Law Enforcement agencies in their efforts to investigate drug trafficking organizations and disrupt the market for illegal drugs in the United States

Authority of the Major of the Bureau of Law Enforcement:

Directly under the control of the Major of the Bureau of Law Enforcement are the Law Enforcement Captains, the Captain of Support Services and the Reserve Unit.

- All Captains are appointed by the Sheriff for the control and operation of their respective Districts.

All Captains shall have the authority to implement orders, rules, and regulations for their respective District for the more efficient and effective operations of their District, as long as such orders, rules, and/or regulations do not violate, contradict, or dissolve the orders, rules and regulations set forth in this manual.

- The Reserve Unit consists of volunteers, both civilian and law enforcement, who aid in the provision of services provided by the Office. The Reserve Unit is under the direct control of the Reserve Captain.

Authority of Captains of the Bureau of Law Enforcement:

- The Captains of the Bureau of Law Enforcement (excluding the Commander of Support Services) are assigned geographically.
 - District One (Cudjoe Key) is responsible for the geographical area up to the 47-mile marker of U.S. Highway 1. The District One Captain is charged with the administrative handling of the Cudjoe Key Substation, the Patrol function, Court Security and the Criminal Investigations function, including the Crime Scene Unit within the District's jurisdiction.
 - District Four/Five (Key Vaca) is responsible for the geographical area from the 47-mile marker to the 72 mile marker. The District Four/Five Captain is charged with the administrative handling of the Key Vaca Substation, the Patrol function, Court Security and the Criminal Investigations function, including the Crime Scene Unit within the District's jurisdiction. Additionally, the District Four/Five Captain is responsible for the Special Operations Division. The functions of the Special Operations Division include:
 - Vice/Drugs/Organized Crime
 - Crimes Against Persons
 - Homeland Security Intelligence
 - HIDTA
 - Crime Analysis
 - Crime Analysis Section - It is the policy of The Sheriff that collecting and analyzing readily available crime data and making this analyzed information regularly available to individual line officers and investigators can make them more informally aware and consequently more effective. Crime analysis is a scientific process, in the sense that it involves the collection of valid and reliable data, employs systematic techniques of analysis, and seeks to determine for predictive purposes, the frequency with which events occur and the extent to which they are associated with other events. The Crime Analysis Section provided useful information to aid operational personnel in meeting their crime control and prevention objectives by

identifying and analyzing methods of operation of individual criminals, providing crime pattern recognition, and providing analysis of data from field interrogations and arrests. In addition, much of the information developed by the Crime Analysis Section is used by the Office in its long-range planning efforts by providing estimates of future crime trends and assisting in the identification of enforcement priorities. More specifically, the functions and responsibilities of the crime analysis section include:

- ❖ The collection of crime data.
- ❖ The collation of crime data.
- ❖ The analysis of crime data.
- ❖ The dissemination of analyzed crime information.
- ❖ Feedback analysis and program evaluation.
- ❖ Crime Analysis reports posted in Outlook.
- ❖ Advise the Sheriff of any crime pattern or trends as they develop. This can be accomplished via email.

In addition, the Crime Analysis section shall have access to the following information on a daily basis:

- ❖ Patrol Incident Report
- ❖ Supplementary Reports
- ❖ Arrest Reports
- ❖ Investigative Reports
- ❖ Field Interrogation Reports

- District Six (Islamorada) is responsible for the geographical area from the 72-mile marker to the 91 mile marker.
- The District Six Captain is charged with the administrative handling of the Islamorada Substation and the Patrol function within the District's jurisdiction.
- District Seven (Roth Building) is responsible for the geographical area from mile marker 91 to the Dade County Line (U.S. 1, 112.5-mile marker) and all territory

of the southern Everglades in Monroe County. District Seven is also responsible for all territory up to the Dade County line on Card Sound Road in north Key Largo.

- The District Seven Captain is charged with the administrative handling of the Roth Substation, the Patrol function, Court Security, Ocean Reef, and the Criminal Investigations function, including the Crime Scene Unit within the District's jurisdiction.
- The Captain of Support Services is headquartered in Key West and is in charge of the following:
 - The Training Division is under the direct control of the Captain of Support Services. The functions of the Training Division include:
 - Planning, developing, coordinating, implementing and evaluating training programs.
 - Notifying personnel of required and available training.
 - Maintaining training records.
 - Assuring that required training programs are attended.
 - Selecting instructors for training programs.
 - The Communications Division is under the direct control of the Director of Communications who answers directly to the Captain of Support Services. The functions of the Communications Division include:
 - Ensuring vital communication links between citizens and county law enforcement and emergency services.
 - The Civil Division is under the direct control of the Director of Communications who answers directly to the Captain of Support Services.

- The Aviation Division is under the direct control of the Director of Aviation who answers directly to the Captain of Support Services. The functions of the Aviation Division include:
 - Operation and maintenance of Medical Transport Helicopter.
 - Operation and maintenance of King Air Aircraft for county executive transport and prisoner transport.
 - Operation and maintenance of Sheriff's aviation hanger, located in Marathon, Florida.
- The Special Teams consist of the Dive Team, Bomb Squad, and SWAT Team. Each Special Team is charged with providing a special response to a specific threat or need and each Team is under the direct control of a Team Leader who answers directly to the Captain of Support Services.
- The Traffic Unit is charged with traffic enforcement and is under the control of the Traffic Unit Supervisor who answers directly to the Captain of Support Services.

Directly under the control of the Captains of the Bureau of Law Enforcement are the Law Enforcement Lieutenants.

- All Lieutenants are appointed by the Sheriff for the control and operation of their respective Stations.

All Lieutenants shall have the authority to implement orders, rules, and regulations for their respective Station for the more efficient and effective operations of their Station, as long as such orders, rules, and/or regulations do not violate, contradict, or dissolve the orders, rules and regulations set forth in this manual.

Authority of Lieutenants of the Bureau of Law Enforcement:

Directly under the control of the Lieutenants of the Bureau of Law Enforcement are the Law Enforcement Sergeants.

- All Sergeants are appointed by the Sheriff for the control and operation of their respective Squads.

All Sergeants shall have the authority to implement orders, rules, and regulations for their respective Squad for the more efficient and effective operations of their Squad, as long as such orders, rules, and/or regulations do not violate, contradict, or dissolve the orders, rules and regulations set forth in this manual.

Authority of the Major of the Bureau of Corrections:

Directly under the control of the Major of the Bureau of Corrections are the Captain of Operations and the Director of the Diversion Project.

- The Captain of Operations is appointed by the Sheriff for the control and operation of the Monroe County Detention Facilities.

The Captain shall have the authority to implement orders, rules, and regulations for the more efficient and effective operations of the detention facilities, as long as such orders, rules, and/or regulations do not violate, contradict, or dissolve the orders, rules and regulations set forth in this manual.

- The Jail Diversion Project Director is appointed by the Sheriff and is charged with managing the Jail Diversion Project.

Authority of the Captain of Operations of the Bureau of Corrections:

Directly under the control of the Captain of Operations of the Bureau of Corrections are the Corrections Lieutenants and the Programs Director.

- All Lieutenants are appointed by the Sheriff for the control and operation of their respective assignments.

All Lieutenants shall have the authority to implement orders, rules, and regulations for their respective assignments for the more efficient and effective operations of their assignment, as long as such orders, rules, and/or regulations do not violate, contradict, or dissolve the orders, rules and regulations set forth in this manual.

- The Administrative Lieutenant is headquartered in the main Detention Facility in Key West and is responsible for the following functions:
 - Maintenance
 - Medical Services
 - Food Services
 - Transportation
 - Classification
 - Inmate Services
- The Key Vaca Lieutenant is charged with security in the Key Vaca Detention Facility.
- The Plantation Key Lieutenant is charged with security in the Plantation Key Detention Facility.
- The Key West Lieutenants are each charged with security in the Key West Detention Facility on their respective watch.
- The Director of Programs is appointed by the Sheriff and is headquartered in the main Detention Facility in Key West and is charged with:
 - Laundry
 - Inmate Property/Mail
 - Work Release
 - Commissary
 - Inmate Visitation
 - Main Control
 - Inmate Programs
 - Medical Deputy
 - Identification

Authority of Lieutenants of the Bureau of Corrections:

Directly under the control of the Lieutenants of the Bureau of Corrections are the Corrections Sergeants.

- All Sergeants are appointed by the Sheriff for the control and operation of their respective Squads.

All Sergeants shall have the authority to implement orders, rules, and regulations for their respective Squad for the more efficient and effective operations of their Squad, as long as such orders, rules, and/or regulations do not violate, contradict, or dissolve the orders, rules and regulations set forth in this manual.

Authority of the Chief of the Bureau of Administration:

Directly under the control of the Chief of the Bureau of Administration are the Finance, Human Resources, Information Management, Court Services, Grants Administration/Risk Management, Property/Evidence, and the Radio Communication Systems.

- The Finance Division is under the direct control of the Finance Director who answers directly to the Bureau of Administration Chief. The functions of the Finance Division include:
 - Bonds
 - Purchasing
 - Payroll
 - Fleet/Inventory
 - Supply
 - Accounting
- The Human Resources Division is under the direct control of the Human Resources Director who answers directly to the Bureau of Administration Chief. The functions of the Human Resources Division include:
 - Administrative
 - Background
 - Personnel
- The Information Management Division is under the direct control of the Information Management Director who answers directly to the Bureau of Administration Chief. The functions of the Information Management Division include:
 - Maintenance of computer systems

- The Court Services Division is under the direct control of the Director of Records who answers directly to the Bureau of Administration Chief. The functions of the Court Services Division include:

- Records
- Warrants
- Expungement
- Uniform Crime Reporting

- The Grants Administration/Risk Management Division is under the direct control of the Grants Administrator/Risk Manager who answers directly to the Bureau of Administration Chief. The functions of the Grants Administration/Risk Management Division include:

- Grants administration
- Risk Management
- Worker's Compensation

- The Property/Evidence Division is under the direct control of the Property Director who answers directly to the Bureau of Administration Chief. The functions of the Property/Evidence Division include:

- Central Property and Evidence
- Satellite Property and Evidence.

- The Radio Communication Systems and Programs Division is under the direct control of the Radio Communication Systems Director who answers directly to the Bureau of Administration Chief. The functions of the Emergency Communications Division include:

- Professional and high quality communications via the MCSO 800 MHz Smartzone radio system to approximately 32 agencies and 1600 users, this allows for interagency cooperation and communications on the system throughout the county.
- UHF paging services for Fire/Rescue is provided and maintained, as well as digital paging and cellular services for county staff.

- Traffic radar for most county and state law enforcement agencies in Monroe and South Dade are calibrated and certified through the department on a bi-annual basis.

- The 911 answering equipment is also purchased and maintained through the Emergency Communications department.

All Directors within the Office are appointed by the Sheriff for control and operation of their respective Division. Each Director shall have the authority to implement orders, rules, and regulations for their respective Division, as long as such order, rules, and/or regulations do not violate, contradict, or dissolve the orders, rules and regulations set forth in this manual.

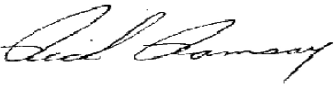
- The Planning and Research function is under the direct control of the Bureau of Administration Chief. The functions of Planning and Research include:

- The collection, interpretation and dissemination of data that is essential to the making of management decisions.
- The development of analytical reports for use by policy setting personnel.
- Preparing long range goals and objectives for the Office.
- Studying anticipated workloads based on population trends.
- Studying anticipated personnel levels and needs.

The functions of the Planning and Research are delegated on an ad hoc basis by the Chief of the Bureau of Administration to those within the Office with subject matter expertise to perform said function.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 2		TITLE: Office Direction
EFFECTIVE DATE: January 5, 2010	NO. PAGES: 3	AMENDED: January 8, 2013
REFERENCE: CALEA 11, 12		RESCINDS:
 Sheriff of Monroe County		

PURPOSE

The purpose of this Directive is to establish guidelines for Office Direction.

DISCUSSION

This Directive shall apply to all Sheriff's personnel. The Sheriff of Monroe County, Florida is charged with protecting the lives and property of its citizens and guests. Naturally, there may be times when the Sheriff is outside the boundaries of Monroe County or may be otherwise incapacitated making it difficult for him to carry out the mandates of his Office. Therefore, to ensure that the Office will continue to function in an orderly fashion, the following system of succession is established to ensure that leadership is available when the Sheriff is incapacitated, out of town, or otherwise unable to act. Procedures and policies have been established to ensure accountability of Supervisors, to resolve conflicting orders, and to coordinate efforts and communication through staff meetings. In addition, policies have been established to define Authority & Responsibility and Unity of Command.

POLICY AND PROCEDURE

• **Order of Succession**

In the event the Sheriff of Monroe County is incapacitated, off duty, out of town, or otherwise unable to act, command shall automatically

succeed in the following order, unless otherwise directed:

- Planned absences
 - Undersheriff (Colonel)
 - Major, Bureau of Law Enforcement
 - Major, Bureau of Corrections
 - Chief, Bureau of Administration
 - Designated Commander/Captain
- Exigent circumstances – Where the Sheriff and Undersheriff both are incapacitated or otherwise unable to act, command shall automatically succeed in the following order:
 - Major, Bureau of Law Enforcement
 - Major, Bureau of Corrections
 - Chief, Bureau of Administration
 - Law Enforcement Commander/Captain by Seniority.
- **The Undersheriff is responsible for the day to day operations of the Monroe County Sheriff's Office.**

• **Accountability**

In the areas of command, the Sheriff has appointed certain personnel to supervisory roles in order to carry out the effective administration of his Office. These supervisory personnel are accountable for

the performance of those under their immediate control. Effective direction, coordination, and control are required from each level of supervision within the Office.

In order to become aware of what is expected of each Member of the Office and to further promote efficiency and responsibility, each Member will be accountable to only one Supervisor at any given time.

- **Obedience to Orders**

Members shall 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.

- Unlawful Orders
 - No member shall obey an order, which is contrary to law.
 - No member shall be disciplined for refusing to obey an unlawful order.
 - A member receiving such an unlawful order shall report the circumstances in writing, via the chain of command, to the appropriate Bureau Command as soon as possible.
- Conflicting Orders: A subordinate given a lawful order that conflicts with a previous order, shall advise the person issuing the second order of this fact. Responsibility for countermanding the original order then rest with the person issuing the second order. The member shall not be held accountable for disobeying the original order.
- Unjust or Improper Orders: Members receiving lawful orders they feel are unjust or contrary to agency directives, shall first obey the order to the best of their ability, then report the circumstances, in writing, via the chain-of-command, to their Division Command.
- Unclear Orders: Members in doubt as to the nature, meaning or details of a lawful

order will seek clarification from the person issuing such order.

- **Staff Meetings**

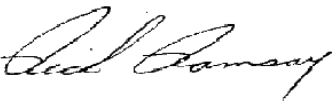
- So that as much conflict as possible can be avoided and to enhance the effective and efficient operation of the Office, it is important that all Members communicate. To accomplish this, staff meetings are to be held at all levels within the organization and written minutes should be kept.
- Once a week, the Sheriff and his immediate staff will meet to discuss policy, operational decisions, and/or other matters of importance. The appropriate content of those meetings will be passed onto the staff Members' subordinate Supervisors.
- Supervisors will meet weekly with their respective staffs to discuss matters of importance and shall forward necessary matters back to those members of the Sheriff's immediate staff for discussion at the Sheriff's staff meetings.
- All Members of the Office shall be advised of the necessary content of the staff meetings through their respective Supervisors and shall have access for input on matters they deem appropriate. [CALEA 12.1.4]

- **Unity of Command**

- Each member shall be accountable to only one supervisor at any given time.
- Each organizational component shall be under the direct command of only one supervisor.
- Command Protocol - In order to avoid confusion and discord, it is imperative that guidelines be established to designate command responsibility when a particular operation involves personnel from different components within the Sheriff's Office.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 2 - A		TITLE: Notifying Sheriff of High Liability or Heightened Community Interest Incidents
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 2	AMENDED: March 6, 2013
REFERENCE: CALEA 11.4.5		RESCINDS: Special Order: Notifying Sheriff of Libelous to Heightened Community Interest Incidents 07.06.2007
 <hr style="width: 20%; margin: auto;"/> Sheriff of Monroe County		

PURPOSE: The purpose of this order is to establish policy and procedures for notifying the Sheriff of incidents or information of increased liability to the Office or heightened community interest.

POLICY: It is the Sheriff's policy that employees having information of situations in which the Office has an increased liability exposure or where community interest will be heightened need to make the administration aware of such information so that it can be addressed in a timely and appropriate manner.

PROCEDURE:

Incidents or information in which the Office has an increased liability exposure or community interest will likely be heightened shall be reported to the Sheriff through the Chain of Command.

Reporting Time Requirement - Commanders who have received information as outlined in this order shall notify the Sheriff immediately via the Chain of Command.

Examples of such incidents are, but not limited to:

- Pending or potential law suits
- Suicide cases involving prominent citizens, or that occur in a public place

- Serious accident involving a Sheriff's Office member with injury or large amount of damage.
- Crimes committed by an officer of any local, state or federal agency within Monroe County.
- Jailbreaks or serious injury to a prisoner or Detention Deputy.
- Death of a person in custody, including death of an inmate in a jail facility.
- Strike, riot or major public disorder.
- Shooting involving a law enforcement officer(s).
- Hostage or barricaded subject.
- Arrest of government officials.
- Homicides, except those cases where the deceased appears to have died by natural causes by the deputy or detective in charge.
- Sexual battery with serious injuries or attempted sexual battery.
- Armed robbery with injuries.
- Aircraft accidents
- Special weapons and tactics team call out either by MCSO or another agency.

- Arson case or fire with loss of life or substantial property damage.
- Disaster resulting in loss of life or extensive property damage.
- Search for missing child or disabled elderly involving extensive manpower.
- Specialized unit call out (dive team, bomb unit, Homicide Detectives, Major Crimes Team, Field Force, etc.)
(Revised 09/14/09)
- Any event where the media responds to a scene or event.
- Any other event where the on-scene supervisor believes the Sheriff should be made aware of a situation or event.
- Vehicle pursuits and/or anytime spikes are used to stop a fleeing vehicle.
- Any Aggravated Assault, Aggravated Battery, Aggravated Child Abuse.
(Revised 09/14/09)

CHAPTER THREE
WRITTEN DIRECTIVE SYSTEM

I. Purpose

The purpose of this directive is to establish a consistent format to insure proper preparation, indexing, distribution, and purging of written orders, directives, procedures, and policy statements.

II. DISCUSSION

It is of the utmost importance that personnel receive current information and consistent direction. An efficient written directive system is invaluable in achieving this goal. The written directive is the primary means by which policy is developed, revised, and maintained. It is the policy of the Monroe County Sheriff's Office to provide a written directive system.

III. DEFINITIONS

- A. Written Directives – are policies, plans, procedures, rules, general orders or special orders, training directives/bulletins **post orders, job descriptions** or other documents that is binding upon Office personnel.
Revised 07/10/2009
- B. General Order – General Orders are the official written policies and procedures promulgated by the Sheriff for permanent guidance of member behavior and conduct, and Sheriff's Office operations.
- C. Special Order – A directive affecting only a specific segment of the Office or a statement of policy or procedures regarding a specific circumstance or event that is of a temporary nature, or directive of a temporary nature.
- D. Division Directive – A written rule which further clarifies General Orders or to direct activities within that particular division. **(CALEA 12.2.1, h)**
- E. Personnel Order - A written directive issued by the Sheriff or his designee designating a change in the status of personnel (i.e., transfers, promotions, salary changes, etc.)
- F. Training Bulletin - A written directive which provides information relative to matters that require special explanation or training.
- G. Inter-Office Memoranda - Written inter agency or county government communications that contain directives or advisories, which do not create, state, or alter the policies of the Sheriff's Office.
- H. General Operations Manual – Collection and combination of General Orders.
- I. Letter/Correspondence – Official written communications with outside entities

IV. POLICY AND PROCEDURES

- A. The Sheriff has the ultimate authority to issue, modify and approve agency written directives. **(CALEA 12.2.1 b)**
- B. The Sheriff's Office Mission and Values Statement is the shared product of input from every level within the agency and are placed in the beginning of the General Operations Manual, in Outlook and on the Monroe County Sheriff's Office website. **(CALEA 12.2.1 a)**
- C. Authority to issue directives is determined by the level of directive. Authority to issue directives is as follows;

Order Type	Issuing Authority
General Order	Sheriff
Special Order	Sheriff, Undersheriff
Division Directive	Bureau Commanders, Captain, Lieutenant, Executive Director, Director, or Section Supervisor
Personnel Order	Executive Director of Human Resources for the Sheriff
Training Bulletin	Training Director
Memorandum	Any Agency Member
Letter / Correspondence	Any Agency Member, under signature of the Sheriff

(Revised 1/8/13)

D. No directive will be issued which conflicts with a General Order and applicable accreditation standards.

E. Format (CALEA 12.2.1 d,h)

1. All General Orders, Special Orders, and Division Directives will follow the prescribed format and include:
 - b. Purpose: The purpose should provide a brief statement of the need or goal of the order
 - c. Discussion: If needed, the discussion provides a brief examination into the subject in support of and justification for the order.
 - d. Definitions or Terminology (if needed)
 - e. Policy: Provides a statement of policy
 - f. Procedures: The procedure shall clearly delineate the method of completing tasks or effecting an act composed of steps or a course of action.
 - g. Issue Date
 - h. Authorizing Signature
2. Any directive draft submitted not in this format will be returned to the author for correction.
3. All Personnel Orders will follow the prescribed format and include:
 - a. Member Name
 - b. Change Made By
 - c. Type of Change
 - d. New Hire Checklist (if appropriate)
 - e. Exit Checklist (if appropriate)
 - f. Payroll Change Checklist (if appropriate)
4. All Training Bulletins will follow the prescribed format and include:
 - a. Course Title
 - b. Total Hours
 - c. Date
 - d. Time
 - e. Locations
 - f. Target Audience
 - g. Overview
 - h. Instructors
 - i. Attire

- j. Equipment
- k. Enrollment
- l. Tuition
- m. Coordinator

5. All Inter-Office Memorandums will follow the prescribed format and include:

- a. Addressed to
- b. Via (if applicable)
- c. Addressed from
- d. Date
- e. Subject
- f. Text

6. All Letters/Correspondence will follow the prescribed format and include:

- a. Format on Office Letterhead
- b. Date
- c. Addressee
- d. Greeting
- e. Text
- f. Salutation
- g. Signature
- h. Typed Senders Name and Title

F. Directive Formulation (CALEA 12.2.1 e)

Any member of the Office may submit a directive draft for a General Order, Special Order, or Division Directive.

- 1. The draft shall be submitted in the format described above in paragraph E of this directive.
- 2. Commanders should seek assistance from the Director of Professional Standards when drafting a indexing, updating, revised and/or purging of existing orders proposal.

G. Review (CALEA 12.2.1 e,i)

- 1. All directive drafts shall be submitted to the Office of Professional Standards through the Chain-of-Command for review for accreditation standards compliance, and conflicts with directives and statutes.
 - a. If the draft conflicts with a standard(s), state statute, or existing directive it will be returned for revision to the submitting party with an explanation.
 - b. If no conflict exists, it will be codified and submitted to the appropriate authority for approval.
- 2. General Orders and appropriate Special Orders shall be submitted to the Sheriff's Staff for review, editing and approval before submission to the Sheriff for signature.
 - a. For review purposes the Sheriff's Staff consist of:
 - 1) Undersheriff (Colonel)
 - 2) Major, Bureau of Law Enforcement
 - 3) Chief, Bureau of Administration
 - 4) General Counsel

- 5) Collective Bargaining Unit Counsel (for information and feedback purposes only)
 - 6) Affected Commanders (for information and feedback purposes only)
3. Appropriate Special Orders shall be reviewed and recommendations made by the Undersheriff's Staff before submission for signature.
- a. For review purposes the Undersheriff's Staff consist of:
 - 1) All Division Commanders
 - 2) All Station Commanders
 - 3) Commanders Special Investigations
 - 4) Director Public Relations
 - 5) Inspector General
 - 6) Director of Communications
4. Division Directives shall be reviewed by each appropriate Staff before submission to the Sheriff's Staff for review before submission for signature.
- H. The Office of Professional Standards shall maintain a historical file of all current and rescinded Directives.
- I. Codification
- 1. General Orders
 - a. Once approved will be codified by Professional Standards for inclusion into the General Operations Manual (GOM).
 - b. The General Order will be formatted for insertion into the appropriate GOM chapter and page. If the directive is a new chapter it will be codified in relation to Commission on Accreditation for Law Enforcement Agencies (CALEA) Standards chapters. If no corresponding CALEA standard exist, the directive will be inserted according to subject matter.
 - 2. Special Orders / Division Directives
 - a. Special Orders shall be codified in accordance with guidelines for the codification of General Orders
 - b. Division Directives shall be codified by Professional Standards.
 - 1) The codification shall identify:
 - a) The applicable Division
 - b) Date of order
 - c) Sequential Number
 - d) Order of insertion in the General Operations Manual
- J. Indexing (CALEA 12.2.1 e)
- General Order's shall contain a searchable index, which shall list the main subject title of the General Order. The index is available to all members and located on the Monroe County Sheriff's Office website.

K. Distribution (CALEA 12.2.2 a)

1. General Orders will be distributed to all members by the Office of Professional Standards through current Electronic Media.
2. Special Orders will be distributed only to those members affected by the directive through current Electronic Media. Division Directives will also only be distributed only to those members affected by the directive, and may be distributed through current Electronic Media or hard paper copies.
3. **Effective Date: Distributed Orders will have an effective date a minimum of 7 days from the date of distribution.**

(Effective 6-27-2006)

4. Electronic Distribution – (CALEA 12.2.2 a,b,c)

- a. An e-mail message will be sent to every member of the agency through “Outlook” with read receipt requested. The message will inform the member that by opening the e-mail they are acknowledging receipt and are responsible for knowing and complying with the Order.

1) Each member will completely open all such e-mails and not just read the summary or preview windows. This ensures there is an electronic record that they actually opened the message.

5. Paper Distribution (CALEA 12.2.2 a)

Members who choose to maintain a paper format of the Operations Manual are responsible to print out the updated material themselves when an update notice is received via e-mail. They are also responsible to place updates in to the appropriate section, removing the outdated material.

(Revised 11-5-04)

L. General Orders

1. Operations Manual

- a. Electronic Format – The complete Operations Manual is posted and maintained for access by every member of the agency in PowerDMS, MCSO webpage and in “Outlook” under “Public Folders, General Orders”. A sub-file “Special Orders” is also available. [The General Operations manual and policy modifications and updates are available to every member by use of the Monroe County Sheriff’s Office computer system.] (CALEA 12.2.2 b)
- b. Paper Format – Members may maintain a paper format of the Operations Manual and are solely responsible for inserting revisions into their Manual as they are issued electronically.[Each member shall be responsible for maintaining all Orders in the Manual in proper condition. The Manual and contents shall be considered Office property.] (revised 11-5-04) (CALEA 12.2.2 b)
- c. The Operations Manual is divided into Chapters. Each Chapter has a table of contents that deals with broad related topic areas. Within the Chapter, specifics are delineated. Particular topic areas within a Chapter can be located by the Master Index for appropriate Chapter page.
- d. All personnel are responsible for knowing, understanding, and conforming to the contents of all information, orders, and procedures issued.

- e. Any question regarding the contents of information, orders and/or procedures issued should be brought to the attention of the member's immediate supervisor.
- f. The General Operations manual and policy modifications and updates are available to every member by use of the Monroe County Sheriff's Office computer system.

2. Revision of the Operations Manual (CALEA 12.2.1 e,i)

- a. Once a year the Manual shall be reviewed in its entirety by the Office of Professional Standards for the purpose of indexing, purging, updating, and revising directives.
- b. As new or additional directives are distributed for placement in the Manual, a statement will be attached explaining what section is to be purged, updated, or revised depicting what pages should be added or deleted.
- c. Proposed revisions to the Operations Manual may be submitted by any member of the Office. (Refer to Paragraph D. of this chapter for procedure).
- d. Once a General Order has been signed by the Sheriff it will be formulated into manual format before issue.

M. Special Orders

- 1. All Special Orders shall be placed in the rear of the Operations Manual.
- 2. The Office of Professional Standards shall maintain a copy of every Special Order

N. Division Directives

- 1. All Division Directives shall be available to each affected member via the Monroe County Sheriff's Office webpage, outlook or hard copy.

O. Personnel Orders

- 1. Personnel Orders shall be initiated by the Sheriff or his designee.
 - a. When signed by the Sheriff or his designee, distribution shall be accomplished by the Human Resources Section with the original order placed in the affected individual's personnel file.
 - b. Personnel Orders shall not be placed in the Operations Manual. Rather, they shall be kept by affected personnel under a separate folder.

P. Training Bulletins

- 1. These are written directives that provide information relative to matters that require special explanation or training.
 - a. Training Bulletins shall be prepared and distributed by the Training Office on forms approved by the Administrative Commander.
 - b. Training Bulletins shall not be placed in the Operations Manual. Rather, they shall be kept by affected personnel under a separate folder.

Q. Inter-Office Memoranda

1. Inter-Office Memoranda may be prepared by any member of the Office

- a. It shall not be necessary to cross-index or number the memoranda.
- b. Inter-Office Memoranda shall not be placed in the Operations Manual, unless otherwise directed. Rather, they shall be kept by affected personnel under a separate folder.
- c. **Memorandums may be produced on blank paper or Office letterhead with the following format**

- 1) **Header – Inter Office Memorandum**
- 2) **Date – memo was written**
- 3) **To – Person to whom the memo is directed, with title, and “via-chain-of-command”, if appropriate**
- 4) **From – Person who authored the memo with title, if appropriate.**
- 5) **Subject – One line memo content reference**
- 6) **Body of memo – Memo content**

R. Letters/Correspondence

1. Letters are the agency's official means of written communications with outside entities. They shall be prepared on letterhead stationery in the accepted business letter format.

2. Personal Use: Sheriff's Office letterhead shall not be used for personal or private correspondence, nor may a member use the official mailing address for the purpose of receiving personal mail not connected with official agency business except where provided by law.

(Revised 11/5/04)

CHAPTER FOUR

JURISDICTION, MUTUAL AID, AND REGIONAL SERVICES

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CHAPTER FOUR

JURISDICTION, MUTUAL AID, AND REGIONAL SERVICES

I. PURPOSE

The purpose of this directive is to establish guidelines for matter of Office jurisdiction, mutual aid, and regional services.

II. DISCUSSION

This directive shall apply to all Sheriff's personnel. It is beneficial that law enforcement agencies both within the boundaries of Monroe County, Florida and in adjoining jurisdictions be in a position to assist each other as the situation arises. For this purpose it is important for all personnel to know the jurisdiction of this Office, mutual aid and available services from other agencies.

III. POLICY AND PROCEDURE

A. Jurisdiction of the Monroe County Sheriff's Office

The legally authorized geographical area acting under the Sheriff of Monroe County, Florida is Monroe County, Florida. The enforcement of the Florida State Statutes and Monroe County Ordinances is authorized in Monroe County, Florida unless specifically prohibited or specifically allowed elsewhere by law.

B. Concurrent Jurisdictions - Assistance of Local, State, and Federal Agencies

1. The Monroe County Sheriff's Office possesses concurrent jurisdiction with the Cities of Key West, Marathon and Key Colony Beach. In addition, the Sheriff's Office retains concurrent law enforcement jurisdiction in Monroe County, Florida with the Florida Department of Law Enforcement, Florida Highway Patrol, Florida Marine Patrol, Florida Game and Fresh Water Fish Commission, Florida Division of Alcoholic Beverages and Tobacco, and the Florida National Guard.
2. There are also several Federal law enforcement agencies assigned to Monroe County, Florida. They include the Federal Bureau of Investigation, United States Customs, United States Department of Immigration, United States Wildlife Service, and the United States Coast Guard.
3. The Sheriff, as well as other local law enforcement agencies, have concurrent jurisdiction on all military property in Monroe County. As such;
 - a. The Navy will adopt the Domestic Abuse Preferred Arrest Policy for all military housing.
 - b. The Sheriff's Office will, on the basis of the Navy's criminal investigation, in which probable cause is shown, arrest for violations of Florida State Statute which occurred on military property.
 - 1) Misdemeanor violations will be referred to the State Attorney's Office by complaint affidavit.
 - 2) Felony violations will be referred to the Sheriff's Office by complaint affidavit, the responding Deputy will make the arrest, complete all related paperwork and transport the prisoner.
 - c. In major cases, if requested, the Sheriff's Office will assist Navy Investigators in crime scene processing, Homicide Team assistance, case preparation, and court presentation.

- e. Key West Police Department - to be contacted when requests for service are received for inside the city limits of Key West, unless the caller requests the Sheriff's Office respond. However, in instances involving a Key West City ordinance(s), the Police Department must be contacted. This should be fully explained to the complainant. Nothing contained herein shall prohibit any Deputy Sheriff certified pursuant to the State Statute from taking appropriate account in any situation for which he/she is authorized within the City of Key West. The Sheriff's Office will respond to requests for law enforcement assistance from the Key West Police Department. In such events, the Deputy(s) responding will report to the highest ranking officer at the scene. Communications between the two agencies will be via inter-agency radio or telephone, whichever assumes the prompt and appropriate response.

1) Limitations

This plan only applies to unusual occurrences that require the commitment of resources beyond the on-duty shift.

2) Authorization

- a) The Office member receiving a request for aid from the City of Key West Police Department in an unusual occurrence will inform the Division I Commander of said request.
- b) The Division Commander will begin mobilization of Office personnel as per the Emergency Mobilization Plan.
- c) Notification will be made via the chain of command to the Sheriff.

3) The Unusual Occurrence Plan Implementation

- a) The appropriate plan will be instituted with the following exceptions.
 - (1) The Station Commander will assume field command of all Office personnel responding to the request for aid.
 - (2) The Division Commander will report to the Key West Police Department's Officer in Charge, and coordinate the direction of Office personnel through the Station Commander as the situation requires.

4) Assuming Command

- a) In the event the Division Commander feels that the Office should assume command of the incident to protect the citizens of Monroe County residing in the City of Key West, such a request shall be directed to the Undersheriff.
- b) The final decision to assume command of an incident Sheriff, who shall notify the Key West Police Chief of such a decision.
- c) Office response plans will be initiated to the fullest extent.
- d. Key Colony Beach Police Department - to be contacted when requests for service are received for inside the city limits of Key Colony Beach, unless the caller requests the Sheriff's Office respond. However, in instances involving a Key Colony Beach City Ordinance(s), the Police Department must be contacted. This should be fully explained to the complainant. Nothing contained herein shall prohibit any Deputy Sheriff certified pursuant to the State Statute from taking appropriate account in any situation for which he/she is authorized within the City of Key Colony Beach. The Sheriff's Office will respond to request for law enforcement assistance from the Key Colony Beach Police

Department. In such events, the Deputy(s) responding will report to the highest ranking officer at the scene. Communications between the two agencies will be via inter-agency radio or telephone, whichever assumes the prompt and appropriate response.

1) Limitations

This plan only applies to unusual occurrences that require the commitment of resources beyond the on-duty shift.

2) Authorization

- a)** The Office member receiving a request for aid from the City of Key Colony Beach Police Department in an unusual occurrence will inform the Division II Commander of said request.
- b)** The Division II Commander will begin mobilization of Office personnel as per the Emergency Mobilization Plan.
- c)** Notification will be made via the chain of command to the Sheriff.

3) The Unusual Occurrence Plan Implementation

- a)** The appropriate plan will be instituted with the following exceptions.
 - (1)** The Station Commander will assume field command of all Office personnel responding to the request for aid.
 - (2)** The Division Commander will report to the City of Key Colony Beach Police Department's Office in Charge, and coordinate the direction of Office personnel through the Station Commander as the situation requires.

4) Assuming Command

- a)** In the event the Division Commander feels that the Office should assume command of the incident to protect the citizens of Monroe County residing in the City of Key Colony Beach, such a request shall be directed to the Undersheriff.
 - b)** The final decision to assume command of an incident lies with the Sheriff, who shall notify the City of Key Colony Beach Police Chief of such a decision.
 - c)** Office response plans will be initiated to the fullest extent.
- e.** Florida National Guard - to be contacted only by the Sheriff for matters deemed necessary. Generally the National Guard will be requested in the event of a natural disaster or great law enforcement emergency. In the event of a pending natural disaster, such as a hurricane, continual weather and condition reports will be forwarded to the Sheriff by telephone, teletype, or radio, whichever assures prompt and appropriate information. It will then be the decision of the Sheriff and Director of Disaster Preparedness to contact the Governor's Office requesting the National Guard, as well as other appropriate agencies. In the event of a great law enforcement emergency, the Sheriff shall be continually informed of the situation by telephone, teletype, or radio, whichever assures prompt and appropriate information. It will then be the decision of the Sheriff to contact the Governor's Office requesting the National Guard, as well as other appropriate agencies.
- f.** Federal Bureau of Investigation - to be contacted for bank robberies or when information or an investigation deems it appropriate. The Sheriff's Office will respond to requests for assistance

from the FBI. In such events, the Deputy(s) responding will report to the highest ranking agent at the scene. Communications between the two agencies will be via inter-agency radio or telephone, whichever assures prompt and appropriate response. When assistance is needed from the FBI, requests will be routed through the appropriate field officers. Requests for assistance will be made by command personnel.

- g.** United States Customs - To be contacted when assistance is needed in the investigation of illegal substances or products entering or about to enter the boundaries of Monroe County, Florida. When assistance is needed from U.S. Customs, request will be routed through the appropriate field office. Requests for assistance will be made by command personnel. The Sheriff's Office will respond to requests for assistance from U.S. Customs. In such events, the Deputy(s) responding will report to the highest ranking agent at the scene. Communications between the two agencies will be via inter-agency radio or telephone, whichever assures prompt and appropriate response.
- h.** United States Department of Immigration - to be contacted when illegal aliens enter or are about to enter the boundaries of Monroe County, Florida. When assistance is needed from the U.S. Department of Immigration, requests will be routed through the appropriate field office. Requests for assistance will be made by command personnel. The Sheriff's Office will respond to requests for assistance from the United States Department of Immigration. In such events, the Deputy(s) responding will report to the highest ranking agent at the scene. Communications between the two agencies will be done by whatever means assures a prompt and appropriate response.
- i.** United States Wildlife Service - to be contacted concerning situations dealing with wildlife or any United States lands in Monroe County, or for any situations dealing with wildlife under the jurisdiction U.S. Wildlife Service in Monroe County, Florida. When assistance is needed from the U.S. Wildlife Service, requests will be made by supervisory personnel. The Sheriff's Office will respond to requests for assistance from the U.S. Wildlife Service. In such events, the Deputy(s) responding will report to the highest ranking officer at the scene. Communications between the two agencies will be done by whatever means assures a prompt and appropriate response.
- j.** United States Coast Guard - to be contacted concerning missing boats, boats in distress, or boating accidents outside the boundaries of Monroe County, Florida, with the exception of the areas west of Key West not covered by the Florida Marine Patrol. Also the U.S. Coast Guard should be notified, when deemed appropriate by investigating personnel, of illegal drugs headed for the boundaries of Monroe County by way of the Atlantic Ocean or Gulf of Mexico. This should be done as soon as possible after receiving information that the illegal drugs are en route. Information and requests will be forwarded by supervisory personnel to the nearest U.S. Coast Guard station.

C. Mutual Aid

The Sheriff of Monroe County and Dade County, Florida have entered into a Mutual Aid agreement pursuant to the Florida Mutual Aid Act, Section 23,1225 (l), Florida Statute.

- 1.** The purpose is to provide mutual aid and assistance in law enforcement situations involving crimes in progress, injuries, or officers in need of assistance, excluding routine patrol, on and adjacent to those portions of Card Sound Road and US Highway 1 bounded as follows:

 - a.** Card Sound Road - From the intersection of Card Sound Road with US Highway 1 in Dade County to the intersection of Card Sound Road with the 4-way stop in Monroe County.
 - b.** US Highway 1 - From the intersection of US Highway 1 with Card Sound Road in Dade County to the northern end of the Jewfish Creek bridge in Monroe County.

2. Source of Police Authority

- a. Pursuant to the provisions of Section 23.127 (1), Florida Statutes, whenever the members of any law enforcement agency who are parties to this agreement are rendering aid outside their jurisdiction and pursuant to the authority contained in this agreement, such members shall have the same powers, duties, rights, privileges, and immunities as if they were performing their duties in the political sub-division in which they are normally sworn.
- b. A Deputy Sheriff of either of the participating counties shall be considered to be operating under the provisions of the Mutual Aid Agreement when appropriately dispatched within the delineated area in response to a request for assistance by an agent or Deputy Sheriff of the other law enforcement agency.

D. Regional Services

1. Statewide Radio Frequency
2. The Sheriff's Office utilizes the authorized statewide general radio frequency of 155.370 in all its base radios. This statewide radio frequency is a specifically designated communication network for general law enforcement inter-jurisdictional communication.
3. Statewide Fingerprint Records System - The Florida Department of Law Enforcement is the agency responsible for the statewide centralized fingerprint system. The Monroe County Sheriff's Office fingerprints all persons arrested by Monroe County Sheriff's Office members AND also those arrested by any other law enforcement agency, and forwards these fingerprint cards to this agency. Also, fingerprints of suspects and unidentified deceased or alive individuals are forwarded to the Florida Department of Law Enforcement for possible identification.
4. Statewide Criminal Information System - The Monroe County Sheriff's Office participates in the Florida Crime Information Center (FCIC). This computerized system allows the Sheriff's Office to enter or inquire about stolen property, missing or wanted persons and vehicle information.
5. Statewide Uniform Crime Reporting System - The Monroe County Sheriff's Office participates in the Florida Uniform Crime Reporting System managed by the Florida Department of Law Enforcement. Criminal information is forwarded monthly and an annual report is returned depicting crime rates and yearly comparisons.

CHAPTER FIVE

LIAISON AND INTERAGENCY COORDINATION / PLANNING

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CHAPTER FIVE

LIAISON AND INTERAGENCY COORDINATION / PLANNING

I. PURPOSE

The purpose of this directive is to establish guidelines for liaison and interagency coordination and planning.

II. DISCUSSION

This directive shall apply to all Sheriff's personnel. It is important to establish and maintain effective channels of communication between the Sheriff's Office and other agencies for improved cooperation. Good liaison breaks down barriers that exist and hopefully results in savings.

III. POLICY AND PROCEDURE

A. The Sheriff's Office shall maintain liaison with the following Criminal Justice Agencies:

1. Local Adult and Juvenile Courts - It shall be the duty of the Undersheriff or his designee to meet periodically with the judges of the adult and juvenile courts in order to provide feedback to the Office of investigative error or courtroom error. Such feedback shall be documented and discussed with the appropriate personnel.
2. State Attorney - It shall be the duty of Commanders of Divisions I, II, III and IV to meet periodically with the Office of the State Attorney;
 - a. Discuss problems encountered by both offices and to provide the State Attorney's Office with a greater understanding of the problems encountered by law enforcement. Solutions should be sought to the problems discussed. Such problems shall be documented and discussed with the appropriate personnel.
 - b. Decline Prosecution - During the monthly meeting all cases originated by the Monroe County Sheriff's Office, which the prosecutor declines to prosecute or causes to be dismissed, over the past 30 days, owing to alleged law enforcement mishandling shall be discussed and reviewed. The appropriate Division Commander shall then discuss the problem areas with the appropriate personnel and fill a written report to the Undersheriff of the meeting and action taken, if needed.
3. Parole and Probation - It shall be the duty of the Undersheriff or his designee to meet periodically with Parole and Probation to discuss meaningful information about law enforcement objectives and activities relating to Parole and Probation matters and to discuss any problems encountered by parole and probation and the Office. Solutions should be sought to the problems discussed. Such problems shall be documented and discussed with the appropriate personnel.
4. Adult and Juvenile Correctional Agencies - It shall be the duty of the Commander of Corrections Division to meet with adult and juvenile correctional agencies within Monroe County in order to assure proper information flow and coordination between the Office and correctional authorities. Solutions should be sought to any problems discussed. Such information shall be documented and discussed with appropriate personnel.
5. Other Law Enforcement and Public Service Agencies in adjoining or concurrent jurisdictions - It shall be the duty of each Division I, II, III, and IV Commander to:

- a. Arrange periodic meetings with other law enforcement agencies having concurrent jurisdiction with the Office to establish joint plans for dealing with such things as criminal conduct and traffic operations, to share statistical and support service information, to enhance the arrest of wanted persons, to exchange information in criminal investigations (as directed by the Undersheriff), and to discuss any problem encountered between the agency and the Office. Such problems shall be documented and discussed with the appropriate Supervisors and Division Commander. The agencies of concern to this directive include, but are not limited to:
 - 1) Florida Department of Law Enforcement
 - 2) Florida Highway Patrol
 - 3) Florida Marine Patrol/Florida Game and Freshwater Fish
 - 4) Florida Alcohol, Beverage, and Tobacco
 - 5) Federal Bureau of Investigation
 - 6) U.S. Customs
 - 7) U.S. Department of Immigration
 - 8) U.S. Wildlife Service
 - 9) Naval Intelligence Service
 - 4) U.S. Coast Guard
 - 5) Key West Police Department
- b. Arrange periodic meetings with local Fire Department officials and emergency medical services officials to provide a forum for the development of plans for traffic direction and control at emergency scenes and for the resolution of other problems that may arise. Solutions should be sought to any problem discussed. Such information shall be documented and discussed with the appropriate Supervisors and Undersheriff.

B. Referrals

1. Members of the Office, in the course of performing their duties, often encounter people in need of a type of help best provided by another criminal justice agency or a social service agency. The intent of this directive is to provide officers with a reasonable means of ascertaining who can best be served by another agency, and, if so, by what agency.
 - a. The Monroe County Sheriff's Office possesses concurrent jurisdiction with the Cities of Key West and Key Colony Beach. In addition, the Sheriff's Office retains concurrent law enforcement jurisdiction in Monroe County, Florida with the Florida Department of Law Enforcement, Florida Highway Patrol, Florida Marine Patrol, Florida Game and Fresh Water Fish Commission, Florida Division of Alcoholic Beverages and Tobacco, Key West Police Department, Key Colony Beach Police Department, and the Florida National Guard.
 - b. There are also several federal law enforcement agencies assigned to Monroe County, Florida. They include the Federal Bureau of Investigation, United States Customs, United States Department of Immigration, United States Wildlife Service, United States Coast Guard, and the Department of Defense.
 - c. The Sheriff, by law, is both the Chief Executive Officer of the Court and Chief Law Enforcement Officer in Monroe County with the full authority and responsibility to uphold the law and preserve the peace. In addition to the Sheriff's constitutional office, several agencies have been created statutorily or by federal title to deal with specific law enforcement will arise from time to time.
 - d. It is the purpose of this policy and procedure to identify those specific law enforcement situations, as best as possible, and to advise what agency should be contacted with relevancy to each situation.


- e. Florida Department of Law Enforcement - To be contacted only with the approval of the Sheriff or his designee for matters deemed necessary.
- f. Florida Highway Patrol - To be contacted for all reported or discovered traffic accidents within Monroe County with the exception of traffic accidents reported or discovered in the City of Key West. Also, when necessary, the Highway Patrol may be contacted for situations requiring traffic assistance or law enforcement backup.
- g. Florida Marine Patrol/Florida Game and Freshwater Fish Commission - To be contacted for all reported or discovered boating accidents, reported boats in distress, derelict vessels in tidal waters, laws pertaining to the catching, possession, and/or selling of saltwater products, and any reported or discovered draining or depositing of oil into any saltwater. Will also be contacted for all calls pertaining to reported or discovered situations dealing with game, non-game birds, freshwater fish, wild animal life, and freshwater aquatic life not in or on United States properties.
- h. Florida Division of Alcoholic Beverages and Tobacco - To be contacted when an investigation is deemed necessary for reported or discovered potential violation or violations of the Beverage Law and/or Cigarette Tax Law.
- i. Key West Police Department - To be contacted when requests for service are received for inside the City limits of Key West, unless the caller requests the Sheriff's Office respond. However, in instances dealing with Key West City ordinances, the Police Department must be contacted. This should be fully explained to the complainant.
- j. Key Colony Beach Police Department - To be contacted when requests for service are received for inside the City limits of Key Colony Beach, unless the caller requests the Sheriff's Office respond. However, in instances involving a Key Colony Beach City ordinance(s), the Police Department must be contacted. This should be fully explained to the complainant.
- k. Florida National Guard - To be contacted only if the Sheriff or his designee for matters deemed necessary. Generally the National Guard will be requested in the event of a natural disaster or great law enforcement emergency.
- l. Federal Bureau of Investigation - To be contacted for bank robberies, when information or an investigation deems it appropriate, and any other crime under Federal Bureau of Investigation jurisdiction.
- m. United States Customs - To be contacted when assistance is needed in the investigation of illegal substances or products entering or about to enter the boundaries of Monroe County, Florida.
- n. United States Department of Immigration - To be contacted when illegal aliens enter or are about to enter the boundaries of Monroe County, Florida.
- o. United States Wildlife Service - To be contacted concerning situations dealing with wildlife or any United States lands in Monroe County, or for any situations dealing with wildlife under the jurisdiction of U.S. Wildlife Service in Monroe County, Florida.
- p. United States Coast Guard - To be contacted concerning missing boats, boats in distress, or boating accidents outside the boundaries of Monroe County, Florida, with the exception of the areas west of Key West not covered by the Florida Marine Patrol. Also the US Coast Guard should be notified, when deemed appropriate by investigating personnel, or illegal drugs headed for the boundaries of Monroe County by way of the Atlantic Ocean or Gulf of Mexico.
- q. Department of Defense (Naval Investigative Service / Boca Chica NAS Security) - To be contacted concerning situations occurring on the military properties, Boca Chica NAS, Trumbo

Point, etc. and responds to 911 calls on military property. The Naval Investigative Service will be contacted concerning investigations involving military personnel, which may involve illegal activities on military property or a federal crime.

2. The Social Service Agencies designed to deal with Health, Drug, or Alcohol Problems are coordinated through the Interagency Council, Inc. at (305)296-4033.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 6		TITLE: Recruitment and Selection
EFFECTIVE DATE:	NO. PAGES: 8	AMENDED/REVIEWED: May 7, 2013
REFERENCE: CALEA 31.2.2		RESCINDS:
 Sheriff of Monroe County		

I. PURPOSE

The purpose of this directive is to establish guidelines for the recruitment, screening and selection of personnel for the Sheriff's Office.

II. DISCUSSION

This directive shall apply to all Sheriff's Office personnel. The recruitment, screening, and selection process is vitally important to any organization desirous of attracting and appointing qualified personnel. In order for the process to meet desired goals, it must be valid and measurable, with minimum adverse impact. The Sheriff's Office assumes full responsibility for recruitment. It is the policy of the Sheriff to recruit and appoint persons without regard to race, creed, sex, age, national origin, marital status, ancestry, physical or mental disability. Persons seeking appointment or appointed by the Sheriff shall be treated equally with respect to all appointment practices including screening, advertising, recruitment, selection, appointment, promotion, demotion, assignment, hiring, leave practices, rate of pay, fringe benefits, and other forms of pay or credit for services rendered. The agency will consider any incidents of sexual harassment in determining whether to hire or promote anyone, or who may have contact with inmates in accordance with the Prison Rape Elimination Act (PREA). Consistent with Federal, State, and Local Law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of allegation of sexual abuse. (Revised 5/7/13)

III. POLICY AND PROCEDURE

A. Goals and Objectives

1. A properly structured and administered recruitment program will result in applicants who represent a more diverse cross section of the Office's service community.
2. The use of recruiters on a rotating basis from within the Office, and input from community groups representing the local minorities, will increase the number of qualified minority applicants from within the Office's service community.
3. Overall, an effective, standardized and properly administered recruitment, screening, and selection process will improve the quality of applicants from which to fill existing vacancies.

B. Recruitment

1. Administrative Practices and Procedures

- a. Whenever there are actual or forecasted vacancies, the Office shall initiate and maintain an active recruitment program.
- b. The Office shall directly involve itself in all activities critical to the recruitment effort.
- c. The responsibility for administering the Office's recruitment program shall rest with the Executive Director of Human Resources.
- d. Prior to initiating recruitment activities, those individuals used for recruiting purposes, shall undergo an in-service training program that provides knowledge and skills in the following areas:
 - 1) The Office's recruitment needs and commitments
 - 2) The Office's career opportunities, salaries, benefits and training
 - 3) Federal and State compliance guidelines
 - 4) The community and its needs (including demographic data, community organizations, educational institutions, etc.)
 - 5) Cultural awareness, or understanding of different ethnic groups and subculture
 - 6) Techniques of informal record keeping systems for candidate tracking
 - 7) The selection process utilized (including procedures involved in background investigations and written, oral and physical abilities examinations)
 - 8) Recruitment programs of other jurisdictions
 - 9) Characteristics that disqualify candidates
 - 10) Medical requirements
- e. The Captain/Training Director shall be responsible for supervision of new recruits during their attendance in the local basic law enforcement/corrections officer academy.
- f. Because members of the Office demonstrate a pride in their Office and due to their professional interest, members generally recruit qualified candidates. Therefore, all members of the Office shall encourage those individuals they feel would be an asset to the Office to apply.
- g. Minority personnel, fluent in the community's languages and aware of the cultural environment, shall be included in recruitment activities. Placing minority personnel, especially those of supervisory ranks, in recruitment roles will:
 - 1) Demonstrate the Office's commitment to the minority community
 - 2) Demonstrate promotability by virtue of their rank
 - 3) Enhance the receptivity of the minority community to the recruiter

- 4) Increase the potential for recruiting minority personnel
 - h. A signing bonus may be authorized by the Sheriff for critical need positions. Conditions and limitations of such a bonus will be maintained by the Human Resources Division, published to the Office and Public as necessary
 - i. Payment of certification training tuition or officer certification examinations fee by the Office, and reimbursement to the Office for such training will be governed by Section 943.16, Fla. Stat. (2002).
2. Cooperative Agreements - The Office will inform local employment agencies of vacancies within the Office in hopes of recruiting qualified applicants. The employment agencies will be supplied with the requirements for appointment with the Office.
3. Community Outreach
- a. The Office shall seek recruitment assistance, referrals, and advice from community organizations and key leaders.
 - b. The Office shall post job announcements with community service organizations.
 - c. The Office will send recruiters / members to local educational institutions and community organizations to recruit on site for entry level law enforcement deputies.
 - d. For the purpose of nurturing student interest in the law enforcement field and providing them with firsthand experience in law enforcement, the Monroe County Sheriff's Office School to Work Program has been established.
 - 1) The School to Work Program shall be administered by the Executive Director of Human Resources.
 - 2) The School to Work Program shall be open to high school juniors and seniors with a 2.0 GPA..
4. Comprehensive Recruitment Program
- a. The Executive Director of Human Resources shall be responsible for administering and developing a written recruitment plan which may be revised/reissued as needed. The written recruitment plan enables the Office to conduct an organized and effective search for well-qualified applicants by relating job requirements to recruiting methods. The written recruitment plan shall include the following elements:
 - 1) A statement of objectives.
 - 2) A plan of action designed to achieve the above objectives will include:
 - a) Cost accounting of advertisement for the period the report covers for
 - Newspaper (list each)
 - Magazines (list each)
 - Web Site (ours)
 - School Career Days (list each)
 - Job Fairs (list each)
 - b) The number of applicants hired as a result from each medium and specific entity
 - c) Based on the data collected make a recommendation as to where to focus recruitment efforts

- b. The Human Resources Division shall prepare a written recruitment analysis progress report annually for submission to the Sheriff. [CALEA 31.2.2]
(Revised 5/7/13)

5. Equal Opportunity Action Policy

- a. The Office will attempt to maintain a ratio of minority group appointments in approximate proportion to the makeup of Monroe County, Florida work force.
- b. The Office has adopted the following Equal Opportunity Program.

1) Purpose and Policy

- a) Equal Appointment Opportunity Policy - It is the policy of the Monroe County Sheriff's Office to hire well-qualified people to perform the many tasks necessary in providing superior law enforcement to the county. An integral part of this policy is to provide equal opportunity for all persons. This requires that the personnel policies governing recruiting, appointment, compensation, working conditions, benefits and privileges of appointment, training, appointments for advancement, transfers, and terminations of appointment be applied to all members without discrimination because of race, color, religion, national origin, sex, marital status, ancestry, physical or mental disability.

(REVISED ON 9-11-00)

- b) The Policy Objective - The equal appointment objective of the Monroe County Sheriff's Office is to achieve a member profile with respect to race and sex which is an appropriate reflection of proper utilization.

2) Responsibility

- a) Responsibility for the development and monitoring of the EEO policy is assigned to the Executive Director of Human Resources and includes the responsibility of communicating equal appointment policies to all levels within the Office. The Executive Director will have overall responsibility for monitoring the Office's performance through audit and reporting systems to assure policy effectiveness. Inherent in this responsibility is the task of identifying problem areas and establishing programs to aid in problem solving. Results of reporting systems are to be presented by the Executive Director of Human Resources to the Sheriff. (Revised 5/7/13)
- b) In compliance with Equal Employment Opportunity Commission requirements, the Executive Director of Human Resources will make reports and analysis as will be required by proper state and federal authorities.

6. Job Announcements and Publicity

- a. All job announcements for position appointments with the Office shall:
 - 1) Have a description available of the duties and responsibilities in the Human Resources Section
 - 2) Location of the position
 - 3) Pay grade of the position
- b. For any position which requires an official application filing deadline, such vacancy shall be publicized at least ten (10) days prior to any official application filing deadline.

- c. Entry-level job vacancies shall be advertised through the local mass media.
- d. To facilitate the successful recruitment of minorities and women, the Office will advertise as an Equal Opportunity Employer on all applications and recruitment advertisements.

7. Application Process

- a. Should any application deadline exist, it shall be boldly indicated on appointment announcements and recruitment advertisements.
- b. All application and testing processing shall be conducted at Headquarters or other places designated.
- c. Applications for all positions shall not be rejected with minor omissions or deficiencies, but shall be processed routinely provided such omissions or deficiencies can be corrected prior to the testing or interview process.

C. Selection

1. Professional and Legal Requirements

- a. The authority for administering the Office's role in the selection process rests with the Executive Director of Human Resources, however, the ultimate responsibility for the selection of applicants to fill existing or projected positions rest with the Sheriff.
- b. The Human Resources Section shall maintain on file, a current manual that describes all components of the selection process. A comprehensive manual is essential for the proper administration, use, and defensibility of the selection process. The manual shall describe the order of events in the selection process.
- c. The selection process shall use only those components that have been documented as being job related and nondiscriminatory. (Adverse impact is a substantially different rate of selection (generally less than eighty (80) percent) that works to the disadvantage of members of an ethnic group. When two or more alternative components of the selection process are available that have equal validity and utility, the Office shall use that element with the least adverse impact.)
- d. The selection process should be strictly accountable to the following checklist:
 - 1) Professionally and legally accepted data collection techniques are used to identify job tasks
 - 2) Measurable candidate characteristics related to predicting job performance are identified
 - 3) Selection components whose measures are job-related have been used
 - 4) Conclusions and inferences about candidates are logical and persuasive
- e. Adverse impact in the selection process shall be measured by comparing the selection rates for each race, sex, and ethnic group with the group having the highest selection rate.
- f. Adverse impact shall be minimized in the selection process.
- g. Records and data used to monitor adverse impact shall be maintained on file by the Human Resources Section.

- h. Written tests used as part of the selection process shall be documented as having validity, utility and a minimum adverse impact.
- i. Any and all elements of the selection process administered or provided by a private sector organization or vendor shall meet the requirements of validity, utility and minimum adverse impact.
- j. All elements of the selection process shall be administered, scored, evaluated and interpreted in a uniform manner. Operational elements of the selection process – time limits, oral instructions, practice problems, answer sheets and scoring formulas, etc... shall be identical for all candidates.
- k. All selection materials shall be stored in a secure area when not being used.
- l. Whenever selection materials are disposed of, it shall be performed in a manner that prevents disclosure of the information therein. Burning or shredding under monitored conditions is recommended.
- m. The entire selection process shall be evaluated in terms of its effectiveness in selecting the best qualified candidates in a fair and equitable manner on an annual basis.
- n. For any positions that require a specialist, a manager, or an administrator, the Office may have to seek an individual from outside the agency to fulfill the role. In so doing, the selection criteria for outside individuals shall be the same as for inside personnel seeking to attain the position. When qualified personnel are available both within and without the Office, the selection decision should be made in favor of Office members.
- o. Only qualified professionals shall be used to assess the emotional stability and psychological fitness of candidates.

D. Selection Process Procedures

1. The process applies to both certified and civilian positions.
2. The Department maintains on file in the Human Resources Division a Selection Process Procedures Manual for review at any time.
3. The Office shall allow re-application, re-testing, and re-evaluation of candidates not appointed on a previous attempt(s) provided that nothing in the candidate's history indicates an unfitness for appointment.
4. At the time of the receipt of their formal application, candidates are informed, in writing, of all elements of the selection process, and a job description for the position being applied for will be included in the application packet. The office shall maintain contact with each applicant to advise them of the status and final disposition of their application.
5. If the applicant does not receive a satisfactory score from the Oral Review Board, his/her file will be placed in an inactive status for six (6) months after which time the applicant may be re-interviewed for a position.
6. The selection process includes:
 - a. Minimum Eligibility Requirements - Outlined in position job description available from the Human Resources Division
 - b. Oral Review Board (If applicable)

- c. Drug Screen
- d. Background Summary - Phase I
- e. Eligibility Lists
- f. Conditional Offer of Probationary Employment
- g. Polygraph Examination
- h. Psychological Examinations
- i. Medical Examinations
- j. Physical Agility Test (if applicable)
- k. Neighborhood Checks (3)
- l. Personal References (3)
- m. Phase II Summary
(REVISED ON 5/7/13)

7. If the applicant is disqualified at any time during the selection process, the file is placed in an inactive status for a period of one (1) year. After the one-year period has expired, the applicant may reapply.
8. All files placed in inactive status will remain inactive for a period of two (2) years, unless the applicant reapplies. After two (2) years, the files may be destroyed. This is in accordance to Florida State Statute 119.01.

E. Appointments

1. Newly appointed members shall be required to satisfactorily complete any and/or all entry-level training relevant to the specific position appointed to retain appointment.
2. The agency shall either conduct criminal background records checks at least every five years of current members who may have contact with inmates or have in place a system for otherwise capturing such information for current members. (Revised 5/7/13)
3. Entry level training shall be evaluated by the Human Resources Section to ensure such training is not creating adverse impact. If adverse impact is suggested, the Human Resources Director and Training Supervisor shall meet to review the procedures and techniques being used for entry level training.
4. Should a new member be appointed for a special operation or assignment (e.g., undercover work), entry-level field training may be postponed until completion of the special operation or assignment. (If, however, at the end of the special operation or assignment, it is determined, by the member's supervisor that entry level field training would be of no new benefit to the member or the Office, such training may be waived.)
5. The work performance of each newly appointed road patrol Deputy shall be measured and evaluated through the Field Training Program. Field Training Officers shall use the Office established procedures for evaluating these appointees.
 - 1) All newly-hired members, to include Reserve Deputies (see Chapter 38 for definition), shall be evaluated quarterly during probationary period.
6. A newly appointed member may contest a work performance report concerning entry level training by following the procedures outlined in (Chapter 13, Section III).
7. Should the member still be dissatisfied, one final appeal may be made to the Sheriff. Such appeal shall be in writing, citing the reason(s) for such appeal, and forwarded to the Sheriff within five calendar days or three work days after the District Commander's decision is received.

8. Any member may, at any reasonable time, ask to review his or her personnel file which is maintained by the Division of Human Resources. If after reviewing the file a question arises as to the contents of the file, the member may write a memo, via chain of command, to correct or challenge the information found. At no time may the member remove any document in the file. The Director of Human Resources may have a document removed from a file if the document was improperly filed and actually belongs in someone else's file.
9. The Human Resources Division maintains the results of medical examinations, psychological evaluations and polygraph examinations in a confidential file.
10. The results of the polygraph examination will not be used as the sole determinant of the employment status. An admission during pretest, test or post-test interviews, together with other information, may be sufficient to support decisions relevant to employment status.

CHAPTER EIGHT

JOB ANALYSIS, CLASSIFICATION AND ASSIGNMENT

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CHAPTER EIGHT

JOB ANALYSIS, CLASSIFICATION AND ASSIGNMENT

I. PURPOSE

The purpose of this directive is to establish guidelines for job analysis, classification, position classifications, and matters affecting assignment within a position classification.

II. DISCUSSION

This directive shall apply to all Sheriff's personnel. First, this directive outlines the job analysis process. Second, it deals with the classification of personnel and compensation policy. Finally, this directive addresses specialized assignments.

III. POLICY AND PROCEDURE

A. Job Task Analysis

1. Objectives of Job Task Analysis

- a. Serve as a basis for the determination of a position classification plan and compensation
- b. Provide a basis for establishing minimum qualification requirements for recruitment, examination, selection and appointment, and promotion
- c. Assist in the establishment of training curricula
- d. Provide guidance to employees and their supervisors concerning the duties and responsibilities of individual positions

2. The written job task analysis for every position in the Office will be maintained in a file by the Human Resources Director.

3. This job task analysis will contain at a minimum:

- a. Duties, responsibilities, and task of each position. Upon request this statement shall be available to every member of the Office.
- b. Frequency with which each task is performed
- c. Minimum level of proficiency necessary in the job-related skills, knowledge, abilities, and behaviors.

B. Classification

1. The establishment of a structure classification plan with specific requirements for each job allows the Office to achieve more efficient administration and more equitable treatment of its members. Therefore the Human Resources Director will develop and maintain a classification plan.

2. The Director of Human Resources will maintain the written classification plan, to include and shall:

- a. Group all positions into classes, based upon similarities in duties, responsibilities, and qualification requirements.

- b. Class specifications for every job within a class, to include specific specifications for the following ranks.

- 1) Certified Law Enforcement

- Sheriff
 - Colonel
 - Major
 - Captain
 - Lieutenant
 - Sergeant
 - Deputy Sheriff

- 2) Certified Corrections

- Major
 - Captain
 - Lieutenant
 - Sergeant
 - Detention Deputy

- c. Used as basis for assigning each position to a pay grade under the Pay Plan, as maintained by the Human Resources Director.

- d. Reviewed on a regular schedule and when requested for needed reclassification of any job that has changed to the changes in the Office.

- 3. Review Procedures

- a. Request for a reclassification review, will be sent to the Human Resources Director by the appropriate Division Commander.

- 1) At least one member from each classification to be reviewed will be surveyed by a Human Resources Representative on a regular schedule as posted in the agency computer system.

- 2) Request for immediate review may be made at any time.

- b. The Human Resources Director will send the review findings to the Sheriff via chain of command for approval.

- c. If approved the reclassification and corresponding pay grade changes will be implemented upon the first day of the next pay cycle.

- d. If no reclassifications are recommended as part of the annual review, it will be so documented and filed as part of the plan.

C. Identification of Critical Positions

- 1. Due to the importance of several positions to the operation of the Office a high turnover rate in these positions can hinder the Office's effectiveness.

- 2. The Office reserves the right to classify certain positions as "critical", and in doing so, it places additional restrictions on the members who have been selected to fill these positions. These

restrictions will take the form of rules regarding hours of work, working conditions, minimum tenure required in the position and/or other issues.

3. In most cases, positions will not be classified as critical until some evidence exist that the failure to maintain members within the positions is causing performance related problems for the component.
4. When a supervisor perceives a performance problem which can be attributed to a failure to maintain adequately trained personnel, he/she should address a memorandum, via the chain of command, to the Human Resources Director outlining the problem(s) and requesting that the position (s) be classified a critical position. The supervisor should identify the possible causes of the problem(s) and recommended solutions
5. The Human Resources Director will conduct a study of the problems as outlined by the supervisor and examine the turnover rate for the identified component for the proceeding twelve (12) months and other Office records as necessary to determine the severity of the problem.
6. Based on this study the Human Resources Director will prepare a memorandum to the Sheriff, via the chain of command, recommending the suggested course of action.
7. Upon review of the research, the Sheriff will make a determination as to what action, if any, is to be taken. If the position is determined to be defined as critical, then the class of position would be advertised as such in any future job announcement, both within and outside of the Office. Any restrictions placed upon the position will be specifically listed on the announcement.
8. The Human Resources Director will create a written agreement herein to be referred to as a "Critical Position Memorandum of Understanding", which will indicate any restrictions that have been placed upon the position which will be executed prior to accepting the position. This form will become a part of the member's personnel file.
9. On a yearly basis, the Human Resources Director will conduct a review of all classes of positions, which have been classified as "critical", and advise the Sheriff, via chain of command, of any necessary changes.

D. Specialized Assignments

1. On occasion, specialized assignments may be created to meet certain demands or requirements of the Office.
2. All anticipated specialized assignments shall be advertised to all Office members. Should no qualified candidate be located within the Office membership, the specialized assignment may be filled from outside the Office membership.
3. The criteria for assignment shall be based on skills, knowledge, and the abilities required for the specialized assignment and shall also include formal education requirements and the length of experience required.
4. On an annual basis, each specialized assignment shall be reviewed, by the Commanding Officer for whom the specialized assignment was created, for the purpose of determining whether it should be continued. Such review shall include, but not be limited to:
 - a. An evaluation of the initial problem or condition that required the implementation of the specialized assignment; and,
 - b. A cost-benefit analysis of the specialized assignment.

E. Job Descriptions:

Current job descriptions shall be maintained by the Human Resources Division for all positions. These job descriptions are guidelines of specific and essential duties, responsibilities, and qualification requirements for each position or assignment. All agency job descriptions are also available in Microsoft Outlook, which is available to all agency personnel.

(revised on 11-19-01)

CHAPTER SEVEN

ALLOCATION AND DISTRIBUTION OF PERSONNEL

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CHAPTER SEVEN

ALLOCATION AND DISTRIBUTION OF PERSONNEL

I. PURPOSE

The purpose of this directive is to establish guidelines for the allocation and distribution of Sheriff's personnel.

II. DISCUSSION

This directive shall apply to all Sheriff's personnel. It is important to the Office and the public that the proper allocation and distribution of personnel exist. By such, effective and efficient management is accomplished and the citizens better served. [CALEA 16.1.1]

III. POLICY AND PROCEDURE

A. Allocation of Personnel

1. The Office maintains a staffing table that is located in the current fiscal year's budget that provides the following information: [CALEA 16.1.1 a,b]
 - a. The total personnel strength as authorized by the Sheriff of Monroe County. [CALEA 16.1.1 a]
 - b. The number of personnel, by rank or job title, within each organizational component, including civilians. [CALEA 16.1.1a,b]
 - c. The number of vacant positions, by rank or job title, within the agency. [CALEA 16.1.1 c]
2. The Planning and Research function shall triennially:
 - a. Determine the allocation of personnel to the patrol component based on a workload assessment containing an analysis including the following: [CALEA 16.1.2]
 - 1) Number of incidents handled by patrol personnel during the specified period;
 - 2) Average time required handling an incident at the patrol level;
 - 3) Calculation of the percent of time, on the average, that should be available to the Patrol Deputy for handling incidents during a specified period (such as a shift); and
 - 4) Time lost through days off, holidays, and other leave, compared to the total time required for each patrol assignment.
 - b. Calculate the assignment / availability factor for patrol personnel based on a ratio representing the total potential person-days available (the number of patrol personnel multiplied by 365 days) as compared to the actual personal days available for assignment (potential person-days less time lost through days off, leave, holidays, training, etc.)
 - c. Use the automated or computer-assisted system for allocating and distributing patrol personnel.

- d. Triennially, all Commanders/Directors or Supervisors shall conduct and document a workload assessment within their respective divisions. The nature or number of tasks as well as their complexity, location and time required for completion should be addressed in the workload assessment report. The Workload Assessment Report shall be given to the Planning and Research function. [CALEA 16.1.2]


B. Distribution of Personnel

1. At least triennially, the Planning and Research function shall tabulate incidents by reporting areas and forward such information to the Undersheriff. Such tabulation shall be designed to allow the Office to reassess the demand for service and also reassess the relative importance of workload distribution factors.
2. Patrol personnel shall be distributed in accordance with temporal and geographic distribution of incident determined by:
 - a. The Planning and Research function shall identify the workload according to shift periods;
 - b. The Planning and Research function shall collect and analyze data on the hourly distribution of incidents.
3. The Undersheriff and Division Commanders shall establish a number of patrol zones on each shift in proportion to the workload occurring on each shift. (The boundaries of each patrol zone shall be based on a grouping of reporting areas.)

(revised on 9-8-10)

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 8 - A		TITLE: Specialized Assignments
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 2	AMENDED:
REFERENCE: CALEA 16.2.1		RESCINDS: Special Order: Specialized Assignments, 08.17.2007
 Sheriff of Monroe County		

PURPOSE: To standardize the criteria and application for specialized assignments and provide for an annual review of each specialty position to determine its continuance.

POLICY: It is the Sheriff's policy to make the application and criteria for specialized assignments a standardized process therefore creating an equitable and uniform procedure.

DISCUSSION: Specialized Assignments are characterized by increased levels of responsibility and specialized training.

Specialized assignments may be created to serve an immediate need of the Office.

Annually these assignments should be reviewed to determine if they are still serving the original purpose or should they be discontinued. Specialized Assignments typically are additional duties to a deputy's primary assignment.

PROCEDURE:

Specialized Assignments Identified

- Bomb technician
- SWAT team member
- Dive team member
- Canine Deputy
- Firearms interdiction reduction enforcement strike force.

- Blue Lightning Strike Force
- Other assignments as assigned

Selection for Specialized Assignments

Notice of vacancies within specialized assignments and the requisite position qualifications shall be published throughout the agency via Outlook.

The Notice requirements for these positions are the same as with all other vacancies within the agency.

The chosen candidate will be recommended for the assignment following an oral board.

The Sheriff or his/her designee shall make the ultimate selection of the candidate for the specialized assignment.
[CALEA 16.2.2]

Annual Review

In order to avoid overspecialization and to ensure the continued effective operation of the Office, the Chief of the Bureau of Law Enforcement will conduct an annual review of specialty assignments.

The review will be due by March 1st of each calendar year and shall be sent to the Undersheriff via chain-of-command.

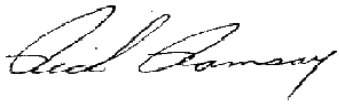
The review will include:

- A list of the agency's specialized assignments and the personnel assigned to each assignment
- A statement of purpose for each of the specialty assignments
- An evaluation of the initial problem or condition that required the implementation of each specialty and if the Office still has a need for the specialized assignment.

A decision on whether to continue a specialized assignment will be made by the Sheriff after the review has been completed.

Monroe County Sheriff's Office

General Order

CHAPTER: 9		TITLE: Conditions and Benefits of Work
EFFECTIVE DATE: January 5, 2010	NO. PAGES: 44	AMENDED/REVIEWED: September 10, 2013
REFERENCE: FCAC 3.05, CALEA 16.3.7/22.2.2d		RESCINDS:
 Sheriff of Monroe County		

I. PURPOSE

The purpose of this directive is to establish guidelines for job benefits and the conditions of work.

II. DISCUSSION

This directive applies to all Sheriff's Office personnel. The benefits provided to members are described in terms of the benefits provided, the conditions under which they are provided, and the extent of the benefits. All or a part of this policy may be superceded by a collective bargaining agreement entered into between the Sheriff and a recognized collective bargaining unit.

III. Definition

A. Sheriff – means the Sheriff or the Sheriff's designee, unless specifically stated otherwise.

IV. POLICY AND PROCEDURE

A. Notification of Correct Address and Contact Number

1. All Sheriff's personnel shall keep the Sheriff's Office informed of their correct residential address in accordance with established procedures. Sworn Sheriff's personnel are required to have telephone service, and shall keep the Sheriff's Office informed of their correct, current telephone number in accordance with procedures for reporting change of address or status. Members at a minimum will notify the Human Resources Department of any and all changes to their address and contact numbers.

(Revised 11/2/11)

B. Photo Identification Cards

1. Civilian Members- will be provided a photo identification clip on card. ID cards will display "non-sworn status" and will incorporate features to make copying difficult.
2. Certified Members- will be provided a clip on and wallet photo identification card
 - a. Features – identification cards will note if the member is or is not authorized to carry a firearm and will incorporate features making copying difficult.

1. Firearms Authorized

- a. On and off duty – For certified members authorized to carry firearms. ID will display "Sworn – Firearms Authorized".

- b. On duty only – For certified members authorized to carry firearms, but restricted to carrying weapons only while on specific assignments. ID will display “Sworn – Firearms Authorized On-Duty Only”.
 - c. Not Firearms Authorized (on or off duty) ID will display “Sworn – Not Firearms Authorized”.
 - d. Members must maintain firearms proficiency as defined by MCSO regulating policy. Failure to do so will forfeit this privilege. The member is additionally required to notify Human Resources Division in writing within 5 business days of change of status on ID card to “Not Firearms Authorized” after firearms qualification is expired or revoked.
3. Display of photo identification cards will be for official use only.
 4. Sheriff’s personnel, while on-duty or in uniform, or when otherwise recognized as a member of the Sheriff’s Office, shall show their issued photo identification card, give their name, rank or position, in a respectful and courteous manner to any person requesting such identification unless engaged in covert duties.
 5. Sheriff’s personnel shall maintain the security of official Sheriff’s Office identification, and shall not lend their identification card or badge to another person, or permit them to be photographed or reproduced without the approval of the Sheriff. Sheriff’s personnel shall not unnecessarily display their identification while consuming alcoholic beverages or in liquor establishments.

(Effective March 9, 2009)

C. Leave of Absence/ Time Abridgement

1. Leave of Absences will not be granted where the member leaves the agency employment expecting to return to full duty at a future date with preference given over a new applicant.
2. Annual Leave, sick leave and time-in-grade will not be granted to former members upon return to active employment with the agency.

D. Time Sheets/Record Keeping

1. Each member is responsible for keeping an accurate record of the hours they work and leave taken in the form of the Office’s time sheet.
2. The member’s supervisor and commander are responsible to review their time sheet.
3. Instructions for filling out a time sheet are provided by the supervisor.
4. Falsification of any attendance or leave record(s) shall be cause for withdrawal of a member’s appointment and possible prosecution.
5. In order for this system to be successful, it is important that any questions that arise be directed to the member’s immediate supervisor who, if unable to answer the question(s), will then contact the payroll clerk in Finance.

(Revised 12/30/11)

E. Compensation

(Revised 12/30/11)

1. Salary Plan – Bargaining Unit

The ratified Collective Bargaining Agreement dictates the salary plan for Unit members. A copy of which can be obtained from any Unit representative, or in Outlook.

2. Salary Plan – Non-Bargaining Unit

- a. Salary differentials between ranks are listed annually.
- b. Salary differentials within the grades are listed annually.
- c. The Sheriff will determine any increased percentage for COLA and merit increase based on the allocation of funds by the County Commission annually.
- d. Merit increases within ranks are not automatic, but are based upon performance evaluations.
- e. The Sheriff may authorize a starting salary above the minimum when a prospective appointee possesses qualifications (**experience**) in excess of the minimum qualifications or in cases where intense recruitment has failed to attract qualified applicants willing to accept minimum salary.
 - 1) The unit commander of the new hire must submit a formal request for experience pay. The items to be considered and addressed in the request are:
 - a) Prior experience in a like or similar job
 - b) Performance of like or similar job duties
 - c) Training in the relevant area of use to the Office in the perspective assignment
 - 2) The Request will be sent to the Sheriff via Chain-of-Command
 - 3) No Conditional Offer of Employment will be given, including experience pay, until if and when the Sheriff has approved it.
 - 4) The written request will become part of the member's file for future documentation in the event of question as to experience pay.
- f. Personnel in designated assignments shall receive (5) percent in addition to their normal compensation. Inspectors assigned to complex investigations, acting supervisor (while performing the duties), and Internal Affairs will receive assignment pay. All other members who are entitled to assignment pay are covered by the collective bargaining agreement. Eligibility for assignment pay is outlined in the appropriate agreement.

3. Overtime

Under FLSA, an employer is required to pay an overtime premium for hours worked past an established threshold.

- a. Those hours and time periods are:
 - 1) Certified Officers 171hours - 28 days
 - 2) Non-Sworn 40 hours - 7 days
- b. Comp Time - Members may enter into an agreement with the Sheriff to bank "Comp Time" in lieu of over time, up to an agreed upon limit. Overtime hours earned by individuals who are employees of the comp bank will be rolled into their comp balance. Once the comp balance

maximum has been reached, the hours will be paid at the appropriate rate. (see K.4. Compensatory Leave below for a detailed explanation.)

c. Leave and Overtime Provisions

- 1) Overtime hours worked will be paid at the regular rate for each hour of annual leave and sick leave taken during the pay period. The regular rate will be continued to be paid until the hours worked equals the members normal bi-weekly hours.

Example: During the first forty (40) hour work period, a Records Assistant called in sick one day (eight (8) hours) and his/her supervisor called that same Assistant in to work eight (8) hours on the Assistant's regularly scheduled day off. During the second forty, (40), hour work period, this Assistant worked his/her regular schedule. On payday that Assistant's paycheck will reflect the regular biweekly salary plus eight (8) hours as straight time and eight (8) hours will be deducted from his/her accrued sick leave.

d. Standing/ Pre-Approved Overtime

- 1) The following are the only instances where overtime will be paid at time and a half regardless of leave taken:

- a) Trap Details
- b) Airport – supplement services
- c) Dispatch - only the first 8 hours which is due to the 12-hour shift schedule.
- d) Court Appearances (for off-duty hours only)
- e) Overtime Slip – approved by the Undersheriff

- 2) Exempt members may only work Trap and Airport details when no qualified non-exempt individuals have signed up within 48 hours of the beginning of the shift. The rate of pay shall be based on the overtime-hourly rate for top step of law enforcement sergeant in the pay plan.

(Effective 1-10-2007)

- 3) Specific Documentation in etime.

(Revised 12/27/11)

- a) All pre-approved overtime will be documented and approved in etime and forwarded to the Finance Division. An overtime approval form will be sent to the Finance Division.
- b) Overtime for court and deposition appearance will be documented and approved in etime and forwarded to the Finance Division. The subpoena will be sent to the Finance Division.

4. Acting Supervisor Compensation

a. Regular Members

- 1) If a member is designated as acting supervisor ("A/S") in the absence of a supervisor or as a field training officer ("FTO"), this status must be authorized by that member's supervisor.
- 2) Hours worked as A/S or FTO must be recorded on the member's time sheet and approved by the property authority.
- 3) An A/S or FTO will be paid an additional amount equal to five (5) percent of his/her hourly rate while serving in A/S or FTO capacity.

b. Exempt Members

- 1) Members in designated Exempt status positions are eligible for A/S pay when they perform the functions of their supervisor or equivalent position for more than 30 days.

- 2) Members in designated Exempt status positions are not eligible for FTO assignment pay.
- 3) Pay will begin with the 31st day and be retroactive to the date of the additional duties being assigned.

F. Longevity Program

1. A longevity award will be paid to members based on the following schedule:
 - a. 1% of their annual base salary for 15-19 years of service.
 - b. 3% of their annual base salary for 20 + years of service.
2. The longevity award will be paid in the second payroll of September to coincide with the end of the fiscal year.
3. Members must be employed when the award is paid. No prorated benefits will be paid to members who leave the employment of the Sheriff's Office prior to the awards payment.

G. Educational Incentives

Salary incentives are paid for college degrees and Florida Department of Law Enforcement approved salary incentive career development courses full-time certified members as defined in FSS 943.22 This benefit is also outlined in the Employee Handbook available from Human Resources.

H. Retirement Provisions

1. All paid Sheriff's Office members participate in the Florida Retirement System.

For a full explanation of benefits refer to the Florida Retirement System Handbook for the appropriate retirement class available from Human Resources or at the FRS web site: <http://www.FRS.state.fl.us/frs>
(Revised 11/2/11)

I. Health Insurance

Health insurance is available to all members of the Office through the Monroe County government. Actual benefits and costs to the member may change each year as the Board of County Commissioners negotiates new group health plans. Current benefits and costs may be obtained from the Human Resources Division. Full dependant coverage is also available.

J. Death Benefits – Law Enforcement Officers

The Risk Manager will compile a synopsis of death benefits available to members, which a copy will be provided upon request or to assist survivors in a line of duty death. This synopsis is to include at a minimum Federal, state, county and group benefits.

K. Holidays

The Sheriff's Office recognizes the following holidays:

- a. New Years
- b. Martin Luther King, Jr. Day
- c. President's Day
- d. Good Friday
- e. Memorial Day
- f. Independence Day (4th of July)

- g. Labor Day
- h. Columbus Day
- h. Veteran's Day
- i. Thanksgiving
- j. Day after Thanksgiving
- k. Christmas Day

(Effective 11-16-2006)

1. Members who are in shift work /designated positions shall be compensated for the following holidays to be paid annually with the second payroll in September.
 - a. New Years
 - b. Good Friday
 - c. Memorial Day
 - d. Independence Day
 - e. Thanksgiving
 - f. Day after Thanksgiving
 - g. Christmas Day
2. The remaining holidays shall be credited to the members vacation balance as the holiday occurs. The number of hours credited will be based on the number of hours in the members regular shift.
3. All other members shall receive compensation for the holidays as they occur.
4. Due to unusual operational needs the Sheriff may, at his discretion, approve a variation in the holiday schedule for members; the number of holidays approved, however, shall not exceed the number of holidays authorized by this directive.
5. When a designated holiday falls on a Saturday, the preceding Friday will be observed as the holiday. When a designated holiday falls on a Sunday, the following Monday will be observed as the holiday.
6. Should the holiday occur during personal leave, the member will not be charged with leave for that day.
7. School crossing guards shall be granted holidays as outlined by the Monroe County School Board. Other than summer break, those days in which school is not in session are deemed as paid holidays (these days are recorded for pay purposes under Holiday/Birthday). As a result of this, school crossing guards do not accrue annual leave and do not receive Sheriff's office scheduled holidays.

L. Wellness Award

1. The Wellness Award is intended to reward members for superior attendance and as an incentive to increase the effectiveness of the Agency.
2. Eligibility
 - a. In order to receive the award, the members must not have used any sick leave during the fiscal year. Contributions to the Sick Leave Pool are not considered as use of sick leave under this policy.
 - b. The member must have been employed for the entire fiscal year and,
 - c. Members on administrative leave, family medical leave, leave without pay, or in an academy do not qualify for the award

d. Members who are out of work due to an injury that is covered by worker's compensation are eligible for the award. Injury claims can be investigated by the worker's compensation insurance carrier for up to 120 days from the date of the notice of injury. Members whose claim is being investigated, are notified in writing that the investigation is taking place. Until this investigation is completed and the claim has been authorized, wellness awards will not be paid.

(Revised 12/15/09)

e. Members who transfer from one eligible position to another eligible position during the year will receive the award amount for the position held on the last day of the fiscal year.

f. Effective Period: To simplify absences, the beginning date for the fiscal year is adjusted to match the beginning pay period in October and end with the last pay period in September.

g. Positions: Based on an assessment of the positions critical and essential need to the Agency the Sheriff may designate varying amounts per position. Those amounts by position are:

\$1,000/\$500 Level (\$500 for those who miss no more than 1 day):

Road Patrol Deputy/Sergeant	Detention Deputy/Sergeant
Communications Officers and Call Takers	Aviation Pilot and Mechanic
Airport Deputy/Sergeant	Airport Security Technician

\$500 Level:

Law Enforcement sworn non-exempt members not mentioned above, to include

School Resource officers	Detectives
IA Investigators	Staff Inspectors
Civil Deputies	Court Security Personnel
Community Relations Deputies	
Law Enforcement Deputies not filling a post, etc...	

\$100 Level:

All administrative personnel and all FSLA exempt members

\$50 Level

School Crossing Guards.

3. Award Presentation: The award will be paid, at the latest, in September.

(Revised 10/29/10)

M. Leave

1. Annual Leave

a. Accrual Rates

Annual leave is accrued according to the number of years in service and class of the member. This rate is broken down into twenty-six (26) equal amounts, which accumulate through each of the twenty-six (26) pay periods in the year.

8 Hour Shifts	
2080 hours worked annually	
1 st Year	3.07
2 nd Year	3.39
3 rd Year	3.69
4 th Year	4.00
5 th Year	4.62
6 th Year	4.93
7 th Year	5.23
8 th Year	5.53
9 th Year	5.85
10 th Year	6.15

8.5 Hour Shifts	
2210 hours worked annually	
1 st Year	3.27
2 nd Year	3.60
3 rd Year	3.92
4 th Year	4.25
5 th Year	4.90
6 th Year	5.23
7 th Year	5.56
8 th Year	5.88
9 th Year	6.21
10 th Year	6.54

12 Hour Shifts			
2184 hours worked annually			
	2004	2005	2006
1 st Year	4.15	3.69	3.23
2 nd Year	4.57	4.60	3.55
3 rd Year	4.99	4.43	3.88
4 th Year	5.40	4.80	4.20
5 th Year	6.23	5.54	4.85
6 th Year	6.64	5.91	5.17
7 th Year	7.06	6.28	5.49
8 th Year	7.48	6.65	5.81
9 th Year	7.89	7.02	6.14
10 th Year	8.31	7.39	6.46

12.25 Hours Shifts			
2229.5 hours worked annually			
	2004	2005	2006
1 st Year	4.24	3.77	3.30
2 nd Year	4.67	4.41	3.63
3 rd Year	5.09	4.52	3.96
4 th Year	5.51	4.90	4.28
5 th Year	6.36	5.65	4.95
6 th Year	6.78	6.03	5.28
7 th Year	7.21	6.41	5.61
8 th Year	7.63	6.78	5.93
9 th Year	8.06	7.16	6.27
10 th Year	8.48	7.54	6.59

10 Hour Shifts			
2080 hours worked annually			
	2004	2005	2006
1 st Year	3.59	3.33	3.07
2 nd Year	3.95	3.67	3.39
3 rd Year	4.31	4.00	3.69
4 th Year	4.66	4.33	4.00
5 th Year	5.38	5.00	4.62
6 th Year	5.75	5.34	4.93
7 th Year	6.10	5.67	5.23
8 th Year	6.46	6.00	5.53
9 th Year	6.82	6.33	5.85
10 th Year	7.18	6.67	6.15

10.5 Hour Shifts			
2184 hours worked annually			
	2004	2005	2006
1 st Year	3.76	3.47	3.23
2 nd Year	4.13	3.82	3.55
3 rd Year	4.51	4.17	3.88
4 th Year	4.88	4.52	4.20
5 th Year	5.64	5.21	4.85
6 th Year	6.01	5.56	5.17
7 th Year	6.38	5.90	5.49
8 th Year	6.76	6.25	5.81
9 th Year	7.14	6.60	6.14
10 th Year	7.52	6.95	6.46

Exempt Staff	
No Progression	7.69

Part Time	
Vacation	0.0384
Sick	0.0462

b.

- Members desiring to use normal annual leave are required to submit a request to their supervisor at least thirty (30) days in advance of any effective date, or at the discretion of the Division Commander. In the event there is a duplication of annual leave requests that

were submitted simultaneously, seniority in rank shall be the determining factor. All other duplications of requests shall be determined by date of application and seniority shall not apply

- 2) Annual leave will be used only with supervisory approval.
- 3). Except in the case of an emergency in which there is insufficient time for a member to obtain supervisory approval before the beginning of the leave. In the case of an emergency the member shall make every effort to contact their immediate supervisor. If the supervisor cannot be contacted he may notify another supervisor within his command of the emergency need for leave. That supervisor is responsible to inform the member's supervisor of the situation.
 - a) When prior approval cannot be obtained by a member because of an emergency, the member's immediate supervisor may request the following:
 - (1) The member may be granted leave, provided the member has sufficient accrued credits to cover the absence, or
 - (2) The member may be placed on leave without pay for the duration of the absence.
 - (3) Should the member fail to report to work, without cause, for an absence of three (3) consecutive workdays, that member will be considered to have abandoned his/her position and to have resigned from the Sheriff's Office.

c. Unauthorized Leave

- 1) Should a member's request for leave be disapproved, and the member disregards this disapproval and takes unauthorized leave without notice, his/her supervisor will place the member on leave without pay.
- 2) After an unauthorized leave reaches three (3) consecutive workdays, the member will be considered to have abandoned his/her position and to have resigned from the Sheriff's Office.
 - a) If such a member returns to work prior to the end of the third consecutive workday, he/she shall be subject to disciplinary action.

d. Other Provisions

- 1) Upon reasonable notice and just cause, the Sheriff or his designee may require any member to use his/her accrued annual leave for vacation purposes.
- 2) Supervisors will ensure that leave schedules are developed in a manner, which precludes heavy concentration of scheduled leave for vacation purposes.
- 3) A member may use any or all of the accrued leave time that is reflected in his/her accrued account. At no time may a member go into a negative balance unless specific approval is given by the Sheriff.

e. Donation of Annual Leave

- 1) A member may donate all or any part of his/her accrued annual leave or compensatory leave to any other member, under the following guidelines:
 - a) A member receiving such a donation must have exhausted all of his/her accrued leave time, and must receive approval from the Bureau Chief prior to taking the donated leave.

This will be accomplished on the Vacation Donation Request Form located in Outlook under Finance. **(Revised 12/30/2011)**

- b) A member who wishes to donate annual leave time to another member must advise the Payroll Officer in the Finance Division via e-mail or in writing, including his/her name, the name of the intended recipient, and the number of hours he/she wishes to donate.
 - c) The Payroll Officer will compare the donating member's hourly rate of pay with that of the recipient, and will prorate the value of the donated time to match the recipient's rate of pay; that prorated time will be applied to the recipient's account.
- (1) Example 1: A member whose hourly rate of pay is \$10 donates eight (8) hours to a member whose hourly rate of pay is \$5.

Time Donated	Eight (8) Hours
x Donor's Hourly Pay	x \$ 10
-----	-----
Value of Time Donated	= \$ 80
/ Recipient's Hourly Pay	÷ \$ 5
-----	-----
Hours Applied to Recipient's Account	= 16 hours

- (2) Example 2: A member whose hourly rate of pay is \$6 donates four (4) hours to a member whose hourly rate of pay is \$8.

Time Donated	Four (4) Hours
x Donor's Hourly Pay	x \$ 6
-----	-----
Value of Time Donated	= \$ 24
/ Recipient's Hourly Pay	÷ \$ 8
-----	-----
Hours Applied to Recipient's Account	= 3 hours

MCSO Vacation donation request form is located in Outlook under Forms.

(Revised 1/15/13)

2) Unused Banked Annual Leave

Members are allowed to accrue annual leave to be used at a future date. On an annual basis all hours in a member's annual leave account which are in excess of the amount allowed will be moved into his/her sick leave account. This rollover determination will be based on the annual leave report for the last pay period ending in September. The allowed amounts are outlined below:

- 1) Non-bargaining members - 320 hours.
- 2) Corrections Bargaining members-The allowed amount is outlined in their current contract.
- 3) Law Enforcement Bargaining members-The allowed amount is outlined in their current contract.

(Revised 10/29/10)

3) Payment of Earned Annual Leave

- 1) A member with at least six (6) months or more of satisfactory continuous and creditable service, who separates from the Office in good standing, shall be paid for all unused annual leave as of the date of separation. Such compensation may be made at the member's current hourly rate of pay.

- 2) In the case of the death of a member, payment for unused annual leave at the time of death shall be made to the member's beneficiary or estate or as provided by law. Such payments shall be made at the hourly rate of pay at the time of death.
- 3) In no case shall a member receive payment for accrued annual leave in excess of an amount equal to his current earned annual leave.

2. Sick Leave

a. Sick Leave Accrual Rates are as follows:

8	Hour Shift	3.69
8.5	Hour Shift	3.92
10	Hour Shift	4.61
10.5	Hour Shift	4.85
12	Hour Shift	4.85
12.25	Hour Shift	5.65

- 1) Part-time members shall earn sick leave credits proportionate to the time worked, as compared to the established full-time rate of one regular workday per month.
 - 2) Members who work less than a full pay period shall earn proportionate sick leave credits for the hours worked during that pay period.
 - 3) During approved leaves of absence with pay, a member shall continue to earn sick leave credits.
 - 4) Sick leave earned during any period shall be credited to the member on the last day of the period or, in the case of separation from the Office, on the last day the member is on the payroll.
 - 5) There shall be no limit on the number of hours of unused sick leave a member may accrue.
 - 6) Any member who goes into the negative on accrued sick leave shall be on leave without pay.
- b. Use of Sick Leave
- 1) Use of sick leave shall not be authorized prior to the time it is earned and credited to the member, and shall be used only with the approval of the Sheriff or Sheriff's designee.
 - 2) Sick leave may be authorized only for the following purposes.
 - a) Illness, exposure to a contagious disease which would endanger others, or injury to the member or their immediate family. Illness shall include disability caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery there from.
 - b) Appointments with a doctor, dentist, or other recognized practitioner when it is not possible to arrange such appointments for off-duty hours for the member or their immediate family.
 - 3) Notification of absence due to sick leave use shall be given to the member's supervisor or the on duty supervisor at least three hours prior to start of duty shift. **(Revised 9/10/13)**
 - 4) Upon request, a member shall be allowed to use accrued sick leave credits as provided in this section.

- a) Prior to authorizing a member to use sick leave credits, the Sheriff or Sheriff's designee may require the member to certify that the absence was for reasons which are justified.
 - b) After three (3) workdays of absence in any month, the Sheriff or Sheriff's designee may require member may be required to submit a medical certification of the member's illness before authorizing any additional use of sick leave credits by the member.
(Revised 12/30/11)
 - c) If a medical certification furnished by a member is not acceptable to the Sheriff, the Sheriff may require the member to submit to a medical examination paid for by the Office.
 - d) If a member's health is evaluated as unfit for work, only the Sheriff may allow the member to use accrued sick eave credits until such leave has been exhausted or until the member is able to return to work, whichever occurs first. If such a member is unable to return to work after all sick leave has been exhausted, the member may be allowed to use any accrued compensatory and/or annual leave credits before being placed on leave without pay.
 - e) Any member who refuses to comply with these rules shall not be eligible to use accrued sick leave or other leave credits.
- 5) A member who becomes ill while on approved annual leave shall be allowed to use accrued sick leave to cover the period of illness; a member who is on any other type of leave, however, with or without pay, shall not be allowed to use sick leave credits while on that leave.
- 6) Any amount of sick leave credits used that is under a quarter-hour will be rounded to the nearest quarter-hour.
- c. Forfeiture and Compensation of Unused Sick Leave. (Revised 12/26/12)
- 1) A member who terminates with less than five (5) years continuous service shall not be paid for any unused sick leave credits.
 - 2) Members with varying years of continuous service shall, upon separation, from the Monroe County Sheriff's Office in good standing, death or retirement, receive incentive sick leave pay as follows:
 - a) 5 to 9 years of service- $\frac{1}{4}$, of up to 240 hours of accrued sick leave.
 - b) 10 to 15 years of service- $\frac{1}{2}$, up to 720 hours of accrued sick leave.
 - c) 15 years or more- $\frac{1}{2}$, up to 960 hours of accrued sick leave.
 - 3) The payments made as terminal pay for unused sick leave, whether paid as salary or otherwise, shall not be used in the calculation of average final compensation for retirement.
 - 4) Members who leave the Monroe County Sheriff's Office service without proper notice or who are terminated for just cause may be denied payment of accrued sick leave.
 - 5) If a member becomes permanently and totally disabled while working in-the-line-of-duty, the member will receive 25% of their sick time, up to 480 hours, upon resigning from the agency regardless of their time served.
 - 6) All rights and benefits under this directive shall be forfeited by any member, as outlined in 110.122, FSS, "Terminal payment for accumulated sick leave".
 - a) Who is found guilty in a Court of competent jurisdiction of committing, aiding, or abetting any embezzlement or theft from this Office or bribery if connected with his/her

appointment, committed prior to retirement or ten (10) years of normal creditable service;
or

- b) Whose appointment is terminated by reason of his/her admitted committing, aiding, or abetting embezzlement or theft from this Office or by reason of bribery or for cause; or
 - c) Who, prior to being vested in the Florida Retirement System, is adjudged by a Court of competent jurisdiction to have violated any State law against strike(s) by public servant(s); or
 - d) Who has been found guilty by a Court of competent jurisdiction of violating any State law prohibiting strike(s) by public servant(s); or
 - e) Who is found guilty in a Court of competent jurisdiction of a felony, regardless of length of creditable service; or
 - f) If a member's appointment is terminated as a result of an act committed subject to this section or for cause and is reappointed at a later date he/she will receive no credit for unused sick leave accumulated prior to termination.
- 7) The payments authorized by this section shall be determined by using the rate of pay received by the (member) at the time resignation is tendered, notice of retirement, termination, or death, applied to the sick leave time for which the (member) is qualified to receive terminal "incentive pay" under the rules adopted pursuant to the provisions of this section.

3. Sick Leave Pool

a. Membership and Participation

- 1) In order to be eligible for membership in the sick leave pool, a member must:
 - a) Be a full-time member of the Monroe County Sheriff's Office; and
 - b) Members must be in the Sick Leave Pool for one year after enrollment to be eligible to receive hours. **(Revised 4/15/13)**
 - c) Members must remain in the Sick leave Pool for one year after utilizing hours. **(Revised 4/15/13)**
 - d) Have a minimum of forty-eight (48) hours of sick leave accumulated at the time of application and;
 - e) Complete the application form and contribute an initial eight (8) hours of sick leave to the pool. (See Appendix B)
- 2) Participation in the sick leave pool is at all times voluntary, and the participating member may withdraw at any time by written notice to the administrator. Any sick leave contributed by the member to the sick leave pool is forfeited by the member to the pool. Upon withdrawal or expulsion from the pool, the administrator shall immediately amend the roster of participating members.
- 3) Lying to or misleading the sick leave pool committee, and/or failure to immediately return to active duty is an example of abuse of sick leave. Allegations or evidence of abuse will be investigated and the member may be subject to Office discipline.

4) Hours contributed to the pool are for use by MCSO pool members only. No contributions for a specific illness or position will be accepted. The sick leave pool is monitored by the Finance Division where the decision may be made to require each member to donate an additional uniform amount of sick time, should the number of hours in the pool reach or approach a level that is, or could quickly become, too low to serve all pool members, based on the pool's history. **(Revised 12/30/11)**

a) All annual and sick leave hours accrued during a member's absence on sick pool leave time are deducted as part of the leave and the sick pool is only charged with the actual hours needed to allow the member a full pay check.

Example: A member utilizes all accrued annual leave, sick leave, and compensation time, and is approved for eighty, (80) hours of sick pool time. During that eighty (80) hour absence, the member accrues two and one-half (2.5) hours of sick leave and two and one-half (2.5) hours of annual leave. The five (5) hours of accrued time would be deducted from the eighty (80) hours of sick pool time and the member would only be charged for using seventy-five (75) hours of sick pool time, bearing in mind that no employee of the sick leave pool can draw more than two hundred forty (240) hours in a fiscal year.

5) If the member has not been eligible for the sick leave pool, he/she may, at discretion of only the Sheriff, be allowed to go into the negative under circumstances and to the extent authorized by the Sheriff, provided the member has used all of his/her compensatory time, special compensatory time, special compensatory time, annual leave, and sick leave, prior to going into a negative balance.

6) If the member has not been eligible for the sick leave pool, he/she may, at discretion of only the Sheriff, be allowed to go into the negative under circumstances and to the extent authorized by the Sheriff, provided the member has used all of his/her compensatory time, special compensatory time, special compensatory time, annual leave, and sick leave, prior to going into a negative balance.

7) All requests to incur a negative sick leave balance shall be in writing and submitted via chain of command to the Sheriff.

b. Administration (Revised 12/30/11)

1) A committee shall be responsible for overseeing the sick leave pool. The committee shall consist of the Human Resources Executive Director, Finance Executive Director and Inspector General. The Human Resources Executive Director shall administer the Pool. The administrator will;

a) Maintain an accurate record regarding all actions of the pool; and

b) Investigate alleged abuse of the sick leave pool; and

c) Meet on a regular basis with the committee to review all pertinent matters brought before the administrator and/or the committee; and

d) Establish the criteria for the use of the sick leave pool and determine that the criteria are met for each request; and

2) Nothing contained in this policy shall relieve a supervisor of his/her duties related to use of sick leave as mandated by the Operations Manual and General Orders.

c. Transfer of Sick Leave hours

- 1) As a general rule no sick leave accumulated by an applicant, while employed with another government entity, will be accepted upon employment with the Sheriff's Office.
- 2) The Sheriff may waive this rule on a case-by-case bases when necessary in recruiting individuals essential to the mission of the Office.

d. Maintenance of the Sick Leave Pool

- 1) When two hundred eighty (280) hours have accumulated in the sick leave pool, the pool will be activated by the use of eligible participating members.
- 2) The pool will be considered depleted when there are fewer than one hundred twenty (120) hours of leave time in it. Whenever the pool is depleted, each participating member shall contribute an additional eight (8) hours of sick leave to the pool in order to remain eligible for membership in the pool.
- 3) If the participating member's individual sick leave balance is less than eight (8) hours at the time the pool is depleted, he/she shall contribute all hours accumulated and incur a negative balance of no more than eight (8) hours until the remaining hours are credited by the member.

e. Use of Sick Leave Pool **(Revised 12/30/11)**

- 1) The member must submit their request on the Sick Leave Pool Request Form (see Appendix B), accompanied by the most recent pay stub showing all other leave has been exhausted and physician's documentation that the employee is not able to return to work via the chain of command to the leave pool administrator.
- 2) The leave pool administrator will confirm the need for any amount of leave to be granted to the applicant with the member's Commander.
- 3) The applicant will be notified in writing of the decision of the committee.
- 4) A member who is on leave without pay shall not be eligible to receive sick leave time from the pool.
- 5) No member shall be eligible to use time from the sick leave pool until all of that individual's annual / vacation and compensatory time has been used.
- 6) No member of the sick leave pool may use more than two hundred forty (240) hours in any fiscal year.
- 7) Sick Pool Leave time can only be applied for and used after the member has exhausted all accumulated annual, sick and comp leave.
- 8) Sick Pool Leave may not be used for;
 - a) Cosmetic Surgery unless necessitated by an initial illness, accident, or injury.
 - b) Intentionally self-inflicted injuries.
 - c) Normal or uncomplicated pregnancy
 - d) Any injury, which falls within the purview of the Workers' Compensation law.
 - e) Family member's illness.

4. Compensatory Leave
(Revised 10/29/10)

- a. Comp Time - Any hourly member may sign a memorandum of understanding with the Office to participate in the compensatory-time-off program (Compensatory Bank – Comp Bank) in

lieu of monetary overtime compensation, at a rate of one and one-half (1.5) hours of compensatory time for each hour of overtime worked.

- b. A member who belongs to the Comp Bank and uses an accrued personal leave during the designated work period, and is required to work more than his/her scheduled hours, will receive the compensatory time earned at time-and-a-half
 - 1) All non-bargaining members may accumulate up to a maximum of seventy two (72) hours in their Comp Bank. Since compensatory time is accumulated at time-and-a-half, this is only forty eight (48) of actual overtime worked. Hours in excess of this amount, at the end of the applicable pay period, will automatically be paid as overtime earnings.
 - 2) All Corrections Bargaining members- will maintain Comp. Banks in accordance with their current contract provisions.
 - 3) All Law Enforcement Bargaining members- will maintain Comp. Banks in accordance with their current contract provisions.
- c. Due to the nature of the position, SRO's are allowed to accrue up to 100 hours.
- d. Compensatory hours earned are netted with compensatory hours taken at the end of the pay cycle (seven (7) days or twenty-eight (28) days); the net difference is multiplied by one and one half (1.5) and added to the beginning balance. If, however, the net difference is negative, it is added to the beginning balance (i.e., with ten (10) hours balance in the compensatory bank, if four (4) hours are earned and eight (8) hours are used, the net difference of *negative* four (-4) is added to the beginning balance for a total of six (6) hours remaining in the compensatory bank).
- e. Nothing in this section will prohibit the Sheriff from exercising his/her right to enter into written agreements with members, which exceed the hourly maximum limit established by this policy (maximum limit set by law is four hundred eighty (480) hours), so long as such an arrangement does not exceed the provisions established by the Federal government.
- f. Reduction of Banked Time — Compensatory hours banked by members should be used to supplement other leave the employee may use or be used independently to take time off at the members discretion.
 - 1) Any member promoted to an exempt position is required to use banked comp time before vacation time, since the member is no longer eligible to earn comp time.
 - 2) Supervisors must make every effort to permit employees to use earned compensatory leave within the parameters set forth in this section, as quickly as is mutually convenient for the Office and the member; at the same time, however, a member may be required to use his/her compensatory leave at any time.
 - 3) However, when the maximum allowable time is reached a supervisor may require the employee to reduce the banked time as follows,
 - a) A supervisor may direct a member who has the maximum allowable time in their comp bank to reduce the amount of banked time, at their leisure, within thirty, (30) days.
 - b) If the member fails to reduce their banked time after thirty days the supervisor may order the member to; in increments of not less than one-half the members shift per day, take time off as comp.
 - 4) Transfer of Comp Time from employment with another Government Agency

No compensatory time accumulated by an applicant, while employed with another government entity, will be accepted upon employment with the Sheriff's Office.

5. Family and Medical Leave / Maternity Leave

- a. Members may be granted leave in accordance with Family and Medical Leave Act of 1993 (FMLA).
- b. Leave may be taken upon the birth of a member's child; upon placement of a child with the member for adoption or foster care; when the member is needed to care for a child, spouse, parent or a domestic partner who has a serious health condition; or when the member is unable to perform the functions of his/her position because of a serious health condition.
- c. The maximum leave time will be twelve (12) weeks (see below schedule). Leave time will be calculated based on the member's sick leave accrual rate as reflected in the schedule below.

8	Hour Shift	480 Hours Maximum
8.5	Hour Shift	510 Hours Maximum
10	Hour Shift	480 Hours Maximum
10.5	Hour Shift	504 Hours Maximum
12	Hour Shift	504 Hours Maximum
12.25	Hour Shift	513 Hours Maximum

- d. Members taking paid family medical leave shall be required to use all available hours of each category of leave in the order they are listed below:
 - 1) Comp time
 - 2) Sick time
 - 3) Vacation time
 - 4) Application to sick pool
- e. The Sheriff may grant the balance as unpaid leave to total twelve (12) weeks including the time taken as paid sick, compensatory and/or vacation time.
- f. To be eligible for family and medical leave a member must:
 - 1) Have been employed for twelve (12) months prior to request.
 - 2) Worked at least 1250 hours (full time members) or 625 hours (part time members) in past year prior to request.
- g. Request for family medical leave must be submitted thirty (30) days prior to date leave is taken. If this is not possible, then the member must give as much notice as is practical.
- h. Copies of all request and decisions should be forwarded to the Human Resources Division for processing.
- i. Members will be required to provide a doctor's certification of the serious health condition, which necessitates the leave request.
- j. A member who takes leave will be able to return to the same position or a position with equivalent status and pay.
- k. Dependent coverage or other payroll deductions must be paid in full prior to use of leave time or paid to the Finance Division on Monday, prior to each pay date.

- i. Benefit hours (sick/vacation) and holiday pay will not accrue during periods of leave without pay.
- m. Intermittent leave or a reduced schedule will be permitted to the extent possible, for approved family medical leave. Intermittent or reduced schedule leave will be permitted for

the birth, placement or adoption of a child; the member must provide a 30 day notice prior to the leave.

- 1) The smallest unit of intermittent leave will be one hour.

Members who have exhausted FMLA and are not able to return to work may request up to ninety (90) days of Personal Medical Leave, the Sheriff MUST approve any additional time.

(Revised 12/30/11)

- n. Bargaining Unit Members

- 1) On-duty Injuries

- a) The member will be carried at full pay for a period of 90 days. After 90 days, the member may make up the difference between worker's comp and their regular salary by using accrued comp, sick and vacation time, or use donated vacation hours from fellow Office members. If the member is unable to return to work after six (6) months the position will be posted.

- 2) Off-duty Injuries

- a) After Family Medical Leave (FMLA) is exhausted (12 weeks) and the member is unable to return to work, the position will be posted.
- b) If the member is unable to return to work after FMLA is exhausted, the member may use accrued comp, sick and or vacation time, apply to the Sick Leave Pool or used donated vacation hours from fellow Office employees.
- c) After FMLA is exhausted, the member must have a minimum of 25 hours per week in order to maintain full-time status
- d) When a member is no longer able to maintain full time status, they may put in for a transfer to another position, at the appropriate rate of pay for that position, resign or retire if applicable.

- o. Non-Bargaining Unit Members

- 1) On-duty Injuries

- a) The member will be carried at full pay for a period of 90 days. After 90 days, the member may make up the difference between worker's comp and their regular salary by using accrued comp, sick and vacation time, or use donated vacation hours from fellow Office members. If the member is unable to return to work after six (6) months the position will be posted.

- 2) Off-duty Injuries

- a) After Family Medical Leave (FMLA) is exhausted (12 weeks) and the member is unable to return to work the position may be posted based on the supervisor, director or commander's recommendation. The recommendation shall be forwarded to the Sheriff via the Chain-of-Command. Regardless of the decision to post, the member may use accrued comp, sick or vacation time, apply to the Sick Leave Pool or use donated vacation hours from fellow Office members.
 - b) The member must have a minimum of 25 hours per week in order to maintain full time status.
 - c) When a member is no longer able to maintain full time status, they may put in for a transfer to another position, at the appropriate rate of pay for that position, resign or retire if applicable.
 - p. If the member does not intend to return to work, the member is obligated to submit a timely resignation prior to requesting any form of leave.
 - q. Members who are on family medical leave, either paid or unpaid are not eligible to work overtime or extra-duty details.
6. Pregnancy of Sheriff's Office Members - the Sheriff's Office recognizes each individual's personal right to make decisions regarding family planning, and each individual's responsibility for those decisions.
- a. Pregnant members may use Family Medical Leave as may be applicable.
 - b. Pregnant members may also request a light-duty position for the duration of the pregnancy. The pregnancy in and of itself is not justification for a light-duty assignment. Refer to the Light-Duty Policy (P)
 - c. The pregnant member may elect to work to the full term of the pregnancy if medically capable of doing so.
 - d. Pregnant members on Family Medical Leave and Light-Duty are not permitted to participate in the take home car program or take any law enforcement action.
 - e. The Sheriff's office will provide oversized or maternity uniforms and belts as the member's pregnancy advances to the stages of needing them.
7. Military Leave **(Revised 12/30/11)**
- a. Members of the Sheriff's Office who are members of the United States Armed Forces Reserve or the Florida National Guard will receive administrative leave with pay, up to seventeen (17) calendar days in any fiscal year, for monthly training, annual field training and active duty service. The employee will retain military earnings.
 - b. For monthly training, a member shall request administrative leave with pay and attach a copy of their orders/letter(s) to the request. A supervisor shall approve this request. A copy of the approved request shall be forwarded to the Finance Division- Payroll.
 - c. For annual training, an employee must request administrative leave with pay and attach a copy of their orders/letter(s) to the request. This request shall be made at least two (2) months prior to the annual training, and approved through the chain-of-command to the Undersheriff. A copy of the approved request shall be forwarded to the Finance Division- Payroll.
 - d. If ordered to active duty, the member shall request administrative leave with pay and attach a copy of their military orders/letter(s) to the request. This request shall be approved through

the chain-of-command to the Undersheriff. A copy of the approved request shall be forwarded to Payroll. If the active duty extends beyond the seventeen days, or portion thereof, leave without pay will be granted extending ninety (90) days beyond the date of separation from the military service.

- e. Members separated from the military service must request reinstatement within ninety, (90) days of discharge. The Office may require the returning member to undergo a physical examination and psychological examination by licensed professionals accordingly, to determine fitness to perform the duties of the position.
- f. Members will receive credit for unused leave benefits accrued prior to military leave upon reinstatement to the position.
- g. In the event a member volunteers for, or accepts, an additional tour of military duty, all Office reinstatement rights will be forfeited.

8. Administrative Leave

a. Court Attendance

- 1) Members subpoenaed as prospective jurors or witnesses in any matter before the Court will be granted leave with pay or paid pre-approved overtime under the following conditions:
 - a) Members who are summoned to attend Court as a juror or subpoenaed as witnesses in non-departmental matters (personal litigation excluded) during designated duty hours will be excused from their regularly assigned duties.
 - (1) Members will record this time on their time sheets as "administrative leave with pay".
 - (2) Members are required to turn over any fees received as a result of this appearance to the Finance Division of the Sheriff's Office for proper deposit in the general fund. All checks so submitted must be marked "Make Payable to MCSO" and endorsed by the employee.
 - (3) If a member is excused from service of the Court during his/her regularly scheduled hours, he/she shall return to work. No overtime shall be paid if the member has to remain longer than the scheduled hours.
 - (4) Mileage paid by the Court system shall be reimbursed to the member at the rate paid on the Court's check only if the employee used his/her personal vehicle.

- b. Sheriff's Office members who are subpoenaed to appear during their designated duty hours as witnesses in departmental matters shall be excused from their assigned duties. Sheriff's Office members who are subpoenaed to appear during their off-duty hours as witnesses in departmental matters shall record the time on their time sheets as "pre-approved overtime", bearing in mind that minimum call-out time of two hours per call-out.

- (1) Members shall record their Court appearances during designated duty hours on their time sheets as "administrative leave with pay"; members appearing in Court during their off-duty hours shall record the time on their time sheets as "pre-approved overtime".
- (2) Members are required to turn over any fees received as a result of this appearance to the Finance Division of the Sheriff's Office for proper deposit into the general fund. All checks so submitted shall be marked "Make Payable to MCSO" and endorsed by the member.

- (3) If a member is excused from service of the Court during their regularly scheduled duty hours, he/she shall return to his/her regularly scheduled duties. If the member is held by the Court longer than his/her scheduled hours, he/she will be compensated in accordance with overtime rules.
- (4) A travel voucher will be required for compensation of mileage or per diem claimed in accordance with State Statute.
- c. Whenever a member is a defendant or litigant in a personal suit, administrative leave with pay will be denied unless such litigation is the result of an act performed by the member as part of his/her official duties within the Office.
- d. Voting Privileges - Members residing at such a distance from their assigned work locations that such a distance may prevent their exercising their voting privilege may be authorized a maximum of two (2) hours leave with pay for that purpose.
- e. Examinations or Promotional Testing - a member may be granted leave with pay in order to participate in promotional examinations or other matters as determined by the Sheriff.

9. Bereavement Leave -

In the event of a death in a member's immediate family, the member may be granted administrative leave with pay during the time of bereavement. The maximum time allowed is five consecutive days, including any normal days off. "Immediate family" is defined as mother, father, brother, sister, child, stepchild, husband, wife, grandparent and domestic partner (if a "domestic partnership resolution" has been established and is on file with the Monroe County Employee Services Division Benefits Office and verified by the Human Resources Division). "Immediate family" also includes in-laws within the above-described relationships.
(Revised 04/28/10)

10. Emergency Leave - For emergencies, a member may utilize annual leave or compensatory leave. If none is available in the employee's account, he/she may request donations of annual leave from other members. (See General Orders Chapter 9).
(Revised 04/28/10)

N. DROP Retirement / Re-employment

Revised 08/19/2009

Members who have retired under the Florida Retirement System (FRS) DROP Program who wish to be re-employed by the Office are governed by the following.

1. Conditions of DROP Re-employment:

- a. The member retires under the conditions of the DROP Program.
- b. Members are eligible for re-employment with the Office with the following conditions:
 - 1) The member must be separated from the Office in a retired status for the statutory minimum length of time.
 - 2) The member is considered a new applicant.
 - 3) Members retiring under DROP do not retain any rank at time of retirement.
 - 4) The retired member may apply for any vacant position, including the one they previously held at time of retirement, if that position does not require a promotional test and is vacant at the time of the re-hire., unless otherwise provided for in a collective bargaining agreement.

- 5) The member may be required to submit to pre-employment testing including, but not limited to, drug testing, polygraph, and a physical examination.
- 6) No abridgement of time will occur for the purpose of salary, shift bid or promotional opportunities. Members may apply for open positions, for which they are qualified and have successfully completed the required training and testing.
- 7) The member must be re-employed for eighteen (18) months prior to being eligible to take any promotional exam, unless otherwise provided for in a collective bargaining agreement.
- 8) Upon rehire, the applicant will be given credit for their experience for salary purposes. The credit given to these re-employed members will be consistent with the practices applied to all new applicants, unless otherwise provided for in a collective bargaining agreement.
- 9) Accrual rates for all leave will be the same as for a new member.
- 10) Re-employed members will be eligible for Family Medical Leave and participation in the Sick Leave Pool as detailed in those sections of this policy.
- 11) All FRS rules and regulations and all terms of an applicable collective bargaining agreement in effect at the time of the member's re-hire will govern the terms of that re-hire.

O. Hurricane Duty or Declared Public Emergency Duty
(Revised 12/30/11)

1. All certified and essential members are required to remain on duty in the event of a hurricane or other declared public emergency.
 - Certified members include both certified law enforcement and certified corrections deputies.
 - Essential members include communications division members and airport security technicians.
 - All other members questioning their designation and responsibilities during Emergency Leave must contact their Bureau Chief via chain of command to confirm their status. All approvals will be in writing and a copy of the approval will be maintained in the Human Resources Division.
 - The Sheriff or his designee reserve the right to designate positions required to stay during a public emergency on an "as needed" basis.
2. Exemption for Certified and Essential Members
 - a. However, if there are extenuating circumstances, the Office will consider requests for exemption from Hurricane Duty.
 - b. Extenuating circumstances may include, but are not limited to: (must provide proof)
 - 1) Single parent households where the other custodial parent lives outside Monroe County
 - 2) Primary care givers for elderly parents
 - 3) Medical condition precluding Hurricane Duty – must be certified by a physician each year.
 - 4) Households, with dependents, in which both spouses are certified / essential members of the Office.

- c. Exemption Forms – are available from Human Resources and will be distributed by May 1st each year. (See Appendix C)
 - d. The Exemption Form must be completed, reviewed and signed by the member's commander and returned to Human Resources by no later than May 21st each year.
 - e. The Hurricane Exemption Review Committee will consist of:
 - 1) Executive Director of Human Resources
 - 2) Executive Director of Finance
 - 3) Inspector General
 - 4) **Bureau of Corrections Representative**
Revised 07/10/09
 - f. The Committee will review the request. Any Committee member may request additional information from the requesting employee.
 - g. Decision Notification
 - 1) The Committee will provide a list of approved and denied exemption requests to the Sheriff for dissemination to all Commanders.
 - 2) The Committee will provide a written notice to the member if the request was approved or denied prior to the last week in May.
 - h. Certified or essential members hired during hurricane season
 - 1) Such new hires will be advised of this policy and offered the opportunity to submit an exemption request.
 - 2) This will be done during the new hire session.
 - 3) If the member wishes to submit an exemption form, the form must be returned within 10 days of receipt for review by the Committee.
 - i. Members Granted an Exemption
 - 1) Members granted a Hurricane Duty Exemption will be released from duty as soon as a Mandatory Evacuation Order has been issued.
 - 2) Exempted members are required to return to Monroe County and contact their Commander for duty assignment as soon as entrance back into the area is permitted.
 - 3) Absence from duty under the exemption shall be annual or compensatory leave.
 - 1) Once a member is granted an exemption they are expected to evacuate when such an order is given and will not be considered for duty until after the hurricane passes and entrance back into the area is permitted.
 - j. Members Denied an Exemption – Any employee who has, applied for an exemption and been denied or has not applied for an exemption and leaves the county or otherwise does not report for duty as assigned will be subject to termination.
3. Members Required to Remain During Hurricane or Declared Public Emergency– Compensation.
- Compensation during this period is covered by Chapter 9 C.

4. Non-Sworn Members Not Required to Remain During Storm

- a. Members will be released from duty as soon as a Mandatory Evacuation Order has been issued or the Sheriff decides to suspend administrative operations.
- b. Members are required to return to Monroe County as soon as entrance to the County is permitted. Immediately following the storm employees are required to contact their supervisor for a duty assignment. Should the member be unable to contact their direct supervisor they are required to continue up their chain of command until contact with the command structure has been established.
- c. Absence from duty as a result of a Mandatory Evacuation Order shall be recorded on the timesheet as Administrative Leave with Pay. This status will continue until the Evacuation Order has been rescinded or the Sheriff reopens for normal business operations.

P. Workmen's Compensation

The Monroe County Workmen's Compensation Section shall be responsible for all workers compensation claims arising out of any work-related injury sustained by any member.

1. Medical Care / Internal Notification

- a. Should a member become injured while on duty, it shall be the member's supervisor's responsibility to:
 - b. Emergency Cases
 - 1) In emergency cases, the employee shall be transported to the nearest hospital. As soon as practical, the employee's supervisor will notify his/her Division Commander and/or Director, the Sheriff's Office Risk Manager (on call twenty-four hours a day for this purpose) and any other appropriate Commander regarding the employee's injury(s).
 - 2) Workmen's Compensation Notification – see "Workmen's Compensation Notification – Written" (III,O,2) below

c. Non-Emergency Cases

- 1) In non-emergency cases, the supervisor will notify his/her Division Commander and/or Director, and the Sheriff's Office Risk Manager of the member's injury(s).
- 2) Prior to a physician visit, if necessary, the member must contact the Risk Manager to obtain authorization and the name of the designated physician for the treatment.
- 3) Workmen's Compensation Notification – see "Workmen's Compensation Notification – Written" (III,H,2) below
- 4) This is to include exposure to blood borne pathogens.

2. Workmen's Compensation Notification – Written

- a. The supervisor of any member injured in the line-of-duty must forward IMMEDIATELY a Notice of Injury packet and any other associated documentation required by the Workmen's Compensation carrier and the Sheriff's Office to the Risk Manager regardless of the extent of injury.

- b. The Notice of Injury packet will consist of:
 - 1) Notice of Injury form – First Report of Injury or Illness: Florida - Division of Worker's Compensation, form# LES Form DWC-1 (11/94)
 - 2) Monroe County Accident/Incident Investigation Report
 - 3) Monroe County Sheriff's Office Incident Report, to include when applicable, statements, photographs, etc...
 - 4) Exposure Form when blood borne pathogens are involved.
- 3. Workmen's Compensation Leave (Disability Leave)
 - a. The Disability leave referred to here is administrative leave as a result of a job-related injury.
 - b. For an absence to be considered and compensated by Worker's Compensation, an authorized physician must submit in writing the diagnosis and length of time the member is expected to be unable to work. If an individual is released back to duty and subsequently calls in sick due to the prior sustained injury, an additional authorized physician's note must be provided, even for one day.
 - c. An authorized physician is a physician who is designated by the Monroe County Workmen's Compensation Section. The original physician's note must be forwarded to the Risk Manager for processing and follow up. The supervisor should maintain a copy of the physician's note to be attached to the member's time sheet.
 - d. Any physical condition that is self-inflicted, caused by negligence of the member, due to violation of Office safety rules, or caused by another person for reasons personal to the member and not because of appointment, will not be considered as duty-related.
 - e. The Sheriff may request medical and other evidence in order to determine the current status and progress of the member's ability to perform meaningful duties within the Office.
 - f. Compensation During Disability Leave
 - 1) Members sustaining a service connected injury, shall be compensated in the following manner:
 - a) As per Florida State Statute 440.15 (12) – "Any law enforcement officer who, while acting within the course of employment, is maliciously or intentionally injured and who thereby sustains a job-connected disability compensable under this chapter shall be carried in full-pay status rather than being required to use sick, annual, or other leave. Full-pay status shall be granted only after submission to the employing agency's head of a medical report, which gives a current diagnosis of the member's recovery and ability to return to work. In no case shall the member's salary and workers' compensation benefits exceed the amount of the member's regular salary requirements."
 - (1) Members wishing clarification on whether their injury falls under this portion of the policy should provide a written statement which details the circumstances surrounding the injury. This statement should be provided to the Bureau Chief of Administration, via chain of command.
 - b) For all other injuries, the Monroe County Sheriff's Office will pay the difference between workers' compensation benefits and the member's regular salary, taking into account the tax-free nature of workers' compensation benefits, for a period of 90 calendar days after injury.

(1) After 90 days, a member may elect to receive payment of the difference between workers' compensation and the regular salary of the member by using all available hours of category of leave in the order listed below:

- (a) Comp time
- (b) Sick time
- (c) Vacation time
- (d) Application to Sick Pool

- g. When the member has exhausted all available leave or has been out for a period of six months the member will receive only the Worker's' Compensation benefits and their position may be filled.
- h. Under no circumstance will a member be allowed to sell accrued leave to earn in excess of their normal bi-weekly pay.
- i. Any check(s) received by the member from the Monroe County insurance carrier for wages are not to be cashed by the member, they shall be marked "Make Payable to MCSO" and endorsed by the member and promptly forwarded to the Finance Division.
- j. Personal leave and other benefit credits will continue to accrue during any period of time a member is on disability leave for an on duty injury.

Q. Non-Work Related Illnesses/Injuries or Temporary Disabilities (Light Duty)

1. The Office recognizes the need to accommodate members who have had a non-work related injury, illness or temporary disability with a light duty assignment to compliment and facilitate the healing process. This policy does not limit or deny the members rights under the Family and Medical Leave Act or the Americans' with Disability Act.
2. Eligibility is restricted to those member's who meet all of the following criteria;
 - a. Been temporarily disabled.
 - b. Been approved by the treating physician to be a candidate for light duty.
 - c. Been employed with the Office for twelve months prior to the injury.
 - d. Worked at least 1250 hours (full time members) or 625 hours (part time members) in the past 12 months prior to the request.
3. If the member is not eligible he/she may use all available accrued leave.
4. When all leave is exhausted the member must return to full duty. If the member cannot return to their position he/she may resign or accept another position within the agency, if available, which accommodates their physical work abilities, with the appropriate pay adjustment.
5. Light duty assignments are limited to 90 days from the date of injury/illness or disability. During the member's light duty assignment the member's salary and accrual rates will remain the same.
 1. The member requesting a light duty assignment will have the treating physician complete the physician's statement form (Appendix A this chapter). This form will outline the member's functional limitations and provide an expected date the member will be able to return to full duty. The completed physician's statement form will be submitted to the Executive Director of Human Resources via the Chain-of-Command. The Office reserves the right to obtain a second opinion from a physician of its choosing.

2. Human Resources will, upon receiving the request, search for a light duty assignment that accommodates the restrictions placed by the treating physician and fulfills the needs of the Office.
3. Human Resources will notify the member and the Commander/Director of the light duty assignment identified.
4. If a light duty assignment can not be identified the member will be notified and may discuss leave options with their immediate supervisor.
5. Members on light duty will be required to work their normal amount of hours unless otherwise stated on the physician statement form. If the physician indicates the member is not able to work their normal amount of hours they will be compensated for the hours they are able to work. Accrual rates for leave benefits will be based on the number of hours the individual is paid.
6. Sworn members on light-duty shall not take any law enforcement actions.
7. The member will be required to use his/her accrued leave time for medical appointments while on light duty. If the member does not have any accrued leave time the leave will be without pay.
8. The member will continue to accrue sick and vacation time and all other benefits in accordance with current policy and procedures while on the light duty assignment.
9. If at the end of the 90 days light duty assignment the member is not able to return to their normal duty assignment he/she may:
 - a. Use accrued leave, compensatory time, and/or apply to the sick pool.
 - b. Accept another position which they can reasonably complete given their limitations. The salary of the affected individual will be changed to the level of their new position giving them credit for their years of service with the Office.

R. Personnel Support Services

Inquiries and information on employee benefits and help for members and their families in cases of injury or death may be directed to the Monroe County Employee Benefits Division. Members should refer Chapter 53 ("Victim / Witness") and Chapter 37 ("Line-of-Duty Death").

S. Liability Insurance

It is important that the Sheriff's Office have a liability protection program regarding protection for the Sheriff and Office personnel when civil claims arise as the result of the operations of Sheriff's Office vehicles, or action of personnel in the course and/or scope of their appointment.

The Sheriff will provide insurance protection for the Office and for all Office members. The insurance will provide coverage for general liability with extensions for errors and omissions, false arrest, assault and battery, excessive force, personal injury, civil rights, etc. Insurance coverage may include, but is not limited to:

1. Auto Accidents - The MCSO shall maintain automobile insurance coverage to provide protection for claims, which may arise against the Office of the Sheriff.
2. Property Damage Claims - With regard to property damage claims, the MCSO is a self-insured agency.

3. Personal Injury Claims - Personal injury protection for MCSO personnel is provided through the MC Worker's Compensation claims policy. Under Worker's Compensation, personnel are compensated for time off due to injuries suffered in the line of duty.
4. Other liability situations - In accordance with Florida law, the Sheriff's Office shall have the option to pay legal costs and attorneys' fees to personnel from any cause of action brought against them which arises due to the course and scope of the appropriate performances of their duties.
5. The Sheriff's Office legal counsel shall provide legal and factual analysis of potential civil liability situations as they occur. Additional legal counsel may be retained on a case-by-case basis to defend the Sheriff's Office and personnel against civil suits.
[FCAC 3.05]

Further information on liability insurance can be obtained from the Risk Manager.
[CALEA 16.3.7, 22.2.2d; FCAC 3.05]
(Effective 6-8-2009)

T. Resignation Policy

1. When any member makes the decision to leave the employ of the Monroe County Sheriff's Office, he/she must communicate this decision to his/her immediate supervisor in writing at least 14 calendar days prior to the last scheduled day of work. The resignation memo must include, at the least, the reason for leaving and the last scheduled day of work. This memorandum should be copied to the Executive Director of Human Resources.
2. Upon receipt of the memorandum, the immediate supervisor should meet with the employee to determine if there is any reasonable accommodation (i.e. change in work schedule, reassignment of duties), which could be made to encourage the member to remain with the agency. This conversation should be documented on the original resignation memorandum and forwarded through the chain of command to the Human Resources Division.
3. Should the member give a notice of less than 14 calendar days, a notation will be made in the personnel file that office policy was not followed in this matter. This information will be made available to anyone requesting an employment reference.
4. In certain cases it may be in the best interest of the agency to request that the member leave immediately upon tendering his or her resignation instead of working through to the last scheduled day. In the event that this is deemed necessary by the Sheriff, the member will be compensated as being on Administrative Leave With Pay for the difference in time between the effective resignation date provided by the employee and the date the Sheriff determines is the last day of work. The employee's personnel file will note that the member did follow office policy in this matter.
5. Members resigning from the agency will be paid for any unused accrued vacation or sick time according to agency policy.

U. Physical Examinations and Fitness

1. Physical Examinations - Once annually, each sworn member will undergo a physical examination by a licensed physician.
 - a. Each sworn certified member shall consider his/her initial date of appointment as the date for his/her annual physical examination. Members become eligible for this program one calendar year from their dates of hire.

- b. The Human Resources Division shall notify each member at least four (4) weeks prior to his/her anniversary date that the member is due for the annual physical examination. Along with the notification, the "Physical Examination Form" required by the Office will be forwarded to the member.
- c. The Sheriff's Office contracts with doctors' offices that will perform these physical examinations at no cost to the employee. Members are encouraged to take advantage of this arrangement, but may use other doctors of their own choosing; should a member elect to use a doctor other than one with which the Sheriff's Office has a contract, that member is responsible for payment to that doctor's office, and the following procedures must be followed:
 - 1) The member must have his/her physician complete the required Office form.
 - 2) The member must sign, date and submit the invoice from the physician. By signing and dating the invoice, the member is certifying that he/she did expend funds for the examination.
 - 3) The member shall submit the examination form and the physician's invoice to the Human Resources Division.
 - 4) The Human Resources Division will forward the invoice to the Finance Division for processing and payment.
 - 5) The member should receive an Office check within twenty (20) working days for an amount up to but not exceeding \$75 toward reimbursement for the cost of the examination.

2. Physical Fitness Center (Gym) - Physical fitness centers are located in the Lower, Middle and Upper Keys.

- a. Eligibility - All fitness centers are available to Monroe County Sheriff's Office members, Monroe County members and any certified law enforcement or corrections officer who works either temporarily or permanently in Monroe County and others as determined by the Sheriff
- b. Persons wishing to use the gym must contact the receptionist at the Headquarters facility on Stock Island. A review of rules and regulations governing its use and any required training will be covered before access is granted.

V. Toxicology Testing

- 1. The Sheriff recognizes that substance abuse by a member can have an adverse impact on Monroe County government, the image of the Sheriff's Office and its operations, and the general health, welfare, and safety of the members and the general public.
- 2. The Office shall reserve the right and the authority to require all members to submit to toxicology testing designed to detect the presence of any controlled substance, narcotic, or drug. The Office agrees that requiring all members to submit to testing of this nature shall be limited to those selected randomly or in circumstances in which the Office has reasonable suspicion that the member is under the influence of such a substance, suffers from substance abuse, or is in violation of Office policy. Reasonable suspicion is defined as specific objective facts and rational inferences that may be drawn from those facts in light of experience. Additionally, the Office may require testing in connection with the investigation of any on-the-job accident, whether involving a motor vehicle or not, regardless of whether there is any reason to believe that drug or alcohol use is involved.
- 3. If a member tests positive for drugs, a second test on a second specimen (collected at the same time as the first specimen) will be **performed in a timely manner to verify the results before administrative action is taken**. All tests will be conducted in an independent approved

laboratory using recognized technologies. In all investigations relative to this section, the member's assignment and exposure to such enumerated substances shall be considered.
(Effective 10-2-2006)

4. A member's refusal to submit to toxicology testing in accordance with the provisions of this policy will result in dismissal. Further, a confirmed positive test result, will result in the member being subjected to appropriate disciplinary action, up to and including dismissal.
5. All disputes arising out of the implementation of this policy resulting in discipline may be pursued in accordance with the policies.

6. Testing

- a. The Sheriff's Office has the right to randomly screen (toxicology testing) up to 100% of its members covered by this policy in any fiscal year.
- b. No member shall be required to submit to such random examination or analysis more than once during a six-month period. This does not preclude analysis conducted under the circumstances in Section III.,T.,2.
- c. It is presently accepted by medical experts that urinalysis is the most definitive and cost-effective means of analysis for drug screening. This method will be the primary analysis method. This does not preclude other types of screening (blood, hair, etc.) as may be dictated by the circumstances surrounding an incident.
- d. All processes and procedures utilized by the Office's specimen collection site, laboratory, and Medical Review Officer, will conform to those standards as established under the National Institute of Drug Abuse.
- e. It shall be the responsibility of the Medical Review Officer (MRO) to inform the Sheriff or Sheriff's designee(s) that a member has tested positive after his/her medical interpretation of the results.

7. Selection of Members to Be Tested

- a. All members to be examined and tested will be randomly selected by the Human Resources Division from a computer database of Sheriff's Office employees using the personnel payroll numbers.
- b. Members selected will be given no more than twenty-four (24) hours to report to one of the selected collection site and provide a urine sample. Instructions to report immediately after random selection do not imply any suspicion of misconduct. Should a member fail to comply with the instructions to provide a urine sample within the prescribed time, the Sheriff's Office may require that the member submit to hair collection and testing a specimen collection site or laboratory. If a hair test is necessary because of a member's failure to comply with instructions regarding a urine sample within the specified period of time, the member in question is responsible for any/all charges or costs associated with the hair test.
- c. All members will be scheduled for such examination while on duty if possible. In other cases, the member will be given compensatory time for the test.
- d. All members who have documented exposure to a controlled substance prior to notification of the examination will be rescheduled for an examination at a later date in accordance with guidelines of time elimination by natural means for the substance to which the member was exposed.

8. Collection of Specimen

- a. Specimens will only be obtained at a certified collection site, and in accordance with those guidelines mandated by FDLE and the NIDA, to include rights to privacy and specimen maintenance.
- b. Complete accountability and proof of chain of custody will be required and adhered to by the MRO at the collection site.
- c. At the time of collection, two individual specimens will be obtained from the member. Specimen #1 will be used for the initial analysis, with specimen #2 for subsequent analysis, should a positive result be obtained from the first specimen. No specimens shall be maintained by any member of the Monroe County Sheriff's Office.
- d. Specimens will only be identified by use of a bar code and the member's associated numbering. The member's proper name will not appear on any reports or other documentation including specimen containers. The member will be required, however, to initial the outside of the specimen containers for identification purposes.

9. Specimen Analysis

- a. Will be performed at a laboratory meeting all standards and certifications established by the NIDA.
- b. Laboratories and collection sites will be selected by the Sheriff and inspected by the Inspector General annually.
- c. In those cases in which positive test results are obtained, analysis of the second specimen will be conducted by a separate laboratory.
- d. Substance cutoff limits will conform to those standards established or approved by NIDA or FDLE.

10. Analysis Interpretation

- a. Test results will be directed to the Medical Review Officer approved by the Monroe County Sheriff's Office. After interpretation of the test results, which will include an interview with a designee of the Sheriff, the Medical Review Officer (MRO) will furnish his/her findings to Human Resources.
- b. In those instances in which there are conflicting or inconsistent test results, the interpretation shall be in the interest of the Sheriff's Office.
- c. In such situations, the member may be required to submit to an additional random screening not more than twice within a six (6) month period.

11. Disciplinary Action

- a. Members who test positive for controlled substances in accordance with the guidelines enumerated in this policy will be subject to termination.
- b. Members who test positive for legal substances which were lawfully obtained but improperly used may be referred to counseling and given the opportunity for rehabilitation.

12. Type of Analysis Conducted - The Office has selected a drug screen test commonly referred to as a sixteen (16) drug panel inclusive of the following bases:

- | | |
|--------------------|--------------------------|
| a. Amphetamines | k. Hydrocodone |
| b. Barbiturates | l. Meperidine |
| c. Benzodiazepines | m. Oxycodone/Oxymorphone |

- | | |
|-----------------|----------------|
| d. Cocaine | n. Fentanyl |
| e. Opiates | o. Pentazocine |
| f. THC | p. Nalbuphine |
| g. Methaqualone | |
| h. PCP | |
| i. Methadone | |
| j. Propoxyphene | |

(Revised 12/30/11)

W. Alcohol Testing

1. The Sheriff recognizes that alcohol abuse by a member can have an adverse impact on Monroe County government, the image of the Sheriff's Office and its operations, the general health, welfare, and safety of the members, and the general public.
2. The Office shall have the right and authority to require all members to submit to alcohol testing designed to detect the presence of any alcohol. The Office agrees that requiring all members to submit to testing of this nature shall be limited to those circumstances in which the Office has reasonable suspicion that the member is under the influence of such substances, suffers from alcohol abuse, or is in violation of the Office policy and procedures regarding the use of such substance. Reasonable suspicion is defined as specific objective facts and rational inferences that may be drawn from those facts in light of experience. Additionally, the Office may require in connection with the investigation of any on the job accident, whether involving a motor vehicle or not.
3. If a member tests positive, the results of said test will be maintained according to Office policy. In all investigations relative to this section, the member's assignment and exposure to alcohol shall be considered.
4. A member's refusal to submit to alcohol testing in accordance with the provisions of this policy may result in disciplinary action up to and including dismissal in accordance with the Office's policy and procedures. Furthermore, results of such tests may result in appropriate disciplinary action, up to and include dismissal, in accordance with the applicable provisions of the Office policy and procedures.
5. All disputes arising out of the implementation of this policy resulting in discipline may be pursued in accordance with the policies governing the Career Service Board or Collective Bargaining Agreement.
6. Testing
 - a. The Sheriff's Office has the right to randomly screen (alcohol testing) up to 100% of its members covered by this policy each fiscal year.
 - b. No member shall be required to submit to such random examination for analysis more than once during a six-month period. This does not preclude analysis conducted under circumstances covered under Section III. T- Toxicology Testing (10, b,c)
 - c. It is presently accepted by medical experts that breath sample analysis is the most definitive and cost-effective means of analysis for alcohol screening. This method will be the primary analysis method, but this does not preclude other types of screening (e.g., blood, hair, etc.), as may be dictated by the circumstances surrounding the incident(s).
 - d. All processes and procedures utilized by the Office's specimen collection site, laboratory, or medical review officer will conform to standards as established by the National Institute of Drug Abuse (NIDA), and/or the State Department of Health and Rehabilitative Services.

- e. It shall be the responsibility of the chain of command to inform the Sheriff or Sheriff's designee that a member has tested positive after the Medical Review Officer's (MRO) interpretation of those results.

7. Selection of Members to Be Tested

- a. All members to be examined and tested will be randomly selected by the Human Resources Division from a Sheriff's Office computer database using personnel payroll numbers.
- b. Members are required to provide specimens as directed within twenty-four (24) hours of notification.
- c. Members will be allowed to provide specimens as directed while on duty if possible. In all other cases, the employee will be given compensatory time for the test.

8. Collection of Specimen

- a. Specimens will only be collected at certified collection sites and in accordance with those guidelines mandated by the Florida Department of Health and Rehabilitative Services, the Federal government, and NIDA, to include rights to privacy and specimen maintenance.
- b. Complete accountability and proof of chain of custody are required.
- c. In the case of blood, specimens will only be identified by the use of a bar code and a number. The member's proper name will not appear on any reports or other documentation including specimen containers. The member will be required, however, to initial the outside of the specimen container(s) for identification purposes.

9. Specimen Analysis

- a. Specimen analysis will be performed at collection sites or laboratories meeting all standards and certifications established by the Florida Department of Health and Rehabilitative Services or NIDA.
- b. Laboratories and/or collection sites will be selected by the Sheriff and inspected annually by the Inspector General.

10. Analysis Interpretation

- a. In the case of blood samples, the test results will be directed to the Medical Review Officer approved by the Monroe County Sheriff's Office. The Medical Review Officer (MRO) will be a licensed medical doctor.
- b. After interpretation of the test results and an interview with the Sheriff or Sheriff's designee, the MRO will furnish his/her findings to the Inspector General.
- c. In those instances in which there are conflicting or inconsistent test results, the interpretation shall be in the interest of the Sheriff's Office.
- d. In situations described in 10.,c. (immediately above), the member may be required to submit to additional random screening not more than twice within a six (6) month period.

11. Disciplinary Action: Members who test positive for alcohol, which was lawfully obtained but improperly used shall be given the opportunity for treatment.

X. Physical Fitness (Revised 12/30/11)

The purpose of herein is to establish guidelines for proper physical appearance and fitness. It is essential that Sheriff's personnel present a neat and well-groomed image that inspires and maintains a high level of community trust and confidence. In addition, a satisfactory level of general health and physical fitness on the part of Office members shall be maintained so that work can be performed efficiently and without personnel shortage caused by excessive sick leave.

1. All certified members must pass physical examinations and the Physical Abilities Test (PAT) prior to employment in a certified capacity and are thus presumed to be physically able to perform their job responsibilities when hired. All members are expected to maintain their physical abilities to perform their assigned job functions.
 - a. Pre-employment physical and psychological exam requirements are addressed in Chapter 6 Recruitment and Selection: III, D, 5, h & i. All employees are encouraged to make use of workout facilities as provided by the agency.
 - b. Non-sworn members who transfer from a non-sworn position to a certified position are required to take a new psychological test and pass the Physical Abilities Test (PAT).
 - c. Prior to assignment SWAT officers are required to complete a psychological examination as addressed in Chapter 36, page 5, 7., d,.
 - d. When it appears that a member's physical or mental condition may prevent them performance of normal duties, the employee may be directed to submit to an examination by a physician, psychologist, psychiatrist or other health care professional. This may be a result of involvement in, but is in no way limited to:
 - 1) Physical confrontations
 - 2) Traffic crashes
 - 3) Exposure to contagious diseases or hazardous materials
 - 4) Apparent heart or high blood pressure problems.
 - 5) Incidents resulting in death or serious injury.
 - e. Fit For Duty Evaluations (FFDE)
 - 1) Because of the seriousness of the impact to the member and the agency; the following process shall be used in all FFDEs.
 - 2) The formal written request for a Fit For Duty evaluation shall come from the member's Commander and directed to the Human Resources Executive Director.
 - 3) The Sheriff's Office will incur the expense associated with examination(s).
 - 4) Upon receipt of the written request, the Human Resources Executive Director, or designee, shall consult with the Undersheriff and General Counsel and Bureau Chief to resolve any issues that may exist.
 - 5) If a FFDE is determined to be necessary the Human Resources Executive Director or designee shall schedule the earliest possible appointment for the member, taking into account his/her medical/mental condition. Only agency approved physicians, psychologist or psychiatrist shall be used.
 - 6) The member identified for a FFDE shall be immediately placed on Administrative Leave with out loss of pay or benefit until the member is returned to duty status or other action is taken as a result of the evaluation's findings.

- 7) The physician, psychologist or psychiatrist conducting the examination shall furnish a copy of the findings to the Human Resources Executive Director.
 - a) All such reports shall be considered part of the member's medical file and thus are confidential documents and shall be marked as such.
 - b) The report shall be secured/filed in accordance with applicable laws.
- 8) The report shall be forwarded to the Undersheriff, who shall return the member to duty status or consult with the necessary parties to determine the best course of action for the employee and the agency.

Y. Bidding for Shift Preference

This section creates a system for bidding for shift assignments for those members who work in units that work in shifts, such as Communications, and Corrections, making seniority the primary factor in determining which members will receive the assignments they request. The bidding system is established as a means of enabling members who work in shift-oriented assignments to meet the needs of the Sheriff's Office and ensure a safe working environment. If, however, a employee's bid for a shift is not successful for a reason other than that member's being "outbid" by seniority, the member will be given written notice of the reason by the appropriate supervisor.

1. Scheduling

- a. Bidding for shifts is to be done at the discretion of the commander or designated supervisor.
- b. Should a member transfer to a different Sector or other assignment without transferring into a different position, he/she will temporarily work the same shift, hours, days, etc., as the member whose position he/she is filling, until the next time shifts are bid.

2. Shift Assignment

- a. Bidding for shifts will be based on the involved members' time-in-grade for a particular position / class. If two (2) or more members who are requesting one position also have equal time-in-grade, the selection will be made according to:
 - 1) Seniority; and
 - 2) The average of those members' most recent three evaluation scores.
- b. Time-in-grade is determined using the date of a member's full-time hiring or promotion into the position currently held.
- c. Special circumstances - All requests for exceptions to the process will be taken into consideration for review by the appropriate Commander(s). Requests must be in memo form through the chain of command, and must include a thorough explanation of the circumstances which the requesting member feels justifies an exception to the process. These requests must be submitted at the same time, and according to the same guidelines as members are bidding for shifts.
 - 1) Doctor's notes, school registrations, or any other such documentation that would support the request must be included with the memo.
 - 2) All requests must include exact dates and/or times regarding special needs or consideration.

3. Effects of Transfers within the Agency on Time-in-Grade

- a. Sector-to-Sector Transfer - A member transferring from one Sector to another Sector, who does not change his/her position, maintains his/her time-in-grade.
- b. The seniority date for time-in-grade for a non-certified employee who transfers into a certified special-risk assignment is figured from the date he/she becomes certified for the special-risk position.
- c. The seniority date for time-in-grade for apart-time or reserve member who becomes a full-time paid member will be the date he/she becomes a full-time paid member.

4. Promotion - Effects of Transfers

- a. The seniority date for time-in-grade for any full-time paid member promoted will be the date that promotion transfer takes effect.
- b. If, for any reason, a member does not successfully complete the probationary period in the new position, or voluntarily leaves that position at that time, or is demoted by a discipline process, he/she will automatically revert to the seniority for time-in-grade for the lower-ranking position.

Z. Collective Bargaining

1. The Sheriff will designate a principal negotiator for the agency at the time the bargaining team is formed. Other members of the agency's bargaining team will be designated by the Sheriff at the time and shall be non-bargaining unit members.
2. The final authority rests with the Sheriff to approve a negotiated agreement.
3. Human Resources will maintain a list of all bargaining units recognized by the Sheriff. This list will be made available to all members.
4. Negotiations are based on "good faith" with the member's recognized bargaining unit.
5. The agency will abide by the ground rules for collective bargaining that arise out of the collective bargaining process or labor arbitration. Impasse-resolving procedures are established and described per Florida Statute, Chapter 447.
6. Further the agency will abide, in both letter and spirit, by the negotiated labor agreement that has been signed by management, labor representatives, and ratified by the bargaining unit.
7. When a negotiated labor agreement is ratified by all parties, the Sheriff, or his designee, will;
 - a. obtain a written, signed copy of the labor agreement;
 - b. review and amend, if necessary, all written directives and procedures to coincide with the terms of the labor agreement; and
 - c. disseminate information relative to a new labor agreement, including modifications to existing agreements, to managers and supervisors of bargaining unit members.
8. It is the right of the Sheriff to unilaterally determine the purpose of the agency, set standards of services to be offered to the public and, exercise control and discretion over the Office organization and operations. It is also the right of the Sheriff to take disciplinary action for proper cause, and relieve its members from duty because of lack of work, or for other legitimate reasons.

AA. Office-Issued Business Cards

1. The Office will purchase the officially approved formatted business cards for Directors, Lieutenants and above, and one time for the Officer / Member of each quarter.
2. All officially approved formatted business cards shall be purchased through an approved vendor of the Monroe County Sheriff's Office. The purchasing information must be obtained through the Finance Division's Purchasing Agent.
3. Members of the Sheriff's Office may choose to purchase business cards at their own expense, but the cards must be printed in an officially approved format.

AB.. New Sheriffs Pursuant to Florida Law 89-410

1. When a newly elected or appointed Sheriff assumes office, the service of all personnel shall continue without the necessity of formal reappointment.
2. The incoming Sheriff shall have the option of maintaining the current personnel assigned to the rank captain and above or equivalent non-certified support position or transferring those personnel as described below.
3. If the incoming Sheriff fills any of the above positions with a new person, he/she shall be reduced to the rank of lieutenant or equivalent non-certified support position immediately and his/her salary reduced accordingly.
4. Following the election or appointment of a Sheriff, appointments of all personnel remaining at the pleasure of the Sheriff, and personnel in the classified service may be terminated by affirmative action of the Sheriff or his successor in office subject to the provisions of the Bill.
5. The Bill shall not be held or construed to create any property rights or any vested interest in any position in the classified service.

APPENDIX A

Chapter Nine

Physician's Statement Form

Monroe County Sheriff's Office
Physicians Statement
Work Restriction Evaluation

Patient _____ S.S.# _____ Date _____

Date of Injury _____ Return to Work _____

Duty Status: Full Time _____ Light Duty _____ MMI _____

Next Appointment Date _____

I have reviewed a copy of the member's job description and he/she is _____ capable or _____ not capable of performing the essential functions of the job.

Activities and Restrictions: (C)ontinuous (I)ntermittent Number of Hours _____

Sitting: C I Walking: C I Lifting: C I Bending: C I Standing: C I

Squatting: C I Climbing: C I Kneeling: C I Twisting: C I

Running: C I Distance _____ Duration _____

Lifting:#ofPounds: 0-10 11-20 21-50 51-75 >75

Hand Restrictions: None Simple Grasping Push/Pull Fine Manipulation

Reach/Work Above Shoulder: Yes No Use Feet: Yes No

Operate Motor Vehicle: Yes No

Temporary Restrictions: _____

Neuro Psychiatric Condition _____

Additional Rehabilitation Required _____

Recovery Degree _____ Total Work Hours/Day _____

Additional Comments _____

Physician's Signature

THIS FORM MUST BE RETURNED UPON THE MEMBERS RETURN TO WORK

APPENDIX B

Chapter Nine

Sick Leave Pool Application Forms

Monroe County Sheriff's Office

Sick Leave Pool Application

Name _____

Payroll I.D. # _____

Position _____

I wish to apply for membership to the Monroe County Sheriff's Office Sick Leave Pool. I hereby certify that my participation is voluntary and I have read and understand the rules which explain the terms and conditions of membership in the pool.

Signature

Date

I authorize an initial contribution of eight hours of sick leave to the pool and additional contributions of sick leave upon depletion of the pool.

Signature

Date

SLPOO

SICK LEAVE POOL REQUEST

To: _____
(Supervisor)

Date: _____

From: _____
(Agency Member)

Home Phone

Work Phone

I respectfully request _____ hours from the Sick Leave Pool. I have read and understand the General Operations Manual, Chapter 9, Section 4 regarding the Sick Leave Pool. I meet all the eligibility requirements per Chapter 9, Section 4-a outlined below:

- Full time member of MCSO
- Completed 1 full year of appointment
- Sick leave balance must be 48 hours or greater
- Contributed 8 hours to the Sick Pool

I have attached documentation to substantiate the request, and understand that a telephone conference may be required.

To: Sick Leave Pool Committee

Date: _____

From: _____
(Supervisor)

RE: _____
(Agency Member)

I recommend _____ do not recommend _____ approval for use of the Sick Leave Pool.
If not recommended please indicate reason:

FOR BOARD USE ONLY

Date received: _____

Action: _____	_____	_____	_____
Human Resources Director	Date	Approved	Denied
_____	_____	_____	_____
Inspector General	Date	Approved	Denied
_____	_____	_____	_____
Finance Director	Date	Approved	Denied

Denial: _____

SPLOO2


APPENDIX C

Chapter Nine

Hurricane Duty Exemption Form

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 9 - A		TITLE: Personal Web Pages/Sites
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 2	AMENDED:
REFERENCE:		RESCINDS: Special Order: Personal Web Pages/Sites, 08.23.2006
 Sheriff of Monroe County		

PURPOSE: The purpose of this order is to establish policy concerning personal web pages or sites with reference to the Monroe County Sheriff's Office.

POLICY: It is the Sheriff's policy that employees have a right to have personal web pages or sites. However, when reference is made to or about the Sheriff's Office a review of that reference is needed to ensure that such reference does not cause diminished public confidence and/or respect in the Office. This policy is necessary to ensure that employees use appropriate discretion in their use of references to the Sheriff's Office and not discredit themselves or the Office.

PROCEDURE:

Identification of Monroe County Sheriff's Office Employee Prohibited

Employees who have personal web pages or other types of internet postings, which can be accessed by the public, shall not identify themselves directly or indirectly as an employee of the Monroe County Sheriff's Office.

MCSO Identifiers Not To Be Used Without Approval of Sheriff

Photographs or other depictions of Office uniforms, badges, patches, marked units and the Sheriff's Star shall not be used on employee internet postings unless approved by the Sheriff.

Approval Process

The employee seeking approval to use references to the Office on their personal web pages or sites shall:

- In memo form submit a request for approval to the Sheriff via the Chain-of-Command.
- Describe the proposed reference to the Office and purpose.
- Provide a list and graphic of any photographs, artwork, etc. to be used on the web page.
- Provide a printed layout of the entire web page, posting or site for review.

The employee will receive, in memo form, an approval or denial of the request.

Limitations

No sexual, violent, racial, ethnically derogatory material, comments, pictures, artwork, video or other reference may be posted along with any Office approved reference.

Employees shall not post any material on the internet that brings discredit to or may adversely affect the efficiency or integrity of the Office.

Employees should consider the possible adverse consequences of internet postings, such as future employment, cross-examination in criminal cases and public as well as private embarrassment.

Employees are encouraged to seek the guidance of supervisors regarding any posting

that may adversely reflect upon either the Office or upon the professionalism or integrity of the employee.

Change Approval


Changes made to a previously approved web page, site or posting must be submitted for re-approval through the same approval process as described earlier in this policy.

Violations

Violations of this policy may subject the violator to disciplinary action up to and including termination as identified in Chapter 13 of these General Orders.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 9 - B		TITLE: Vehicle Allowance Program
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 2	AMENDED:
REFERENCE:		RESCINDS: Special Order: Vehicle Allowance Program, 10.02.2006
 <hr style="width: 20%; margin: auto;"/> Sheriff of Monroe County		

PURPOSE: The purpose of this order is to establish policy and procedures for a vehicle allowance for employees in lieu of an assigned vehicle.

POLICY: It is the Sheriff's policy to reduce the cost of the vehicle fleet and associated maintenance by providing a vehicle allowance to employees normally assigned an Office vehicle while still providing a benefit to these employees.

PROCEDURE:

Eligibility

Employees who have traditionally been assigned an Office vehicle as identified by the Bureau of Administration will be offered an allowance in lieu of an assigned vehicle.

Participation is voluntary.

- If the employee chooses to participate in the program it shall be for a minimum of one year.
- After the one-year period the employee may request an Office assigned vehicle. However, assignment is dependent on the availability of a vehicle

The employee may elect to accept the assigned vehicle.

When a position is vacated, which previously had been assigned a vehicle; the position may be posted without an assigned vehicle or vehicle

allowance as a position benefit. The Sheriff may reassign a vehicle to the position at his discretion.

Application

Employees shall submit a memorandum to the Chief of the Bureau of Administration via Chain of Command asking if they are eligible for the program.

If eligible the employee shall use the approved application form.

The completed form shall be sent to the Chief of the Bureau of Administration for consideration.

Vehicle Allowance Payment

Eligible employees will be paid \$350.00 per month: \$4,200.00 per year - \$161.53 per pay cycle.

The payment will be included in the participating employee's bi-weekly paycheck.

The allowance payment is subject to Federal Income tax and is not eligible for calculation of the employee's retirement benefits.

Travel Outside Monroe County

Employees receiving an allowance traveling outside Monroe County for work related travel are eligible for per mile per diem once leaving Miami-Dade County.

Travel Vouchers will need to note the nearest city on the State travel list to receive mileage.

Responsibilities

Employees receiving an allowance shall secure their own insurance and shall inform their insurance company that the vehicle is used for work purposes.

Employees must provide proof of insurance prior to receiving the allowance payment.

Employees are required to sign an agreement to maintain insurance at the Appropriate level of coverage per the Bureau of Administration.

The employee will be required to provide proof of insurance each time the policy is renewed or there is a change in coverage status. Such proof or notification will be sent to the Bureau of Administration Chief.

Restrictions On Travel Outside Of Monroe County

Participating employees are not eligible for pool cars and temporarily assigned vehicles for any reason unless traveling north of Miami-Dade County.

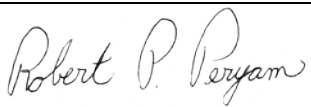
Law Enforcement employees who receive the allowance shall not take law enforcement action in their personal vehicle. Law Enforcement Employees are not to:

- Install any emergency lights or siren in their vehicle.
- Enter into ANY pursuit.
- Operate their vehicle as an emergency vehicle.
- Operate their vehicle in any manner outside of the State Motor Vehicle Code.

- Transport ANY prisoner in their vehicle, but rather call a marked unit to transport the prisoner.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 9 -C		TITLE: Public Emergency Policy
EFFECTIVE DATE: January 5, 2010	NO. PAGES: 2	AMENDED: Chapter 9
REFERENCE:		RESCINDS:
 <hr style="width: 20%; margin: auto;"/> Sheriff of Monroe County		

PURPOSE: The purpose of this policy is to clarify the Sheriff's Office pay policy when emergency response work is performed during a declared public emergency.

POLICY: It is the policy that employees be duly compensated for emergency work performed during a declared public emergency.

PROCEDURE:

Definitions:

- **Public Emergency:** Any occurrence, or threat thereof, whether natural, technological, or manmade, in war or in peace, which results or may result in substantial injury or harm to the population or substantial damage to or loss of property. The Sheriff may declare a public emergency with or without a declaration of a State of Emergency.
- **Emergency Leave:** Time off with pay will be granted to all MCSO employees once the agency ceases normal operations due to a public emergency. Emergency Leave applies only to an employee's regular work hours during the time that normal operations are interrupted.

In the case of Emergency Leave being granted for a portion of the County, those employees whose worksite (not residence) is in the area affected will be granted Emergency Leave.

- **Authorized Employee:** An employee approved to do Emergency Response Work once the agency has ceased the normal operations due to a public emergency.
- **Emergency Response Work:** Work performed by an Authorized Employee during the time that the agency ceases normal operations due to a public emergency.

Designation of Authorized Employees:

- Certified law enforcement and corrections deputies, communications employees and airport security technicians are considered authorized employees under this policy.
- All other employees questioning their designation and responsibilities during Emergency Leave must contact their Bureau Chief via chain of command to confirm their status. All approvals will be in writing and a copy of the approval will be maintained in the Finance Division.
- The Sheriff or his designee reserve the right to designate positions required to stay during a public emergency on an "as needed" basis.

Pay Policies:

All employees are entitled to receive full pay during the time the agency ceases normal operations and authorizes Emergency Leave.

- Employees who do not work during an Emergency Leave will receive their regular compensation.
 - If an employee, for any reason, does not report to work when the Sheriff's Office resumes normal operations and Emergency Leave is no longer in effect, that employee will be required to utilize accrued leave. In the absence of accrued leave, the employee will take leave without pay. It is the responsibility of all employees to notify their Supervisor if they are unable to report to work.
- An Authorized Employee who performs Emergency Response Work will receive additional compensation for actual hours worked.

Compensation for Emergency Response Work:

- Compensation for Authorized Employees who perform Emergency Response Work will be as follows:
 - Non-exempt employees will be compensated at double their regular hourly rate for all regular hours actually worked. All overtime hours worked during this time will be compensated at a rate of two and a half times the employee's regular hourly rate. Overtime hours will be calculated based on normal procedures.

Example: Deputy A's regular hourly rate is \$10. During a declared public emergency deputy A will be compensated at an hourly rate of \$20. Once Deputy A has worked enough hours to qualify for overtime payments under existing policy they will be

compensated at a rate of \$25 per hour.

- Exempt employees will receive their regular salary plus an hourly rate for all hours actually worked. An exempt employee's hourly rate will be calculated by dividing an employee's annual salary by fifty-two and then dividing by forty.
- Work that could have been postponed until after the Emergency Leave will not be subject to additional compensation under this policy. Emergency Leave shall be granted for the remaining hours in order to make the employee "whole" for the normal scheduled workday.

Timesheets:

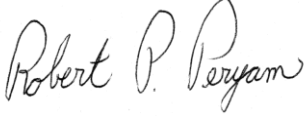
- Regular working hours or hours spent on non-Emergency Response Work will be recorded as 'hours worked'. Only hours worked up to midnight will be recorded on the date in question.
- Emergency Leave time granted until the end of the normally scheduled workday (up to midnight of each day) must be recorded as "Emergency Leave" to make the employee "whole" for that workday. This number of hours would be the number of hours the employee normally works on a shift less the number of hours the employee recorded for non-Emergency Response Work (A).
- Authorized employees who perform Emergency Response Work during the time Emergency Leave is granted will mark the actual hours worked under "Emergency Response".

Amendment and Rescission

This policy may be amended or rescinded in whole or part by the Sheriff at any time. Employees will be paid for all time worked in the manner called for under this policy until such time as the Sheriff amends or rescinds this policy.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 9- D		TITLE: Conditions and Benefits of Work-Nicotine/Tobacco Product Use
EFFECTIVE DATE: March 14, 2011	AMENDED:	RESCINDS:
NO. PAGES: 2	REFERENCE:	
		
Sheriff of Monroe County		

PURPOSE: The purpose of this order is to establish certain conditions applicable to members of the Monroe County Sheriff's Office in reference to the use of nicotine/tobacco products.

POLICY: It is the Sheriff's policy that the Monroe County Sheriff's Office is committed to a healthier and more cost effective environment for all citizens of Monroe County.

PROCEDURE: As of **March 14, 2011**, the Monroe County Sheriff's Office will no longer hire any person who is a nicotine/tobacco product user. This includes cigarettes, cigars, chewing tobacco, snuff, smoking cessation products, and/or any other nicotine products. Members of the Monroe County Sheriff's Office hired before **March 14, 2011** are exempt from this policy change.

Members hired after **March 14, 2011**, will be required to pass a nicotine test as part of the hiring process. In addition, they will be required to acknowledge their understanding and agreement to the Sheriff's policy restricting the use of nicotine/tobacco products. These members will be subject to nicotine/tobacco testing if selected for testing under the Sheriff's monthly random drug testing program or when reasonable suspicion exists.

Members testing positive for nicotine will be required to submit to random tests as determined by the Sheriff and will be subject to discipline. Those members who continue to test positive will be subject to discipline up to and including termination.

(Also see Chapter 19 for No Smoking in Sheriff's vehicles policy).

Members hired after **March 14, 2011** will be required by the Human Resources Department to have a signed Acknowledgement of Compliance on file.

MONROE COUNTY SHERIFF'S OFFICE

Acknowledgement of Compliance of General Order 19-B and 9-D

I have received, read and understand the Monroe County Sheriff's Office policy on Grooming – Body Ornamentation (Chapter 19-B General Orders)

and

I have received, read and understand the Monroe County Sheriff's Office policy on Nicotine/Tobacco Product use. (Chapter 9-D General Orders)

I understand a violation of this policy can result in adverse employment action, up to and including termination.

(Original form will be filed with members personnel file in Human Resources)

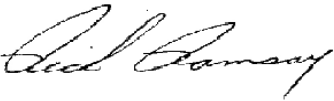
Name

ID#

For Employees hired after March 14, 2011

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 10		TITLE: Performance Evaluations
EFFECTIVE DATE: June 19, 2013	NO. PAGES: 3	AMENDED/REVIEWED: June 12, 2013
REFERENCE:		RESCINDS:
 _____ Sheriff of Monroe County		

I. PURPOSE

The purpose of this directive is to establish guidelines for assessing the job performance of Sheriff's personnel.

II. DISCUSSION

This directive shall apply to all Sheriff's Office personnel, to include Reserve Deputies. An accurate system of evaluation is of paramount importance to individual personnel and the Sheriff's Office in providing an objective and fair means for measurement and recognition of individual performance and specific needs. **All or a part of the performance evaluation procedure may be superceded by a collective bargaining agreement entered into between the Sheriff and a recognized collective bargaining unit.** The objectives of the performance evaluation system are to:

1. Allow fair and impartial personnel decisions;
2. Maintain and improve performance;
3. Provide a medium for personnel counseling;
4. Facilitate proper decisions regarding Members under intensive evaluation;
5. Provide an objective and fair means for recognition and measurement of individual performance in accordance with prescribed guidelines; and
6. Identify training needs.

III. POLICY AND PROCEDURE

- A. Each member shall be evaluated at least once annually for the previous twelve months by their immediate supervisor.
- B. New members (probationary employees) including all reserves (See Chapter 38 for definitions) shall be evaluated quarterly.

C. The criteria used for the performance evaluation shall be specific to the position occupied by the Member and shall be based solely on the performance during the rating period. At the beginning of each rating period, each Member shall be informed concerning:

1. The tasks of the position occupied;
2. The level of performance expected;
3. The evaluation of the rating criteria.

D. Each member's performance evaluation shall be documented, reviewed, and signed by the rater's supervisor.

(revised on 7-2-01)

E. Performance evaluations will be retained in conformity of the State Records Retention.

F. Responsibility of the Rater

1. The rater shall be trained to evaluate personnel and in the preparation of evaluation reports.
2. The rater shall insure that the individual's evaluation is based only on performance during the time period covered by the current rating period.
3. The rater shall be judicious on behalf of the Office but fair, impartial, and open-minded to the individual being rated.
4. The rater shall meet the required time frames to facilitate timely submission of the evaluation.
5. The rater shall evaluate the individual using the following criteria:
 - a. Fulfillment of the duties and responsibilities of the individuals position;
 - b. Daily work production and work quality;
 - c. Statistical comparison with other personnel where possible;
6. The rater shall complete the performance evaluation, utilizing the following criteria:
Above Standards, Meets Standards, or Requires Improvement. The rater must provide comments for each of the performance measures listed on the evaluation. One Requires Improvement rating will result in the member receiving a Below Standards evaluation.
7. Review notes, memorandums, and the personnel service record regarding behavior for the period being rated.
8. Whenever the performance of any member is deemed to be below standards, the member will receive an evaluation. The evaluation will include a written performance improvement plan which outlines actions that should be taken to improve the employees work performance. The plan will not exceed 90 days in length. The rater will provide monthly performance evaluations during the period covered under the performance improvement plan. The specific performance issues which resulted in the below standards evaluation(s), shall be addressed through corrective action and/or discipline. Members whose evaluations remain below standards after the 90 plan has expired, will continue to be evaluated monthly. The monthly evaluations will continue until the performance improves to a level that meets standards or the member is terminated.

G. Responsibility of the Reviewer (Rater's Supervisor)

1. Upon receipt of a performance evaluation the reviewer shall check the evaluation for completeness, insure explanatory comments are included for each performance measure, sign the evaluation in the appropriate space, and forward to the next person indicated on the evaluation.
2. The reviewer shall evaluate raters regarding the fairness and impartiality of ratings given, their participation in counseling, and guidance for rated individuals and their ability to carry out the rater's role in the performance evaluation system. The Commander, Director, or Supervisor shall insure that the rater applies ratings uniformly.
3. If the evaluation is contested, the reviewer shall supplement the evaluation documenting findings.

H. Responsibility of the Individual Rated

1. In an interview between the rater and member, each evaluation report of an individual's performance shall be read received, and acknowledged by the signature of the individual. The signature shall indicate only that the individual has read the report and shall not imply agreement or disagreement with the content. If the individual refuses to sign the evaluation report, the rater shall note the refusal and record the reason given.
2. After the rater has discussed the evaluation with the individual, the rated individual may submit comments in the form of a memorandum to the Commander, Director, or Supervisor for review. (Members wishing to appeal their performance evaluation need to refer to Chapter 14.)

I. Evaluation Results and Utilization - Annual Evaluations shall be used to:

1. Determine individual training needs that have not been met;
2. Assess the strong points of the individual for possible future duty assignments;
3. Aid supervisors in conjunction with other evaluation for promotional consideration;
4. Determine suitability and effectiveness in present assignment; and
5. Assess ability for assuming added responsibility;
6. To assist the member with career development needs;
7. Merit increases.

J. There shall be an Annual Review and Inspection of the evaluation by Inspection Services.


K. The performance evaluation system manual shall be available to all supervisory personnel and is available for review by any member, in the Human Resources Division.

L. The member will be provided a copy of the completed evaluation.

M. Personnel evaluations will be retained in accordance with Florida Public Records Law.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 11		TITLE: Transfers/Promotions
EFFECTIVE DATE: May 20, 2013	NO. PAGES: 6	AMENDED/REVIEWED: May 13, 2013
REFERENCE: CALEA 34.1.7		RESCINDS:
 Sheriff of Monroe County		

PURPOSE

The purpose of this directive is to establish guidelines for the transfer and administration of examination devices used in the promotional process of personnel within the Monroe County Sheriff's Office. This may include, but is not limited to, written examinations and oral interviews.

DISCUSSION

The promotional process is of vital interest and concern to both the Monroe County Sheriff's Office and the member. The promotion process brings about recognition, personal satisfaction and added responsibility. For these reasons the process must be standardized and provide a fair and equitable means of advancement for all members who participate. In order for the process to be successful it must show validity, utility and minimum adverse impact.

POLICY

- The Executive Director of Human Resources shall be responsible for coordinating the processes of transfer and promotion. The Monroe County Sheriff's Office promotional process shall be based on Monroe County Sheriff's Office policy and procedures.
 - All elements of the promotional process shall be job related and nondiscriminatory. Tests shall be based on, at a minimum, the job description for that position, and other source materials as determined by the Executive Director of Human Resources.
 - The Executive Director of Human Resources shall consult, where necessary, commanders, supervisors and subject matter experts when developing procedures.
 - Members are encouraged to develop new skills, expand knowledge of their work, and assume greater responsibilities.
 - Members are to make known their qualifications for promotion to more difficult and responsible positions, and compete in all examinations for which they are qualified.

PROCEDURE

- The authority and responsibility for administering the Monroe County Sheriff's Office's promotional process is placed directly with the Monroe County Human Resources Executive Director. The Office of Professional Standards is responsible for the administration and technical direction of the General Operations Manual.
- The Executive Director of Human Resources shall determine when vacancies in positions above entry level in the classified service will be filled as far as practical by qualified and interested members within the County service, except when it is determined to be in the best interest of the County service to fill the positions with candidates recruited from outside the County service.
- The Executive Director of Human Resources shall perform appropriate liaison activities to successfully accomplish the promotional process.
- The Human Resources Executive Director's responsibilities will include, but are not limited to the planning, organizing, staffing, directing, coordinating, reporting and budgeting of those areas relevant to the Monroe County Sheriff's Offices' personnel needs.
- The Sheriff or his designee, through the Executive Director of Human Resources, will maintain the primary responsibility for the development of the measurement instruments that are used in determining the skills, knowledge and abilities of the members eligible for promotional positions.
- The Monroe County Sheriff's Office will have primary responsibility for any oral interviews used in the promotional process, as well as administration of all members probationary periods.
- The Sheriff or his designee retains final responsibility for the promotions of the members.
- The Executive Director of Human Resources will have the responsibility for the continuous review and revision of the selection and promotion process.
- The Sheriff, through the Executive Director of Human Resources, will have input into these procedures.
- The Executive Director of Human Resources will determine which examining device or combination of devices will be used to evaluate the relative fitness of promotional applicants.
- The promotional process as a whole and its individual components and procedures are subject to statistical proof and documentation and must satisfy professional, legal and administrative requirements designed to ensure that job relatedness has been achieved in selecting members for promotion.
- Examinations may be assembled or unassembled, will be practical in nature and will be constructed to reveal the capacity of the applicant for the particular class for which they are competing, their general background and related skills, knowledge and abilities as well as any character or personal traits which are job related.
- The Sheriff, through the Executive Director of Human Resources, will have input as to the promotional process and those devices identified and used in the examination of applicants.
- Promotional examinations will be open to any member who meets the qualification requirements for the class for which the examination is given.
- The Executive Director of Human Resources will assure that a written test, if any, used as a device in the promotional process is documented as being job related. This is true for any test used or relied upon by

the Monroe County Sheriff's Office, including those that are commercially developed. Written tests, if any, used in the promotional process will have available an updated bibliography of the reading materials used as the source of questions. This information will be provided to each eligible applicant. Bibliographies will be prepared and periodically revised by representatives of the agency. Examination questions will be restricted to material covered in the referenced sources.

- Promotional announcements publicizing the holding of examinations to create eligible lists to fill current and/or future vacancies shall be distributed and posted through the Sheriff's Offices and in such other public places as to ensure the widest possible exposure.

Promotion Eligibility Examinations

- Some positions require a candidate to pass an advance written examination in order to be eligible for promotion into those positions. When such eligibility examinations are scheduled, the Executive Director of Human Resources is responsible for selecting a test administrator and ensuring that a written announcement of the examination process is issued, and that such an announcement includes the date and location of the examination(s), as well as a description of the eligibility requirements and a description of the selection process.
- The determination of appropriate written, performance or other tests; the method of evaluating experience, education and training; and of weights, if any, to be assigned to various parts of the examination will be a matter of cooperation between the Executive Director of Human Resources and the Sheriff. The examination will represent a proper balance between the specialized knowledge of position requirements possessed by Monroe County Sheriff's Office personnel and the specialized knowledge of regulatory requirements and testing methods possessed by the Human Resources Division.
- Members must be a full time member of the Monroe County Sheriff's Office for 18 consecutive months before becoming eligible to participate in the promotional exam.
- The written promotional process announcement shall include:
 - A description of the positions or job classifications for which vacancies exist;
 - A schedule of dates, times and locations of all elements of the process;
 - A description of eligibility requirements; and
 - A description of the process to be used in selecting personnel for the vacancies.

Attached to the announcement shall be a bibliography of study material and information outlining the material that shall be available, if any.

- Members wishing to review and/or appeal a decision concerning their eligibility for promotion may:
 - Review the answer key to written examinations;
 - Review the written results to any scored elements of the process;
 - Contest in writing the process used in making said decision; and
 - Requests for such review shall be made through the chain of command to the Executive Director of Human Resources.

- The Monroe County Sheriff's Office Human Resources Division will have an examination plan prepared describing specific qualification requirements and alternatives and skills, knowledge, and abilities to be measured by each examination device selected; the importance of weighing each part of the examination process; and the method to be used in evaluating each applicant against the others.
- The Sheriff or his designee, through the Executive Director of Human Resources, will actively participate in the design and implementation of the examination plan.
- If applicable, the Executive Director of Human Resources will establish, for all examinations, the minimum performance or cut-off score.
- The Executive Director of Human Resources ensures that all elements of the promotional process are administered, scored, evaluated, and interpreted in a uniform manner.
- The conduct of the examination(s) as well as the operational elements of the promotional process are clearly set forth and carried out identically for all candidates.
- The Sheriff, through the Executive Director of Human Resources, will assure compliance by having an active and continuous liaison with the Monroe County Human Resources Division into the use of all devices used in the promotional process.
- The Executive Director of Human Resources provides final examination results in the form of numeric scores.
- Lists will contain the name of those persons who have successfully qualified in the examinations, based on a pass or fail score point to determine if a member is eligible to put in for vacant Sergeants or Lieutenants positions.
- Once the member has successfully been placed on the eligibility list, they are not listed in any particular rank order.
- The duration of eligible lists and the names appearing on the lists will be for a period of thirty-six (36) months.

Consideration for Promotion

- As vacancies become available those members on the eligible list may submit their names to Human Resources via e-mail of their desire to be considered for a promotion.
- Announcements of vacancies will be posted by the Human Resources Division in an area of the sheriff's office computer system accessible to all members. Posted announcements will include:
 - The number and title of each vacant position
 - The District/Division in which each vacancy exists
 - The pay-grade assigned to each vacant position
 - The last date on which requests for consideration will be accepted ("closing dates")
 - Instructions for requesting consideration for a vacant position and for obtaining copies of job descriptions for the vacant positions.

- After the closing date has passed, the following schedule must be used to determine whether interviews are required as part of the selection process:

INTERVIEW
MANDATORY

○ Volunteers (e.g., Reserves, VOICE)	No
○ Entry Level Positions	Yes
○ Promotion to a Non-Tested Position OR Any Lateral Transfer	No
○ Promotion to a Tested Position (i.e., Sergeant and Lieutenant)	No
○ Upper Level Management	No
○ Consultants or contract Members	No

- Human Resources will provide the appropriate Commander of the District/Division with the list of eligible individuals who have requested consideration for promotion. The Commander will use the following resources when considering and reviewed in making the decision of which candidate to recommend to the Sheriff for selection:

- Human Resources Division files, including information on seniority, background, special skills, etc.; and
- Training division files; and
- Letters of, and/or awards for, commendation / appreciation; and
- Discipline files; and
- Evaluations; and
- Discussions with current and former supervisors and/or co-workers of the candidates.
- Incidents of sexual harassment will be considered in determining whether to promote anyone who may have contact with inmates in accordance with the Prison Rape Elimination Act (PREA).
(Revised 5/13/13)

- The Commander may conduct individual interviews with the candidates or an oral board by members knowledgeable in the position being filled. Questions must be consistent for all candidates.
- Based on the required review of documents and subsequent to any interview that may be conducted the Commanders recommendation will document in detail his/her recommendation for selection to the Sheriff. Such documentation shall cite the basis for the recommendation.
- The selection recommendation will be returned to the Human Resources Division. They will ensure the afore outlined process has been followed. The recommendation will be forwarded to the Sheriff for final approval via the Administrative Bureau Chief and the Undersheriff.
- For promotions to non-tested positions and for any lateral transfer, the vacant position's District/Division Commander or his/her designee will follow the same selection process as for tested positions.
- The entire promotion / transfer process shall be evaluated annually by the Executive Director of Human Resources to determine its effectiveness relative to selecting the best qualified candidates in a fair and equitable manner. During the evaluation, circumstances concerning validity, usefulness, and possible adverse impact should be considered in determining whether any component(s) of the process are no longer appropriate. Appropriate revisions should be made.
- Salary increases due to promotion are effective when a member begins work in the new position. If the promoted member does not complete the promotional probationary period, the salary increase will be withdrawn when the member is removed from the new position.
- All members promoted / transferred are automatically placed on a one year intensive evaluation period for their new positions, during which time they are ineligible to apply for transfer only. Members can apply for

promotion. This is effective on the date of reporting to the new position. If a member fails to perform satisfactorily during the evaluation period following a promotion he/she may be subject to an extension of evaluation period, or an involuntary demotion to the former classification held at the previous rate of pay. [CALEA 34.1.7]

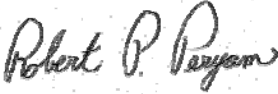
- At least twenty (20) days prior to the expiration date of a member's evaluation period, an evaluation report will be completed and discussed with the member:
 - If the member's supervisor fails to complete this evaluation, the probationary period will automatically be extended for 90 days.
 - The member will not be released from probationary status until this evaluation is completed, even after the 90 day extension has expired.
 - Supervisors failing to complete the required final probationary evaluation are subject to disciplinary action.
- The evaluation report will state in writing whether or not the member has performed satisfactorily during the evaluation period.
- The evaluation report will be sent to the Executive Director of Human Resources prior to the expiration of the member's evaluation period indicating that an extension of the evaluation period is desired for additional observation.
- When the Sheriff believes that additional time is required to evaluate a member due to extenuating circumstances which did not allow the member to be fully evaluated during the normal evaluation period, the Sheriff may request an extension setting forth in writing the circumstances necessitating the extension.
- The Monroe County Sheriff's Office Human Resources Division maintains performance evaluations of the probationary members. These members are evaluated regularly using valid, useful and nondiscriminatory procedures. The means of these evaluations are provided the probationary member through the evaluation period.
- All procedures used for the promotion / transfer process shall be job-related and nondiscriminatory.
- The Executive Director of Human Resources is responsible for maintaining documentation governing the procedures used in promotions / transfers. The documentation shall include procedures for:
 - Evaluating the promotion / transfer potential of the candidates
 - Administering written tests
 - Determining eligibility for vacancies, in which lateral entry is permitted
 - Assisting with panel interviews
 - Security of test materials.

Although the Sheriff's Office strongly supports a policy of promotion from within, nothing in this policy is intended to prohibit Division commanders and other supervisors from reviewing the pool of external applicants prior to making selection recommendation to the Sheriff

The administration retains the right to deviate from part or all of this selection procedure on a case-by-case basis, if to do so is determined to be in the best interest of the Agency or the community.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 11- A		TITLE: Promotion- Civilian Employees
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 1	AMENDED:
REFERENCE: CFA 15.01, 15.02, 15.04		RESCINDS: Special Order: Promotion Oral Board- Civilian Employees 01.10.2003
 Sheriff of Monroe County		

PURPOSE: The purpose of this order is to establish policy and procedures for the promotion of civilian employees seeking supervisor and above positions.

POLICY: It is the Sheriff's policy that the promotional process for civilian employees be job related and nondiscriminatory.

PROCEDURE:

VACANCY APPLICATION

- Supervisory position vacancies will be announced by the Human Resource Division in accordance with the job vacancy posting policies.
- Employees meeting the announced eligibility requirements may submit their name to the Human Resources Division in accordance with the job vacancy application policies.

INTERVIEW BOARD

- An oral board will interview all eligible candidates as part of the promotional process.
- The oral board will consist of five individuals selected as follows:
 - The Director Human Resources or designee will select two members.

- The immediate supervisor of the position will serve on the board and will select the remaining two members.
- A list of job relevant questions will be compiled by the immediate supervisor of the vacant position. These questions will be submitted to the Director of Human Resources at least two working days before the scheduled oral board.
- Should the Director of Human Resources suspect any question to be illegal or improper the HR Director will contact the supervisor and work with him/her to compose an acceptable question.
- The oral board members will fairly and in a nondiscriminatory fashion select one applicant for recommendation for promotion and submit that applicant's name and a justification for the recommendation to the Sheriff via chain of command.

SHERIFF'S PROMOTIONAL AUTHORITY

The Sheriff retains full authority for the promotional decision.

Chapter 12

COMMENDATION AND AWARDS PROGRAM

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Discussion..... 12:1

Policy And Procedure..... 12:1

Member of Quarter Awards..... 12:1

 Categories for Recognition..... 12:1

 Eligibility..... 12:1

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Medals Program..... 12:2

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 Types of Medals..... 12:2

CHAPTER TWELVE
COMMENDATION AND AWARDS PROGRAM

I. PURPOSE

The purpose of this directive is to establish the Office Awards and Medal Program

II. DISCUSSION

This directive shall apply to all Sheriff's Office Members

III. POLICY AND PROCEDURES

A. Member of the Quarter Awards

1. The awards program will be administered by the Sheriff or his designee.
2. The commendations will be awarded based on evaluation of distinguished service and/or individual achievement.
3. Five categories for recognition have been created.
 - a. Law Enforcement – Deputies and Detectives
 - b. Corrections – Sworn
 - c. Reserves, Auxiliaries and Auxiliary Support
 - d. Support Staff
 - e. Cadets (Explorers)
4. Quarterly Awards
 - a. All Members of the Office are eligible for selection of the quarterly award. Each Member should be recognized for his/her outstanding effort, distinguished service, and/or individual achievement. Recommendations may be submitted by citizens, fellow officers, supervisors, and/or non-sworn members, to the nominated Member's Commander or Director. All nominations shall be forwarded in writing to Human Resources. Each Commander and/or Director may submit one nomination for each category.
 - b. At the end of the quarter, Human Resources will send out notification to all Commanders and Directors that nominations are due. Upon receipt of the nominations, Human Resources will forward the nominations to the Undersheriff for presentation at the appropriate Command Staff meeting for consideration and selection. The Sheriff will have the final decision on all selections.
5. The time periods for the Officer / Member of the Quarter are as follows:
 - a. 1st Quarter – January 1 through March 31
 - b. 2nd Quarter – April 1 through June 30
 - c. 3rd Quarter – July 1 through September 30
 - d. 4th Quarter – October 1 through December 31

a. Yearly Award

- a. The Member of the Year Award will be selected from the time period commencing January 1 and ending December 31 of each calendar year. Only those Members who have been selected throughout the year as Members of the Quarter are eligible for this nomination.
- b. At the end of the year, the names of those Members who are eligible for the yearly award are presented to the Sheriff and Command Staff for consideration and selection. The Sheriff will have the final decision on all selections.

b. Awards

- c. The Quarterly Award – The Officer/Member will be presented with an engraved plaque and a commendation ribbon, which is maroon and yellow in color.
- d. The Yearly Award – The Officer/Member will be presented with a monetary award, an engraved plaque, and a commendation ribbon, which is gold in color.

B. Medals Program

- e. The Medals Program is to recognize outstanding performance and actions by Members that go beyond their job function or deserve specific recognition not available through the Quarterly/Year Award Program. The Law Enforcement Explorers, through their parent organization, have a ribbon program, which is recognized by the Sheriff. The Explorer ribbon program is governed by those established guidelines and when presented it will be done at an Office Awards Ceremony.

f. Type of Medals

- g. Medal of Valor – will be awarded to the Member who displays distinguished and extraordinary heroism in the line of duty and does so at risk of imminent personal hazard to her/his life. This award will be presented as mandated by performance.
- h. The Member will be presented with a letter from the Sheriff and a commendation ribbon, which is solid red in color
- i. Sheriff's Medal - shall be awarded to those Members of the Office who are involved in an incident where a meritorious act is performed. This would include a shooting incident, attempting to save another's life, or apprehending a felon with knowledge of risk to life or limb. This award will be presented as mandated by performance.
- 1) The Member will be presented with a letter from the Sheriff and a commendation ribbon, which is green with four yellow vertical stripes in color.
- c. Purple Heart - will be awarded to a Member who sustains a serious / debilitating injury while performing his/her duties. The award will be presented as mandated by performance.
- 1) The Member will be presented with a letter from the Sheriff and a commendation ribbon, which is solid purple in color.

- c. Distinguished Service Award - will be presented at the sole discretion of the Sheriff and is be given in recognition of outstanding service by a Member of the Office. This award will be presented as mandated by performance.
 - 1) The Member will be presented with a letter from the Sheriff and a commendation ribbon, which is blue, yellow and green in color.
- e. Quarterly Award – See III, A. 4. of this order.
- f. Yearly Award – See III. A. 5. of this order
- g. Hurricane Award - The Hurricane Award will be presented to those Officers/Members who stay and work above and beyond the normal realm of their duties during a hurricane. This award will be determined by the Sheriff.
 - 1) The Member will be presented with a ribbon, which has a combination of blue, white, red stripes with a yellow stripes in color.
- h. Community Involvement Award - will be presented to those Officers / Members who, above and beyond the normal realm of their duties, aid, assist or become part of an organization, project or event where they give unselfishly of their time, expertise or patience to the betterment of the community and its citizens. The award will be determined by the Sheriff when presented with recommendations that provide sufficient evidence of involvement. This award will be presented as mandated by performance.
 - 1) The Member will be presented with a ribbon, which has a combination of blue and white stripes in color.
- i. Wellness Award - will be presented to those Members who maintain a wellness profile and or has used no sick leave for a period of one year.
 - 1) The Member will be presented with a ribbon, which is red and white in color.
- j. Good Conduct Award - will be given for each five years of service without disciplinary action more severe than that of a written reprimand. The Division Commanders and/or Directors shall be responsible for recommending the Officers / Members
 - 1) The Member will be presented with a ribbon, which has single blue and white vertical stripes in color.
- k. Continuous Service Award
 - 1) Regular Members - will be given after the first five years of continuous service. On each fifth anniversary thereafter, an oak leaf will be presented up to twenty years of service, after which the oak leaves will be replaced by a star, representing twenty-five years. This award will be presented as mandated by performance. This ribbon does not replace the longevity bars and stars worn on the long sleeve uniform shirt.
 - 2) Reserve/Auxiliary Members – will be given after the first 1,000 hours of volunteer duty is recorded. For each subsequent 2,000 hours of recorded volunteer duty, an oak leaf will be presented up to 7,000, after which the oak leaves will be replaced by a star, representing 9,000+ of volunteer duty.
 - 2) Explorers – will be given after the first five years of continuous service. Upon the anniversary of their tenth year of continuous service an oak leaf will be presented.

- a) The Member will be presented with an engraved plaque, second gift that will vary with longevity, and a ribbon, which has a combination of blue and white stripes in color.
- l. National Defense Medal – Those members who have served in the Armed Forces of the United States, to include and United States Coast Guard, Reserve or National Guard Unit and have received the National Defense Medal or Medal signifying an area of service during a war or armed conflict may display same in conjunction with Office ribbons.
- m. Educational Recognition Award - This award will be given to those Members, both sworn and non-sworn, who have obtained a college degree, attended the FBI Academy, the Southern Police Institute, IPTM Management, FDLE Executive Institute Senior Leadership Seminar or Chief Executive Course or are dual certified corrections / law enforcement. This award will be presented as mandated by performance.
 - 1) The Member will be presented with a ribbon, which is blue, red, and white in color.
- n. Special Duty Ribbon - The ribbon will be worn by those Deputies who have been trained to perform special functions with the Office above the normal duties of Deputy Sheriff:
 - 1) Field Training Officer (FTO/Cert)
 - 2) Special Weapons and Tactics Team (SWAT)
 - 3) Canine (K-9)
 - 4) Police Diver
 - 5) FDLE Certified Instructor
 - 6) Detention Emergency Response Team
 - 7) Motorcycle Officer
 - 8) Honor Guard
 - 9) Others as specified by the Sheriff, are considered special duty.

For each additional activity the Deputy shall receive an oak leaf cluster.

- 1) The Member will be presented a ribbon, which has a combination of green, black, yellow, blue, red and white stripes in color.
- o. Safe Driver Award - will be presented to those Officers who are assigned a vehicle and maintain a clean driving record for five years. A clean driving record is defined as "no chargeable accidents against the Officer". An oak leaf cluster for each additional five years shall designate each additional award.
 - 1) The Member will be presented a ribbon, which has a combination of green, red, yellow and blue stripes in color.
- p. Marksman Ribbon – Members will be presented with a ribbon upon qualifying with her/his service weapon. The ribbon is solid blue in color.
- 3. Subsequent Duplicate Awards – In the event a Member receives a specific award for a second time, the Member will be presented with a bronze oak leaf for placement on the appropriate ribbon. Four similar awards would result in an oak leaf cluster on the ribbon; in the event of a fifth award the oak leaf cluster will be replaced by a gold star
- 4. Approved Ribbons - Only those ribbons issued by the Monroe County Sheriff's Office will be worn or displayed with the exception of the United States Congressional Medal of Honor.

5. Order of Display - Ribbons awarded to a Member shall be worn on the uniform of the day and the Class A uniform, horizontally over the top of the right breast pocket flap. A maximum of three ribbons across and six rows high can be worn. Ribbons will be worn in order of importance from left to right and top to bottom as the uniform is being worn. The following is the order the ribbons are to be worn:
 - 1) Medal of Valor
 - 2) Sheriff's Medal
 - 3) Purple Heart
 - 4) Distinguished Service Award
 - 5) Officer / Member of Year
 - 6) Officer / Member of Quarter
 - 7) Hurricane Award
 - 8) Community Involvement Award
 - 9) Wellness Award
 - 10) Good Conduct Award
 - 11) Continuous Service Award
 - 12) Armed Forces Recognition Award
 - 13) Military Conflict Ribbons – sequentially starting with the Korean Conflict Ribbon. (In lieu of Armed Forces Ribbon)
 - 14) Educational Achievement Award
 - 15) Special Duty Award
 - 16) Safe Driver Award
 - 17) Marksmanship Award
6. Uniform Display – regular size ribbons only will be worn on Office uniforms. If a Member chooses not to wear his ribbons on the uniform of the day, only the Sheriff's Star / Shield Badge, nametag and rank insignia will be worn.
7. Civilian Display - Office Members who wear civilian attire may apply for and receive awards/ribbons.

CHAPTER FOURTEEN
GRIEVANCE PROCEDURES

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CHAPTER FOURTEEN
GRIEVANCE PROCEDURES

I. PURPOSE

The purpose of this directive is to establish a grievance procedure.

II. DISCUSSION

This directive shall apply to all Sheriff's personnel. Good management practices recognize that a carefully designed grievance process can help to reduce personnel dissatisfaction, increase morale, identify problems in the organization, and increase the positive perception Members have of the organization. Therefore, it is the policy of the Sheriff that his Office has a formal grievance method that allows a Member to resolve a grievance with management fairly and expeditiously. All or a part of this grievance procedure may be superceded by a collective bargaining agreement entered into between the Sheriff and a recognized collective bargaining unit.

III. POLICY AND PROCEDURE

A. Non-Collective Bargaining Unit Grievances

Grievable matters include:

- 1) Concerns over the interpretation of personnel policies, rules, and procedures.
- 2) Acts of alleged reprisals as a result of using the grievance procedure.
- 3) Discrimination against a member, including newly-appointed members, in regard to race, color, religion, creed, age, sex, national origin or disability, or sexual orientation.
- 4) Discrimination against a member for reporting improper or illegal activities.
- 5) Member Performance Evaluations.
- 6) Harassment.
- 7) Appeals of any disciplinary actions resulting in suspension without pay for a period of more than forty hours demotion or termination shall be appealed to the career service bill. (See Chapter 24)

1. As soon as reasonably possible, from the time the grievance occurred, the aggrieved Member shall prepare an interoffice memorandum stating the grievance and the facts upon which it is based; the allegation of the specific wrongful act and harm done; and, the remedy or adjustment sought.
2. The interoffice memorandum shall be sent directly to the Executive Director of the Human Resources Division, who will acknowledge receipt of the grievance by noting the time and date.
 - a. The Executive Director of Human Resources shall review and determine appropriate course of action; such as investigation or mediation.
 - 1) If further investigation is required, the Executive Director of Human Resources shall engage Internal Affairs as appropriate.
3. Should the grievance fail to articulate basis of the grievance, the Executive Director of Human Resources shall direct a memorandum of explanation for non-investigation of the grievance to the aggrieved member within fourteen working days of the receipt of the grievance.
4. The Executive Director of Human Resources Division will retain a copy of the grievance.
 - a. The original will be sent to the appropriate Division Commander.

b. If the grievance is with a Division commander or above, the grievance will be sent to the next level of command.

5. The Division Commander or Director shall review all material regarding the grievance, review and analyze the facts or allegations, affirm or deny, in writing, the allegations in the grievance, and if the grievance involves a health or safety matter, identify the remedy or adjustments, if any, to be made.

6. Should the aggrieved Member be dissatisfied with the Commanders / Director's decision, the Member may appeal by:

a. Within three (3) working days of receiving the response to be appealed, submit an interoffice memorandum through the Inspector General to the Undersheriff, detailing the reason for appeal.

b. The appeal papers shall be acknowledged by the Undersheriff by noting the time, date, and persons receiving the appeal for the Undersheriff.

c. Within two (2) working days after receipt, the Undersheriff shall analyze the facts or allegations, affirm or deny the allegations, and identify the remedy or adjustments, if any, to be made and respond in writing to the aggrieved Member.

7. Should the aggrieved Member still be dissatisfied, he/she may make a final appeal directly to the Sheriff:

1. The appeal papers shall be acknowledged by the Sheriff by noting the time, date, and persons receiving the appeal for the Sheriff.

8. The original grievance papers shall be maintained with the Executive Director of the Human Resources Division for a period of five (5) days. Should no appeal be filed, the papers shall be forwarded to the Undersheriff through the Inspector General for review and filing.

9. The Executive Director of the Human Resources Division shall be responsible for the maintenance and control of all grievance records. Such records shall be maintained in compliance with Florida Statutes Chapter 119. The Executive Director of Human Resources shall also be responsible for the coordination of grievance procedures and the grievance process.

10. An annual analysis of grievances shall be conducted by the Executive Director of the Human Resources Division. If through analysis, a trend is noticed in filed grievances, steps shall be taken to minimize the causes of such grievances in the future.

11. Nothing contained herein shall prohibit a Member from seeking assistance of any person in the drafting of the grievance or in the drafting of any appeal.

12. Employees may have representation during all phases of the grievance procedure, which may include another employee.

B. Collective Bargaining Unit Grievances (CBU)

1. **The Internal Affairs division shall track the status of all grievances made by CBU members through the process as outlined in the Collective Bargaining Agreement.**

2. **An annual analysis of CBU grievances shall be conducted by the Command Deputy Sheriff of the Internal Affairs division. The analysis shall be sent to the Sheriff via the Chain-of-Command.**

(Revised 12/04/09)

IV. AMERICAN WITH DISABILITIES ACT GRIEVANCE PROCEDURE

A. Policy Statement

The Monroe County Sheriff's Office has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the US Department of Justice regulations implementing Title II of the Americans with Disabilities Act. Title II states, in part, that "no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination" in programs or activities sponsored by a public entity.

B. Definitions

1. **Qualified Individual with a Disability** - A disabled person who is able to perform the essential functions of a job or meet the essential eligibility requirements of the program, benefit or service, with or without an accommodation to his/her condition.
2. **Reasonable Accommodation** - Any modification or adjustment to a job, activity, service or program by changing policies, practices, providing auxiliary aids and improving physical accessibility, unless that would impose an undue hardship on the agency.
3. **Undue Hardship** - An accommodation that requires significant difficulty or expense in relation to the size of the Agency, the resources available, and the nature of the operations. The concept of undue hardship includes any action that is unduly costly, extensive, substantial, disruptive, or that would fundamentally alter the nature or operation of the program, service, or job.

C. Procedures


Any individual who feels that they have been excluded from participation in, denied benefits of, or been the subject of discrimination in programs, activities, services or employment provided by the Monroe County Sheriff's Office may file a complaint with the designated ADA Coordinator, the Executive Director of Human Resources.

1. Complaints should be addressed to the Executive Director of Human Resources.
2. A complaint may be filed in writing, person, or by telephone. Complaints should provide the name and address of the person filing it, and briefly describe the alleged violation of the regulation(s).
3. A complaint shall be filed within thirty (30) days after the complainant becomes aware of the alleged violation.
4. An investigation, as may be appropriate, shall follow a filing of complaint. The investigation shall be conducted by the ADA Coordinator or his/her designee. These rules contemplate informal, but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
5. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the ADA Coordinator and a copy forwarded to the complainant no later than forty-five (45) days after its filing.
6. The ADA Coordinator shall maintain the files and records of the Monroe County Sheriff's Office relating to all ADA complaints filed.

7. The complainant may request a reconsideration of the case in instances where he/she is dissatisfied with the resolution. The request for reconsideration should be made within ten (10) days to the Sheriff. The request for reconsideration may be made in writing, person, or by telephone.
8. The right of a person to a prompt and equitable resolution of the complaint filed hereafter shall not be impaired by the person's pursuit of other remedies such as filing of an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not prerequisite the pursuit of other remedies.
9. These rules shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards and to assure that the Monroe County Sheriff's Office complies with the ADA and implementing regulations.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 13		TITLE: Code of Conduct
EFFECTIVE DATE: January 1, 2010	NO. PAGES: 5	REVIEWED/REVISED: July 16, 2013
REFERENCE:		RESCINDS: Chapter 13: Disciplinary Procedures and Code of conduct (effective date 05/25/09)
 _____ Sheriff of Monroe County		

PURPOSE

The purpose of this directive is to establish a Code of Conduct for Office personnel.

- Insubordination offenses
- Unlawful conduct offenses
- Improper conduct offenses
- Job knowledge and performance

DISCUSSION

This directive shall apply to all Sheriff's members, both on and off duty. For the purposes of this chapter "member" includes reserve and auxiliary deputies. All members are expected to abide by the laws of the land and the Rules and Regulations of the Sheriff's Office. Members are expected to abide by the Code of Ethics. All members should be cognizant that their actions on and off duty could reflect on the agency. Members are therefore expected to conduct themselves courteously and professionally and refrain from any conduct that will bring discredit to themselves or the agency.

A. Insubordination Offenses

1. **Respect toward superiors** - Members shall display respect and shall address Supervisors and superior officers by proper rank or title.
2. **Abusiveness** - Members shall not use abusive language, publish abusive statements in any form of media or gestures toward any other member, supervisor or superior officer of the Sheriff's Office.
3. **Criticism of orders or policies** - Members shall support the policies, orders, and procedures of the Monroe County Sheriff's Office, and shall not criticize or ridicule the Monroe County Sheriff's Office, its policies, orders, or personnel by speech, writing, or other expression where such interferes with the maintenance of discipline or otherwise undermines the effectiveness of the Sheriff's Office.
4. **Compliance with a lawful order of a superior** - Members shall promptly execute the lawful orders and/or instructions of a Supervisor or superior officer of the Sheriff's Office, and shall not delay or fail to carry out such orders or instructions.

POLICY AND PROCEDURE

Members shall follow the general rules and regulations outlined in the General Orders and the specific rules, regulations, and directives for their particular job description. Members shall also abide by the specific directives listed below. Violations of the rules will be categorized as follows:

Classification of offenses - Violation of rules and/or procedures shall be classified according to general categories in separate sections of the rules and regulations as follows:

5. **Compliance with direct order of an Internal Affairs Investigator** - Members shall obey the lawful orders of Internal Affairs Investigators or superior officers related to internal investigation.
6. **Concerted job actions** - Members shall not engage in concerted job actions such as curtailment or restriction of work output, or interfere with work in or about other Sheriff's work stations including, but not limited to, instigating, leading, or participating in any walk-out, strike, sit-down, stand-in, slow-down, refusal to return to duty at the scheduled time, or otherwise instigate, lead, or contribute to job actions which undermine supervisory authority and which affect discipline, morale, or organizational effectiveness.

B. Neglect of Duty Offenses

1. **Neglect of duty** - Members shall be attentive to job duties, be aware of job requirements and shall adhere to procedures, policies, directives, orders, rules and regulations and shall faithfully execute all of the duties and responsibilities of their assigned position.
2. **Failure to Report for Work / Tardiness** - Members shall promptly report for duty properly prepared at the time and place required by assignments or orders. Members who are unable to report for duty for any reason shall notify the duty supervisor not less than one (1) hour prior to the scheduled reporting time.
3. **Failure to respond to subpoena** - Members shall respond to all lawfully issued subpoenas. Those who are unable to respond to a subpoena for any reason shall notify the issuing authority and their supervisor prior to the scheduled appearance time and as soon as the employee becomes aware that he/she may not be able to comply with the subpoena.
4. **Horseplay, loafing, distraction of others** - Members shall perform their duties in a conscientious manner and shall not engage in horseplay while on duty or at a Sheriff's Office facility or work station, shall not give the appearance of loafing, and shall not

distract others who are performing assigned duties.

5. **Careless handling or intentional abuse of equipment / weapons / vehicles** - Members shall utilize Sheriff's Office equipment, weapons, and vehicles for their intended purpose in accordance with established procedures, and shall not subject such equipment to loss or damage through careless handling or intentional mishandling.
6. **Cowardice** - Sheriff's deputies shall not fail to perform their required duties because of fear or cowardice.

C. Unlawful Conduct Offenses

1. **Non-criminal violations** - Members shall adhere to all federal, state, and local laws and ordinances including those punishable by no other penalty than a fine, forfeiture, or other civil penalty. (Including, but is not limited to, traffic infractions)
2. **Commission of a crime** - Members shall not commit any act defined by state, federal law or local ordinance as a criminal offense, whether chargeable or not. (Violations of Civil Rights Acts under color of law 18 USC 241 and 242 are felony offenses).

D. Improper Conduct Offenses

1. **Violation of official procedures and/or directives** - Members shall not ignore or violate official directives, policies, procedures, orders, or supervisory instructions, or knowingly fail to properly execute the duties and responsibilities of their assigned position.
2. **Courtesy** - Members shall be polite and courteous in contacts with the public and with other Sheriff's personnel.
3. **Neighborhood and or family disputes** - Members shall avoid involvement in neighborhood controversies, matters of personal interest, or family disputes in an official capacity. Such disputes shall be investigated by impartial on-duty officers.

Deputies shall not attempt to exercise authority or to make arrests in their own quarrels, but shall contact a superior officer who shall cause the matter to be investigated and action taken by impartial officers having no personal interest in the dispute.

4. **Gossip** - Members shall not engage in or convey gossip detrimental to other personnel or the agency.
5. **Use of profanity or vulgarity** - Members shall not use profanity or vulgarity in speech or gestures.
6. **Use of Agency Address** - Members shall not use the Monroe County Sheriff's Office or any of its facilities as a mailing address for private or personal purposes. The Monroe County Sheriff's Office address shall not be used on any personal motor vehicle registration, operator, or chauffeur's license. Monroe County Sheriff's Office letterhead shall not be used for personal or private correspondence.
7. **Misrepresentation/ speeches** - Members shall secure the consent of the Sheriff prior to any public appearance or testimonial, appearing in any advertisement, publishing any article, or releasing any official information which is not within their official duties, when such speech, appearance, or publication may be viewed as representing the agency or agency policy or positions.
8. **Recommending attorneys or bail bondsmen** - Members shall not recommend or suggest to any person arrested, prisoner, or any other person concerned with a prisoner in custody, the employment or hire of any specific attorney or bail bondsmen.
9. **Providing bail** - Members shall not become surety, guarantor, or furnish bail for any person arrested or charged with a crime except members of their immediate family and then only after notifying his/her commanding officer.
10. **Unfitness for duty** - Members shall not report for duty or remain for duty in an unfit condition due to the use of alcohol, drugs, prescription medication or with the odor of

alcohol on the breath or on or about their person.

11. **Entering or frequenting liquor establishments** - Unless in the discharge of official duties, members, while on duty, shall not enter or frequent places established primarily for sale, storage, or consumption of alcoholic beverages, or adult entertainment for sale or display of pornographic pictures and materials.
12. **Misrepresentation of position and/or authority** - Members shall not misrepresent their position or authority to any person for personal reasons or gain.
13. **Improper use of official position** - Members shall not use their official position for improper personal gain or to receive a gratuity, except as authorized by the Sheriff.
14. **Interfering with official investigators** - Members shall not interfere or attempt to interfere with any investigation conducted by other deputies of the Monroe County Sheriff's Office or any other governmental agencies, nor undertake any investigation or other official action not part of their regular duties unless ordered to do so by a superior.
15. **Recognition and exposure of undercover officers** - Members shall protect the identity of officers engaged in covert operations, and shall not intentionally expose the identity or occupation of officers engaged in covert operations.
16. **Dissemination of information** - Members shall treat the official business of the Monroe County Sheriff's Office as confidential. Information regarding official business or personal information about other members shall be disseminated only by those authorized and only to those for whom it is intended and in accordance with established procedures. Members may remove or copy official records or reports only in accordance with established procedures.
17. **Communicating criminal information** - Members shall maintain the security of

confidential information, and shall not intentionally communicate or give law enforcement information to any non-authorized person.

18. **Association with dissident groups** - Members shall not knowingly associate with any person or organization which advocates or is instrumental in fostering hatred or persecution of any person or group and shall not knowingly associate with any person or group which advocates the overthrow of the United States Government.

19. **Association with Criminals** - The integrity and effectiveness of the agency is threatened when its members maintain business, social, or romantic relationships with people or groups who have been engaged in, are engaged in or likely to become engaged in criminal activities. Members must exercise sound judgment and avoid or minimize such relationships. Members are instructed to seek guidance from supervisors in order to comply with this directive

20. **Derogatory remarks** - Members shall not make derogatory remarks concerning race, sex, religion, age, sexual orientation, or national origin of any person.

21. **Excessive or unnecessary force** - Members shall use only that degree of force necessary to perform official duties.

22. **Political activity** - Members shall not engage in political activities while on duty or use their official position when engaged in political activities.

23. **Untruthfulness** - Members shall not knowingly make false or untrue statements except as authorized in the performance of their duties.

24. **Harassment** - Members shall not use their official position to harass, threaten, or coerce any person.

25. **Chain of command** - Members shall adhere to the organizational chain of command in the course of regular duties except when necessary for maintaining the morale and/or the integrity of the Sheriff's

Office, or in cases of justifiable personal need.

26. **Tortious acts** - Members shall not commit, by act of commission or omission, any flagrant or tortious act while in the performance of their duties.

27. **Code of Ethics for Public Officers and Employees** - Members shall strictly adhere to the code of ethics for public officers and employees as set forth in Florida Statutes 112.311-112.326 and the International Association of Chiefs of Police Code of Ethics as adopted by Monroe County Sheriff's Office (Reference Chapter 30:3 Code of Ethics).

28. **Conduct Unbecoming** - Members shall conduct themselves at all times, both on and off duty, in such a manner so as to reflect most favorably upon the office. Conduct unbecoming is any conduct which adversely affects the morale, operations, or efficiency of the office or any conduct which has the tendency to adversely affect, lower, or destroy public respect and confidence in the office or any member. Conduct unbecoming also includes any conduct that brings the office or any member into disrepute or brings discredit upon the office or any member.

29. No member will read, compose or send a text message on any handheld phone or handheld electronic device while operating any Agency equipment, (i.e., bicycles, go-peds, vehicles, vessels, etc.) The intent of this restriction is to ensure the safety of Sheriff's Office members and the public.
Revised 03/02/10

E. Job Knowledge and Performance

1. **General Proficiency** - Members are required to maintain job knowledge and skills required for the performance of official duties.

2. **Knowledge of Rules, Regulations and Procedures** - Members are required to demonstrate knowledge of the law and procedures related to their assignment and the rules, regulations, general orders and directives of the agency.

- **Countermanding Rules, Orders, Procedures**

The Sheriff may, at his discretion, authorize suspension of rules, orders, procedures, or directives of the Sheriff's Office when necessary for covert investigation or to achieve Office objectives. The Undersheriff may suspend or countermand a rule, order, procedure, or directive only when failure to do so would obstruct the achievement of objectives or would otherwise be adverse to the Sheriff's Office. In such cases, written explanation will be immediately forwarded to the Sheriff.

CHAPTER FIFTEEN

WORKPLACE ENVIRONMENT POLICY

I. PURPOSE

The purpose of this directive is to establish a Workplace Environment Policy for the Monroe County Sheriff's Office.

II. POLICY STATEMENT

Legal and moral precepts make sexual harassment, harassment based on race, color, religion, sex, national origin, ancestry, age, veteran status, marital status, familial status, sexual orientation/preference, political beliefs, disabilities/handicap, or any other characteristics protected by local, state, or federal law, or discrimination of any kind in the workplace completely improper. This agency disapproves of any such harassment or discrimination, and, by means of this Order, states that sexual harassment, harassment, and discrimination as herein defined are strictly forbidden. This agency therefore, shall take direct and immediate action to prevent such behavior, and to remedy all reported instances of harassment, sexual or otherwise, and discrimination.

Instances of alleged sexual harassment, harassment, or discrimination not found to be in violation of applicable laws may still be in violation of this General Order and subject to disciplinary actions.

All personnel shall have the right to work in an environment free from any type of sexual harassment, harassment, or discrimination. Sexual harassment, harassment, or discrimination of any personnel in any form shall result in disciplinary action up to and including dismissal. The Sheriff or his designee must be apprised of all facts concerning alleged sexual harassment, harassment, and discrimination in the work environment.

The publication of procedures herein is not intended to, and does not, create in all personnel a property right to their job with the Monroe County Sheriff's Office.

Any personnel found to have violated this Policy shall be subject to disciplinary proceedings pursuant to General Operations Manual, Chapter 13 – Discipline Procedures and Code of Conduct.

It is recognized that Collective Bargaining Agreements exist and may supersede policy on discipline and grievance procedures.

Harassment or discrimination that does not fall within the protections of this policy is subject to a review and corrective action by the personnel's supervisor.

(Revised 03/10/04)

III. PROCEDURE

- A. Discrimination in the Workplace** – Discrimination is defined as the denial of equal employment opportunity. It is a violation of this policy to fail or refuse to hire or to discharge an individual or otherwise discriminate against any individual with regard to compensation, terms, conditions, or privileges of employment because of such person's race, color, religion, sex, national origin, ancestry, age, veteran status, marital status, familial status, sexual orientation/preference, political beliefs, disability/handicap, or any other characteristics protected by local, state, or federal law.

B. Sexual Harassment in the Workplace

1. Sexual Harassment in the workplace is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when any of the following occurs:
 - a. Submission to such conduct is made either explicitly or implicitly a condition or employment;
 - b. Submission to, or rejection of, such conduct by an individual is used as a basis for employment decisions affecting the individual;
 - c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.
2. Examples – the following are examples of behaviors that can create a hostile environment if they are unwanted or uninvited:
 - a. Lewd or sexually suggestive comments
 - b. Jokes or teasing about sex, sexuality, gender
 - c. Comments about body parts or sex life
 - d. Sexually degrading words used to describe an individual
 - e. Suggestive pictures, posters, calendars, or cartoons
 - f. Leering, stares, or gestures
 - g. Repeated request for dates or other unwanted, unsolicited propositions
 - h. Holding up to ridicule
 - i. Leaving sexually explicit notes, books, magazines, etc., in places where personnel may find them
 - j. Sending sexually explicit emails, greeting cards, or letters
 - k. Requiring the wearing of revealing clothing
 - l. Excessive attention in the form of love letters, telephone calls, or gifts
 - m. Touching, including such things as brushes, pats, hugs, shoulder rubs, pinches, and all other forms of unwanted physical contact.
 - n. Requesting or ordering personnel of one gender exclusively to perform tasks viewed as "women's work" or "men's work"
 - o. The deliberate singling out of personnel of one gender
 - p. Conduct such as listed above that offends a person other than the person to whom the sexual conduct is directed.
3. Occasional compliments of a socially acceptable nature do not create a hostile work environment. Conduct that may create a hostile work environment is behavior that is unwelcome, that is offensive to a reasonable person, that debilitates moral, and that interferes with work effectiveness.

C. Harassment in the Workplace

1. Harassment in the Workplace is defined as conduct, verbal or otherwise, that has the purpose or effect of unreasonably interfering with an individual's work performance or that creates an intimidating, hostile, or offensive working environment.
2. Harassment based on any of the following: race, color, religion, sex, national origin, ancestry, age, veteran status, marital status, familial status, sexual orientation/ preference, political beliefs, disability/handicap, or any other characteristics protected by local, state, or federal law is subject to an investigation pursuant to this policy.

3. The following are examples of harassment that can create a hostile environment:
 - a. Jokes, comments, teasing based on any of the above characteristics
 - b. Derogatory pictures, posters, calendars, or cartoons based on any of the above characteristics
 - c. Conduct such as that listed above that offends a person other than the person to whom the conduct is directed.

D. Retaliation

1. Retaliation may include, but is not limited to, such acts as refusing to recommend personnel for a benefit for which he/she qualifies, spreading rumors about the person, encouraging hostility from co-workers, and escalating harassment.
2. There shall be no retaliation against any personnel for filing a complaint under this Policy, or assisting, testifying, or participating in the investigation of such complaint. Any subsequent conduct by agency personnel toward any affected party, which is negative and retaliatory, shall be reported for investigation and disciplinary action up to and including dismissal.

E. Responsibilities

1. Personnel

- a. All personnel have an affirmative duty to protect the agency from liability by conducting themselves in an appropriate manner and acting responsibly to maintain a pleasant working environment, free of discrimination and harassment and allowing all personnel to perform to his or her maximum potential. All personnel is responsible for assisting in the prevention of harassment and discrimination through the following acts:
 - 1) Refraining from participation in, or encouragement of, actions that could be perceived as harassment or discrimination;
 - 2) Reporting acts of harassment or discrimination in accord with this policy;
 - 3) Encouraging any personnel who confides that they are being harassed or discriminated against, to report these acts in accord with this policy;
 - 4) Refraining from gossiping about or discussing such complaints with other personnel, outside of the reporting and investigative processes; and
 - 5) Cooperating with and assisting with all investigations of violations of this policy.
- b. Failure to take action in accordance with this Policy to stop known harassment or discrimination shall be subject to disciplinary action up to and including dismissal.

2. Complainant Responsibilities

- a. In addition to the above responsibilities that apply to all personnel, complainants are encouraged to tell the offender that his or her actions are unwelcome.

3. Supervisor Responsibilities

- a. In addition to the above responsibilities that apply to all personnel, Supervisors have the responsibility to act promptly and affirmatively when they observe behavior that violates this policy, and/or when they receive complaints of harassment or discrimination.

- b. Each MCSO supervisor is responsible for ensuring that his or her workplace is free or harassment and discrimination. These responsibilities include:
 - 1) Monitoring the work environment on a daily basis for signs that harassment or discrimination may be occurring;
 - 2) Reviewing this policy with all personnel;
 - 3) Assuring all personnel they need not endure insulting, degrading, or exploitative treatment of any nature;
 - 4) Informing all personnel of their right to file a complaint for violations of this policy;
 - 5) Assuring all personnel that investigations of violations of this policy will be handled in accordance with applicable confidentiality provisions;
 - 6) When deemed necessary, taking action to limit the work contact between two individuals where there has been a complaint of harassment or discrimination, pending the investigation;
 - 7) Notifying the Human Resources Director and his or her own supervisor of all complaints received and actions taken relating to the complaint; and
 - 8) Ensuring that there are no retaliatory actions taken against the complainant, or any witness for assisting, testifying, or participating in the investigation of such a complaint by any individual, including the alleged perpetrator.

F. Work Environment Officer (WEO)

1. This section creates the position of Work Environment Officer (WEO).
2. The Work Environment Officer (WEO) shall be appointed by the Sheriff and during the normal daily duties will report in the usual chain of command. However, in cases of sexual harassment, harassment, or discrimination investigations, the WEO shall operate outside that chain of command and report directly to the Sheriff or his designee. The number of persons fulfilling the duties of the WEO may vary.
3. The WEO shall have experience in conducting investigations and shall have training through the Equal Employment Opportunities Commission. The WEO shall be sensitive to the persons and issues involved in complaints of violations of this policy.
4. The WEO shall conduct all investigations of sexual harassment, harassment, or discrimination in accordance with this policy. In appropriate cases the WEO shall mediate a resolution to the complaint.
5. The WEO shall refer all investigations to Internal Affairs immediately upon learning that the complaint includes any violation of criminal law. Internal Affairs shall take over the investigation of such matter in accord with General Operations Manual, Chapter 20 – Internal Affairs.

G. Reporting Procedures

1. Any personnel who experiences any job-related harassment or believes he or she has been discriminated against, is encouraged to promptly make the objection known to the offender.
2. Any personnel who believes that harassment or discrimination has occurred in or relating to the workplace shall report the incident(s) to the Director of Human Resources, a supervisor, a Director, or the Sheriff. All personnel has the right to bypass their chain of command and report concerns to the Director of Human Resources and up to the Sheriff if any personnel feels the offending party is in their Chain of Command.
3. The report may be verbal or written.

4. Anonymous complaints may be made and all such complaints shall be investigated to the degree necessary to determine their validity.
5. Any personnel receiving the complaint shall document the incident(s) complained of, the complainant, the person(s) harassing or discriminating, and the dates on which it occurred and shall immediately (within 24 hours) report it to the Director of Human Resources.
6. If a second incident of sexual harassment, harassment, or discrimination occurs between the same complainant and the same offender, the complainant shall report the subsequent violation in accord with these Reporting Procedures.

H. Investigative Guidelines

1. The Director of Human Resources or designee shall receive all complaints of sexual harassment, harassment, or discrimination. The Director shall consult with the Sheriff or his designee in identifying the WEO to be assigned the investigation. The Director of Human Resources or designee shall provide a copy of the complaint to the assigned WEO. The Director of Human Resources or designee shall maintain the original complaint.
2. The WEO shall promptly, impartially, and discreetly conduct an inquiry of the complainant and shall identify the remedy sought by the complainant, and determine if mediation or an investigation is appropriate.
3. The criteria for conducting mediation is:
 - a. There is no previous complaint against the alleged offender of a violation of this Policy or its predecessor Policies;
 - b. The alleged violation of this Policy does not constitute a violation of criminal law;
 - c. The complainant submits a written request for mediation. The complainant requesting mediation is specifically informed of the possibility that their complaint may be re-opened due to a subsequently alleged violation by the same offender and the complainant agrees in writing to cooperate with all such investigative efforts.
 - d. The accused agrees in writing to mediate the complaint with the understanding that another complaint of violations of this Policy shall result in the re-opening of the mediated resolution.
4. The investigation shall include at a minimum an initial face-to-face interview with the complainant. Within 24 hours of that interview the alleged offender shall be notified of the complaint. The complainant shall be notified that the offender has been informed of the complaint. The offender shall be interviewed. Any witnesses deemed relevant by the WEO shall be interviewed and any documentation provided shall be reviewed.
5. All complaints of violations of this Policy shall be resolved as quickly as possible. If after 14 calendar days from the initial complaint there is no resolution, the WEO shall report to the Sheriff, or his designee, in writing, the progress being made and the expected resolution date. A follow-up report shall be sent every 7 days thereafter until there is a resolution.
6. In determining if this Policy has been violated, the WEO shall review the totality of the circumstances on a case-by-case basis. Additionally, MCSO explicitly reserves the right to hold its employees, appointees, volunteers, vendors, agents and anyone associated with MCSO to a higher standard than may be imposed in a court of law.

7. If the complainant or the alleged offender believes that the investigation is not being conducted properly, he or she may file a grievance in accordance with General Operations Manual, Chapter 14 – Grievance Procedures. The grievance shall be resolved before the investigative report is finalized.
 8. The WEO shall provide a written **investigative** report to the Sheriff or his designee, **and** the WEO shall make a recommendation to the Sheriff or his designee indicating one of the following:
 - a. No Violation of Policy;
 - b. **Sustained; Violation of Policy;**
 - 1) **Forward to Internal Affairs (if a criminal violation)**
 - 2) **Forward to appropriate Commander or Director for discipline recommendation (if administrative violation)**
 9. In all cases the WEO shall conduct a follow-up interview with the complainant within 45 calendar days to determine if the resolution has resolved the complaint. If the follow-up interview indicates that the resolution was not alleviated the behavior, the investigation shall then be re-opened for further investigation and possible further disciplinary action.
 10. If a second incident of sexual harassment, harassment, or discrimination occurs identifying the same offender, even though the complainant is not identical, the WEO shall immediately notify the Sheriff or his designee of the allegation.
 11. All pending investigations of alleged violations of this Policy shall be kept confidential. After the investigation is completed including a review by the Sheriff or his designee, it is subject to public disclosure under Chapter 119 Florida Statutes.
 12. The WEO shall file all closed investigations with the Director of Human Resources who shall maintain the records in a secure location. The Director of Human Resources shall provide the Sheriff or his designee with an annual summary of complaints of violations of this Policy.
 13. Complainants or offenders of this Policy may file a grievance /appeal in accordance with MCSO procedures when they disagree with the resolution of a claim filed under this Policy.
- (Revised 03/10/04)
- I. **False Accusation** – Where the results of an investigation reveal that a complaint of a violation of this Policy is false, the personnel having made the complaint may be subject to disciplinary action, up to and including dismissal.

CHAPTER SIXTEEN

CONTRACTUAL LAW ENFORCEMENT SERVICES

I. PURPOSE

The purpose of this directive is to establish procedures for preparing written agreements governing contractual law enforcement services.

II. DISCUSSION

The provision of law enforcement services for which a fee is paid should be based on a precise contractual agreement. Necessary elements of the agreement include a description of the services, how payments are to be made, the issuance of reports and keeping of records, as well as procedures for amendment, renewal, and cancellation. Provisions for any lawsuits or payments for damages that arise from the provided services should be included in the contract, as should provisions for hiring and disciplining provider personnel, for assigning specific duties to provider personnel, and for establishing equipment and property ownership and use.

Law enforcement services includes the following traditional public safety activities, which are performed over a specific time period: patrol services; investigative services; communications performed for another law enforcement agency (note: this does not include dispatch services for fire or emergency medical services); automated or manual fingerprint identification; record keeping for law enforcement files and property management.

This directive does not pertain to those services which may be furnished by a commercial vendor, i.e., photo development, laboratory services, towing services, etc., security at high school or university functions, sporting events, etc.

III. POLICY AND PROCEDURE

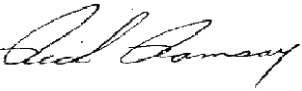
It is the policy of the Monroe County Sheriff's Office to develop contractual agreements for the provision of law enforcement services for a fee.

1. A written agreement shall exist whenever the Monroe County Sheriff's Office agrees to provide law enforcement services for a fee.
2. The written agreement shall include:
 - a. A statement of specific services to be provided;
 - b. Specific language dealing with financial agreements between the parties;
 - c. Specification of the records to be maintained concerning the performance of services by the provider agency;
 - d. Language dealing with the legal contingencies;
 - e. Stipulation that the provider agency maintains control over its personnel;
 - f. Specific arrangements for the use of equipment and facilities;
 - g. A procedure for review and revision, if needed, of the agreement.
3. Additional clauses may clarify other identified needs of agreements. If any duties beyond that normally provided are to be performed, they shall be specifically identified in the agreement.

4. Employment rights of personnel assigned under the contract for law enforcement services are not abridged by the Monroe County Sheriff's Office. Participation in a contract law enforcement service agreement shall not penalize participating employees nor shall it in any way threaten their employment rights, promotional opportunities, training opportunities, or fringe benefits.
5. Employees of the Monroe County Sheriff's Office who are assigned to positions providing contracted law enforcement services shall be classified in the same manner as employees assigned to any other division or section in the Sheriff's Office and shall remain subject to all the same Monroe County Sheriff's Office rules, policies, procedures, and directives.
6. Employees who are assigned to positions providing contracted law enforcement services shall perform their duties under the direction of their Sheriff's Office chain-of-command and shall not be subject to direct supervision by agents of the contracting organization.
7. The Monroe County Sheriff's Office may utilize different contract formats for agencies it contracts with depending upon the scope of services provided and the degree of comprehensive language deemed necessary to describe the contractual relationship to the satisfaction of both parties.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 17		TITLE: Bias Based Profiling
EFFECTIVE DATE: August 14, 2001	NO. PAGES: 5	AMENDED/REVIEWED: March 12, 2013
REFERENCE: CALEA 1.2.9 (d)		RESCINDS:
 Sheriff of Monroe County		

I. Purpose

The purpose of this policy is to unequivocally state that racial and ethnic profiling in law enforcement are totally unacceptable, to provide guidelines for officers to prevent such occurrences, and to protect officers when they are within the dictates of the law and policy from unwarranted accusations.

II. Discussion

A fundamental right guaranteed by the Constitution of the United States to all who live in this nation is to the equal protection under the law. Along with this right to protection is fundamental right to be free from unreasonable searches and seizures by government agents. Citizens are free to walk and drive our streets, highways, and other public places without interference so long as they obey the law. They also are entitled to be free from crime, and from the depredations of criminals, and to drive and walk our public ways safe from the actions of reckless and careless drivers.

The Monroe County Sheriff's Office is charged with protecting these rights, for all, regardless of race, color, ethnicity, sex, sexual orientation, physical handicap, religion or other belief system.

Because of the nature of their business, law enforcement officers are required to be observant, to identify unusual occurrences and law violations, and to act upon them. It is this proactive enforcement that keeps our citizens free from crime, our streets and highways safe to drive upon, and that detects and apprehends criminals.

This policy is intended to assist deputies in accomplishing this total mission in a way that respects the dignity of all persons and yet sends a strong deterrent message to actual and potential lawbreakers that if they break the law, they are likely to encounter the police.

III. Policy

It is the policy of the Monroe County Sheriff's Office to patrol in a proactive manner, to aggressively investigate suspicious persons and circumstances, and to actively enforce the motor vehicle laws, while insisting that citizens will only be stopped or detained when there exists reasonable suspicion to believe they have committed, are committing, or about to commit, an infraction of law.

IV. Definitions

- A. Racial profiling: The detention, interdiction, or other disparate treatment of any person on the basis of their racial or ethnic status, sexual orientation, religion, age, cultural groups, other identifiable groups or characteristics.
- B. Reasonable suspicion: Also known as articulable suspicion. Suspicion that is more than a mere hunch, but is based on a set of articulable facts and circumstances that would warrant a person of reasonable caution in believing that an infraction of the law has been committed, or is in the process of being committed, by the person or persons under suspicion. This can be based on the observation of a deputy sheriff combined with his or her training and experience, and/or reliable information received from credible outside sources.

V. Procedure

- A. Bias Based Profiling is prohibited to include but not limited to;
 - 1. Traffic Contacts
 - 2. Field Contacts
 - 3. Asset seizure and forfeiture efforts
- B. The Sheriff's Office's efforts will be directed towards assigning deputies to those areas where there is the highest likelihood that crashes will be reduced and/or crimes prevented through proactive patrol.
- C. Officers will receive initial and ongoing training in proactive enforcement tactics, including training in officer safety, courtesy, culture diversity, the laws governing search and seizure, and interpersonal communications skills.
- D. Training programs will emphasize the need to respect the rights of all citizens to be free from unreasonable government intrusion or police action and will cover bias based profiling issues including legal aspects.
- E. Traffic enforcement will be accomplished by consistent, ongoing supervisory oversight to ensure that deputies do not go beyond the parameters of reasonableness in conducting such activities.
- F. Motorist and pedestrians shall only be subjected to stops, seizures or detentions upon reasonable suspicion that they have committed, are committing, or about to commit an infraction. Each time a motorist is stopped, the deputy shall radio to the dispatcher the location of the stop, the description of the person or vehicle being detained, and the statute number violated or other reason for the stop, and this information shall be logged.
- G. The Sheriff's Office recognizes that with experience, individual deputies may develop individualized approaches that they find work best for them in minimizing conflict during officer/violator contacts. Given some better approach, the following is recommended, in the order specified below:
 - 1. Give a greeting, such as "Good morning ma'am", "Good morning sir", etc.
 - 2. Identify yourself. Ex. "I am Deputy Smith of the Monroe County Sheriff's Office".
 - 3. State the reason why the person is being stopped or detained. Ex.: "I stopped you because I saw your vehicle come through the stop sign at that last intersection without coming to a complete stop". (Describe the actions of the vehicle rather than the actions of the driver, tends to reduce tension.)
 - 4. It may defuse tension to ask a motorist if there was some reason for the violation. This gives them the opportunity to "have their say", often leads to an admission that the violator realized

they were in violation, and precludes a defendant from offering a different excuse at trial. If you choose not to ask but the motorist wishes to give a reason or excuse, listen politely and give them ample opportunity to tell their story.

5. Politely ask for identification and any required documents. Ex: "May I please see your license, registration, and proof of insurance?"
6. After completing any necessary paperwork, inform the driver or pedestrian as to what action is being taken and what, if any, the person must do as a result, such as how to pay any fine involved, obtain a traffic court hearing, etc.
7. Give an appropriate closing. For example, if the motorist was cooperative, "Thank you for your cooperation" may be in order. Do not use the trite expression, "Have a nice day", which would be inappropriate in these circumstances. "Please drive carefully, your safety is important to us" is more appropriate.
8. Make sure the driver is able to merge safely back into the traffic stream.
9. Appropriate enforcement action should always be completed, generally in the form of a warning, citation, or arrest. The proper form must be filled out by the officer, and shall include the gender, race, or ethnicity of the person stopped, if this information can reasonably be ascertained by physical appearance or from the driver's license or other documents provided by the individual.
10. Upon clearing a traffic stop the deputy will provide to Communications the TSDR (traffic stop data report) information. This information is to include;
 - a. Driver race and sex
 - b. Driver Age
 - c. Number of passengers
 - d. Primary reason for stop
 - e. Primary enforcement action
 - f. Rational for vehicle search
 - g. Contraband seized
11. Communications will enter the TSDR information into a database that will be used for analysis and review.
12. No motorist, once cited or warned, shall be detained beyond the point where there exist no reasonable suspicion of further criminal activity, and no person or vehicle shall be searched in the absence of a warrant, a legally recognized exception to the warrant requirement, or the person's voluntary consent.
 - a. In each case where a search is conducted, this information shall be recorded, including the legal basis for the search, and the results thereof. It is strongly recommended that consent searches only be conducted with written consent, using the proper department form. If the individual indicates that they will consent to a search but are refusing to sign the form, fill out the form anyway and indicate "consented to search but refused to sign", inserting initials and the signature of any witnesses in the signature block.
13. If the patrol unit is equipped with a video camera, the video and sound shall be activated prior to the stop, to record the behavior of the vehicle or person, and shall remain activated until the person is released and resume their journey.

- H. In the absence of a specific, credible report containing a physical description, a person's race, ethnicity, gender or sexual orientation or any combination of these shall not be a factor in determining probable cause for an arrest or reasonable suspicion for a stop.
- I. The deliberate recording of any misleading information related to the actual or perceived race, ethnicity, gender, or sexual orientation of a person stopped for investigative or enforcement purposes is prohibited and a cause for disciplinary action, up to and including dismissal.
- J. If the department provides public information pamphlets to officers regarding the purposes of proactive enforcement, officers may distribute the pamphlet to each person subjected to such activities, whenever appropriate.

K. Complaints of Racial/Ethnic Profiling

- 1. Any person may file a complaint with the department if they feel they have been stopped or search based on racial, ethnic, gender-based profiling, and no person shall discourage, intimidate, or coerced from filing such complaint, or discriminated against because they have filed such a complaint.
- 2. Any deputy contacted by a citizen who wishes to file such a complaint shall provide the citizen with a witness statement form. The citizen will then write in detail what their complaint is. This form can then be mailed or delivered in person to Internal Affairs. The deputy shall record the person's name, address, and telephone number, and report the contact to the deputy's supervisor prior to the end of the shift.
- 3. Supervisor receiving such a report shall forward it to Internal Affairs section.
- 4. Internal Affairs shall acknowledge all such complaints in writing and inform the complainant of the results within a reasonable period of time.
- 5. If an employee is found to be in violation of this policy, corrective measures shall be taken to ensure that Bias Based Profiling does not occur. Those corrective measures shall be in accordance with Chapter 13 Disciplinary Procedures and Chapter 20 Internal Affairs.
- 6. The completed finalized investigation will forwarded to the Sheriff along with a review by Internal Affairs with any suggested changes in policy, training, or tactics.

L. Supervisory Responsibility

- 1. Supervisor shall review profiling complaints, review TSDR data on an individual deputy basis, periodically review a sampling of in-car video tapes of stops, reports filed on stops by deputies, and respond at random to back up deputies on vehicle stops, and take appropriate action whenever it appears that this policy is being violated, being particularly alert to any pattern or practice of possible discriminatory treatment by individual deputies or squads.

M. Community Education and Awareness

- 1. A brochure covering definition of bias-based policing, how to report violations, Sheriff's Office policy, position statement against bias-based policing and Sheriff's Office mission statement and values.
- 2. This brochure will be provided to the public in the lobbies of the various Office facilities, for public distribution and posted on the Office's web site.
- 3. Each employee is responsible to educate the public about bias based profiling and the Office's measures against it.


N. Annual Review

1. On an annual basis, the Commander of Professional Standards shall make a statistical summary of all profiling complaints for the year, including the findings as to whether they were sustained, not sustained, or exonerated. This summary shall be forward to the Sheriff via the Chain-of-Command.
[CALEA 1.2.9 d]

2. Further, the Commander of Law Enforcement Operations shall conduct an annual review of the statistical summary, TSDR data and community comments or concerns in an evaluation of agency practices. Any practices that appear to be racial, ethnic or gender disparaging in nature will be noted and recommendations made for corrective measures. This review shall be forward to the Sheriff via the Chain-of-Command.
[CALEA 1.2.9 d]

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 18		TITLE: Time Sensitive Reports
EFFECTIVE DATE: February 6, 2013	NO. PAGES: 5	AMENDED/REVIEWED: March 12, 2013
REFERENCE:		RESCINDS:
 Sheriff of Monroe County		

I. PURPOSE

The purpose of this General Order is to establish dates when specific time sensitive reports, analysis, inventories and inspections are due and assigns responsibility completion of said document to specific positions within the agency.

II. POLICY

It is the policy of the Sheriff's Office that all analysis, reviews, reports, inspections, inventories, surveys and audits as required are complied, completed and disseminated according to a time schedule that ensure they the information contained therein is of use for management decision making and strategic planning.

III. DEFINITION

- A. Analysis - Typically, includes discovering the parts of the thing being studied, how they fit together, and why they are arranged in a particular way. / study of variances for cause, impact, corrective action, and results.
- B. Review - A critical examination of a task or project to determine compliance with requirements and objectives. / a periodic assessment of the performance of the project.
- C. Report - usually detailed account or statement / written document describing the findings of some individual or group.
- D. Inspection - a checking or testing of an individual, unit or organizational component against established standards. / Activities such as measuring, examining, testing, gauging one or more characteristics of a product or service and comparing these with specified requirements to determine conformity.
- F. Audit - The independent examination of records and activities to ensure compliance with established controls, policy, and operational procedures, and to recommend any indicated changes in controls, policy, or procedures.
- G. Inventory - The physical accounting of items against a list that should be on hand / an itemized list of current assets/goods on hand.

- H. Survey - To question (someone) in order to collect data for the analysis of some aspect of a group or area.

IV. PROCEDURES

- A. The chart in Appendix A (see below) list all required time sensitive analysis, reviews, reports, inspections, inventories, surveys and audits, identifies the position responsible for creating said document, frequency/due dates, and distribution list. It also contains the corresponding accreditation standard and policy reference.
- B. The person in the position charged with responsibility to create said documents will refer to the corresponding policy for a full descript of what is required for each document. The person should refer to "III. Definitions" of this order for an explanation of each type as well.
- C. A copy of said document will be forwarded to Professional Compliance for Staff Inspection purposes.

Appendix A

Responsibility	Description	Action to Take	Due Date	Distribution (Send to)	Standard	Policy Ref
Director of Community Relations	Citizen attitudes & opinions of agency, safety & security & how to improve	Survey	April 15 th , July 15 th , Oct 15 th & Jan 15 th	Sheriff	CALEA 45.2.4	70.6
Victim Witness Advocate Supervisor	Analysis of victim/witness assistance needs	Review and Memo	March 31 st of odd numbered year	Sheriff	CALEA 55.1.2	53
Victim Witness Advocate Supervisor	Review and update Victim Rights Brochures	Review and Memo	Feb 15 th each year	Commander of Special Operations	CALEA 55.1.1/55.1.3	53
Director of Court Security	Court Security needs – facility/emergencies High risk exposure/equipment	Survey	March 31 st of odd numbered year	Sheriff	CALEA 73.2.1	61.1
Professional Standards	Staff Inspection of all organizational components	Inspection	Every 3 year cycle	Sheriff	CALEA 53.2.1	21.2
Director of Training	Use of force policies, lethal and electronic controlled weapons proficiency	Report	Feb 15 th Of each year	In house computer listing	CALEA 1.3.11	31A
Director of Training	Use of force policies and less lethal weapons proficiency	Report	Feb 15 th of each year	In house computer listing	CALEA 1.3.11	31A
Director of Training	Analysis of use of force reports	Analysis	Feb 15 th of each year	Sheriff	CALEA 1.3.13	31A
Commanders/ Directors/ Supervisors Submit to Planning and Research function	Updating written goals & objectives for agency & each organizational component	Progress Report	Quarterly on: December 31 st , March 31 st , June 30 th , September 30 th	Sheriff	CALEA 15.2.2	30.III.6
Commanders/ Directors/ Supervisors	2 LongTerm 3 ShortTerm Goals and Objectives based on Sheriff's Strategic Plan	Report	September 1 st of each year	Sheriff	CALEA 15.2.1	30 III.2
Commanders/ Directors	Budget recommendations by major functions	Report	April 30 th of each year	Finance Director	CALEA 17.2.2	80.2
Executive Director Human Resources	Analysis of employee grievance tracked by Human Resources	Analysis	Feb 15 th of each year	Sheriff	CALEA 25.1.3	14 III A.10
Commander of Professional Standards	Analysis of employee grievance tracked by Internal Affairs	Analysis	Feb 15 th of each year	Sheriff	CALEA 25.13	14 III B. 2
Immediate Supervisor	Employee performance evaluation	Report	Hire date Anniversary	Human Resources	CALEA 35.1.2	10.1
Commander of Special Operations	Analysis of all Pursuit of Motor Vehicle Reports	Analysis	Feb 15 th of each year	Undersheriff	CALEA 41.2.3	32A
Commander of Special Operations Unit	Annual Review of processes and procedures used by Intelligence Unit	Memo via Chain of Command	March 31 st of each year	Sheriff	CALEA 46.1.6 I	41
Director of Community Relations	Review & written evaluation of all juvenile enforcement and prevention programs	Year end report	Oct. 15 th of each year	Sheriff	CALEA 44.1.3	43.11
Commander of Professional Standards	IA investigations statistical summary made available to public and employees	Report	March 31 st of each year	Sheriff	CALEA 52.1.5	20.2

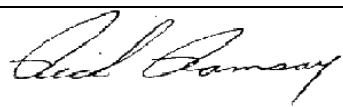
Director of Information Management	Central records computer system of all passwords, access codes & access violations	Audit	June 1 st of each year	None	CALEA 82.1.6	52.8
Office of Professional Standards	Audit of property/evidence by supervisor not in property	Audit	No later than Nov. 30 th of each year	Sheriff	CALEA 84.1.6	54.10
Director of Property	Inspection property control procedures by evidence/property custodian	Inspection	Jan 20 th July 20 th	Sheriff	CALEA 84.1.6	54.10
Every Supervisor	Entry level employee performance evaluations	Report	20 days prior to expiration of employee's evaluation period	Director of Human Resources	CALEA 35.1.3	11.6
Director of Community Relations	Community involvement report to Sheriff	Report	April 15 th , July 15 th , Oct 15 th & Jan 15 th	Sheriff	CALEA 45.2.2	70.2
Director of Finance	Fiscal management status report	Report	20 th of each month	Bureau Chief	CALEA 17.4.1	80.3
Applicable Division Commanders	Unusual occurrence equipment readiness	Inspection	15 th of each month	Undersheriff	CALEA 46.1.8	39.3
Director of Communications	Inspection/test of communication center alternate source of power	Inspection	Monthly	File	CALEA 81.3.2	33.4
Supervisor	Use of force occurrence	Report	With review of incident report	Sheriff	CALEA 1.3.6	31A
Supervisor	Review of use of force reports required in standard 1.3.6	Review and Memo	With review of incident report	Division Commander	CALEA 1.3.7	31A
Supervisor	Review of pursuit reports	Review and Memo	With Review of Incident Report	Commander Special Operations	CALEA 41.2.2	32A
Commander of Special Operations	After action report: hostage/barricaded subjects	Report	7 working days following incident	Sheriff/Under sheriff	CALEA 46.1.4	36.15
Commander of Special Operations	Annual administrative review of all confidential informants to include review of agency policy, procedures and conformity to current FI statute	Review and Memo	Annually by April 30th	Sheriff/Under sheriff	CFA 18.03	34
Commander of Special Operations	Training and refresher training of all personnel involved in use/recruitment of confidential informants to include agency policy and procedures and conformity to current FI statute	Report	Ongoing	Sheriff/Under sheriff	CFA 18.03	34
Division Commander	After action report: special events	Report	7 working days following incident	Sheriff	CALEA 46.1.10	Emerg. Ops Manual D-62
Case Detective	Reports to be prepared concerning escape prisoners being transported	Report	By end of shift	Criminal Investigations Sgt.	CALEA 71.1.7	60.4
Crime Scene Tech.	Preparation of report by person processing crime scene	Report	Five business days from assignment	Criminal Investigations Sgt.	CALEA 83.2.6	35.6
Case Deputy	Report documenting how property came into agency possession	Report	By end of shift	Evidence Custodian	CALEA 84.1.1	54.4
Crime Analysis	Analysis of crime	Analysis	10 th of every month	Computer, Bulletins	CALEA 15.3.1	1

Commanders, Directors, or Supervisors	Periodic Workload assessments	Worksheet	March 31 st starting 2012 (Triennially)	Planning and Research function	CALEA 16.1.2	7.III A 2.d
Planning and Research function	Analysis/Workload assessment	Analysis	June 1 st starting 2012 (Triennially)	Planning and Research function	CALEA 16.1.2	7.III.2
Planning and Research function	Distribution of Personnel Report	Report	June 1 st starting 2012 (Triennially)	Planning and Research function	CALEA 16.1.2	7. III. B
Director of Community Relations	Evaluating effectiveness of crime prevention	Analysis (year end report)	Oct. 15 th of each year	Sheriff	CALEA 45.1.1	70.6
Newly designated Property Director and outgoing Property Director	Inventory all evidence In property when new custodian takes over	Inventory	Completed 30 days prior to new custodian taking over	Sheriff	CALEA 84.1.6	54.10
Traffic Unit Sgt.	Analysis of traffic crash reports the agency takes	Analysis	April 15 th , July 15 th Oct. 15 th & Jan. 15 th	Undersheriff	CALEA 61.1.1a	40.3-4
Traffic Unit Sgt.	Analysis of traffic enforcement activities	Analysis	April 15 th , July 15 th Oct. 15 th & Jan. 15 th	Undersheriff	CALEA 61.1.1b	40.3-4
Commander of Professional Standards	Statistical summary of all profiling complaints for the year	Report	May 1 st Of each year	Sheriff	CALEA 1.2.9d	17.4
Exposure Control Officer / Risk Manager	Review of Exposure Control Plan	Review	March 1 st Of each year	Undersheriff	CFA 37.01M (j)	Exposure Control Plan
Commander of Law Enforcement Operations	Review of Biased Based Profiling	Review	March 1 st Of each year	Undersheriff	CALEA 1.2.9d	17.4
All Operations Lieutenants/ Traffic Sergeant	Audit of all traffic citations issued	Audit	February 1 st Of odd numbered years	Undersheriff	CALEA/ 82.3.4(b) CFA 34.08M (f)	40.16
Director of Community Relations	Analysis of need for location of adult crossing guards	Analysis	March 31 st of each year	Sheriff	CALEA 61.3.4	45.2
Commander of Professional Standards	Annual evaluation of the Early Warning System	Report	March 15 th of each year	Sheriff	35.1.9c	22:1
Executive Director of Human Resources	Annual Analysis on the Recruitment Plan	Report	March 15 th of each year	Sheriff	31.2.2	6

Forward a copy of all reports, etc. to Professional Standards

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 19		TITLE: Issued Equipment/Uniforms/Grooming
EFFECTIVE DATE: March 30, 2010	NO. PAGES: 8	AMENDED: September 10, 2013
RESCINDS:		REFERENCE:
 _____ Sheriff of Monroe County		

PURPOSE:

The purpose of this directive is to establish policy and procedures for the issuing of equipment/uniforms and grooming standards for members.

Supply / Inventory Section. The list will be updated as needed by position or classification. The Undersheriff or his designee(s) will approve this list. Any member issued equipment shall maintain that equipment.

DISCUSSION:

This directive applies to all Sheriff's Office personnel.

UNIFORMS

All uniforms will be ordered/issued by central supply unless authorized by a Division Commander.

Public perception of the Sheriff's Office, as a whole, is partially based on the appearance of its members. The Office strives for the highest level of professionalism and as such has set attire standards to reflect that professionalism. Further the Office issues necessary equipment and uniforms to employees in appropriate positions and requires the proper care and wear of this equipment and uniforms.

Members shall wear uniforms and insignia commensurate with their rank and be provided with authorized equipment. All uniformed members shall wear the complete uniform-of-the-day while on duty.

Members attending court or depositions shall wear the Uniform-of-the-Day, or may wear a sports jacket and tie, or a dress suit.

POLICY AND PROCEDURE:

NO SMOKING allowed in any Agency owned/leased equipment (i.e. vehicles, vessels, bicycles, go-peds, etc.)
 (Revised 3/3/10)

No mixture of civilian outer clothing with the official uniform shall be permitted, on or off duty, except for recognition purposes by plainclothes deputies during raids or other such emergency conditions.

Issued Equipment

Office will issue appropriate equipment for members to perform their assigned duties. The supply room clerk will maintain a current listing of what items and uniforms will be issued for each particular position. A list of equipment which is issued by the Office to each member will be kept in the

Uniformed members shall not wear the official uniform outside the county except when necessary to perform official duties or by special permission of the Sheriff, or a Division Commander.

Without the consent of the Sheriff, members shall not appear in uniform or wearing any department issued hats, jackets, clothing at

any function where they may create the impression they are representing the agency, they are supporting a particular individual or issue, or they should receive special consideration because of their employment. Such functions include, but are not limited to, court hearings, government proceedings, political events, and community organization events.
(Effective 8-6-2008)

While in uniform, members shall be neat and clean in personal appearance, and shall wear their uniforms with dignity and in strict conformity with rules and regulations. Deputies shall keep their uniforms clean and well pressed. Authorized metal accessories worn with the uniform shall be kept clean and bright. Shoes and leather goods shall be kept clean and shined.

When on-duty, uniformed members shall not stand or walk with hands in pockets or otherwise exhibit a posture, which detracts from a well-groomed, disciplined and an alert image.

Uniform items shall not be altered other than necessary to insure proper fit.

The only visible under-shirt allowed with the approved uniform is a white crew neck T-shirt.
(Revised 03/19/10)

DEPUTY UNIFORM:
(Revised 03/19/10)

Shirt

Class A- Green long sleeve shirt.

Deputies shall wear the approved black clip-on tie with the Class "A" uniform. Ties may be secured to the shirt by an approved tie bar or issued Sheriff Star tie tack. The tie bar or tie tack shall be centered at the middle of the tie.

Class B- Green short sleeve shirt or long sleeve green shirt without a tie.

Exception to Green Shirts:

- Motorcycle Deputies- White uniform shirt in Class A or Class B.

Trousers

Trousers shall be dark green with a narrow black stripe running vertically down the outside seam of each leg from the waist to the bottom of the trouser leg. Trousers shall be tailored so that the bottom hem barely touches the vamp of the shoes.

Socks

Only plain black socks shall be worn with the official uniform

Winter Jackets

Only the approved winter jacket (heavy or light) shall be worn.

Shoes / Boots

Shoes and boots worn by uniformed deputies shall be of a smooth, black material capable of retaining a high shine.

Shoes and boots may be either plain or plain-cap toes in design. Safety shoes are encouraged.

Boots which lace up, have a zipper on the inside or do not interfere with the restoring of the pant leg position upon standing from a sitting or bending position is permissible.

Loafers or shoes with ornamental buckles are prohibited.

Platform shoes or boots, or those having a heel higher than one and one-half (1½) inches are prohibited.

Hat

A black campaign style hat made of straw material with a small gold Sheriff's Star on the face is the official hat. And is part of the Class A uniform.

An issued black Sheriff's baseball style cap is permissible for routine use with the Class B uniform. The only issued ball cap is black with the words DEPUTY SHERIFF on the

face of the hat and on the brim. Older hats are acceptable but are being phased out.

Shoulder Patches and Chevrons

Deputies shall wear the official shoulder patch designating their respective classification. The official shoulder patch shall be worn on both shoulders, centered on the shoulder strap of the shirt, and one-half (½) inch below the shoulder seam of the shirt.

Deputies assigned to providing law enforcement services on a contractual basis will wear the official shoulder patch and any patch of the contracting entity as negotiated in the contract.

Regular deputies of the rank of sergeant shall wear officially designated chevrons on both sleeves of the uniform shirt and jacket. The top point of the chevrons shall be one-half (½) inch below the shoulder patch and centered thereon.

Insignias

Rank – Lieutenants and above shall wear the official rank insignia in brass directly on the uniform's shoulder epaulets.
(Revised 03/19/10)

Uniformed members shall wear the official Accreditation pin centered directly on the left breast pocket flap above the button of the uniform shirt. The exception to this is Auxiliary Deputies and Civilian Volunteers who will wear the official Accreditation pin centered under their Auxiliary or Civilian Volunteer patch. See Chapter 38 (Authorized Uniforms) for details. No other pins shall be worn unless authorized by the Sheriff.
(Revised 05/17/10)

Deputies assigned to providing law enforcement services on a contractual basis will wear the official insignia (design and placement) of the contracting entity as negotiated in the contract.

Longevity

On the left sleeve of the Class A Uniform Shirt (long sleeve) there shall be one or more embroidered longevity bar(s) and/or star(s) appropriate to the current length of service the member has been in the Monroe County Sheriff's Office. The insignia will be interpreted to represent the following:

One (1) bar will represent two (2) years of service.

Two (2) bars will represent four (4) years of service.

Each star will represent five (5) years of service.

The longevity decoration(s) will be located ½" above the left cuff. Exact measurements of the locations and positions are reflected in the illustrations in Appendix B at the end of this chapter. (See Appendix B)

Nameplate

Uniformed deputies shall wear the official gold colored name plate centered directly over the right breast pocket flap button of the shirt.

An approved longevity or service plate may be worn as part of the nameplate.

Service Award bars - Uniformed deputies shall wear service award bars in order of rank earned centered on a single horizontal line directly above the nameplate. A miniature replica of the service award may be worn on the left lapel of civilian attire.

Uniformed deputies may wear only one specialized pin: as approved by the respective Bureau Chief/Major. Specialized pins include, but are not limited to:

S.W.A.T.
R.D.F.
Bomb
Dive
S.T.E.P.
Motor Officer
S.P.I.
NA

C.I.T.
(Revised 11/13/12)

Note: Refer to Chapter 12, Commendations and Awards, Section III, Subsection, Paragraph(s), for a more detailed description for wearing nameplate, and ribbons.

Leather / Web Gear

Issued or approved leather/web goods for uniformed deputies shall be a black basket weave with a bright brass snaps/buckle and consist of the following:

Belt

Safari land SSIII or Uncle Mike's Pro-3 Duty Holster
Ammunition pouch/Double Magazine
Handcuff case
Intermediate weapon and case holder
Radio holder
Belt keepers

Defensive Baton

Defensive batons are issued to deputies after training and qualification and shall be carried in accordance with appropriate directives

Weapon

The service weapon shall be carried while on duty in accordance with appropriate directives.

Firearms carried while on duty shall be maintained in a clean and serviced condition. Failure to maintain authorized service firearms in a clean and serviced condition shall constitute neglect of duty.

SPECIFIC TEAM OR UNIT UNIFORMS

Motorcycle Deputies

Deputy Sheriff Motorcycle Uniform - Deputies assigned to motorcycle duty shall wear the official Uniform of the Day with the following exceptions:

Issued green riding britches with gold stripes shall be worn in place of the uniform trousers.

Motorcycle Deputies will wear either Class A or Class B uniform shirt in white.

Motorcycle deputies shall wear approved black riding boots, which shall cover the lower leg portion of the britches.

Motorcycle deputies shall wear the approved helmet when operating motorcycles. Motorcycle deputies may wear the uniform black cap as a part of the motorcycle uniform when not operating a motorcycle.

Crime Scene / Dive Team

The Technical Uniform for Deputies shall consist of Black BDU pants with either green or black polo shirt with embroidered star.

Boat/Bicycle Uniforms

Uniform shirt - Green polo shirt with embroidered star.

Shorts - Green cargo style shorts.

Shoes - either "boat" or athletic shoes, Black in color.

Utility / Tactical Uniform and Accessories

Basic utility uniform will consist of BDU pants and a green, black or white polo shirt embroidered star.

Rank insignia may be worn on emergency or utility / tactical uniforms.

The technical jumpsuit uniform shall be worn with a black gun belt and holster as follows, unless specifically exempted by a Division Commander.

Regular deputies shall wear the official uniform gun belt with accessories as described for the Uniform of the Day.

Detectives and plainclothes deputies shall wear a black leather gun belt of not less

than one (1) inch in width, with a black leather holster.

Special Operations Team Uniform

Unless otherwise directed by competent authority, deputies engaged in Special Operations Team operations shall wear the Special Operations Team uniform as follows:

The Special Operations Team uniform shall consist of a black utility shirt and matching trousers and a plain black utility cap.

Black or subdued shoulder patches, Sheriff's star and rank insignia shall not be worn with the Special Operations Team uniform.

Low-gloss jump boots may be worn with the Special Operations Team uniform.

Leather goods and equipment shall be as specified by the Special Operations and Crimes Supervisor.

Non-certified Enforcement Members

Such members as non-certified personnel assigned to such positions as Airport Security Technicians, Court Security Magnetometer Operators, etc...

Shirts will be the tan shirt with the official shoulder patch.
(Revised 08/19/09)

Corrections/ Clerical Support Staff Uniforms

Support Staff members' may be approved to have three (3) uniforms issued to them.

Shirts – tan shirt with the official shoulder patch. (Revised 08/19/09)

See the Uniform Section in this chapter for additional uniform guidelines.

Ownership of Uniform and Equipment

The ownership and title to all uniforms and equipment issued to Sheriff's personnel are

vested in the Monroe County Sheriff's Office.

Sheriffs' personnel shall be held strictly accountable for the proper care, use and maintenance of all issued articles of uniform and equipment. Uniforms and equipment shall be worn and used only in accordance with the provision of this directive.

No item of uniform or equipment shall be transferred or exchanged by Sheriff's personnel without the approval of a supervisor, and only after Inventory Management has been notified of the exchange.

It shall be the duty of each Deputy to produce any article or item of issued uniform or equipment, or any other item worn or carried while on duty which affects the Deputy's appearance or performance of duty, upon demand of a supervisor.

When a Deputy resigns, retires, is discharged, is granted an extended leave of absence, or in any way vacates his/her position, the Deputy shall surrender to the Inventory Management Office all issued items of uniform and equipment. The Deputy's final paycheck may be held until all items of issued uniform or equipment are accounted for. In case of death of a Deputy, his/her commanding officer shall be responsible for the recovery of all property, keeping in mind the feelings of the deceased Deputy's family.

Deputies shall not wear any portion of the official uniform, carry a firearm, or drive an Office vehicle while under disciplinary suspension. Upon notification of suspension for disciplinary reasons, deputies shall immediately surrender badge and commission card to the supervisor who gave the notice of disciplinary suspension.

Regular Deputy uniform items, which become unsuited for continued use due to normal wear or size change may be replaced upon approval from a supervisor.

Body Armor/Protective Vest

[CALEA 41.3.5]
(Revised 08/20/09)

This Office issues body armor, protective vest, that meets the NIJ threat safety level IIIA to every sworn road patrol deputy and transportation deputy. This armor protects up to a 9mm round with velocities up to 1400ft/s also .44 caliber rounds, 44 magnum rounds with speeds up to 1400ft/s and requires it be worn at all times while on duty except during approved training or when a waiver is signed.

While it is the policy of this Office that the protective vest be worn at all times, the Office recognizes there are times when tropical weather conditions make wearing the vest extremely uncomfortable.

Waiver

(Revised 08/20/09)

If a deputy chooses not to wear the issued vest, he/she does so at his/her own risk of death or personal injury acknowledging the inherent dangers of law enforcement work. The failure to wear the issued vest may result in a denial of or reduction in workers compensation coverage for on the job injuries. The Deputy who signs a waiver is responsible for using good judgment and common sense in deciding when not to wear the protective vest.

If a deputy chooses not to wear the issued vest, the deputy must sign the Waiver: Assuming Risk or Injury or Damage form through the Human Resources Division. Additionally, on an annual basis as part of the deputy's annual evaluation, the deputy must sign an Acknowledgment of Risk.

If a deputy chooses not to wear the issued vest, he/she must have the issued vest immediately and easily available to him/her at all times while on duty.

Shall Wear Situations (With a signed waiver)

Even if a waiver is signed, Deputies shall wear the vest when responding to any call that may be potentially dangerous. If a routine call appears to turn into a potentially dangerous situation, the vest shall be put on immediately.

Deputies are also required to wear a vest while participating in preplanned high-risk operations such as:

Execution of search or arrest warrants;
Surveillance/stakeout;
Arrest warrant service;
Perimeter positions assisting SWAT or the Hostage Negotiating Team;
Drug raids

The Deputy shall wear the vest when ordered to do so by a supervising officer.

Forced Entry Protective Vest:

(Revised 08/21/09)

Forced entry protective vests will be issued to deputies of the Special Operations Division that may be selected to participate in forced entry. [CALEA 41.3.6]

It will be mandatory for all entry team members to wear the forced entry protective vest on all planned forced entry warrant executions.

All deputies with a forced entry protective vest must have access to the vest while on duty. Deputies may be directed by a supervisor to wear a forced entry protective vest for other tactical purposes.

The Waiver Assuming Risk or Injury or Damage form will not apply to forced entry protective vests.

Safety is the main priority of the Office, and the Office stresses the importance of wearing the protective vest during duty hours. Deputies shall be responsible for the proper care and cleaning of the issued vest.

Protective vests will be kept clean, dry, and in good repair. Deputies will immediately notify the Uniform Supply Unit of damaged or defective vests.

Jewelry

Jewelry worn on the hands, wrists and fingers shall be limited to a wristwatch, wedding / engagement ring (or set), and one other ring (such as class, school, or organization ring).

Female deputies while in uniform, may wear plain, small, post type earrings. No more than one set of earrings may be worn. Non-certified female members may wear only two sets of earrings.

Grooming and Hairstyles

Standards for uniformed deputies apply to all uniformed personnel, certified or otherwise who perform enforcement services, i.e. Airport Security Technicians, Court Security.

Uniformed Male Deputies

Hair Styles - Hairstyles shall be conservative and evenly trimmed. The length of the hair shall not exceed one and one-half (1 ½) inches and shall be tapered proportionately along the sides and the back of the head. The hair shall not extend downward at any point more than one-half (½) inch beyond the hairline at the shirt collar at the back of the neck; or protrude onto or over the ears. Hair shall be cut and trimmed in a manner that allows proper wearing of the uniform hat.

Sideburns

Sideburns shall be uniform from top to bottom; be neatly trimmed; not to exceed one (1) inch in width; and not be excessively heavy or bushy. Sideburns shall be cut horizontally along the side of the face and approximately one-half (½) inch above the bottom of the lower ear lobe.

Facial Hair

Mustaches shall be of conventional type; be neatly trimmed; and not present a bushy unkempt appearance. A mustache shall not be more than one-fourth (¼) inch in thickness; not extend onto or over the upper lip; not extend beyond or below the corners of the mouth. Beards are prohibited.

Uniformed Female Deputies

Hair Styles

Hair shall be worn neatly in styles that do not extend below the bottom of the collar in normal posture. Longer hair may be worn in an upward sweep or bun above the top of the collar so long as it presents a neat appearance, does not straggle, and allows proper wearing of the uniform hat by female deputies.

Hair Fasteners /Fingernails

Hair clasps, barrettes, or fasteners worn while in uniform shall correspond with hair color.

Fingernails shall be of a moderate length and may be painted in a subdued color, (flesh-tone is preferred).

Plain Clothed Deputies and all Uniformed, Non-Certified Sheriff's Personnel

Hair Styles - Non-sworn members and plain clothed deputies shall maintain a neat and well-groomed appearance when on duty or representing the Sheriff's Office. Contemporary hairstyles may be worn if the general appearance serves to maintain a moderately conservative and professional image.

Facial Hair - Sideburns and mustaches worn by male plain clothed deputies and male non-certified personnel shall be neatly trimmed and shall not be excessively heavy or bushy. Mustaches shall not extend onto or over the upper lip. Beards are prohibited.

Personal Hygiene

Attention to personal hygiene is a requisite for all Sheriff's Deputies and personnel while on duty, in uniform or in the official performance of duties.

Exceptions

Deputies assigned to undercover or other such special assignments shall be exempt from the physical appearance and grooming provisions of this directive. The appropriate authority shall establish appearance and grooming standards for undercover deputies, in accordance with the special duties to be performed.

Medical variance for facial hair may be granted to personnel upon request and submission of documentation from a licensed physician.

Dress Code

It is the intent of the Sheriff that all members of the Sheriff's Office dress and act in a professional manner. Personal appearance speaks loudly in our line of business. Members should bear in mind that all belong to an Office that holds the public trust and must therefore always present a professional appearance and demeanor. Clean, neat, business attire is expected of all members who are not wearing an issued uniform.

The following guidelines shall apply to all members not wearing an issued uniform:

All attire will be suitable for the office / business environment and present a professional image.

Pants shall be of a business style and fabric.

Pants that tightly conform to the body are not acceptable for business wear.

Blouses and shirts shall be of a business style.

Tank tops, T-shirts, low-cut necklines, cut-out-backs, spaghetti strap blouses, and blouses made to tightly conform to the body are not acceptable for business wear.

Dresses and skirts shall be of a business style. They will be properly fitted to ensure a business look. All hemlines will be no

shorter than three inches (3") from the bend of the back of the knee. The bodice of a dress should comply with the guideline set forth as listed under blouses.

Miniskirts are not acceptable for business wear.

Shoes shall be of a business style. The safety, assignment, and the professional appearance of the member will be considered when determining the acceptability of a member's shoes.

Heels shall be no higher than four inches (4"). Tennis/jogging type shoes and flip-flops are not acceptable business wear. Tennis/jogging type shoes may be worn, with the supervisor's permission, if necessary for the day's activities.

Jackets are optional, however, they will be worn for court appearances or other special functions when a jacket is appropriate. If a weapon is worn, it may be covered by a jacket while in public. If not covered, proper identification must be worn and visible – it is required that a badge be worn next to the weapon.

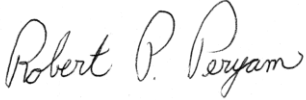
Denim/blue jean style clothing is not acceptable for business attire, but may be worn with the supervisor's approval, if necessary for the day's activities.

Supervisors shall ensure that members present a professional and business image at all times while on-duty. Anything less is unacceptable and supervisors shall be held responsible for enforcing the provisions of this General Order.

The Sheriff recognizes certain work environments and work assignments do not lend themselves to business attire. Exceptions to the above policy can be approved by the appropriate Bureau Chief/Major.
(Effective 4-27-2009)

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 19 - A		TITLE: Cellular Phones
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 1	AMENDED: October 18, 2010
REFERENCE: CALEA 81.2.10		RESCINDS: Special Order: Cellular Phones 12.12.2007
 Sheriff of Monroe County		

PURPOSE: The purpose of this order is to establish policy and procedures for the issuance and use of cellular phones.

POLICY: It is the Sheriff's policy that cellular phones be issued to positions where it is likely to be necessary to conduct Office business from remote locations.

PROCEDURE:

Criteria for Issuing Cellular Phones

The Undersheriff will determine which positions will be issued an Office phone.

The list of positions authorized to receive phones will be forwarded to the Finance Department and phones issued accordingly.

Phone Restrictions

As phones are issued for work business, personal calls are discouraged.

Calls to directory assistance, are discouraged. Employees are subject to reimburse the Office for directory assistance.

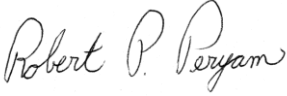
Employees issued a phone who abuse their phone privileges, or who use the phone for non-work related matters, may be required to reimburse the Office

Phones are not to be used to conduct any income making business the employee may be involved in.

Phones are not to be used to conduct any illicit or illegal activity.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 19-B		TITLE: Issued Equipment/Uniforms/Grooming-Body Ornamentation
EFFECTIVE DATE: March 14, 2011	AMENDED:	RESCINDS:
NO. PAGES: 3	REFERENCE:	
 Sheriff of Monroe County		

PURPOSE:

It is the policy of the Sheriff's Office to govern the appearance of its members. The purpose of this General Order is to establish official agency appearance, grooming and uniform standards for uniformed and non-uniformed members.

DISCUSSION: This General Order will apply to all Sheriff's Office members. All members of the Monroe County Sheriff's Office must present a professional image both on and off duty. While on duty members must dress in a professional manner and present a neat and well groomed image.

DEFINITIONS:

- Body ornamentation: includes but is not limited to – tattoos, brands, intentional body mutilation, and body and tongue piercing. Body ornamentation does not include the normal piercing of the lower ear lobe.
- Visible: defined as seen while wearing a uniform or other approved clothing while standing in an upright position.

POLICY:

Effective **March 14, 2011**, members are not permitted to obtain body ornamentation that will be visible.

Members who were hired with existing body ornamentation prior to **March 14, 2011** are not required to cover them unless the Sheriff deems that they detract from the professional appearance of the member in uniform and/or are deemed to be racist, sexist, offensive, obscene, or excessive. These members will be required to cover visible body ornamentation added after **March 14, 2011**. For example, the additions that are visible while dressed in a Class B uniform must be covered by a Class A uniform, other approved clothing, or through other means approved by the Sheriff.

Members hired after **March 14, 2011**, shall not have visible body ornamentation while in uniform. If covering the body ornamentation is not possible with Class B uniform, Class A uniform, other approved clothing, or through other means approved by the Sheriff, the person will not be eligible for hire.

All members hired prior to **March 14, 2011** will be required to sign a **Body Ornamentation Declaration Form** that will document any existing body ornamentation that could be visible.

All new applicants will be required to sign an **Acknowledgement of Compliance Form** that will attest to their understanding of this policy.

MONROE COUNTY SHERIFF'S OFFICE

Body Ornamentation Declaration

(For members hired prior to March 14, 2011)

Name

ID #

- Does **not** have body ornamentation as defined in chapter 19-B of the Monroe County Sheriff's Office General Orders.
- Does have body ornamentation as defined in Chapter 19-B of the Monroe County Sheriff's Office General Orders.

Are any visible with Class B Uniform Yes No

Are any visible with Class A uniform Yes No

Are any visible with Appropriate Civilian Attire Yes No

(Photographs of any body ornamentation visible with a Class B uniform (to include Bike/Boat Shorts) are to be submitted with this form.)

Location

Description

_____	_____
_____	_____
_____	_____
_____	_____

I understand that if I obtain any body ornamentation, other than those declared above, that are not coverable with **Class B** uniform I am required to wear **Class A** uniform at all times for work. If any new tattoos are not coverable by **Class A** uniform I am subject to disciplinary action, up to and including termination. Civilian members will be required to cover new tattoos with appropriate civilian attire.

(Original form and photos will be filed with members personnel file in Human Resources)

Member Signature

Supervisor Signature

Date

MONROE COUNTY SHERIFF'S OFFICE

Acknowledgement of Compliance of General Orders 19-B and 9-D

I have received, read and understand the Monroe County Sheriff's Office policy on Grooming – Body Ornamentation (Chapter 19-B General Orders)

and

I have received, read and understand the Monroe County Sheriff's Office policy on Nicotine/Tobacco Product use. (Chapter 9-D General Orders)

I understand a violation of this policy can result in adverse employment action, up to and including termination.

(Original form will be filed with members personnel file in Human Resources)

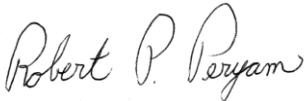
Name

ID#

For Members hired after March 14, 2011

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 20- A		TITLE: Complaint Investigations Attachments
EFFECTIVE DATE: January 1, 2010	NO. PAGES: 40	AMENDED: July 6, 2010
REFERENCE:		RESCINDS:
 <hr/> Sheriff of Monroe County		

PURPOSE

The purpose of this General Order is to provide employees with sample tools for completing complaint investigations pursuant to Chapter 20 of the General Orders.

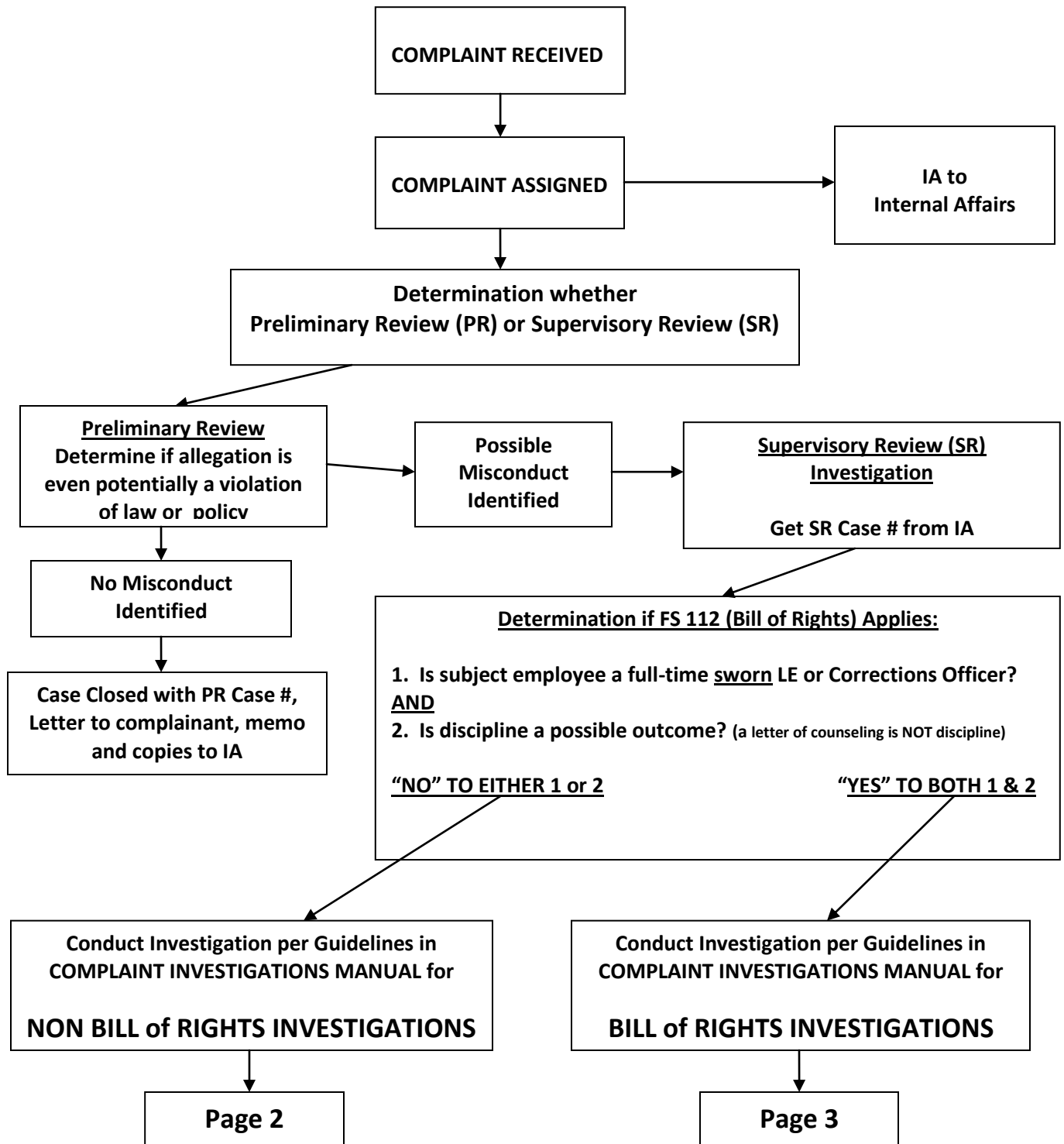
POLICY AND PROCEDURES

The tools are available to employees as attachments to this General Order, on the MCSO website, and in Outlook under Public Folder/Internal Affairs.

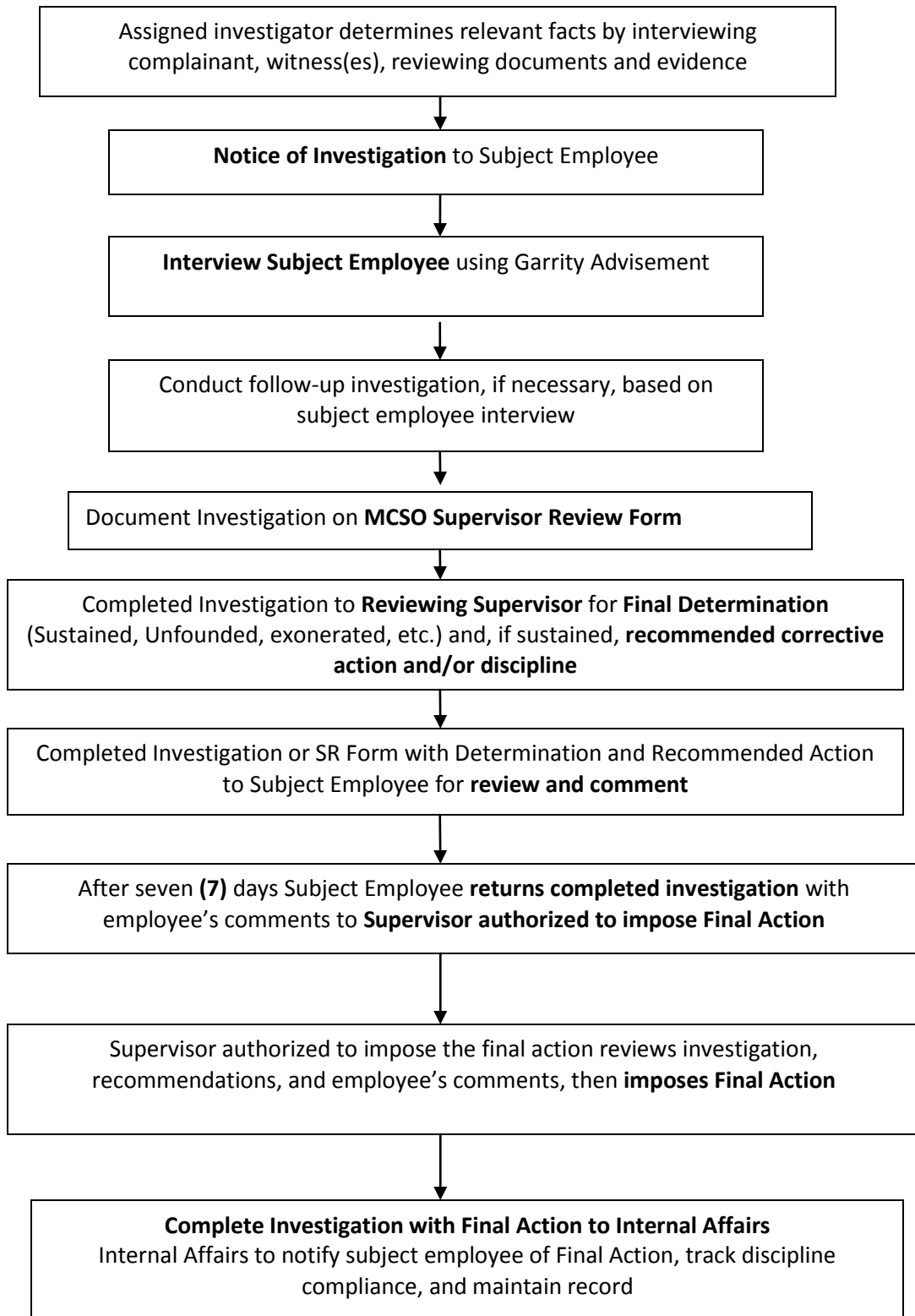
ATTACHMENTS

1. Complaint Investigations Manual
2. Investigations Flowchart
3. Supervisor Review Form Blank
4. Sample completed SR
5. Notice of Investigation-Civilian Non-Bill of Rights
6. Notice of Investigation-LEO-CO Bill of Rights
7. Garrity
8. SR Witness Interview Template
9. SR Non-Bill of Rights Subject Employee Interview Template
10. SR Bill of Rights Subject Employee Interview Template

SUPERVISORY REVIEW COMPLAINT/INVESTIGATION FLOWCHART



CONDUCTING NON BILL OF RIGHTS INVESTIGATION



CONDUCTING BILL OF RIGHTS INVESTIGATIONS

Assigned investigator determines relevant facts by interviewing complainant, witness(es), reviewing documents and collecting evidence

INVESTIGATION REQUIREMENTS

- **All Identifiable Witnesses must be interviewed** (a witness is someone who may have information relevant and material to the particular investigation)
- **Witnesses must be placed under oath**
- The interviews **must be recorded** in some form (audio device, written statement, or investigator summary)

Written Notice of Investigation to Subject officer

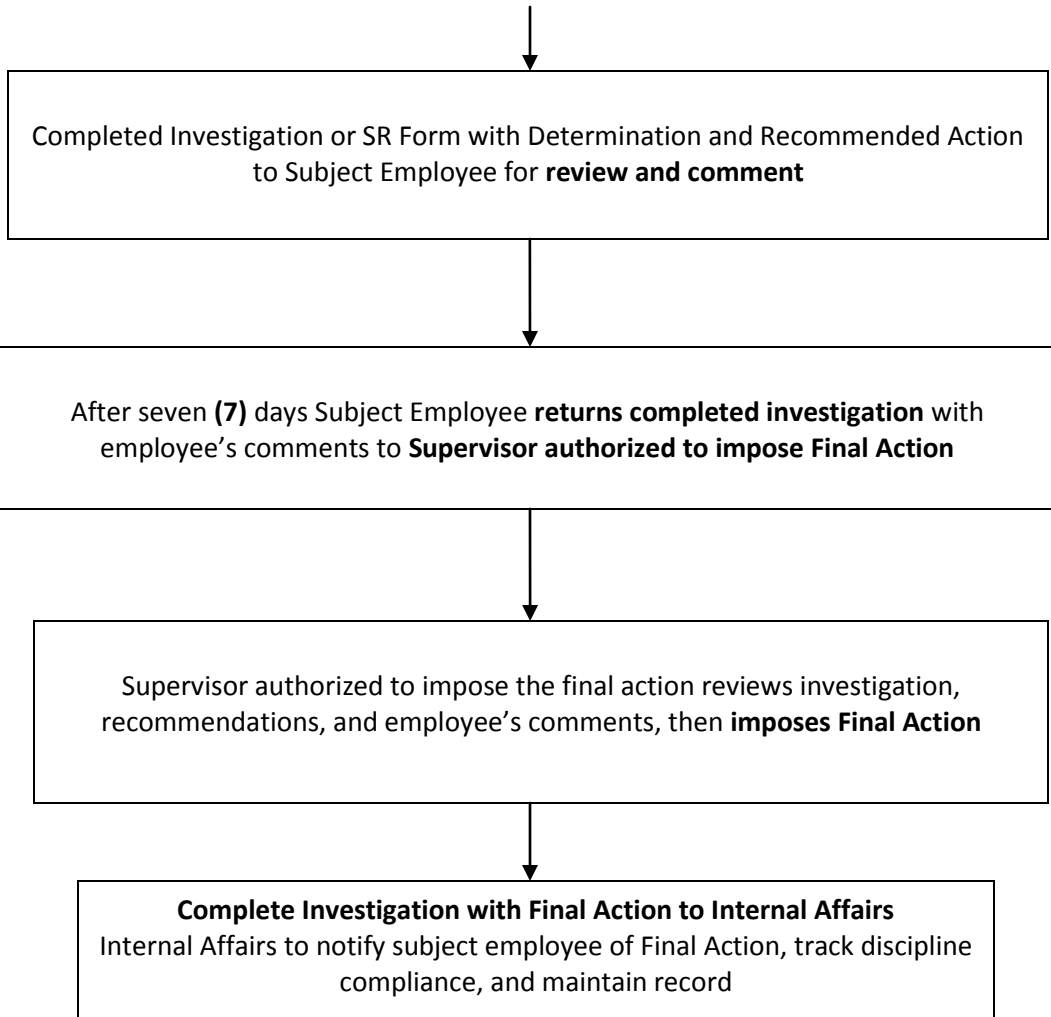
Interview Subject Officer under following conditions

- **Reasonable time and place** – preferably on-duty at the office of the command of the investigating officer or district office where officer works
- Subject Officer **entitled to representative** and reasonable accommodation to have rep present
- The interview **must be recorded on recording device**
- Inform officer of name of investigator, all persons present, nature of investigation, name(s) of complainant(s)
- **Prior to interview, provide officer and/or representative with all witness statements and all existing evidence, and time to review. Document for record what was provided**
- **Advise officer of Garrity and that making false statements during interview is perjury**
- **Place officer under oath**
- **Only one investigator** may question

Conduct follow-up investigation, if necessary, based on subject employee interview

Document Investigation on **MCSO Supervisor Review Form**

Completed Investigation to **Reviewing Supervisor for Final Determination** (Sustained, Unfounded, exonerated, etc.) and, if sustained, **recommended corrective action and/or discipline**



CALL INTERNAL AFFAIRS IF YOU HAVE ANY QUESTIONS DURING THE PROCESS OR IF THERE IS A CLAIM OF AN INTENTIONAL VIOLATION OF THE BILL OF RIGHTS.

**COMPLAINT INVESTIGATIONS PROCEDURES MANUAL
FOR SUPERVISORS**

(Effective 7/6/10)

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RECEIPT OF A COMPLAINT

INTRODUCTION

The receipt of a complaint is one of the most critical functions in ensuring that an investigation is fair, thorough, and timely. To that end, the information received from a complainant must be accurate, detailed, and specific. In short, when receiving a complaint, who, what, where, when, and how should be captured to reflect an accurate account of the event. The following information has been assembled to help you process a complaint.

COMPLAINT DEFINITION:

A complaint is any alleged misconduct against an employee, whether it involves a violation of policy and procedure, code of ethics, state or federal law, or other recognized standard of conduct.

COMPLAINT SOURCE:

Complaints will be accepted from any source, provided the complaint contains sufficient factual data to warrant an investigation. A complaint can come from an external or internal source and can be accepted from:

- An individual aggrieved person, including inmates
- Third party
- Governmental agency
- Anonymous person
- Notice of civil claim

A complaint may be received by the agency in person, by telephone, or by letter. No employee shall attempt to discourage, interfere, or delay an individual from making a complaint. Employees accepting complaints shall be responsive and courteous and shall avoid giving the impression they are disinterested in the problem.

Remember, sometimes legitimate complaints are made by persons who do not wish to be identified or become further involved in the investigative process.

Complainants, therefore, **do not** have to:

1. Appear in person.
2. Make their complaint to Internal Affairs.
3. Swear under oath to the truthfulness of their complaint.
4. Agree to participate in certain investigation techniques to have their complaint accepted.
5. Identify themselves

ACCEPTING COMPLAINTS:

When taking a complaint, the receiving employee shall note the date and time the complaint is received and should obtain the following, if possible:

- Name, address (apartment number and zip code) and telephone number of the complainant.
- Identity of all witnesses and their addresses and telephone number, if known.
- Date and time of the event.
- Location of event, including district.
- Name of personnel involved.
- Physical description of personnel involved if name(s) are not known.
- Summary of complaint or event.

NOTIFICATION TO COMPLAINANT: [CALEA 52.2.4]

1. The investigator, either a supervisor or an Internal Affairs Inspector or designee, shall send a letter or email and/or make a documented phone call to the complainant advising of the agency's receipt of the complaint and the name of the investigator.
2. The investigator shall inform the complainant of the status of the investigation at least every thirty days.
3. At the conclusion of the investigation, the investigator shall send a final letter to the complainant advising of the disposition of the matter.

NOTIFICATION TO EMPLOYEE UNDER INVESTIGATION: [CALEA 52.2.5]

The investigator shall notify the employee under investigation by providing a written statement of the allegations, the name of the complainant, and advising the employee of the employee rights and responsibilities relative to the investigation. Such notice shall be provided in a timely manner but shall not impede the investigation.

COMPLAINT PROCESSING

In accordance with policy and procedure, employees receiving information concerning misconduct of any employee should **immediately** contact a supervisor or Internal Affairs (IA) to advise them of the complaint. Employees receiving information concerning misconduct shall facilitate a meeting between the complainant and a supervisor or IA. The receiving supervisor or IA investigator shall be responsible for handling the complaint until, and if, reassigned.

CITIZEN COMPLAINT BROCHURE

The Monroe County Sheriff's Office Division of Internal Affairs produces a Citizen Complaint brochure which is available to all employees. If a citizen asks for one or makes a general inquiry about the complaint process, the employee should provide a brochure. These are available through the detention centers, the district substations, the Internal Affairs division and on www.keyssso.net. [CALEA 52.1.4]

INITIAL COMPLAINT PROCESSING

- Not all information received from complainants rises to the level of a complaint. Complainants may see a need to convey a concern over an issue or procedure. Upon receipt of a citizen's complaint, the supervisor or IA investigator receiving it should:

- Screen the complaint to make sure that MCSO personnel are involved.
- Ascertain if there is a lack of understanding of the law or MCSO procedures on the part of the complainant (sometimes such a complaint may be resolved by a simple explanation).
- If the allegations are misconduct of any type or degree, a complaint should be taken, even if there is some question that the incident occurred.
- Allow the investigation to determine the validity of the complaint.

NOTIFYING INTERNAL AFFAIRS

The employee receiving the complaint shall notify his/her supervisor who shall be responsible for notifying IA.

When to notify Internal Affairs

- Serious policy violations or criminal violations shall require an immediate notification to IA.
- Allegations of lesser violations of policy can be forwarded to IA via fax, e-mail, or telephone during business hours.

CONFIDENTIALITY

When a complaint is made, it shall be treated as confidential. Information about the complaint SHALL NOT BE DISSEMINATED TO OTHER EMPLOYEES, including the accused employee. Once a complaint has been processed, it shall be the investigator (supervisor or IA) who determines the appropriate timing of notification of the accused employee. No other employee shall make this notification.

*Internal Affairs or Supervisor Review investigations are confidential by law and it is a crime to willfully disclose information obtained pursuant to the investigation prior to the investigation being completed (FS 112.533).

REQUEST FOR A CASE NUMBER

The Internal Affairs division case number is the only mechanism used in the Monroe County Sheriff's Office to track and document complaints and discipline against employees. Therefore, it is essential to know when and how to request a case number.

WHEN AND HOW TO PULL A CASE NUMBER

When an investigation is initiated, a case number shall be requested from IA by telephone, fax or e-mail. This applies in any situation where a Preliminary Review memo or Supervisor Review Report is being prepared.

- Preliminary Reviews shall receive a "PR" case number in the following format: PR-year-sequential number. (i.e. PR-2009-013).
- Supervisor Reviews shall receive a "SR" number (i.e. SR-2009-045).

CASE FILE FOLDER

Upon the receipt of the request for a case number, Internal Affairs shall open the case in the Internal Affairs database. Internal Affairs will then email the case number and the subject employee's background sheet to the investigator.

FORMS: BLANK COPIES OF ALL FORMS REFERENCED THROUGHOUT THIS MANUAL ARE AVAILABLE IN THE INTERNAL AFFAIRS FORMS SECTION IN OUTLOOK.

AUTHORITY TO DISCIPLINE

The following authorities to issue discipline shall apply:

- | | |
|--|-----------------------------|
| 1. Letter of reprimand: | Lieutenant or above. |
| 2. Suspension up to five work shifts: | Captain, Director or above. |
| 3. Suspension over five work shifts,
Demotion or Recommend Termination: | Bureau Chief or above. |
| 4. Termination: | Sheriff |

PRELIMINARY REVIEW (PR)

Many times the supervisor or IA investigator receiving a complaint is able to determine that a complaint does not need further investigation or can be dealt with informally, for example:

- The complaint on its face does not allege any violation of law, policy, or procedure, though the complainant may believe otherwise.
- The complainant may only be expressing a generalized concern regarding accepted law or policy.
- The complainant may be requesting informal action in a relatively minor policy violation matter.
- The supervisor or IA investigator is able to quickly determine through independent sources (documents, data, dispatch tapes, in-car video, external source video, etc.) that the complaint is factually without merit or the employee's actions were within law and policy.

PR CLOSEOUT

- After a PR is conducted and concluded, it shall be closed as "Exonerated/Unfounded". (Note: if misconduct is identified the complaint shall be processed as a Supervisor Review or Internal Affairs Investigation).
- The supervisor or investigator shall obtain a PR Number from the Internal Affairs division and prepare a memorandum detailing the complaint, investigation, and determination.
- The memorandum shall be forwarded to Internal Affairs for inclusion in the IA database.
- The investigator shall send a final letter to the complainant advising of the disposition of the matter.

SUPERVISOR REVIEW INVESTIGATIONS

WHAT CONSTITUTES A SUPERVISOR REVIEW INVESTIGATION?

Supervisor Review investigations are administrative investigations of policy violations as noted earlier. Should, at any time, a Supervisor Review investigation reveal serious policy violations or criminal violations or if assistance is needed, IA shall be contacted for guidance.

ASSIGNING THE INVESTIGATOR

Generally, the district commander or lieutenant will assign the complaint for investigation. Consideration should be given to assigning a supervisor other than the employee's immediate supervisor. The purpose for the consideration is twofold. (1) If the supervisor of the accused employee investigates his/her own employee, it may give the impression to the complainant of a biased investigation. (2) It also relieves the supervisor from accusations by the accused employee of bias. This is merely a suggestion and should not influence the assignment of the investigation.

If the supervisor is the complainant or a witness in the matter, another supervisor should be assigned the investigation.

PRELIMINARY ASSESSMENT

- The assigned supervisor should preliminarily assess the potential outcome of the investigation should the allegations be sustained. The nature of the complaint and the employee's disciplinary history may be considered in the assessment. If the accused employee is a full time law enforcement or correctional officer and, based on the preliminary assessment, the real potential exists that the employee may receive corrective action greater than a letter of counseling, then the requirements of F.S. 112.531-535 (Law Enforcement Officer's Bill of Rights) must be followed.
- Complaints against employees that appear on their face to merit at most counseling or retraining may be handled more informally, but will usually follow the same general procedures.

NOTIFICATION TO SUBJECT EMPLOYEE

Employees should be notified of complaints that are lodged against them, unless notification would compromise the investigative process. The notification should generally be made using the **Notice of Investigation Form**.

NOTE: All employees covered by the Bill of Rights must be given the specific notifications required by 112.532(1)(d) prior to being interrogated.

CONDUCTING AN INVESTIGATION OF AN EMPLOYEE NOT COVERED BY THE BILL OF RIGHTS

GENERAL GUIDELINES

As a general rule, the investigator should attempt to determine as many of the facts relevant to the complaint prior to speaking with the accused employee. This would include reviewing the complaint, speaking with the complainant, speaking with witnesses, and reviewing documents or other evidence. The investigator should then speak with the accused employee about the matter. If the employee reveals other potential witnesses or evidence, the investigator should speak with the witnesses (if relevant to the issues being investigated) and review the other evidence before reaching a finding of fact.

TIME LIMITS

- By policy, investigations should be completed within 30 days of receipt of the complaint.
- If an extension is necessary, a memorandum explaining why must be submitted to the Inspector General of IA with an approved copy sent to the subject employee.

GARRITY

All employees (civilian or sworn) must answer questions during an administrative investigation. Refusal to answer questions may subject the employee to discipline. The Garrity advisement shall be given to all subject employees and any employee witness who indicates he or she does not wish to answer questions. The Garrity advisement can be found in the Forms section under Internal Affairs in Outlook. This advisement shall be printed, read to the subject or witness employee and signed by the subject or witness employee and be made a part of the investigation file.

INTERVIEWING A WITNESS

Note: A witness is a person who may have information relevant and material to the particular investigation as determined by the investigator.

The following general rules should be followed when interviewing a witness:

- All interviews shall be documented in some form, either investigative notes, an investigative summary, a written statement, or an audio recording. With more serious allegations it is recommended that audio recordings be made.
- Select an appropriate location for the interview.
- Select a reasonable time for the interview, preferably when the employee is on duty, unless necessity dictates otherwise.
- Be courteous and professional. No investigator should engage in rudeness, offensive language, threats or promises during an interview.
- Be prepared and limit questioning to relevant issues.
- Place the witness under oath.
- If the witness requests a representative be present during the interview, the request should be granted unless the request would unnecessarily delay or interfere with the investigation. (Note: generally the representative is only an observer and is not allowed to interject themselves into the interview. It is within the investigator's discretion to allow some clarifying questions or statements by the representative).
- The interview shall be for a reasonable period and time shall be allowed for personal necessities and/or rest periods.
- A template for a witness interview can be found in the Forms section under Internal Affairs in Outlook.

INTERVIEWING THE SUBJECT EMPLOYEE

- The general rules for interviewing any witness apply to interviewing a subject employee not covered by the Bill of Rights.
- ***Garrity:** The Garrity advisement shall be given to all subject employees. The Garrity advisement can be found in the Forms section under Internal Affairs in Outlook. This advisement shall be printed, read to the employee and signed by the employee and be made a part of the investigation file.

WITNESSES REVEALED DURING THE SUBJECT EMPLOYEE'S INTERVIEW

- Should an additional material witness(es) be revealed during the subject employee's interview, the investigator should interview the witness(es) prior to concluding the investigation.

COMPELLED TESTING AND DISCLOSURE OF RECORDS

- In all administrative investigations, the employee may be required to submit to relevant medical, laboratory, or forensic testing. The employee may also be required to provide relevant financial, telephonic, computer or internet records. The employee may also be required to be photographed or participate in a lineup.

DOCUMENTING THE INVESTIGATION

- When the investigation is complete, the investigator will then document the investigation on the **MCSO SUPERVISOR REVIEW FORM (SR FORM)**.
- A sample report and guide to filling out the form can be found in the Forms section under Internal Affairs in Outlook.

FORWARD FOR REVIEW

- Upon the investigator completing the investigation, it shall be forwarded to his/her immediate supervisor for review.

FINAL DETERMINATION

- Using the Supervisor Review Form(SR Form), the reviewing supervisor shall draw a conclusion of fact which will be one of the following:
- Exonerated – The incident occurred, but the employee's actions were lawful, proper, and consistent with rules, regulations, policy or State law.
- Unfounded – The allegation is false or not factual.
- Not Sustained – Insufficient facts exist to either prove or disprove the allegation.
- Sustained – The allegation is found to be substantially true. Generally speaking, the incident occurred and the specifically cited law, rule, regulation, or other general or special order was violated by the employee.
- If the investigation involves multiple allegations and/or violations a separate finding must be made as to each allegation. [An additional first page of the SR Form shall be used for each allegation/violation then all will be attached to the Investigative Summary page(s)].

RECOMMENDED ACTION

- When the reviewing supervisor finds the complaint to be "sustained", the reviewing supervisor shall enter a recommended action or discipline on the SR Form.

NOTICE OF RECOMMENDED ACTION TO SUBJECT EMPLOYEE

- The completed investigation with the final finding and recommendation (including all attachments and witness statements) shall then be presented to the subject employee to review prior to the final imposition of the recommended action. Note: the contents of the investigation are still

confidential at this point because the investigation is not closed. The subject employee and his or her representative should be so advised and of the possible consequences for revealing the information to anyone else.

- The employee shall have seven (7) calendar days to review the investigation and address the findings and/or the recommended action in the space provided on the form. The employee shall sign the comment section on the line provided. The employee does not have to comment on the investigation. If the employee does not wish to comment, the employee must check the No Comment line and sign the investigation (this is required to document that the employee was given the opportunity to address the investigation). The employee shall return the completed investigation with his or her comments to the reviewing supervisor.

FINAL ACTION

- Upon receipt of the investigation from the subject employee, the supervisor authorized to impose the recommended final discipline shall meet with the employee, to discuss the matter and review the employee's comments on the investigation.
- The supervisor authorized to impose the final action shall use the SR Form to do so.
- The complete original SR FORM shall then be returned to Internal Affairs.
- Internal affairs shall monitor the completion of any imposed retraining, counseling, or discipline and shall file proofs of completion within the investigative file. It shall be the supervisor's responsibility to ensure that IA has all of the necessary proofs.

CONDUCTING INVESTIGATIONS OF EMPLOYEES COVERED BY THE BILL OF RIGHTS

The Florida Law Enforcement Bill of Rights contains specific requirements for conducting investigations that lead to loss of pay (suspension), demotion, or dismissal when the subject employee is a sworn, full time law enforcement or correctional officer. These requirements have also been incorporated into the agency's collective bargaining agreements.

- The Florida Law Enforcement Bill of Rights (FS 112.531-112.535) can be found in Outlook/Public Folders/ Internal Affairs.

TIME LIMITS

All Investigations shall be completed within 30 days of receipt of the complaint. Should an extension of time be necessary to complete the investigation, the investigator shall inform his/her supervisor and shall make a written request (email will suffice) to the Office of Internal Affairs for an extension, explaining the reasons for the extension. The Inspector General or designee or Undersheriff is the only person authorized to grant the extension. Any such extensions shall be noted in the investigative file and the subject employee shall be provided with an approved copy of the request. Any extensions granted extending the investigation beyond 180 days will only be granted in accordance with F.S 112.532 (6), i.e., the period is tolled for a statutorily enumerated reason.

[CALEA 52.2.3]

This time limit may be tolled only for the following reasons:

1. A specific written waiver by the subject officer.
2. The period of time that any criminal investigation or prosecution is pending in connection with the act, omission, or other alleged misconduct.
3. The subject officer is incapacitated or otherwise unavailable.
4. In a multijurisdictional investigation, a reasonable time necessary to facilitate the coordination of the agencies involved.
5. The period of time the Governor has declared a state of emergency within the boundaries of the agency.
6. The period of time during which a compliance hearing is being held pursuant to FS 112. (Contact the Legal Division for clarification).

GARRITY

All employees (civilian or sworn) must answer questions during an administrative investigation. Refusal to answer questions may subject the employee to discipline. The Garrity advisement shall be given to all subject employees and any employee witness who indicates he or she does not wish to answer questions. The Garrity advisement

can be found in the Forms section under Internal Affairs in Outlook. This advisement shall be printed, read to the subject or witness employee and signed by the subject or witness employee and be made a part of the investigation file.

INTERVIEWING WITNESSES

- * **The Bill of Rights requires that all identifiable witnesses be interviewed prior to questioning the subject employee. The interviews shall be under oath and shall be recorded in some form (recording device, written statement, or the investigator's written summary of the witness statement).**

Note: A witness is a person who may have information relevant and material to the particular investigation as determined by the investigator.

The following general rules should be followed when interviewing a witness:

- Select an appropriate location for the interview.
- Select a reasonable time for the interview, preferably when the employee is on duty, unless necessity dictates otherwise.
- Be courteous and professional. No investigator should engage in rudeness, offensive language, threats or promises during an interview.
- Be prepared and limit questioning to relevant issues.
- Place the witness under oath.
- If the witness requests a representative be present during the interview, the request should be granted unless the request would unnecessarily delay or interfere with the investigation. (Note: generally the representative is only an observer and is not allowed to interject themselves into the interview. It is within the investigator's discretion to allow some clarifying questions or statements by the representative).
- The interview shall be for a reasonable period and time shall be allowed for personal necessities and/or rest periods.
- A template for a witness interview can be found in the Forms section under Internal Affairs in Outlook.

INTERVIEWING A SUBJECT EMPLOYEE COVERED BY THE BILL OF RIGHTS:

The general rules for interviewing any witness apply to interviewing a subject employee covered by the Bill of Rights.

- The interview shall be conducted at a reasonable hour, preferably at a time when the officer is on duty, unless the seriousness of the investigation is of such a degree that immediate action is required.
- The officer is entitled to have a representative of his or her choice present during the interview, if he or she so requests. The investigator shall make a reasonable accommodation to allow the representative to be present.
- The interview shall take place at headquarters or the district office where the employee normally works.
- The subject officer shall be informed of the following:
 1. The name, rank, and command of the officer in charge of the investigation.
 2. The name, rank, and command of the interviewing officer and of all persons present during the interview.
 3. The nature of the investigation.
 4. The names of all complainants.
- The employee shall be provided all the witness statements, in whatever form available, and all other existing evidence, including, but not limited to, incident reports, Global Positioning System (GPS) locator information, and audio, video, or photographic evidence. The employee shall be allowed time to review the statements and evidence prior to being interviewed. However, if the witness is currently incarcerated and may have contact with the subject officer, the subject officer is not entitled to review that statement prior to the interview. The investigator should schedule the interview in a manner to allow adequate time for the officer to review the statements. Note: the statements are confidential at this point pursuant to FS 112.532 and 533. The subject employee and his or her representative should be so advised and of the possible consequences for revealing the information to anyone else.
- ***Garrity:** The Garrity advisement shall be given to all subject employees. The Garrity advisement can be found in the Forms section under Internal Affairs in Outlook. This advisement shall be printed, read to the employee and signed by the employee and be made a part of the investigation file.

- The subject officer **must be placed under oath** and advised of his or her obligation to tell the truth. The officer must also be advised that making knowingly false statements may subject the officer to prosecution for perjury and could result in decertification by the Florida Department of Law Enforcement - Criminal Justice Standards and Training Commission.
- The interview **must be recorded on a recording device**. There will be no unrecorded questions or statements. During break periods the investigator should state the beginning and end times of the break on the recording and have the subject officer acknowledge there was no questioning while the recording was stopped.
- The investigator should use the Subject Employee Administrative Interview Form to conduct the interview. This Form can be found in the Forms section under Internal Affairs in Outlook.
- If more than one investigator is present during the interview, only one should do the questioning, unless specifically waived by the officer being questioned.
- The subject officer shall not be subjected to offensive language or be threatened with transfer, dismissal, or disciplinary action. No promise or reward shall be made as an inducement to answer any questions.
- If the subject officer is under arrest, or is likely to be placed under arrest as a result of the interrogation, he or she shall be completely informed of his or her rights (Miranda) prior to the commencement of the interview.

WITNESSES REVEALED DURING THE SUBJECT OFFICER'S INTERVIEW

Should an additional material witness(es) be revealed during the subject employee's interview, the investigator should interview the witness(es) prior to concluding the investigation.

COMPELLED TESTING AND DISCLOSURE OF RECORDS

In all **administrative investigations**, the employee may be required to submit to relevant medical, laboratory, or forensic testing. The employee may also be required to provide relevant financial, telephonic, computer or internet records. The employee may also be required to be photographed or participate in a lineup.

DOCUMENTING THE INVESTIGATION

- When the investigation is complete, the investigator will then document the investigation on the **MCSO SUPERVISOR REVIEW FORM (SR FORM)** which can be found in the Forms section under Internal Affairs in Outlook.

- A sample report and guide to filling out the form can be found in the Forms section under Internal Affairs in Outlook.

Note: The investigator must swear that the contents of the report are true and accurate based upon his/her personal knowledge, information and belief. The investigator must also swear that he/she has not knowingly or willfully deprived, or allowed another to deprive the subject of the investigation of any rights contained in FS 112.532 or 112.533.

FORWARD FOR REVIEW

- Upon the investigator completing the investigation, it shall be forwarded to his/her immediate supervisor for review.

FINAL DETERMINATION

Using the Supervisor Review Form (SR Form), the reviewing supervisor shall draw a conclusion of fact which will be one of the following:

Exonerated –The incident occurred, but the employee’s actions were lawful, proper, and consistent with rules, regulations, policy or State law.

Unfounded – The allegation is false or not factual.

Not Sustained – Insufficient facts exist to either prove or disprove the allegation.

Sustained – The allegation is found to be substantially true. Generally speaking, the incident occurred and the specifically cited law, rule, regulation, or other general or special order was violated by the employee.

If the investigation involves multiple allegations and/or violations a separate finding must be made as to each allegation. [An additional first page of the SR Form shall be used for each allegation/violation then all will be attached to the Investigative Summary page(s)].

RECOMMENDED ACTION

When the complaint is “sustained”, the reviewing supervisor shall forward the investigation through his/her chain of command until such time as it reaches the supervisor authorized to impose the recommended level of discipline. That supervisor shall enter his/her recommended action or discipline on the SR Form.

NOTICE OF RECOMMENDED ACTION TO SUBJECT EMPLOYEE

The completed investigation with the final finding and recommendation (including all attachments and witness statements) shall then be presented to the subject employee to review prior to the final imposition of the recommended action. Note: the contents of the investigation are still confidential at this point pursuant to FS 112.532 and 533 because the investigation is not closed. The subject employee and his representative should be so advised and of the possible consequences for revealing the information to anyone else.

The employee shall have seven (7) calendar days to review the investigation and address the findings and/or the recommended action in the space provided on the form. The employee shall sign the comment section on the line provided. The employee does not have to comment on the investigation. If the employee does not wish to comment, the employee must check the No Comment line and sign the investigation (this is required to document that the employee was given the opportunity to address the investigation). The employee shall return the completed investigation with his or her comments to the reviewing supervisor.

FINAL ACTION

Upon receipt of the investigation from the subject employee, the supervisor authorized to impose the recommended final discipline shall meet with the employee, to discuss the matter and review the employee's comments on the investigation.

The supervisor authorized to impose the final action shall use the SR Form to do so.

The complete original SR FORM shall then be returned to Internal Affairs.

Internal affairs shall monitor the completion of any imposed retraining, counseling, or discipline and shall file proofs of completion within the investigative file. It shall be the supervisor's responsibility to ensure that IA has all of the necessary proofs.

OBJECTIONS BY SUBJECT OFFICER DURING THE INVESTIGATION

The following provisions only apply during investigations of full time law enforcement or corrections officers.

If the subject officer believes that there has been an intentional violation of the Bill of Rights by the investigator during the course of the investigation, the subject officer shall advise the investigator of the violation and the specific factual basis for the violation.

The investigator shall evaluate the objection and attempt to immediately cure any actual violation. (Investigators are encouraged to contact Internal Affairs or the Legal Division to evaluate the validity of any objection). If the investigator does not find the

objectionable issue to be a violation of the Bill of Rights, the investigator shall explain to the subject officer why there is no violation.

If the subject officer still maintains a violation exists **and** the subject officer requests that the Sheriff or the Undersheriff be notified, then the interview of the subject officer shall cease.

The investigator shall refer the matter to the Legal Division for resolution pursuant to the provisions of F.S. 112.534.

SUPERVISOR REVIEW SUBJECT EMPLOYEE INTERVIEW TEMPLATE
NON BILL OF RIGHTS

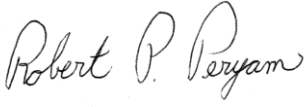
1. I am INTERVIEWER of the Monroe County Sheriff's Office. State rank and /or position.
2. I am the investigator in charge of (Internal Affairs, Administrative Inquiry, Lawsuit Review) investigation NUMBER.
3. This interview is being conducted at PLACE OF INTERVIEW. The time is TIME, on DATE.
4. For identification purposes, please state your full name and spell it.
5. What is your present rank and duty assignment?
6. This interview is being recorded. Is it being recorded with your full knowledge?
7. Also present at this time is NAME OF PERSON(S) PRESENT. (Use only if there is someone other than the interviewee present in the room).
8. If interviewee has been provided with any documents, recordings, or evidence prior to the interview, state for record what has been provided.
9. Advise of Garrity/Right to Representative using Administrative Rights Form.
10. **PLACE UNDER OATH.** (Would you raise your right hand please? Do you swear that the statement you are about to give is the truth, the whole truth and nothing but the truth, so help you God?)
11. Ask questions relevant to the facts and circumstances surrounding the alleged complaint:
WHO / WHAT / WHEN / WHERE / WHY / HOW
12. At the conclusion of the interview, ask employee is there anything that you have failed to ask or that the employee would like to add to this statement?
13. Advise the employee that the investigation is still confidential and they are not to discuss it with anyone except their representative until it is concluded.
14. State TIME interview is concluded.

SUPERVISOR REVIEW WITNESS INTERVIEW TEMPLATE

1. I am **INTERVIEWER** of the Monroe County Sheriff's Office. State rank and /or position.
2. I am the investigator in charge of (Internal Affairs, Administrative Inquiry, Lawsuit Review) investigation **NUMBER**.
3. This interview is being conducted at **PLACE OF INTERVIEW**. The time is **TIME**, on **DATE**.
4. For identification purposes, please state your full name and spell it.
5. Please state your address and phone number. (Sheriff's Office members should give their business address).
6. What is your date of birth? (Non-members only)
7. **MEMBERS ONLY** - What is your present rank and duty assignment? Who is your immediate Supervisor?
8. This interview is being recorded. Is it being recorded with your full knowledge?
9. Also present at this time is **NAME OF PERSON(S) PRESENT**. (Use only if there is someone other than the interviewee present in the room).
10. If the witness is an employee and wishes to be advised of Garrity, use Administrative Rights Form at this point.
11. **PLACE UNDER OATH.** (Would you raise your right hand please? Do you swear that the statement you are about to give is the truth, the whole truth and nothing but the truth, so help you God?)
12. Ask questions relevant to the facts and circumstances surrounding the alleged complaint:
WHO / WHAT / WHEN / WHERE / WHY / HOW
13. At the conclusion of the interview, ask the witness if there is anything that you have failed to ask or that the witness would like to add to this statement?
14. Advise the witness that the investigation is still confidential and they are not to discuss it with anyone except their representative until it is concluded.
15. State **TIME** interview is concluded.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 20		TITLE: Complaint Investigations
EFFECTIVE DATE: January 1, 2010	NO. PAGES: 6	AMENDED: May 23, 2011
REFERENCE: CALEA 52 CFA 27.01 (c); 27.06		RESCINDS: Chapter 20 Internal Affairs
 Sheriff of Monroe County		

PURPOSE

The purpose of this directive is to establish guidelines for the handling of complaints against employees, the imposition of corrective action or discipline, and the administration and operational procedures for the Internal Affairs Division.

DISCUSSION

This directive shall apply to all Sheriff's employees. For the purposes of this chapter "employee" includes reserve and auxiliary deputies. It is the policy of the Sheriff that all allegations of employee misconduct are appropriately investigated and promptly adjudicated. This includes complaints received from anonymous sources. [CALEA 52.1.1]

The Internal Affairs Division shall record, register, and control the investigation of complaints against employees; shall supervise and monitor the handling of alleged misconduct; shall maintain the confidentiality of the Internal Affairs investigations and records as law permits and shall keep such records in a secured area at 5525 College Road (Internal Affairs), Key West, Florida.
[CALEA 26.1.8, 52.1.2] [CFA 27.01(C).

When applicable, the procedure shall be in compliance with Section 112.552 and 112.553, Florida Statutes. The Internal Affairs Division is supervised by a Command Deputy Sheriff who is supervised by the Undersheriff and has the

authority to report directly to the Sheriff on Internal Affairs matters. [CALEA 52.1.3] All or a part of this procedure may be superseded by state law and/or any collective bargaining agreement entered into between the Sheriff and a recognized collective bargaining unit.

It is the policy of the Sheriff that discipline should be characterized as corrective rather than punitive, and that disciplinary actions are utilized as an element of an overall program to educate the employees of the Office and to promote proper conduct. However, some misconduct is not correctable through discipline. Certain acts may immediately render an employee unsuitable for continued employment. Not all misconduct requires discipline. In some cases, non-disciplinary action may be more appropriate. Supervisors are expected to enforce the disciplinary process.

Although internal consistency in administering discipline is desirable, numerous factors should be considered in determining the appropriate level of discipline to be assessed. Some of the factors involved include, but are not limited to length of service, time intervals between offenses, the effectiveness of prior corrective or disciplinary actions, willingness to improve, overall work performance, job attitude, and corrective or disciplinary actions previously administered to comparable employees for similar offenses. A repetition of the same offense or other serious offense indicates that more severe measures should be administered.

Generally, the action taken should be corrective if the supervisor can reasonably anticipate that the corrective steps will be effective. The steps of progressive corrective action would normally be:

1. Counseling/retraining
2. Written reprimand
3. Suspension
4. Demotion
5. Termination

Some misconduct cannot be corrected using corrective action. This is generally misconduct the employee should have reasonably known was unacceptable, including; association with criminals, drug usage, dishonesty, thievery, violence, insubordination, and criminal behavior. In addition to disciplinary action, an employee may be subject to the loss of equipment, such as a take home car, uniforms, weapon, etc.

Nothing contained herein shall limit the right, power, and authority of the Sheriff to take whatever action is deemed appropriate under given circumstances. It is further provided that certain offenses are of such serious nature that immediate withdrawal of appointment is applicable on the first offense.

POLICY AND PROCEDURE

Receipt of Complaints

All complaints against the Office or its employees shall be investigated. Complaints may be written or verbal and may be anonymous. Complaint processing will follow the guidelines outlined in the ***Complaint Investigation Procedures Manual*** located in Chapter 20A Complaint Investigations Attachments.

Employees receiving information of misconduct of any employee should immediately contact a supervisor or Internal Affairs to accept the complaint. Employees will not direct a complainant to call a supervisor.

All Complaints shall receive a case number and the Internal Affairs Division shall maintain a record of all complaints received against the agency or employees. Records of all complaints shall be maintained in a secure section of the MCSO computer system. Any paper records

shall be maintained in a file room within the Internal Affairs office that is not readily accessible to persons other than Internal Affairs staff. The door to the file room shall be locked when staff is absent from the office. [CALEA 26.1.8, 52.1.2]

At a minimum, Records will be retained/destroyed as per Florida Records Retention Schedule.
(Revised 5/19/11)

Notification to the Sheriff

The Command Deputy Sheriff of Internal Affairs shall immediately notify the Sheriff in all instances of allegations of criminal misconduct. The Sheriff will be kept informed of all other complaints during regular briefings. [CALEA 52.2.2]

Notification to Complainant

In the event of a complaint filed against an employee of the Office the investigator shall send a letter or email and/or make a documented phone call to the complainant advising of the agency's receipt of the complaint and the name of the investigator.

The investigator shall at least every thirty days inform the complainant of the status of the investigation.

At the conclusion of the investigation, the investigator shall send a final written notification to the complainant advising of the conclusion of fact. [CALEA 52.2.4]

Notification to Employee Under Investigation

The employee under investigation shall be notified of the investigation by being provided a written statement of the allegations, the name of the complainant and his/her rights and responsibilities relative to the investigation. Such notice shall be provided in a timely manner but shall not impede the investigation. [CALEA 52.2.5]

At the conclusion of the investigation, the investigator shall send a final written notification to the member advising of the conclusion of fact. [CALEA 52.2.4]

Types of Complaints Investigated by Internal Affairs:

[CALEA 52.2.1 b]

Allegations of criminal misconduct and other policy or procedure violations as determined by the Sheriff. When deemed appropriate by the Sheriff, complaints of criminal misconduct may be submitted to the criminal investigations division or an outside law enforcement agency for investigation.

All complaints of serious negligence or misconduct in the handling of evidence by any members of the Office or any of its contractors shall be investigated by the Internal Affairs Division of the Monroe County Sheriff's Office. (Revised 7/6/10)

Types of Complaints Investigated by Supervisors:

[CALEA 52.2.1 a]

Allegations of violations of the General Orders, such as insubordination offenses, neglect of duty offenses, improper conduct offenses, etc.

Completion of Investigations

All Investigations shall be completed within 30 days of receipt of the complaint. Should an extension of time be necessary to complete the investigation, the investigator shall inform his/her supervisor and shall make a written request (email will suffice) to the Office of Internal Affairs for an extension, explaining the reasons for the extension. The Inspector General or designee or Undersheriff is the only person authorized to grant the extension. Any such extensions shall be noted in the investigative file and the subject employee shall be provided with an approved copy of the request. Any extensions granted extending the investigation beyond 180 days will only be granted in accordance with F.S 112.532(6), i.e., the period is tolled for a statutorily enumerated reason. [CALEA 52.2.3] (Revised 7/6/10)

Investigation Procedures

- All complaint investigations should follow the investigative protocols in the *Complaint Investigation Procedures Manual*.

- Should any of the above procedures be changed or modified by a Collective Bargaining Agreement, the terms of the Bargaining Agreement shall prevail and apply to the members of that collective bargaining unit.

Investigation Determination

- All investigations into allegations of misconduct, whether investigated by a Supervisor or Internal Affairs, shall result in a conclusion of fact. {CALEA 52.2.8}
- The findings of fact shall be one of the following determinations:
 - **Exonerated:** Incident occurred, but the employee's actions were lawful, proper and consistent with rules, regulations, policy or state laws.
 - **Unfounded:** Allegation is false or not factual.
 - **Not Sustained:** Insufficient facts either to prove or disprove the allegation.
 - **Sustained:** The allegation is found to be substantially true. Generally speaking, the incident occurred and the specifically cited rule(s), regulation(s) or other general or special order(s) were violated by the employee.

Corrective Action

Upon completion of the investigation and a finding of fact the following actions may be taken:

- **Corrective Non-Disciplinary Actions**
 - **Letter of Counseling** - The purpose of a letter of counseling is to allow the Supervisor to bring to the employee's attention the need to improve his/her performance, work habits, behavior or attitude and to serve as a notice against further repetition of the unsatisfactory performance or conduct. The Supervisor should utilize the occasion to identify and define the area needing improvement and to inform the

employee of how such improvement can be realistically achieved and when it can be expected. A letter of counseling is a corrective measure and is not considered to be disciplinary action.

- **Remedial Training** – If the Supervisor has, through counseling, defined an area needing improvement, the Supervisor may provide qualified instruction to assist employees in overcoming the noted deficiency. This instruction must be appropriate and not detract excessively from other supervisor capacities. The employee may be required to successfully complete a training program. The program shall be designed to fit specific job requirements or individual needs. When possible, the Sheriff's in-service training program should be used. Assignment of the training and completion of training shall be documented by memorandum. (Remedial Training may also be required in disciplinary actions).
- **Administrative Suspension/relief from duty** – [CALEA 52.2.7] If the supervisor determines that the needs of the employee and/or the best interests of the agency require a temporary relief from duty, the supervisor will notify the employee's division command. An administrative suspension may be affected in such circumstances by the employee's division command, or the duty commanding officer, and shall continue until otherwise ordered by the sheriff. An administrative suspension may be implemented prior to the completion of an investigation. An administrative suspension under these circumstances is not considered to be discipline.
 - Administrative suspension following use of deadly force - In every instance in which a deputy uses deadly force or takes action which results in death or great bodily harm to another person, the deputy will be immediately relieved of normal duties in order that the personal and emotional needs of the deputy may

be addressed and all facts surrounding the incident verified.

- **Corrective Disciplinary Actions**

- **Written Reprimand** - In situations in which counseling and/or remedial training has not resulted in the expected improvement, or in which an employee commits a more serious offense, a written reprimand should be given to the employee. This shall include a complete description of the incident(s) of misconduct, and refer to specific dates, times, locations, personnel involved, and rules violated.
- **Disciplinary Suspension** - In the event offenses are continued or repeated by an employee who has already received a letter of counseling / retraining or written reprimand, or if the nature of the offense is serious, an employee may be placed on disciplinary suspension without pay for a period of time, or be subjected to loss of accrued vacation or compensatory leave.
- **Disciplinary Demotion** - In certain cases demotion may be used when the employee demonstrates an inability to function at his/her rank or position.
- **Disciplinary Withdrawal of Appointment/Termination** - In cases of serious conduct violations the employee's appointment may be withdrawn and the employee may be terminated.

- **Authority to Discipline**

The Sheriff or his designee shall be briefed and must concur with the recommended discipline prior to its imposition except in emergency or exigent circumstances. (Revised 5/19/11)

The following authorities to issue discipline shall apply:

- Letter of reprimand: *Lieutenant or above.*
- Suspension up to five work shifts: *Captain, Director or above.*

- Suspension over five work shifts, Recommend Demotion and/or Termination: *Bureau Chief or above.*
- Demotion and/or Termination: *Sheriff or designee.*
(Revised 5/23/11)
- **Notice of Disciplinary Action**
 - Upon completion of an investigation, the finder of fact shall make a written recommendation of corrective and/or disciplinary action.
 - The subject employee shall be notified of the recommended action and be provided a copy of the complete investigation. [CFA 27.06]
 - Prior to the imposition of the action the employee shall be provided the opportunity to address the findings and the recommended corrective and/or disciplinary action.
 - The final corrective/disciplinary action shall be imposed after due consideration of the subject employee's response.
- **Investigation Reports**
 - Internal Affairs investigations shall be documented on forms established within the division.
 - All other investigations shall be documented on a Supervisory Review Form (See Complaint Investigations Procedures Manual).
- **Employee's Responsibility During Investigation**
 - The employee shall follow all directives from superiors and/or Internal Affairs during the investigative process.
 - During any internal investigation, an employee may be reassigned or relieved from duty due to unfitness for duty, pending disposition of the investigation, or whenever it would be in the public interest not to have the employee on active duty. Such administrative leave may be with or without pay, depending on the circumstances and seriousness of the allegations, until final disposition is made.
 - During any internal investigation, an employee may be subject to medical or laboratory examinations; may be required to participate in a line up; may be photographed; and may be required to submit financial records when such are material to the particular investigation at hand. [CALEA 52.2.6]
 - Employees have a continuing duty to be truthful during the investigation. Untruthfulness during the employee's sworn interview may subject the employee to prosecution for perjury (Garrity does not protect against perjury).
- **Discipline Implementation**
 - All imposed disciplines shall be implemented and completed immediately following the discipline being imposed. If for any reason it cannot be completed immediately, the date for implementation must be set and approved by the imposing supervisor.
 - Documentation must be provided to Internal Affairs by the employee's commander confirming the discipline has been completed immediately following its imposition.
 - Should the investigation result in the employee's dismissal, the Human Resources Division will notify the Division of Employee Benefits for Monroe County. They in turn will notify the employee of any fringe and retirement benefits to which she/he may be entitled after dismissal.
 - Should the investigation result in the employee's dismissal, she/he shall be provided a memorandum indicating the reason(s) for dismissal, effective

date of dismissal, and a statement related to the employee's right to submit information to their personnel file to refute or explain the reasons for the dismissal.

- **Appeal Process**

- **Collective Bargaining Unit Employees** The appeal process shall be as outlined in the relevant collective bargaining unit contract.

- **Non collective bargaining unit Employees**

- Pursuant to Monroe County Sheriff's Office Career Service Bill (Florida Law 97-345), any Sheriff's office employee who is a member of "classified service" not covered by a collective bargaining agreement, regardless of union membership, may appeal discipline that is suspension without pay for forty hours or more, demotion, or withdrawal of appointment, to the Disciplinary Review Board. For information concerning employee's rights and responsibilities, when requesting a disciplinary review board, see General Orders Chapter 24, Career Service Provisions.

- With discipline that does not fall under the Career Service Bill, employees who have successfully completed their probationary period may appeal through the appellate process delineated in General Orders Chapter 14.

- **Reporting Sustained Allegations to Florida Criminal Justice Standards and Training**

- In accordance with the Department of Law Enforcement, Criminal Justice Standards and Training Commission, Chapter 11B-27.0011(5) all sustained allegations of moral misconduct as defined in 11B-25.0011(4), where dismissal does not occur will be reported to the Standards and Training

Commission within forty-five (45) days from the date the allegation was sustained.

- Any disciplinary action that results in dismissal will be reported by the Human Resources Section as normal notice of separation from the Office.

- The Command Deputy Sheriff of the Internal Affairs Division shall ensure that the Florida Department of Law Enforcement Internal Investigation Report form is completed as required by Section 943.1395 (5), of the Florida Statutes.

- **Annual Statistical Summaries** - The Office of Internal Affairs shall compile annual statistical summaries, including offenses investigated, for dissemination to the public and to employees. [CALEA 52.1.5]

MONROE COUNTY SHERIFF'S OFFICE

Office of Internal Affairs

Administrative Proceedings Rights Form

Name of Subject: _____ Rank: _____

Identification #: _____ Assignment: _____ Case #: _____

Given to Subject - Date: _____ Time: _____ Place: _____

You are advised of the following:

1. Any admission of misconduct made in the course of this administrative interview may be used as the basis for charges seeking your removal, discharge or suspension.
2. Any admission made by you during the course of this administrative interview cannot be used against you in a subsequent criminal proceeding. [Ref. Garrity v. New Jersey, 385 U.S. 483, 87 S.Ct. 616 (1967).] **Garrity does not provide protection for Perjury.**
3. You have the right to a representative of your choosing including legal counsel, to be present with you and advise you for this administrative interview and you will be afforded the opportunity to reasonably consult with him or her in private.
4. You have a right to be given a reasonable time to obtain counsel of your own choosing.
5. You have an obligation to truthfully answer questions put to you. [Ref. Gardner v. Broderick, 392 U.S. 273, 88 S.Ct. 1913, 1916 (1968).]
6. You are now being ordered to answer my questions. A refusal to answer my questions will constitute a violation of the Operations Manual of the Monroe County Sheriff's Office and may serve as a basis for disciplinary action that could result in your termination.

The undersigned hereby acknowledges that he or she was informed of the above Administrative Proceedings Rights.

Signature

Witness

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CHAPTER TWENTY-ONE

INSPECTION SERVICES

I. PURPOSE

The purpose of this directive is to establish guidelines for line and staff inspections.

II. DISCUSSION

This directive shall apply to all Sheriffs personnel. Inspections and control by management are necessary to ascertain if policies, procedures and rules are adequate and are being obeyed, whether Office resources are adequate and being properly utilized, to evaluate the overall performance of the Office, and to recognize commendable performance. The ultimate purpose and objective of an inspection is to improve the performance of the Office and its members, its operational efficiency and to upgrade its professional standards. All inspection efforts will be directed toward these objectives.

CALEA 53.1.1

The Inspections component falls under the purvue of the Commander of Professional Standards.

III. DEFINITIONS

A. Line Inspection - The objective and purposeful observation and evaluation of an activity, event, equipment or personnel within the direct chain of a command of the inspecting supervisor.

B. Staff Inspection - An objective and purposeful observation and evaluation of an activity, event, equipment or personnel by inspecting officers who are acting at the direction of the Sheriff.

IV. POLICY AND PROCEDURE

1) Line Inspections

a. All Commanders and Directors are responsible for insuring line inspections are conducted of members and areas under their command.

b. All supervisors shall, on a daily basis, make careful inspections of their subordinates to insure they are properly attired, uniformed, equipped and fit for duty.

CALEA 53.1.1 B

c. Line supervisory members who have direct authority and responsibility for the operation of a specific component or function will conduct line inspections. In addition, they will monitor the activities of subordinates to determine if duties, services to the public, orders, and instructions are being promptly, efficiently, and effectively performed.

d. Line supervisory members shall frequently, and at random, interview complainants to insure that citizens are receiving proper attention and an appropriate level of service.

2) Informal Line Inspections

a. Routine informal line inspections shall be practiced at each level of command. By constant observation, all supervisors shall be able to determine whether members of their command

CALEA 53.1.1 B (revised on 4-18-01)

maintain a working knowledge of the law and perform their duties in accordance with agency orders. Supervisors shall constantly examine and inspect the work of their subordinates for compliance with agency objectives.

- b. Informal line inspections performed by supervisory members during routine operations do not usually require written reports. Their intent is to serve as periodic inspections to insure compliance with agency orders. Any deficiencies noted by a supervisory member shall be corrected immediately.

CALEA 53.1.1 C

3) Formal Line Inspections

- a. Formal line inspections shall be conducted on all sworn/certified members annually CALEA 53.1.1 B to determine if members continuously maintain a satisfactory level of efficiency in compliance with agency orders. Annual inspections shall include, but not limited to work area, personnel and vehicle inspections. Identified deficiencies shall be brought to the attention of the members involved so appropriate corrections can be made. Line supervisors supervising sworn/certified members shall document, on the appropriate form, a monthly inspection of members to include at a minimum:

1. Uniforms or attire;
2. Weapons (if applicable);
3. Equipment;
4. Vehicles (if applicable); and
5. Work area (if applicable).

CALEA 53.1.1 D

- b. Completed written reports or forms shall be sent through the chain of command to the commander. The commander is responsible for insuring corrective action and proper retraining of members with noted deficiencies. The inspection reports shall include any specific action taken to correct discrepancies or recommendations for long-range solutions.

CALEA 53.1.1 C

- c. A follow-up inspection shall be conducted within thirty days of a noted deficiency to insure it has been corrected.

CALEA 53.1.1 A , B & E

C. Staff Inspections

1. Staff Inspections shall be conducted by the **Office of Professional Standards**. The Unit shall conduct staff inspections through the authority of the Sheriff and be directly responsible to the **Commander** of Professional Standards.
2. Staff Inspections are carried on outside the normal lines of authority and responsibility. Those conducting the staff inspections process are neither responsible to the supervisors of the function being inspected nor for the performance of those units. The staff inspector does not have line or command authority; the primary duties are to observe, evaluate, and report, however, personnel assigned to an inspection shall be considered equal with the ranking members of the organizational component being inspected.
3. Staff Inspections shall be responsible for conducting administrative inspections within all organizational components of all units and functions at least once every three (3) years to provide necessary information to evaluate the efficiency and effectiveness of the Office.

(revised on 4-18-01)

- a. Unannounced inspections of evidence and property storage areas shall be conducted semiannually or as directed by the Sheriff.
(Revised 11/2/11)

CFA 36.02M c

- 4. The Staff Inspection is principally directed at Division, Sector, Unit, and Section performance. The staff inspection includes, but is not limited to, ensuring the following tasks and goals are achieved.
 - a. The Office fulfills its legally mandated responsibilities.
 - b. Division, Sector, Units, and Sections comply with Office policies and procedures.
 - c. Progress is being made and/or program goals and objectives are being achieved through observation of selected programs of critical field law enforcement incidents either as they occur or after the fact review.
 - d. Crime, arrest, and other reporting integrity are achieved and maintained.
 - e. Service rendered to line personnel by support elements is adequate and productive.

5. Pre-Inspection Notification

- a. Written notice of formal inspection shall be provided to the Division Commander of the component to be inspected at least fourteen (14) days in advance but not less than seven (7) days prior to the inspection.
- b. The memorandum shall indicate the nature of the inspection and may include a specific request for desired action, questions to be answered, documents to be produced, or other action necessary to complete the inspection.

- 6. It shall be the responsibility of the Division Commander, or Director to identify liaison personnel to assist with the inspection, if requested by the Staff Inspector and to convey information regarding the scheduled inspection to the members of the Division, Section, or Unit.

7. Types of inspections which may be conducted:

a. Personnel

- 1) Conduct
- 2) Appearance
- 3) Discipline
- 4) Job performance
- 5) Job knowledge
- 6) Integrity
- 7) Morale

b. Operations

- 1) Facilities and equipment condition
- 2) Investigative techniques
- 3) Communications discipline
- 4) Incident response time
- 5) Quality of service
- 6) Report preparation and records
- 7) Roll calls

- 8) Supervision and command
- 9) Court appearance and presentations
- 10) Selectivity of enforcement
- 11) Manpower scheduling and deployment

c. Administration

- 1) Cooperation within other components or agencies
- 2) Manpower utilization
- 3) Control of overtime

8. An exit conference will be held between the Staff Inspection Officer and the Commander or Supervisor at the completion of the inspection to provide an informal report of the findings and recommendations.
9. Inspection findings will then be formally submitted to the Sheriff and appropriate supervisors having the responsibility for solving the problem and for directing specific action or initiating further study. Upon receipt of the inspection report, the concerned supervisor(s) will provide an appropriate response to the Sheriff through the chain of command. The response shall demonstrate that the concerned supervisor(s) have given full consideration to the overall importance of the inspection findings and has taken action to insure conformance to the policy or procedure at issue.

CALEA 53.1.1 D

D. Follow-up Inspections - At prescribed time intervals following the initial inspection, inspectors shall be directed by the Sheriff or the Under Sheriff to conduct follow-up inspections and report on the progress of the implementation of recommended changes.

CALEA 53.1.1 C, D

E. Spot-Check Inspections

1. Spot-check inspections shall be conducted continuously on an unscheduled basis, requiring no advance notification.
2. If a spot-check inspection reveals the need for a more comprehensive inspection, the pre-inspection notification shall be initiated prior to a formal inspection.

CALEA 53.1.1 B, D

CHAPTER TWENTY-TWO
EARLY WARNING INTERVENTION SYSTEM

I Purpose:

This policy is intended to assist managers in identifying officers and other members whose performance and actions warrants review and, where appropriate, intervention in circumstances that may have negative consequences for the member, fellow members, this agency and the community. The Early Warning Intervention System, in conjunction with the various support programs provided through the agency is designed to identify sources of job and personal stress, to improve performance and thus benefit the member, the agency and the community.

II. Policy:

It is the policy of this agency to establish a system for tracking and reviewing incidents of risk to this agency and the involved members that have the potential of undermining the achievement of the agency's mission. To this end, the Early Warning Interventions shall be used as a means to identify and assess member performance involved in potential-risk incidents and intervene where appropriate.

III. Definitions:

- A. Early Warning Interventions – a proactive, non-disciplinary system intended to enhance awareness by members, supervisors and managers of potential member problems before serious events occur.
- B. Early Warning Intervention's Coordinator – Internal Affairs Coordinator who monitors the number of EWI (EARLY WARNING INTERVENTIONS) defined events occurring and is responsible for the proper flow of documentation. The EWI (EARLY WARNING INTERVENTION) Coordinator issues a number and ensures follow-up action is taken in a timely manner.
- C. Potential Risk Incidents – Actions that may result in injury to members or the public, cause civil rights violations, increase the civil liability to the department, or cause this agency to lose public support and confidence in its ability to perform its duty in a professional manner.

IV. Procedures:

A. General:

- 1. The Internal Affairs Division shall be responsible for administering the EWS (Early Warning System) and generating reports or ensuring reports are generated as specified in this policy or as otherwise directed by the Sheriff.
 - a. Reports shall include an annual evaluation of the system forwarded to the Sheriff, via chain-of-command, by March 15th of each year. (CALEA 35.1.9, c)
- 2. It is the duty of line supervisors to directly monitor the performance and behavior of personnel under their charge on a daily basis. (CALEA 35.1.9, d)
- 3. The EWI (EARLY WARNING INTERVENTION) is a tool to assist supervisory personnel in monitoring member performance.
- 4. Supervisory personnel shall be familiar with alternative and authorized actions they may take (as detailed in the General Orders Manual) in response to personnel exhibiting behavioral problems

with or without information provided through the EWI (EARLY WARNING INTERVENTION).
(CALEA 35.1.9, d)

B. Reporting Procedures:

1. This agency's Internal Affairs Division shall be responsible for establishing and administering the EWI (Early Warning Intervention) and generating reports specified in this policy or as otherwise directed by the Sheriff. Internal Affairs (AIM) Administrative Investigation Management system shall receive data and track the following:
2. Complaints and information lodged against and by the members-to include:
 - a. IA's (Internal Affairs), SR's (Supervisor Reviews) AI's(Administrative Investigations),PR's Preliminary Reports
 - b. Incidents of Domestic Disturbance/Violence
 - c. Disciplinary actions taken against members
 - d. Use of Force reports
 - e. Discharge of Firearm
3. Performance based and related information shall also be included in the EWI (EARLY WARNING INTERVENTION), to include:
 - a. Traffic accidents PR or SR
 - b. Pursuits, both within and out of policy
 - c. Lawsuits and Insurance Claims of missing and damaged department property
 - d. Assaults on the officer (i.e., the officer as the victim)
 - e. Officer reports of resisting arrest, and obstruction (includes Resisting with and without violence arrests)
 - f. Sick leave usage
(CALEA 35.1.9, b)

C. Threshold Levels

1. Complaints
 - a. IA's(Internal Affairs), SR's (Supervisor Reviews) AI's(Administrative Investigations),PR's Preliminary Reports
 - b. Incidents of Domestic Disturbance/Violence
 - c. Disciplinary actions taken against employees
 - d. Use of Force reports
 - e. Discharge of Firearm
2. Performance based and related information shall also be included in the EWI (EARLY WARNING INTERVENTION), to include:
(CALEA 35.1.9, a,b)
 - a. Domestic Disturbance
 - b. Excessive Speed
 - c. Firearm Discharges
 - d. IAs; SRs; AIs; PRs
 - e. Sick Leave
 - f. Use of Force

- D. Once the member has been documented on a EWI (EARLY WARNING INTERVENTION) Notification Report for any of the above criteria, the employee's immediate supervisor will be notified by via chain of command with the appropriate documentation attached. The report from IA**

shall provide a brief summary of complaints, uses-of force incidents, and/or performance indicators and their respective dispositions where available. (CALEA 35.1.9, a)

- E. Reports shall draw no conclusions nor make any determinations concerning job performance. Reports are intended to assist supervisory personnel evaluate and guide their subordinates. Reports alone shall not form the basis for disciplinary action.
- F. Supervisors shall review reports with members and encourage him or her to provide insight to the itemized incident and problems identified in the report. (CALEA 35.1.9, d)
- G. The member's commander and immediate supervisor shall meet to discuss the report and other relevant information and determine if corrective actions are warranted. These actions may include but are not limited to the following: (CALEA 35.1.9, d)
 - 1. Refer the member to an agency authorized mental health professional or other mental health care provider authorized by the department or Employee Assistance Program as provided by Monroe County Board of County Commission. (CALEA 35.1.9, f)
 - 2. Require the member participate in agency authorized training, targeting personal or professional problems that the officer may be facing (e.g., communications, cultural awareness, coping with stress, anger management); (CALEA 35.1.9, e)
 - 3. Conclude the member's actions do not warrant immediate need for corrective action. A report of action recommendations and justification for those recommendations shall be noted in the Early Warning Intervention System report note field and closed appropriately. (CALEA 35.1.9, e)
- H. Annually, the Commander of the Internal Affairs Division shall prepare an annual evaluation of the Early Warning System, by March 15 of each year and forward it to the Sheriff via Chain-of-Command.

CHAPTER 23

OFF DUTY EMPLOYMENT/EXTRA-DUTY DETAILS

REVISED 08/07/09

I. PURPOSE

The purpose of this directive is to establish guideline, rules and regulations relating to Off-Duty Employment and Extra-Duty Details as performed by Monroe County Sheriff's Office members.

(Revised 08/07/09)

II. DISCUSSION

It is recognized that members desire to work off-duty employment for various reasons. This employment shall not interfere or conflict with the primary employment with the Sheriff's Office.

Individuals or organizations have the need for the services of Sheriff's Office personnel for a private event to which Office personnel cannot be assigned to on an on-duty basis. These are defined as Extra-Duty details. Such details allow services to be provided for events that may not otherwise receive such services, allowing officers to earn additional income and many times reduces or eliminates problems an event may cause tapping on-duty resources.

Extra-Duty details should be managed in a manner that is fair in their posting of availability and distribution among available personnel to participate.

III. DEFINITIONS

- A. Off-Duty Employment is employment that is outside of the Sheriff's Office and does not require the member to perform any function associated with their Sheriff's Office duties or powers.
- B. Extra-duty details are details at the request of and paid for by other entities, i.e. special event security, Fantasy Fest Promenade, etc...

IV. POLICY AND PROCEDURE

- A. Off-duty employment
 - 1. Sheriff's personnel shall obtain prior approval from the Sheriff, via the Chain-of-Command, before engaging in other employment, occupation, profession, or commercial enterprise.
 - 2. Approval will not be granted for off-duty employment which might;
 - a. Interfere with official duties
 - b. Employment involving the sale for on premise consumption of alcoholic beverages (FSS 561.25)
 - c. Employment involving bail bond agencies
 - d. Investigative work for insurance agencies, collection agencies, security agencies or attorneys.
 - 3. Extra-duty Details - Scheduling
 - 1. Each Patrol District will designate one person to function as the District Special Detail Coordinator (DSDC). The DSDC is responsible for coordinating all details in their respective District.
 - a. All extra-duty details shall be scheduled through the Monroe County Sheriff's Office District Special Detail Coordinator (DSDC).
 - b. Any person or public or private entity desiring the service of any member of the Monroe County Sheriff's Office functioning in the role of off-duty law enforcement will be advised to contact the DSDC of the District in which the extra-duty detail is to take place.

- c. The DSDC shall review request for contracts by outside organizations to ensure they meet the standards for hiring a Deputy and they do not fall into a prohibited type of employment. If after approval a detail changes and no longer meets the standard it shall be revoked.
- d. Prohibited Extra-duty Details are;
 - 1) Any business whose primary source of income is the sale of alcohol or adult entertainment.
 - 2) Employment involving bail bond agencies.
 - 3) Investigative work for attorneys, collection, and security agencies
 - 4) Or details where a potential conflict exist.
- e. Staffing Levels
 - 1) For every six (6) deputies assigned to a specific extra-duty detail, one (1) sergeant will be required.
 - 2) For every two (2) sergeants, one (1) lieutenant will be required.
 - 3) Each respective rank will be paid at their respective extra-duty detail rate.
- f. All Office directives apply during all extra-duty details, deputies behavior shall be governed accordingly.
- g. Unless otherwise authorized, the Deputy shall be in uniform and drive their assigned unit.
- h. Scheduled extra-duty details are deemed scheduled work hours. Failure to respond to an extra-duty detail when scheduled is considered absent without leave and subject to disciplinary action.
- i. Scheduled Deputies Responsibilities
 - 1) Find a replacement for any detail, which the deputy cannot attend.
 - 2) Notify Communications of the location of the detail when coming into service
- j. Substituting for An Other Agency On Details
 - 1) Deputies may substitute for law enforcement officers on details from another law enforcement agency.
 - 2) Deputies must ask his/her supervisor for permission to work as a substitute on other law enforcement agency details and all subsequent supervisor he may have while substituting on such details.
 - 3) Deputies are prohibited from substituting on or working any details that would be prohibited if contracted as a Sheriff's Office Extra-Duty detail.
 - 4) Deputies may be contacted directly by the other law enforcement officer he is substituting for and is not required to contact the DSDC.
 - 5) Deputies substituting on such details are required to notify Communications of the details location when coming into service.

4. Hours of Work: The following shall apply to extra-duty details, off-duty and scheduled overtime.
 - a. A deputy shall not work more than eighteen (18) continuous hours within a 24-hour period. Each 24-hour period shall begin at midnight (2400 hours). These hours are cumulative. They include normal scheduled work hours, overtime, extra-duty details and off-duty (second job) hours.
 - b. Any deputy that has worked an eighteen-hour period as defined as above, shall have a minimum of an eight-hour rest period before returning to work.
 - c. Deputies shall not work more than six contiguous days.
 - d. This may be altered only with permission of the Sheriff or his designee.
5. Availability of Details Posting - Requesting
 - a. It is the policy of the Sheriff's Office to fairly and equally distribute all opportunities for extra-duty details among those eligible deputies who have expressed their interest in participating in the program.
 - b. Once an extra-duty detail has been established, it will be posted in the Sheriff's Office computer system by the respective DSDC. The DSDC is responsible for ensuring that each detail is staffed that the deputy(s) assigned are informed as to what is expected of them on the assignment.
 - c. Deputies interested in working a posted extra-duty detail are required to advise the DSDC of that wish via Sheriff's Office e-mail. Face-to-face requests, telephone calls, and request on paper or otherwise written or typed, are not considered appropriate forms of request. Unless the computer system is out of service at the time the deputy attempts to e-mail the request. A request made at such a time must be followed by an e-mail repeating the request at the earliest practical moment after the computer system is once more in service.
6. Attention to Orders – If a deputy working an extra-duty detail receives instructions from a Sheriff's Office member with the authority to direct him, he shall give Sheriff's Office instructions over his work at the extra-duty detail.
7. Eligibility for Extra-Duty Details
 - a. All law enforcement deputies who have completed the FTO program and are employed full or part-time by the Sheriff's Office are eligible to work single officer extra-duty details and shall be given preference for detail staffing.
 - 1) Deputies who have not completed the FTO program are only eligible to work multi-officer extra-duty details and under the direction of a Deputy who has completed the FTO program.
 - b. Reserve Deputies who have completed the FTO program are eligible to work single officer extra-duty details and shall only be scheduled after the detail cannot be filled by duties as noted above (15,a.) The Reserve Deputy may use a spare marked unit or borrow a marked unit to work details requiring a vehicle.
 - 1) Reserve deputies who have not completed the FTO program are only eligible to work multi-officer details and under the direction of a Deputy who has completed the FTO program.
 - 2) Auxiliary deputies are only eligible to work multi-officer extra duty detail and under the direction of a Deputy who has completed the FTO program.

- c. Correction Deputies who have completed the FTO program are eligible to work correction related extra-duty details.
 - d. Members on FMLA are not eligible to extra-duty details.
 - e. If, after review of a Deputies performance or as a result of an Internal Affairs investigation, the Deputy's District/Division Commander may decide to temporarily revoke the Deputy's eligibility for extra-duty details, written notice will be sent in a timely fashion to the DSDC.
 - f. Members will be accepted for any extra-duty assignment on a first-come-first served basis, with the exception that Deputies who have not worked any extra-duty details within the fifteen (15) days preceding the date of the extra-duty detail in question will be given preference over those who have.
 - g. Members assigned to the District in which the extra-duty will take place will be given preference for the detail over those members who are assigned to other Districts.
 - h. Nothing in this policy is to prohibit the DSDC from approving details on an emergency basis to meet the needs of the Sheriff's Office and the community.
 - i. Each DSDC is responsible for assigning Deputies to details in his District in accordance with this directive.
8. Billing Contract
- a. Prior to the extra-duty detail the DSDC and the contracting entity will agree upon the method of billing and payment for that particular detail. Each deputy assigned to that detail will be advised of the agreement prior to the detail.
 - b. In certain instances, the DSDC may require pre-payment of a portion or all of the expected costs before a deputy(s) assigned to the detail. The DSDC will advise the District Commander of any such requirement prior to notifying the contracting entity.
9. Documentation of the Significant Aspects of each Deputy's Extra-Duty Employment.
- a. The DSDC is responsible to keep record of the date, time, location and Deputies assigned to each extra-duty detail.
 - 1) The DSDC will provide District supervisors a copy of this details record to be used to monitor the number of hours worked in a 24-hour period as noted in this policy.
 - b. If during the time of the extra-duty detail the Deputy(s) take law enforcement action, injury to the Deputy or others, complaints received the Deputy shall provide his supervisor a copy of the incident report and associated documentation.
 - c. The District Commander shall monitor court appearances (scheduled or actually attended) resulting from the extra-duty employment; and liability and indemnification concerns stemming from actions during extra-duty employment for evaluation of reoccurring details or detail of similar nature in the future.

10. Worker's Compensation

- a. A member injured while working an extra-duty detail is fully covered by Worker's Compensation, AS LONG AS the injury was sustained while the member was engaged in law enforcement function, such as effecting an arrest, pursuing a suspect, etc.
- b. All other injuries sustained on an extra-duty detail should be covered by the extra-duty contracting employer's Worker's Compensation insurance and any claims for such injuries are a matter between the member and the extra-duty contracting employer. The member may file a claim for treatment of the injury with Monroe County's group medical plan under terms and conditions set forth regarding off-duty injuries. It is the member's responsibility to confirm employers have the appropriate worker's compensation insurance.

11. Vehicle Insurance Coverage

- a. Any injury while driving a county vehicle will be covered AS LONG AS, at the time the injury was sustained, the member was performing a law enforcement function as discussed in 18, a, above.
 - b. The Sheriff's Office will forward to its current insurance provider for consideration all claims for injuries / damages sustained by the driver or passenger(s) of another vehicle(s) involved in a crash with a County vehicle being driven by an authorized member in his off-duty time.
 - c. Because of limitations of coverage, The Sheriff's Office encourages members who drive County vehicles to obtain private vehicle / operator insurance and coverage for disability; the Sheriff's Office will not; however, require proof that such coverage has been obtained prior to authorizing the member to work an extra-duty detail
12. The Monroe County Sheriff's Office has and retains the right to establish contract for law enforcement or security related services with other government entities. (i.e. Village of Islamorada, U.S. Marshal's Service, etc...), which will be subject to the terms, rates and conditions agreed upon by both parties, and not subject to the provision of this policy.
13. Non-Profit / Not-For-Profit / public-service-oriented organizations requesting law enforcement or security related services free of charge must contact the Commander of the District in which the detail is to take place for his approval. If the detail is approved, the District Commander will assign members to work the detail while on their regular shift, and no fee will be charged to the requesting organization.
14. A list of public-service details can be obtained from the Commander of each District/Division where such services are to be provided.
(Revised 07-21-2009)
15. Details out of Monroe County - The following rule shall apply for details performed outside of Monroe County, if the detail is not arranged through mutual aid agreements: If a Sheriff's Office vehicle is used for the detail, the deputy using the vehicle is responsible for the purchase of fuel for his/her assigned unit necessary for the detail. An example of such a detail would be the NASCAR races at the Miami-Dade Homestead Motor Sports Complex. The deputy shall, upon completion of the detail, turn in copies of receipts for any gas purchased and a record of miles driven to the detail coordinator, who shall in turn submit them to Fleet for record keeping purposes. Mileage may be calculated after leaving the county.

(Effective 3-28-2007)

CHAPTER 24

CAREER SERVICE PROVISIONS

I. PURPOSE

The purpose of this directive is to establish Career Service Provisions.

II. DISCUSSION

This directive applies to all employees not covered by the Collective Bargaining Agreement and are covered as defined in the Monroe County Sheriff's Office Career Service Bill (Florida General Law, Chapter 970-346, House Bill 1103)

A. Collective Bargaining Unit Inclusions and Exclusions

1. Law Enforcement

a. Inclusions – regardless of FOP membership

All law enforcement certified sworn officers appointed as a deputy sheriff employed by the Monroe County Sheriff's Office, including officers assigned as bailiffs, road patrol officers, detectives, airport security officers, inmate transportation officers, road patrol sergeants and detective sergeants.

b. Exclusions

All employees not listed above, including without limitation, officers holding the rank of lieutenant, captain, major, or colonel, or any other rank above lieutenant, the directors of human resources, finance, data processing, airport security, inmate transportation, and community relations, the commander of internal affairs division, officers assigned full time to internal affairs, aviation division sergeants, public information officers, temporary substitute or emergency employees, and reserve, part-time and auxiliary officers.

2. Corrections

a. Inclusion – regardless of FOP membership

All full-time correctional officers of the Monroe County Sheriff's detention division holding the rank of detention deputy or sergeant and auxiliary detention officer.

b. Exclusion

All employees not listed above, including without limitation, officers holding the rank of lieutenant, captain, major, or colonel, or any other rank above lieutenant, the directors of human resources, finance, data processing, airport security, inmate transportation, and community relations, the commander of internal affairs division, officers assigned full time to internal affairs, aviation division sergeants, public information officers, temporary substitute or emergency employees, and reserve, part-time and auxiliary officers.

B. Career Service Provisions

1. Applicability

(New Chapter 1-19-06)

- a. The Terms of Career Service shall apply to the "classified service" of the Monroe County Sheriff's Office, to include:
 - 1) Certified Deputy Sheriff
 - 2) Certified Corrections Officer
 - 3) Non-certified support staff
- b. Career service shall not apply to:
 - 1) Sheriff
 - 2) Undersheriff / Colonel
 - 3) Executive Directors
 - 4) General Counsel
 - 5) Personnel holding the rank of Captain or above
 - 6) Contract personnel
 - 7) Non-salary personnel
 - 8) Any Special Deputy Sheriff appointed as defined to S 30.09(4) Florida Statute
 - 9) Members of the Sheriff's Posse or Auxiliary Unit
 - 10) Any person appointed as a part-time Deputy Sheriff as defined by the Criminal Justice Standards and Training Commission, unless such person is employed on a full-time basis by the Office of the Sheriff.
- c. It is not the intent of these provisions to grant the right of collective bargaining to persons in the employ of the Office of the Monroe County Sheriff's Office who do not otherwise have that right pursuant to law.

2. Probation Status after Hiring and Promotion

- a. After a member of the classified service of the Sheriff's Office has been employed for a period of one calendar year, the member will have attained permanent status in the Office of the Sheriff and shall be entitled to appeal disciplinary action as set forth herein. If, however, any member separates from the Office and is rehired at a later date, the member shall be required to complete one calendar year of service from the date of action before being granted the right to appeal herein.
- b. In the case of a member being promoted to a higher rank within the Office, there shall be a probationary period of six consecutive months of service in the higher position. In the event that the member does not satisfactorily complete the promotional probation, the member shall be returned to the rank from which the member was promoted, provided that the member was regularly appointed to said position.

3. Right of Appeal

- a. Any member of the classified service as defined in Section III.,Q,1.,a., above, shall have the right to appeal any suspension without pay for a period of more than forty (40) hours, or demotion, or termination. The appeal shall be to the Disciplinary Review Board, consisting of five members, all of whom shall be members of the classified service of the Monroe County Sheriff's Office. The Board shall be selected as follows.
- b. The appealing member shall select two (2) members;
- c. The Sheriff shall select two (2) additional members;
- d. These four (4) members thus selected shall select a fifth member to serve as chairperson.

- e. None of the board members shall be involved in any way with the disciplinary procedure that is the cause for the appeal, nor shall any board member be a family member of the appealing member or the Sheriff.

4. Procedure for Appeals

- a. Any member desiring to appeal any disciplinary action described in Section III., Q, 3. (above), must deliver written intent of his/her intent to do so to the Sheriff, Sheriff's Executive Assistant, or the Undersheriff within ten calendar days after receiving written notice of the disciplinary decision. The notice must contain the names of the member's two appointees to the Disciplinary Review Board, and a brief statement of the reasons for the appeal.\
- b. The Sheriff must appoint his representatives to the Board within five (5) calendar days of receipt of the member's notice to appeal described above.
- c. The four (4) appointees to the Board must select a fifth person to serve as chairperson and set a place, date, and time for the hearing within the ten calendar days after receipt of the Sheriff's selection of representatives. The hearing must be conducted within thirty (30) days of the selection of the chairperson, unless a four-fifths (4/5) majority of the Board agrees on a later date.
- d. If a chairperson cannot be agreed upon within ten (10) calendar days after the appeal is submitted, the parties shall jointly request the Sheriff's Office to furnish a list of fifteen (15) names of members in the classified service, chosen at random via computer, from which the appealing member's and the Sheriff's representatives to the Board shall have the option, within five (5) days of receipt of the list, of striking one (1) name in alternative fashion. The fifteenth (15) remaining named member shall be the chairperson.

5. Conduct of Appeals Hearing

- a. The hearing shall be open to the public and conducted by the chairperson.
- b. The hearing shall be conducted in a manner to assure fundamental fairness, although the formal rules of evidence shall not apply.
- c. The Sheriff has the burden of proving the appropriateness of the disciplinary action by the preponderance of evidence. The Sheriff or his designee may present the case. If a designee presents the case for the Sheriff, he/she must be a member of the classified service.
- d. The appealing member shall have the right to present his/her own case, to explain or defend his/her position, and to cross-examine each witness or complainant.
- e. The appealing member may have the assistance of one person chosen from the classified service to assist in the presentation. This representative may examine or cross-examine witnesses, address the Board, or present argument. The member may have others assist in the preparation but may not examine or cross-examine witnesses, address the Board, or present argument.
- f. The Sheriff shall require the presence at the hearing of any member of the Office whom the appealing member desires to question or present evidence.
- g. The Sheriff or appealing member may offer rebuttal evidence, and the Board may hear argument from both parties in support of their position.
- h. At the conclusion of the hearing, the Board shall retire to consider its decision. The decision must be made by a majority vote of its members.

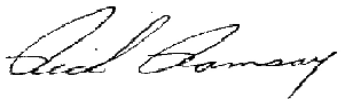
- i. The decision shall be in writing and shall be rendered within three calendar days after the conclusion of the hearing, unless this period is extended by a majority vote of the members. The decision to extend the time for deciding appeals shall be in writing.
 - j. The Board may accept, reject, increase, or decrease the disciplinary recommendation that was the cause for the appeal.
 - k. The Board's decision shall be final and binding upon the Sheriff and the appealing member.
6. When a newly elected or appointed Sheriff assumes Office, the service of all personnel shall continue without the necessity of formal reappointment. The incoming Sheriff shall have the option of maintaining the current personnel with the rank of Captain and above or equivalent non-certified support positions, or transferring those personnel as described below.
- a. If the incoming Sheriff fills any of the above positions with a new person, the former holder of that position may be reduced in rank to a position not lower than Lieutenant or equivalent non-certified support position, and his/her salary reduced accordingly.
 - b. Any member demoted pursuant to this subsection shall be a member of the classified service immediately upon the assumption of his/her new position.
 - c. Nothing in these provisions shall prohibit the Sheriff from eliminating positions in the course of submitting the annual budget as required by Florida Statute 30.49. Any position so eliminated may not be replaced during the following fiscal year. The elimination of positions shall be made with due regard to the seniority of members of the Sheriff's Office.

CHAPTER THIRTY

MONROE COUNTY SHERIFF'S OFFICE ROLE AND AUTHORITY

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 30		TITLE: Role and Authority
EFFECTIVE DATE: September 16, 2013	NO. PAGES: 5	REVIEWED/REVISED: September 9, 2013
REFERENCE: CALEA 1.1.1, 1.1.2, 1.2.1, 1.2.6, 15.2.1, 15.2.2, 61.1.5		RESCINDS:
 Sheriff of Monroe County		

I. PURPOSE

The purpose of this directive is to establish guidelines and formulate policy for the role of the Monroe County Sheriff's Office and the limits of its authority.

II. DISCUSSION

This directive shall apply to all Sheriff's personnel. As the Office defines its role, two broad purposes are served. First, members are made aware of the actions and attitudes expected of them and can, therefore, act without hesitation in consonance with Office policies and procedures. Second, members of the public are provided with a general standard by which they can measure the performance of the Office. Written policies and procedures defining the functional role set forth the purpose, mission, goals, and basic programs and priorities of the Office. Such policies and procedures demonstrate that the Office intends to be responsive to, and protect the constitutional rights of, the community.

III. POLICY AND PROCEDURE

VALUES ARE COVERED IN THE MISSION STATEMENT IN THE BEGINNING OF MANUAL

A. Goals and Objectives

(Revised 08/23/2013)

The Office of Sheriff of Monroe County, Florida, has a duty, under the State Constitution and Statutes, to provide for the security, safety and well-being of its citizens. This is accomplished through the delivery of law enforcement services and the operation of the County Jail. To provide these services in an effective and efficient manner, organizational goals need to be established. The establishment of goals helps to ensure the direction, unity of purpose and the overall mission of the Sheriff and Office. The purpose herein is to establish procedures for the formulation, annual updating, distribution, inputs from personnel and submissions to the Sheriff's Office goals and objectives, their development, and evaluations pertaining to the progress of their attainment. Obtaining the input of personnel has great value in ensuring the relevancy and competency of goals and objectives.

1. The agency's division goals will consist of broad statements of the desired final outcome for each Bureau. The Bureau objectives will consist of specific, quantifiable and verifiable statements of those actions will be taken to achieve those goals.
2. It shall be Office policy that on or before September 1st of each year, Commanders and Directors will submit to Planning and Research function a detailed program of at least 3 short-term proposed divisional goals and objectives, and at least 2 long-term goals for the forthcoming fiscal year based upon the mission and goals outlined in the strategic plan.
3. After receipt of the agency's goals is reviewed and approved by the Sheriff and his command staff, Planning and Research function will compile the goals and objectives into a plan, which will then be posting under public folders, and distribution to all of the agencies Commanders and Directors on or before OCTOBER 1st.
4. All original submissions from the members shall then be forwarded to the Accreditation Manager.
5. Bureau Chiefs/Majors will submit bi-annual reports to the Sheriff detailing their progress and status of the goals and objectives stated in the Sheriff's Strategic Plan. The Strategic Plan including the goals and objectives will be available to all employees in Outlook.
(CALEA 15.2.1)
6. Annually, in January of each year the planning and research function will submit a report to the Sheriff evaluating the progress made toward the attainment of goals and objectives and any recommendations for updating.
(CALEA 15.2.2).

B. Oaths of Office

Prior to **assuming sworn status and beginning employment**, all personnel will be required to take and abide the following oaths:

1. Sworn Positions

"I, _____, a citizen of the State of Florida, and of the United States of America, and being appointed by Richard A. Ramsay, Sheriff of Monroe County, and a recipient of public funds as such appointment, do hereby solemnly swear or affirm that I will support, protect, and defend the Constitution of the Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State of Florida and that I will well and faithfully perform the office of Deputy Sheriff on which I am about to enter, so help me God."

2. Non-Sworn Positions

"I, _____, a citizen of the State of Florida, and of the United States of America, and being appointed by Richard A. Ramsay, Sheriff of Monroe County, and a recipient of public funds as such appointment, do hereby solemnly swear or affirm that I will support, protect, and defend the Constitution of the Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State of Florida and that I will well and faithfully perform the office of Special Deputy Sheriff on which I am about to enter, so help me God."

[CALEA 1.1.1]

C. Code of Ethics

1. Each member will abide by the Offices' Code of Ethics.

The Office of Sheriff has long stood for the safety and protection of the citizens it serves. The public, rightfully, can expect professional and courteous service when it so demands. The image the members of the office present, both on and off duty, serves as a tool for the public to measure the level of professionalism of the Office. Therefore, it is incumbent upon all members of the Sheriff's Office to guard their actions cautiously and for all personnel to abide by the following code of ethics.

"As a **member of the Monroe County Sheriff's Office**, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the Constitutional rights of all **persons** to liberty, equality and justice.

I will act in the execution of my duties with integrity, dignity, and honor to merit the trust of the community and the profession, and apply honesty, skill, judgment, and initiative to contribute positively to the well-being of society.

I will treat people with dignity, good faith and equity; without discrimination; and have consideration for the values and cultural sensitivities of all groups within the community affected by my work.

I will follow recognized professional practice, and provide services and advice carefully and diligently only within my areas of competence.

I will develop my knowledge, skills, and expertise continuously through my career; contribute to the collective wisdom of the profession; and actively encourage my associates to do likewise.

I will advise my supervisor of any interest I have which may be, or may be perceived as being, in conflict with the interests of the public I serve or the agency, or which may affect the quality of my services or my impartial judgment. I will refrain from furthering my own interests when such conflict or perceived conflict arises unless and until I receive direction from my supervisor.

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 observing the laws of the land and the regulations of my agency. Whatever I see or hear of a confidential nature or that 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 decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held as long as I am true to the ethics of law enforcement service. I will constantly strive to achieve these objectives and dedicate myself before God to my chosen profession; law enforcement."

2. Biennially, training shall be conducted for all employees on the Offices' Code of Ethics and ethical issues employees may face in their position. This review of ethics may be in the form of classroom, shift briefing, computer based training and bulletins, or any combination of methods. [CALEA 1.1.2]

(Effective 7-13-2007)

D. Limits of Authority

1. Limits of Authority and Jurisdiction

- a.** The purpose herein is to establish the legally mandated authority vested in sworn agency personnel and to define the limits of law enforcement authority. [CALEA 1.2.1]
- b.** The Office of Sheriff receives its legally mandated authority from the Florida State Constitution, Article VIII, Section I, and from the Florida State Statutes, Chapter 30. In turn, the Sheriff is authorized by law to appoint deputies to act under him in the carrying out of those prescribed duties mandated by law. [CALEA 1.2.1]
- c.** The first duty of all certified law enforcement members of the Office, as upholders of the law, must be to know the bounds of the law established for its enforcement. Members of the Monroe County Sheriff's Office represent the legal will of the State of Florida, Monroe County, and all respective local communities. All certified deputies need to be aware of the limitations and proscriptions, which the people, through law, have imposed on the Sheriff and the Office. [CALEA 1.2.1]
- d.** The legally authorized geographical area acting under the Sheriff of Monroe County, Florida is Monroe County, Florida. The enforcement of the Florida State Statutes and Monroe County ordinances is authorized in Monroe County, Florida unless specifically prohibited or specifically allowed elsewhere by law.
- e.** Therefore, certified deputies of the Monroe County Sheriff will diligently apply themselves to the study of the laws and their principles which they are sworn to uphold and will ascertain their responsibilities in the particulars of their enforcement seeking aid from superiors in technical matters or principles when such are not understood. Also, certified deputies will make special efforts to fully understand their relationship to other public officials, particularly in matters of jurisdiction, both geographically and substantively. [CALEA 1.2.1]


2. Discretion

- a.** The purpose herein is to establish guidelines for use of discretion by certified deputies. [CALEA 1.2.6, 61.1.5]
- b.** Many instances of public contact will occur where an arrest may be made but should not be affected due to mitigating circumstances. Generally, it is not the role of the law enforcement officer to decide whether an offender should be prosecuted, rather, that decision lies with the State Attorney. [CALEA 1.2.6, 61.1.5]
- c.** It is the policy of the Sheriff that any decision by a certified deputy not to arrest should only be made after careful consideration of the following: [CALEA 1.2.6]
 - 1)** The arrest would cause a greater risk of harm to the general public than by not arresting the offender; [CALEA 1.2.6]
 - 2)** The arrest would cause harm to an offender who poses no threat of danger to the public; such as a juvenile offender whose wrongdoing would best be handled through informal warnings or a talk with the parent; and/or [CALEA 1.2.6]
 - 3)** The seriousness of the crime committed. [CALEA 1.2.6, 61.1.5]

- d. Remember, even though an arrest may not be made at the time of the offense, if necessary the deputy may swear out a complaint against the offender at a later date. [CALEA 1.2.6, 61.1.5]
- e. A decision not to arrest when there are grounds for arrest is, at times, considered good law enforcement practice. Public empathy can be enhanced by the careful use of discretion and potential ill-will can be avoided. [CALEA 1.2.6, 61.1.5]
- f. Should any questions arise concerning a particular situation, the deputy involved should confer with a supervisor. [CALEA 1.2.6, 61.1.5]
- g. For further guidelines on alternatives to physical arrest, see: [CALEA 1.2.6]
 - 1) Chapter 90: "Notice to Appear"; and
 - 2) Chapter 43: "Juvenile Notice to Appear."
[CALEA 1.2.6]

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 31-B		TITLE: Tasers
EFFECTIVE DATE: August 21, 2009	AMENDED: November 13, 2012	RESCINDS:
NO. PAGES: 5	REFERENCE:	
 <hr/> Sheriff of Monroe County		

Purpose

The purpose of this policy is to provide deputies with guidance and direction on the use of electronic control devices.

Policy

It is the policy of the agency that personnel performing official duties shall comply with applicable law, and specifically Fourth Amendment standards, by using a level of force that is reasonable in light of the surrounding facts and circumstances. Electronic control devices (ECD) have been proven effective and are authorized for use in appropriate circumstances by trained personnel.

Definitions

- Electronic Control Device (ECD) - A device designed to disrupt a subject's sensory nervous and motor nervous systems by means of deploying battery powered electrical energy sufficient to cause uncontrolled muscle contractions and override an individual's voluntary motor responses.
- A.F.I.D. (Anti Felon Identification Device) – confetti like pieces of paper that are expelled from the cartridge when fired. Each “aphid” contains an alpha numeric identifier unique to the specific cartridge used.

- Active Physical Resistance - slight to moderate physical harm: a subject makes physically evasive movements to defeat a deputy's attempt at control. This may be in the form of bracing or tensing, attempts to push/pull away or not allowing the deputy to get close to him/her.
- Aggressive Physical Resistance – moderate physical harm: a subject makes overt, hostile, attacking movements which may cause injury, but are not likely to cause death or great bodily harm to the deputy or others.
- Securing Under Power – A technique used to secure a subject during the activation cycle, as instructed through training.

Procedures

- Authorized Users
 - Only those who have satisfactorily completed the agency's approved training course shall be authorized to carry an ECD. Agency members will be given annual retraining by an authorized staff instructor on the use of an ECD.
- Device Readiness
 - The device shall be carried by authorized deputies 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 when authorized.
- Deputies approved to use the device shall be issued a minimum of one spare cartridge as a backup in case of cartridge failure or the need for reapplication, (Taser X26 model only). The spare cartridges shall be stored and carried in a manner consistent with training and the cartridges replaced consistent with the manufacturer's expiration requirements.
- Only agency-approved battery power sources shall be used in the ECD.
- When carrying an ECD, deputies shall conduct a pre-operation test (spark test) of the ECD prior to the start of each shift. If a deputy believes the ECD is not operating properly, the deputy shall promptly notify their immediate supervisor.
- Deployment
 - Subject to the conditions below, the ECD may be used when Active Physical Resistance or higher resistance is encountered. The justifications are the same officer/subject factors that exist in any other force decision.
 - The ECD may be deployed in the case of a sudden attack or when a subject is actively resisting.
 - ECD deployment may increase the risk of death or serious injury in certain circumstances, such as loss of balance, falls, and change in momentum, drowning, or loss of control of any mode of transportation, conveyance or machinery.
 - Absent exigent and articulable circumstances justifying ECD

deployment, deputies should not deploy an ECD:

- in elementary schools;
- on young children;
- on the elderly;
- on females reasonably believed to be pregnant.
- On individuals with apparent physical disabilities that impairing their mobility.
- On individuals who may fall from an elevated position causing substantial injury or death (e.g., rooftop, high above ground level).
- On individuals in water.

Deputies should evaluate and consider other options such as verbal commands, hands on techniques, OC spray, etc.

- A subject's flight should not be the sole justification for ECD deployment. Additional factors must be considered. Additional factors that must be considered when making use of force decisions include:
 - Subject Factors:
 - Seriousness of crime committed by subject.
 - Size, age, and weight of subject.
 - Apparent physical ability of subject.
 - Number of subjects present who are involved, or who may become involved.
 - Weapons possessed by or available to the subject.
 - Known history of violence by subject.
 - Presence of innocent or potential victims in the area.
 - Whether the subject can be recaptured at a later time.
 - Whether evidence is likely to be destroyed.
 - Indicators of attack exhibited by the subject such as but not limited to; verbalization of a hostile/aggressive intent, hostile/aggressive posturing, muscular tensing of the body, etc.
 - Deputy Factors:

- Size, physical ability, and defensive tactics expertise of the deputy.
 - Number of deputies present or available.
 - Immediate reaction in the case of sudden attack.
 - Weapons or restraint devices available to the deputy.
 - Legal requirements.
 - Agency policy.
 - Environment.
- The above listed subject and deputy factors are not all inclusive. Any and all determining factors must be properly articulated by the deputy(s) employing physical force.
- The ECD should not be intentionally aimed at a person's head, neck or groin. The primary target shall be the subject's back, when practical. If the primary target is not available, the secondary target area is front, lower, center mass. Frontal applications of ECD's have been found to be more effective when the probes are targeted at the lower torso engaging the balancing muscles of the pelvic or thigh region. (Diagram of preferred ECD areas in blue is referenced at the end of this directive.)
 - The ECD shall not be used in a punitive or reckless manner. Some examples are:
 - Using or threatening to use the ECD during an interrogation.
 - Using the ECD to awaken a person.
 - Using the ECD as a "Prod."
 - The ECD shall not be used for extracting evidence or contraband.
 - Deployment of the ECD is authorized on handcuffed, or otherwise secured subjects who present a Aggressive Physical Resistance or higher, unless exigent circumstances exist.
 - The ECD should not be used in any environment where potentially flammable, volatile, or explosive material (gasoline, natural gas, propane, flammable chemical sprays, etc.) are present.
- The ECD shall not be used against subjects in physical control of a motor vehicle in motion (i.e.: vehicles, motorcycles, scooters, boats, bicycles) unless exigent and articulable circumstances exist.
 - In preparation of deployment, the ECD shall be pointed in a safe direction, taken off safe, and then aimed. Absent exigent circumstances:
 - A verbal warning shall be given unless doing so would place an individual at risk;
 - only one deputy at a time shall deploy an ECD against a subject;
 - if present, a second deputy shall provide cover; and
 - the ECD may be used in a "drive stun" mode as a secondary option. (This involves pressing the unit against an appropriate area, with or without the cartridge, based on training.)
 - Deputies will continually assess submission/compliance and breathing ability before applying additional cycles of the ECD. Deputies shall attempt to secure the subject under power as soon as practical. Deputies should apply restraint techniques consistent with General Order 031A and subjects should be closely monitored for signs or complaints of distress indicating asphyxia.
 - The ECD shall be pointed at the ground in a safe direction with the safety on during administrative handling procedures.
 - No changes, alterations, modifications or substitutions shall be made to the ECD. All repairs to an ECD shall be completed by an authorized vendor.
 - Uniform deputies issued an ECD shall carry the ECD when engaged in any uniform assignment.

- Excited Delirium

Excited delirium is a medical emergency that requires prompt medical treatment in a hospital emergency department. Due to the extreme state of mental and physiological excitement, deployment of an ECD may be needed to gain control of a subject with suspected excited delirium. In this scenario the deputy shall request emergency medical services (EMS) prior to deployment if circumstances permit. Once control of the subject is achieved, expeditious transport to a hospital emergency department shall be provided by EMS.

- Nothing in this order shall prevent a deputy from utilizing any readily available object or empty hand technique as a weapon in circumstances or situations where the actions of a subject constitute Deadly Force Resistance that could result in great bodily injury, permanent disability, permanent disfigurement or death to the deputy or others.
- The ECD should not be used in situations where deputies may need immediate Deadly Force (building searches, felony stops, armed encounters). Deputies should keep in mind the limitations as well as the capabilities of their issued ECD
- After a deputy uses an ECD, the deputy should:
 - Handcuff the subject to minimize the threat of injury to either the deputy or the subject.
 - Remove the ECD probes at the earliest opportunity. The ECD probes shall be removed in accordance with agency approved training. ECD probes that have struck the face, groin, female breasts, or male nipple area must be removed by properly trained medical personnel. When probes are located in these areas the deputy shall request EMS for transport to a hospital emergency department.
 - Ensure the ECD evidence is handled in accordance with General Order 054,

Evidence and Found/ Recovered Property. The following shall be collected and packaged separately as evidence:

- cartridges and at least one AFID, if possible;
- probes and wires;

ECD probes that have struck a person's body shall be considered a biological hazard and packaged appropriately.

- Request emergency medical services to provide medical treatment and transport if the subject shows signs of injury, complains of a medical emergency, or requests medical treatment after the deployment.
 - Document all injuries in the incident report.
 - Photograph all significant injuries and impact points, if possible. Photographic evidence shall be handled consistent with agency policy.
- Reporting and Accountability

Deputies shall notify their supervisor as soon as practical after each intentional or unintentional discharge, with the exception of function pre-operation spark tests conducted at the beginning of a shift and training exercises. A supervisor is required to respond to unintentional discharges involving a deputy/suspect confrontation or when a deputy or third party is contacted by the ECD.

In use of force situations involving a deputy/suspect confrontation, a supervisor shall respond to the scene of every discharge and conduct a review of the deployment to ensure compliance with agency policy. If the supervisor is unable to respond to the scene, or concludes that personnel should leave the scene due to operational or safety concerns, the supervisor shall document the reasons which made it impractical to respond or obtain witness statements. The supervisory review should include:

- o speaking with the involved deputy;
- o speaking with the suspect to ascertain any medical needs;
- o ensuring witness statements (verbal or written) are obtained and/or reviewed;
- o ensuring photographs are taken of significant injuries and impact points, if possible;
- o ensuring ECD evidence (cartridges, probes and wires, and AFIDs) is collected; and
- o reviewing the information and the ECD data once obtained.

If the supervisor has reason to believe that a violation of agency policy has occurred that could result in discipline, the supervisor shall adhere to General Order 020-020A. The responding supervisor shall ensure that the Subject Resistance Report is completed and forwarded through the deputy's chain of command for review. The Subject Resistance Report, including all documentation obtained during the supervisor's review, shall be forwarded to Internal Affairs and a copy sent to Training.

- Downloading Data

The data port on the ECD stores the time and date the ECD was deployed and helps improve the accuracy of incident documentation.

- o Within three business days, excluding holidays and weekends, following an ECD deployment, a deputy shall report to the designated point of contact for ECD's within their Unit or District to obtain a new cartridge, if necessary, and so the information from the data port can be downloaded and forwarded to the deputy's supervisor for review. The deputy's supervisor shall ensure the data download from the ECD is received, reviewed and attached to the Use of Subject Resistance Report.
- o At a minimum, each deputy's ECD data information will be downloaded during their annual inventory by the designated point of contact for ECD's within their Unit or District. Training personnel are authorized to conduct random audits of members' ECD data information. ECD data information stored on a reserve deputy's personal ECD will be downloaded during their annual

inventory and is subject to random audit by Training personnel. Additionally, the designated point of contact for ECD's within their Unit or District shall download from the data port information from an ECD prior to any factory repairs/maintenance.

- o Only personnel assigned to Training or identified point of contact for ECD's within a Unit or District may download the information from the data port.
- o Supervisors or managers may request a download at any time. Any deputy issued such an order will immediately respond to this request as instructed by the supervisor.
- o Training shall prepare an annual report on the product reliability, recommended training needs and/or policy modifications related to the uses of force, which will include a section on the use of the ECD.

- Random Audits

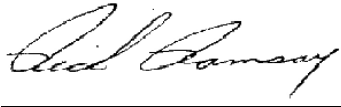
Performing random audits of information/data downloaded from a deputy's ECD and comparing it with the Subject Resistant Report improves accountability.

- o Every quarter, Training shall randomly select 5% of the deputies who are assigned an ECD.
- o Training shall perform an audit consisting of the following:
 - directing the deputy to report to or identified point of contact for ECD's within a Unit or District to download the ECD data; and
 - reviewing the ECD data for:
 - activations inconsistent with daily spark tests or previously documented use of force incidents;
 - activations lasting ten seconds or longer in duration; or
 - three or more consecutive activations with minimal time between the activations.

The Training Commander shall ensure the activations are consistent with agency policy and recommend or take appropriate action if any deficiencies are identified.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 31		TITLE: Weapons
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 14	REVIEWED/REVISED: July 18, 2013
REFERENCE: CALEA 1.2.2, 1.3.3, 1.3.9, 1.3.10, 1.3.11		RESCINDS:
 Sheriff of Monroe County		

PURPOSE

The purpose of this directive is to establish guidelines governing the possession of authorized weapons carried by Monroe County Sheriff's Deputies.

DEFINITIONS

- Double-Action - A weapon capable of cocking the hammer and firing with a single pull of the trigger. The hammer takes two actions on each trigger pull, the first cocking the hammer to the rear and the second releasing the hammer to go forward and fire the weapon.
- Long Gun – Any shotgun, carbine, rifle, or other firearm with a barrel length greater than 8 inches or an overall length of 14 inches or more.
- Single-Action - A weapon, which will not cock the hammer and fire with a single pull of the trigger. It requires manual cocking of the hammer to be ready to fire. The hammer is capable of only a single action or direction when the trigger is pulled, that of firing.

TRAINING

- **Within 12 months of the deputy's last training / qualification date**, each deputy authorized to carry weapons is required to receive in-service training on the agency's use-of-force policies and demonstrate proficiency with all weapons the deputy is authorized to carry. [CALEA 1.3.11]

- All proficiency training shall be monitored and documented by a certified instructor in that particular weapon specific to that training.
- The training officer shall ensure that prior to the authorization being granted to carry lethal and less lethal weapons all sworn deputies are given a copy of this policy and instructed in the content of this policy and procedure.

FIREARMS

[CALEA 1.3.9]

Authority

[CALEA 1.2.2]

- F.S. 790.25 provides the legal authority for sworn Monroe County Sheriff's deputies to carry and use firearms in the performance of their duties.

Possession

- While on-duty or in uniform, Monroe County Sheriff's Office Deputies shall carry an authorized service handgun.
 - A concealed weapon may be carried in lieu of the primary service handgun with approval by a Division Commander for a special assignment.
 - Deputies shall maintain current firearms qualification and proficiency with their primary (and alternate, if carried) firearms. Each Deputy must qualify with all firearms carried for law enforcement purposes (or during off-duty) through an approved training course

- within 12 months of the deputy's last qualification date.
- Law Enforcement Deputies shall have an authorized service handgun available for use, regardless of duty assignment, on or off-duty, and shall have a set of handcuffs readily available and their badge of authority at all times.
 - Pursuant to Florida Law, Deputies who are authorized to carry concealed weapons while off-duty may carry a concealed weapon in lieu of the service handgun while off-duty and not in uniform. In every event, while off-duty, all firearms carried shall be concealed from normal public view unless use of the firearm is necessary in the performance of his/her official duty. [CALEA 1.2.2]
 - Prior to carrying any firearm (on-duty or off-duty) the Sheriff's Office armorer or designated Sheriff's Office firearms instructor shall inspect and approve such firearm.
 - All weapons shall be inspected at each firearm qualification and defective, unsafe, or unauthorized weapons shall be disapproved for carrying. [CALEA 1.3.9 c,d]
 - If the weapon is owned by the Sheriff's Office the armorer shall immediately take possession of the defective or unsafe weapon. A safe weapon shall be issued to the deputy upon successful qualification with that weapon.
 - If the weapon is personally owned by the deputy, the deputy will be ordered not to carry the weapon from that point on by the armorer. A memo shall be sent by the armorer to the deputy's commander advising him/her that the weapon did not pass inspection, listing the make, model, and serial number and that the deputy is not authorized to carry that weapon on or off duty. An agency weapon may be temporarily assigned to the deputy upon successful qualification with the temporary weapon. (Revised on 12-8-04)
 - Internal or external modifications to any "authorized to carry" firearm shall not be made without prior approval and subsequent inspection by the Sheriff's Office armorer.
 - Ammunition carried by Deputies while on or off-duty shall be issued by the Sheriff's Office. [CALEA 1.3.9 b]
 - Any long gun carried by the Deputy shall be those issued or approved by the Sheriff's Office. A deputy may request to carry a personally owned long gun, however, the gun must be an approved make and model, inspected and approved by an Office armorer and final approval granted in writing by the appropriate Sector Commander. No modifications shall be made to any weapon, unless approved by the Office armorer and the Undersheriff for all such weapons. Any such modifications will be made by the Office armorer only and inspected for compliance at each qualification. Any deficiencies or unauthorized modifications found shall be reported to the deputy's Sector Commander and the weapon shall be immediately removed from service.
 - Every Deputy who carries a long gun shall only do so after successful qualification and training with each weapon carried at least once annually. Long guns shall be stored in a case approved by the Office and will be located in the trunk of the Deputy's assigned vehicle. Office issued rifles will be securely locked at all times when not in use. The office will provide locking devices for agency owned rifles. (Effective 7-16-2008)
 - Regardless of the inspection procedures described above, it is the personal responsibility of every Deputy to regularly inspect and maintain his/her firearm, ammunition and related equipment to ensure that those items are capable of functioning safely and properly. Any observed or suspected malfunctions shall be promptly repaired by an Office approved gunsmith or the Office armorer, and defective equipment shall not be used or carried until it is completely operable and safe and re-inspected.
 - The training division shall maintain a record of each weapon approved by the agency for official use. [CALEA 1.3.9 e]

Authorized Firearms and Ammunition

[CALEA 1.3.9]

- All service handguns shall be double-action only. No single action handguns are allowed. All weapons will be carried in the double-action mode, which is decocked and requiring the hammer to travel in two different directions when the trigger is pulled to fire. On semi-automatic pistols, the weapon will be carried with a round chambered and all external safety or decocking levers will be left in the firing position so that the only action necessary to fire the weapon will be to pull the trigger.
- Deputies are authorized to carry;
 - .38 Special or .357 Magnum caliber revolver with a barrel length of not less than two or more than six inches (four inch barrel length is standard for uniform duty), and a cartridge capacity of not less than five rounds. Authorized manufacturers are:
 - Smith & Wesson
 - Colt
 - Ruger
 - Dan Wesson
 - 9MM, .40 or .45 caliber semi-automatic pistol with a barrel length of not less than 2.5 no more than 5.5 inches and a cartridge capacity of not less than seven (7) rounds. Authorized manufacturers are:
 - Smith & Wesson
 - Ruger
 - Sig Sauer
 - Beretta
 - Glock
 - H & K
 - .380 caliber semi-automatic pistol (for plainclothes, off-duty, or back-up to duty weapon) with a barrel length of not less than 1.75 inches nor more than four (4) inches and a cartridge capacity of not less than five (5) rounds. Authorized manufacturers are:
 - Walther
 - Beretta
 - H & K
 - Sig Sauer
 - AMT
- The Office will issue a service revolver or semi-auto pistol, authorized personnel may purchase an authorized revolver or semi-auto pistol for duty use.
- The only authorized holsters for uniform use are the Safariland SS III or Uncle Mike's Pro-3 Duty Holster. Any deputy desiring to carry an alternate approved service sidearm is required to purchase the SS III holster for the weapon.
- The authorized duty shotgun is the Remington 870 pump 12 gauge shotgun with an 18 inch barrel for patrol with or without an extended magazine.
- Authorized semi-automatic patrol rifles and accessories.
 - Patrol Rifles - .223 caliber of the Colt AR-15 style, with a barrel length of not less than 16 inches, semi-auto only, no Class B weapons. Flash suppressors are not used to calculate the length of a barrel. Authorized manufacturers are:
 - Colt AR15
 - Rock River Arms
 - Accessories
 - EoTech or AimPoint Sights. No telescopic sights are permitted. Must maintain a rear sight (flip up) for use in the event the holographic sight system fails.
 - Lights - attachments intended to illuminate the target or area as long as they do not interfere with the sight system
 - Restrictions
 - Ammunition - No tracer or armor piercing ammunition is allowed.
 - Laser aiming devices are not permitted
 - Sound suppression devices are not allowed
- Swat Only Authorized Long Guns
 - Full Automatic M16 style .223 rifle (SWAT ONLY)

- Remington 700 bolt action, .308 caliber police marksman rifles (SWAT ONLY)
- HK MP5, 9mm sub-machine gun (SWAT ONLY)
(Effective 7-16-2008)
- Only weapons meeting Office-authorized specifications shall be used in the performance of duty.
- Only ammunition issued by the Sheriff's Office is authorized to be carried on or off duty in any firearm used in the performance of duty.

Firearms Proficiency

[CALEA 1.3.10]

- Deputies on and off duty, shall carry only those firearms for which current proficiency and successful qualification has been demonstrated and recorded. Carrying sport firearms for hunting or other lawful sports, pursuant to Florida law, is exempt from this procedure.
- All firearms qualification and training scores shall be kept as part of the Deputy's official training file.
- The official qualification records shall include:
 - The Deputy's name, rank, and assignment;
 - The date and time of qualification;
 - A description of the weapon, as to type, brand, caliber or gauge, barrel length, and serial number;
 - The type of ammunition used to qualify;
 - A notation of which courses of fire were passed or failed; and
 - The signatures of the Deputy and firearms instructor attesting to the qualification score.
- Firearms instructors shall have the duty and responsibility to DISQUALIFY any Deputy for substandard firearms proficiency on the basis of unsafe handling or insufficient weapons orientation regardless of proficiency score.
 - All firearms instructors will maintain an up-to-date Firearms Instructor Procedures

Manual and strictly follow the procedures outlined therein for in-service qualifications.

- Failure to maintain firearms proficiency.
 - Employees authorized to carry firearms are required to maintain competence and to demonstrate proficiency with their service firearms within 12 months of the member's last qualification date.
- IF A DEPUTY FAILS TO SHOW PROFICIENCY AT THE TIME OF A FIREARMS QUALIFICATION ATTEMPT THE FOLLOWING WILL OCCUR:
[CALEA 1.3.11]
 - The firearms instructor will;
 - Immediately give the deputy a direct order that they are to not carry their firearm and not to take any law enforcement action. It is preferred that this order be in writing if possible.
 - Further order the deputy to report immediately to their Commander for direction and temporary non-disciplinary reassignment
 - Will immediately notify the deputy's Commander that the deputy failed to demonstrate proficiency with their firearm.
 - The deputy's Commander will;
 - Issue the deputy a written order that the deputy is not to carry their firearm and in the case of Office issued firearms relieve the deputy of that firearm.
 - The order shall include that the deputy is not to take any law enforcement action.
 - Reassign the deputy to a position not requiring any law enforcement action.
 - Ensure the deputy is scheduled for proficiency remediation training.
 - Training will;
 - Provide up to 16 hours of classroom and range remediation training.

- If the deputy fails to demonstrate proficiency the firearms instructor will immediately notify the deputy's Commander and reschedule the deputy for a second remediation training session of up to 16 hours.
 - If the deputy fails to demonstrate proficiency following the second remediation the deputy's Commander will be immediately notified
- The deputy's Commander will consult with the Undersheriff as to what further action should be taken, which may include reassignment to a non-law enforcement position until the deputy can demonstrate firearms proficiency.
- Deputies shall not be assigned to duties requiring firearms unless firearms proficiency requirements are met and demonstrated.
 - Upon the expiration of the disciplinary suspension periods, deputies shall be assigned to duties which do not require carrying firearms until they can complete the entire FDLE academy firearms block of training in the next available recruit class and firearms qualification tests can be conducted during the final stages of that course.
 - Repeated failure to demonstrate competence with service firearms shall be cause for disciplinary action up to and including withdrawal of appointment.

Discharge of Firearms

- Deputies are authorized to discharge their firearms under the following conditions:
 - When there is a reasonable belief that such force is necessary to:
 - Prevent imminent death or great bodily harm to:
 - The Deputy.
 - Another individual.
 - Apprehend the perpetrator of a felony, which involved the use or threatened use of deadly force and the individual who is sought, poses an immediate threat to the

life and/or safety of the Deputy or other individual(s).

- To kill seriously injured or dangerous animals when any other disposition is impractical, or other means have failed, and it is safe to do so.
- When a Deputy is abandoned or so isolated that his only hope of being found is by someone hearing his/her gunshot.
- During official Office training sessions where so authorized by an instructor.
- During qualification.
- Deputies who discharge firearms in the line-of-duty or while acting in an official capacity while off-duty, other than for training or qualification purposes, shall submit a written report of the incident to the Sheriff via the chain-of-command.

Restrictions

- Certain courts, correctional facilities, and medical facilities prohibit the carrying of firearms on their premises. Deputies are required to be familiar with all institutional restrictions concerning firearms. Questions concerning the legitimacy of institutional restrictions shall be referred to the Deputy's supervisor.
- The discharge of warning shots by a deputy is strictly prohibited.
[CALEA 1.3.3]
- Commercial airlines restrict the carrying of firearms. When it is not essential that a Deputy carry a firearm on board a commercial aircraft, firearms shall be unloaded and secured with checked luggage prior to the flight.
- When it becomes necessary for a Deputy on official business to carry a firearm on board a commercial aircraft, Deputies shall adhere to the following procedures:
 - A memorandum must be sent to the Sheriff outlining the purpose for flying while armed. The memorandum must provide the name of the airline and the itinerary if the Sheriff approves the itinerary a National Law Enforcement Telecommunication

System (NLETS) message will be sent to the Federal Air Marshal's(FAM) office in Atlantic city, New Jersey.

FAM personnel will send a confirmation NLETS message authorizing the deputy (ies) to fly while armed.

- At the airport the deputy will tell airline ticket counter personnel that he/she is flying armed. The deputy will present his/her badge and issued Sheriff's Office identification.
- At the security checkpoint, the deputy will ask to talk with a Transportation Security Administration (TSA) supervisor.
- The deputy will tell the TSA supervisor that he/she is flying armed. The deputy will again present his/her badge and identification. The TSA supervisor will ask about the NLETS message and may ask to see the message.
- The deputy will show the TSA supervisor the NLETS message. However, the deputy will RETAIN the NLETS message.
- The TSA supervisor will escort the deputy through the security checkpoint.
- The deputy will pre-board the plane and meet with the Captain of the plane.
- The deputy will present his/her badge and identification to the Captain and meet with any other law enforcement officer who is flying armed.
- The Captain of the plane has the final authority to determine if the deputy will fly while armed. The Captain may require the deputy to surrender his/her weapon while aboard the aircraft.
- The deputy may choose to NOT fly on a flight if the Captain of the plane requires the deputy to surrender his/her weapon while aboard the aircraft. However, the deputy will have to send another NLETS message requesting permission for a new itinerary.

Assignment of Sheriff's Office Firearms and Care

- Deputies assigned a weapon(s) shall be personally responsible for its safekeeping both on-duty and off-duty.
- All deputy's who posses issued or personally owned firearms shall keep the firearm(s) in a securely locked box or container or in a location which a reasonable person would believe to be secure or shall secure it with a trigger locking device to prevent it from being discharged. [CALEA 1.3.9 f]
- Deputies, while off-duty shall not store firearms inside their issued vehicle unless the firearm is secured with a locking device/container mounted to the inside of the vehicle.
- Deputies, while off-duty shall not store issued laptop computers, ballistic vests and any clothing with police identifiers in their issued vehicle.
- Issued weapons may not be loaned by assigned Deputies.
- Upon appointment and termination from the office all issued weapons and ammunition except for tasers will be returned to the Training Unit.
- Training will provide an executed receipt for issued, returned and transferred weapons. Training will then forward this information to the inventory specialist in finance who shall keep a permanent file of these records.
- Issued firearms shall remain the property of the Sheriff's Office and shall be available for inspection and inventory during each annual inventory period. The Sheriff may award a Deputy his/her firearm upon retirement.
- Issued firearms shall only be used for law enforcement purposes.
- Sheriff's Office long guns shall be carried when issued by the Office. Only armorer approved shotguns are authorized. Permission from the Sheriff is required to carry models other than those issued by the Office.

- Issuance of firearms for use during emergencies or civil disorders may be by verbal approval from a Division Commander.
Revised (09-12-03)

Firearms Safety

- Holsters shall not be unstrapped nor shall sidearms be removed from the holster unnecessarily.
- Loaded long guns shall not be brought inside any Sheriff's Office building unless a deadly-force emergency exists within the structure.
- Long guns shall be carried perpendicular (muzzle up) to the floor by the grip with no fingers in the trigger guard. These weapons will be carried with the slide back, safety on, and chamber and magazine empty. Other items of equipment shall not be carried at the same time in the hand carrying the weapon. Gas guns should be carried and action open, thus, it may not be practical for the weapon to be carried vertically.
- After a situation has arisen requiring a round to be chambered in a shotgun and the situation no longer requires a chambered round, it should be removed as soon as practical. The incorrect way to unload the shotgun is to cycle rounds through the action. The correct way to unload is to open the action and drop any rounds that were in the chamber into your hand (not a hard surface), then push the Shell Lifter up and release any remaining rounds from the magazine tube. To release rounds from the magazine Tube, simply depress the Shell Stops.
- Shotguns shall be carried when ready for duty with the magazine full and the chamber empty, the action will be closed and the safety in the "ON" and safe position with the weapon in a condition ready for use where the action may be worked without utilizing the Action Bar Lock. To place the weapon in this mode, when it has been absolutely assured that the chamber is, in fact, empty, point the muzzle in a safe direction and pull the trigger and then return the safety to the "ON" and safe position.
- Deputies shall store firearms in their care in a safe and secure area. [CALEA 1.3.9 f]

- All personnel utilizing the shotgun should be aware of an extremely important fact. In all Crossbolt Safety Weapons, the Safety engages the Trigger of the weapon. That is, when the weapon is in battery or cocked, the Trigger Sear is actually holding the Hammer to the rear. The Safety is not blocking the Hammer. If the weapon is dropped or receives a strong jarring action, the Hammer may fall or the firing pin may move forward with enough kinetic energy, causing an accidental discharge.

Weapons Selection and Deployment of the Long Gun.

The primary purpose of the Deputy's handgun is to provide short range defensive actions that occur spontaneously. It is always available on their person for this reason. When proceeding to an incident where a known suspect weapon is involved or other situation that has a high index of probability of a firearms engagement, a long gun should be employed. Long guns offer much greater accuracy, more effective incapacitation probability, greater range, increased penetration for suspects utilizing cover or body armor, and a higher level of presence, which alone may be enough control to stop the suspect's resistive behavior. The greater accuracy of the rifle helps to reduce the risk of unintended injuries to innocent bystanders. The deployment of a long gun may also be advised on high-risk responses such as felony vehicle stops and guarding a perimeter from a position of cover at a distance. In addition, the use of a shotgun provides access to less lethal munitions, such as beanbag rounds, that may incapacitate a suspect from a distance who has a close range threat such as an edged weapon.

Shotgun

- **Less Lethal Munitions** – By loading the Remington 870 pump shotgun with bean-bag rounds or other approved less lethal munitions, a Deputy may engage a suspect who is armed with a short range threat, such as a blunt striking object or an edged weapon, from a position of safety without the necessity to employ lethal controls of resistive behavior.
 - Prior to being issued or using less lethal munitions, a Deputy will be required to

take a specialized course in their use and pass a proficiency test.

- A primary shooting Deputy with a long gun will be identified and put into place before deploying less lethal munitions, in case they fail or if the threat escalates to imminent danger to either Deputies or the public.
- The Deputy who will employ the less lethal munitions will completely empty the shotgun chamber and magazine of ALL lethal ammunition prior to loading the bean-bag rounds.
- All shotguns will be equipped with a sling and additional shell carrier.
- **Lethal Ammunition** – The standard loading of the Remington 870 is .00 Buck ammunition. It consists of 9 pellets of approximately .32 caliber and is effective out to 15 yards with an approximate 15 inch pattern at that distance.

M16 (decommissioned)/AR-15 Rifle and carbine

- M16 rifles decommissioned from US military service and received under appropriate programs will be modified to fire in semi-automatic condition only. All rifles/carbines will be configured to fire in the semi-automatic condition only.
- Deputies in each sector will be identified by the Sector Commander for deployment with the M16/AR-15 rifle/carbine in 5.56mm or .223 caliber.
- A high index of security will be maintained on these rifles and storage requirements with the issued locking and security system are to be strictly followed and the weapons kept from plain view due to high theft potential.
- Prior to assignment, all Deputies who are to be issued the rifle/carbine will be given additional training specific to the AR15/M16 weapons system and required to pass a proficiency test. Proficiency must be demonstrated with qualifications testing biannually with the issued rifle/carbine.

- Each rifle/carbine will be stored and carried with the safety in the ON position, the chamber empty, and the magazine loaded to its rated capacity and fully seated in the magazine well.
- A second issued magazine, fully loaded to its rated capacity, will be carried by the Deputy whenever the rifle is deployed. The ammunition loaded in the magazines will be used for the qualifications and new ammunition issued at that time.

Revised (09-12-03)

Authorized Less Lethal Weapon

[CALEA 1.3.4]

- All Less Lethal Weapons used for duty shall be issued by the Sheriff's Office and the Deputy must have successfully completed certified training in and show proficiency in the use of each particular weapon carried. They are;
 - OC aerosol gas
 - PR24
 - Expandable Straight Baton
 - Electronic Restraint Device (Stun Gun)
 - Stun Belt (Corrections and Court Security)
 - Sting B
 - All Munitions (SWAT only)
 - Capture shield (Corrections)
 - Bean-Bag Munitions
- Inspection
 - All less lethal weapons will be inspected by a qualified instructor/armorer to ensure a safe and functional condition before use, during the period recommended by the manufacturer and/or during the required certification and re-certification training sessions.
 - All weapons found to be unsafe, defective or expired shall immediately be removed from service by the instructor.

- The instructor/armorer shall make arrangements to have a safe, functional and current weapon issued to the deputy.
- Revised (09-12-03)**
- Training/Proficiency [CALEA 1.3.11]
 - Each deputy shall receive in-service training on less lethal weapons and weaponless control techniques at least biennially.
 - This proficiency training shall be monitored by a certified weapons or tactics instructor.
 - This training and each deputy's proficiency shall be documented in the deputy's training record.
 - If a deputy fails to establish proficiency in a specified technique or with a specific less lethal weapon:
 - The instructor will;
 - Immediately give the deputy a direct order that they are to not carry the specific weapon or not use the specific technique. It is preferred that this order be in writing if possible.
 - Further order the deputy to report immediately to their Commander for direction and possible temporary non-disciplinary reassignment.
 - Will immediately notify the deputy's Commander that the deputy failed to demonstrate the specific proficiency.
 - The deputy's Commander will;
 - Issue the deputy a written order that the deputy is not to carry the specific weapon or use the specific technique and relieve the deputy of that weapon.
 - Ensure the deputy is scheduled for proficiency remediation training.
- Training will;
 - Provide classroom and practical remediation training until the deputy demonstrates proficiency or the instructor determines that further remediation would be futile.
 - If the deputy fails to demonstrate proficiency following the remediation the deputy's Commander will be immediately notified by the training division.
 - The deputy's Commander will consult with the Undersheriff as to what further action should be taken, which may include reassignment to a non-law enforcement position until the deputy can demonstrate firearms proficiency.

Uses and Carrying of Impact Batons

- Impact weapon - The Office-approved baton is a tool that can provide a means by which a Deputy can defend himself/herself or another person from injury and a means of controlling subjects when a Deputy is facing resistance. The policies of the carrying and use of impact weapons are as follows:
 - Sheriff's Deputies shall be issued a PR-24 side-handle baton or expandable straight baton only after the successful completion of a course of instruction in the proper use and carrying of the baton as a defensive means of control, and must qualify annually with it.
 - The defensive baton will be carried and/or utilized only as issued and authorized. No changes, alterations, modifications or substitutions to the baton may be made.
 - When utilizing the defensive baton, Deputies shall use only that degree of control, which is necessary to protect civilians and law enforcement personnel from physical attack.
 - No Deputy may carry an impact weapon with which he/she has not had annual certified training.

- The impact weapon should be carried in the baton ring, or in a low profile position, when the baton is not being used.
- At no time shall a Deputy unnecessarily brandish or use the impact weapon as an intimidation device unless the Deputy is attempting to prevent the further escalation of resistive behavior.
- All strikes with an impact weapon should be delivered to the following areas as appropriate to the level of resistance encountered:
 - Primary Targets - Major muscle masses, such as the forearms, thighs or calves. These locations should be primary targets because of the low implications for subject injury. Impact weapon strikes to these locations normally create severe muscle cramping which inhibits a subject's ability to continue aggression.
 - Secondary Targets - Joints or bones. These targets - the elbows, wrists, clavicle and knees - have a high probability of creating soft or connective tissue damage or bone fractures when struck with an impact weapon.
 - Final Target Areas - Head, neck, and throat - Impact weapon strikes to these areas SHALL NOT BE USED UNLESS THE DEPUTY IS JUSTIFIED IN THE USE OF DEADLY FORCE. These striking points have high implications of creating severe injury in the forms of great bodily harm or death.
- Any time a Deputy finds it necessary to strike a subject with an impact weapon for purposes of control, the Deputy will immediately contact a supervisor and inform the supervisor of the incident.
- The supervisor (or a Deputy in the event that a supervisor is not available) shall have the subject transported to the nearest medical facility for medical attention.

Revised (09-12-03)

Medical Aid

[CALEA 1.3.5]

- Following the use of lethal or less lethal weapons on a subject, appropriate medical aid shall be provided to that subject by the deputy or the supervisor.

Medical Procedure after a Lateral Vascular Neck Restraint (LVNR) Application

- If rendered unconscious, the subject should revive in 5 to 20 seconds without any assistance from the Deputy. However, anything around the subject's neck should be LOOSENED IMMEDIATELY to help ensure normal breathing.
- In the event the subject does NOT REVIVE WITHIN 30 SECONDS after being rendered UNCONSCIOUS, methods of RESUSCITATION should be IMPLEMENTED IMMEDIATELY as a precaution.
- Handcuff the subject whether rendered unconscious or not.
- Revive the subject utilizing the PALM REVIVING technique.
- Place the subject on his/her side as soon as possible after he/she has been revived.
- Dispatch EMS to the scene to examine the subject in regard to the application of LVNR or any other possible injuries suffered during the apprehension.
- Notify supervisor that you have applied the LVNR.
- Complete the Subject Resistance Report.
- Begin the mandatory two hour visual monitoring of subject following the application of LVNR, whether or not the subject is rendered unconscious. The arresting Deputy is required to maintain visual contact with the suspect at all times for the entire two hour period unless another Deputy is assigned this task by the supervisor.
- Photos taken of subject's neck to show that proper technique was utilized. Include photos of any other injury sites. Note: Take photos of any injuries, uniform damage, or

other evidence of a struggle and/or resistance that are visible on the arresting Deputy (s).

- When transporting the conscious subject to a medical facility for examination by medical personnel, he/she should be handcuffed, placed in a seated position (conscious state) and restrained by a seat belt in an upright position.
- Monitor the subject and advise the medical staff that the subject was rendered unconscious with the neck restraint.
- When transporting the conscious subject to a detention facility for incarceration, he/she should be handcuffed, placed in a seated position (conscious state) and restrained by a seat belt in an upright position and monitor during transportation.
- Advise jail personnel that the subject was restrained by the application of LVNR and that he/she was medically cleared to be incarcerated and will require monitoring by the arresting Deputy for a two hour period.
- The Deputy's documentation report will reflect:
 - Office's offense incident report
 - Deputies involved
 - EMS personnel involved
 - Medical personnel involved

Oleoresin Capsicum (OC) Pepper Spray

- OC may be carried as optional equipment on the utility belt.
- If OC is used to effect an arrest, the arrestee must be allowed to flush his/her face with water as soon as possible. If the pain persists, the arrestee must be transported to a medical facility for treatment.

Revised (09-12-03)

Chemical Agents

- The Office--approved chemical agent is a tool that can provide a means by which a Deputy can defend him/ herself or another person when facing resistance in the form of active aggression. The policies of carrying and using

Office -approved chemical agents are as follows:

- No Deputy shall carry any chemical agent in which he/she has not had annual certified training.
- The chemical agent should be carried in an appropriate pouch and never displayed or pointed at another individual in horseplay.
- At no time is a Deputy to unnecessarily brandish or use the chemical agent as an intimidation device unless the Deputy is attempting to prevent escalation of force.
- Application of chemical agents against large groups of people will be at the command of the Sheriff or the designated second in command.
- Any time chemical agents are used for controlling a subject, the application of the chemical agent will end when the subject discontinues resistance or aggression.
- Chemical agents are irritating to the eyes, nose and skin. Any time a Deputy uses a chemical agent for the purposes of subject control, the Deputy will ensure that the subject receives adequate medical attention as soon as possible.
- When a Deputy books a subject who has been exposed to chemical agents, the Deputy will advise the jail personnel to prevent unnecessary contamination of other jail personnel or occupants.
- Any time a Deputy finds it necessary to use a chemical agent for subject control, the Deputy will immediately contact a supervisor and advise him of the nature of the incident.
- The supervisor (or a Deputy in the event a supervisor is not available) must transport the subject to the nearest medical facility for medical attention.

Handcuffs and Restraints

- The purpose of handcuffs, flex-cuffs, or transport handcuffs is to restrain the movements of a subject in a manner that provides a means of transportation for

Deputies. Restraints also prevent further physical resistance from subject. The Office policies for the use of restraints are as follows:

- All subjects taken into custody should be handcuffed behind their back. This is to ensure the safety of the Deputy or other citizens. The exceptions to this rule are:
 - When the subject has an injury that does not permit his/her arms to move behind the back.
 - When the subject's age, physical condition, or physical limitations may also indicate a change in this procedure.
- All subjects taken into custody should be hand cuffed behind their back, and the cuffs double-locked. The exception to this rule is when the arrest environment is tactically unsafe for the Deputy to double-lock the handcuffs.
- If the subject complains that the handcuffs are too tight, the transporting Deputy is to ensure that unnecessary tightness, which may prevent proper blood circulation, has not occurred and does not occur.
- To ensure proper safety for Deputies, all subjects will be handcuffed before being searched.
- Except under exceptional circumstances, Deputies should not handcuff a subject to fixed objects such as posts, buildings, etc. Under no circumstances; is an arrestee/inmate to be handcuffed to a vehicle.
- It is not uncommon for Deputies to arrest a subject, place them in restraints, and then have the subject start to resist. If the Deputy does encounter this type of resistance, the Deputy should utilize control techniques to prevent injuries to the Deputy, property or the subject. The control techniques, however, should be limited to those that would not be construed as excessive.

Revised (09-12-03)

Special Weapons and Devices

- In special unusual circumstances and situations, such as barricaded subjects and hostage incidents, certain weapons and devices must be utilized to bring the critical situation to a successful conclusion. In these situations, Deputies trained in the use of special weapons and devices must be able to respond effectively and use the weapons or devices at their disposal. It shall be the policy of the Sheriff's Office to use only CS or CN gas against barricade suspects or in hostage situations; CS gas is preferred.
- Prior to the delivery of any pyrotechnic gas, a fire department vehicle equipped to extinguish blazes and an emergency services vehicle with EMTs on board will be available.
- The gas will be delivered by a Sheriff's deputy specifically trained in the gas; it's dosage, and proper delivery systems.
- The Deputy delivering the gas will select the most efficient delivery system (37-mm gun, 12 ga. "Ferret", or "hand-ball" grenade), which provides for adequate dispersal of gas and maximum safety of the Deputy.
- The amount of gas to be delivered will be in accordance with standards set forth according to size of the structure to be gassed, and the welfare of those inside the structure (e.g., children, elderly persons with respiratory difficulty, etc.)
- A de-contamination area will be established for the welfare of Deputies, subjects / suspects, and/or hostages. The decontamination area will treat for exposure to the gas, and will offer water to flush eyes, skin, etc.
- All personnel will wear gas masks when entering a contaminated structure.

Revised (09-12-03)

Diversionsary Devices

- In certain situations, stun devices may be used by trained personnel for the following purposes:

- Diversion - To distract the subject's attention;
- Signaling - To allow other Sheriff's Office employees to respond on cue;
- Disorientation - The activation of a stun or "flash bang" devices in a room will serve to temporarily disorient a subject because of its intense light and noise.
- Stun devices will not be used to inflict any injury to a subject or hostage. They will not be thrown at a subject in an attempt to harm with the explosive charge.
- Stun devices will not be thrown at a subject except where lethal controls would be authorized. Stun devices will not be used in situations in which the potential injury to a hostage(s), particularly juvenile(s) or the elderly, out-weighs the benefit possibly created by the use of the device.
- Deputies deploying stun devices will ensure that fellow Deputies are not positioned in such a way as to be damaged by the concussion or outward flying glass or other debris.
- In certain situations, in which the only alternative would be to destroy the animal, stun devices can be used to deter attacks from dogs or other animals.
- **Revised (09-12-03)**

Smoke

- In certain situations, smoke-emitting canisters and projectiles may be used by deputies of the Office specifically trained in their use. The Sheriff's Office will not use smoke designed to emit a toxic product; it should be kept in mind, however, that all smoke devices can be fatal if used improperly. Smoke should not be deployed inside any structure due to a fire hazard. Deputies should realize that any burning agent uses the oxygen in the air, and that inhalation of the smoke/fumes is not healthy and can cause respiratory difficulties and/or anoxia.
- Smoke can be deployed:

- To cover a Deputy's advance to a target, or retreat from a site;
- To signal a group's advancement, or retreat.
- Fire/rescue units will be on hand to extinguish any fire created by the incendiary device. EMTs will be available to treat any smoke inhalation difficulties.
- **Revised (09-12-03)**

Prohibited Weapons

- The carrying or use of any weapon not issued or not authorized by the Sheriff's Office, whether on or off-duty, is strictly prohibited.
- Prohibited weapons include, but are not limited to, the following:
 - Brass knuckles;
 - Nunchaku;
 - Non-approved nightsticks, batons or "billy clubs";
 - Weighted gloves, or saps, including flat, leather-bound style, and spring loaded "slap jacks";
 - Non-issued electronic or impact weapons;
 - Any type of non-authorized or non-issued chemical gas or liquid delivery system.
- **(revised on 8-23-01)**

Shooting Investigation Team

- The investigation of incidents involving the use of deadly force or discharge resulting in personal injury, death, or serious property damage shall be directed by the Shooting Investigation Team.
- The Team shall consist of the Inspector General or his/her designee, Homicide Investigation Team and a Deputy of equal rank chosen by the Deputy involved.
 - The Shooting Investigation Team shall conduct an investigation of the shooting incident and submit the investigative

report to the State Attorney's Office for legal review.

- Only after any legal action by the State Attorney will the investigative report be forward to the Shooting Review Board.
- The Shooting Review Board shall consist of:
 - The Sector Commanders and Senior Firearms Instructor.
 - The Bureau of Administration Chief will substitute for the Commander of the Deputy involved.
 - The senior Sector commander shall act as chairman.
- The board chairman may call investigators, specialists, or technicians required to present evidence and facts concerning any shooting incident.
- The Shooting Review Board shall review any facts and pertinent testimony, and forward the finding and its recommendation to the Sheriff for a final disposition.
- Within a reasonable period of time after the Board's hearing, the Deputy involved and the respective Sector Commander shall be formally apprised in writing of the findings and recommendations of the Board and of the Sheriff's final disposition.
- The Sheriff shall be forwarded a copy of the Report of Findings.
- In those shooting incidents resulting from the exercise of poor judgment, where no violations of law or Sheriff's Office policies and procedures are involved, the Shooting Review Board may note the exercise of poor judgment and make recommendations, remedial training or corrective action

Sector Commander Responsibilities

- With any firearm discharge, the Sector Commander or in his/her absence, his/her

designee shall respond to the scene of the incident for several reasons:

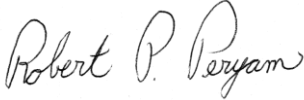
- To assist the deputy involved.
 - To assist the Shooting Investigation Team.
 - To ensure that the Deputy involved understands the administrative process; temporary re-assignment to an administrative position.
 - To attempt to determine the mental condition of the Deputy and make the determination whether the Office's consulting psychologist should be called to the scene or office immediately or notified later.
- The Sector commander shall have the authority to contact the consulting psychologist as a result of any other critical incident. The Sector Commander shall advise the Undersheriff of any such notification.

Animal Shooting

In the absence of an immediate danger to a Deputy or others, the shooting of an animal will require the presence of the Deputy's supervisor. The supervisor of the Deputy involved shall conduct a thorough investigation of the incident and file the appropriate report

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 31-A		TITLE: Use of Force
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 9	AMENDED:
REFERENCE: CALEA 1.3		RESCINDS: General Orders, Chapter 31,IV,B,D(2) (3) (4)
 <hr/> Sheriff of Monroe County		

PURPOSE:

The purpose of this directive is to set forth the policy regarding the Control of Resistive Behavior for the Monroe County Sheriff's Office

DISCLAIMER:

This policy is for internal use only. The policy does not claim to create a higher legal standard of safety or care on 3rd party claims. Violation of this policy may for the basis of M.C.S.O. sanctions only. Law violations may form the basis of civil or criminal action in a court of law.

DISCUSSION:

The Monroe County Sheriff's Office endorses the use of force guidelines as defined by the Florida Criminal Justice Standards and Training Commission and federal and state law. Florida Statutes Chapter 776 authorizes the use of force in arrest and detention situations, in preventing an escape, and in defense of persons.

Use of Force Goal:

The goal of using force is to achieve subject compliance.

Deputies may face situations where control must be exercised to effect an arrest or protect public safety. It is the philosophy of the Monroe

County Sheriff's Office that physical safety of the deputy, suspect and inmate is of utmost importance.

A deputy's use of force will be judged against the totality of circumstances using an objective reasonableness standard. When force is used, authorities will ask "whether a deputy's actions were objectively reasonable in light of the facts and circumstances confronting the deputy. It is the duty of the deputy to determine the appropriate level of force based upon the facts and circumstances of each situation.

Deputies will only use the force necessary to accomplish lawful objectives. In other words, a deputy may use deadly force only when the deputy reasonably believes that the action is in defense of human life, including the deputy's own life, or in defense of any person in imminent danger of serious physical injury. The nature of the control may range from the deputy's presence to the deputy's use of deadly force. The deputy must use no higher level of control than is necessary than to control the subject or effect an arrest. Use of excessive control technique(s) or improper application of control technique(s) or force could result in disciplinary action against the deputy and create a liability for the Sheriff's Office.

DEFINITIONS:

Totality of Circumstances- a term the courts use to refer to all facts and circumstances known to the deputy at the time of reasonably perceived by the deputy as the basis for the use of force decision.

Deadly Force- force that is likely to cause death or great bodily harm.

Less Lethal Force- force that is not likely to cause death or great bodily harm.

Less Lethal Weapons- a weapon that is not fundamentally designed to cause death or great bodily harm such as electronic control devices (ECD), dart firing stun guns (TASER), expandable batons, flashlights and chemical agent sprays.

Less Lethal Munitions- means a projectile that is designed to stun, temporarily incapacitate, or cause temporary discomfort to a person without penetrating a person's body (F.S. 776.06 (2) (a)).

Great Bodily Harm- means great as distinguished from slight, trivial, minor or moderate harm and as such does not include mere bruises as are likely to be inflicted in a simple battery.

Reasonable Belief- a reasonably prudent person in the circumstances would be warranted in the belief that his or her safety or that of others was in danger.

Escalation- increasing the use of force or resistance.

De-escalation- decreasing the use of force or resistance.

Disengagement- discontinuing a command or physical use of force.

SUBJECT RESISTANCE LEVELS

Passive Resistance- a subject's verbal and/or physical refusal to comply with a deputy's lawful direction causing the deputy to use physical techniques to establish control.

Active Resistance- a subject's use of physically evasive movements directed toward the deputy such as bracing, pushing, or pulling to prevent the deputy from establishing control over the subject.

Aggressive Resistance- a subject's attacking movements toward a deputy that may cause injury, but are not likely to cause death or great bodily harm to the deputy or others.

Deadly Force Resistance- a subject's hostile, attacking movements with or without a weapon that create a reasonable perception by the deputy that the subject intends to cause and has the capability of causing death or great bodily harm to the deputy or others.

DEPUTY RESPONSES TO RESISTIVE BEHAVIOR

Presence

- **Arrival-** you are on the scene, using proper voice, identification, and body language to make the subject aware that he or she is dealing with an officer of the law.
- **Interview stance-** adopting a stance at safe distance from the subject. The stance provides appropriate protection and forms the basis of an effective physical response if the subject attacks you.

Communication

- **Dialogue-** conducting two-way, controlled, unemotional communication with the subject. The purpose of the conversation is problem solving and identification.
- **Verbal Direction-** telling or commanding a subject to engage in, or refrain from, a specific action or non-action.
- **Touch-** in a non-confrontational situation you use a soft assisting touch to comfort, console, or gain a subject's attention.

Physical Control

- Achieving compliance or custody through the use of empty-hand or leverage-enhanced techniques, such as Oleoresin Capsicum (OC) spray, pain compliance, transporters, restraint devices, takedowns, and countermoves or striking techniques.

LESS LETHAL WEAPONS

[CALEA 1.3.4]

Intent- Responses intended to stun or render a subject temporarily unconscious or unable to continue to resist. These techniques may be delivered with or without an impact weapon.

Conditions- A decision by a deputy to use a dart-firing electronic stun device must involve an arrest or a custodial situation during which the person who is the subject of the arrest or custody escalates resistance to the deputy from passive physical resistance to active physical resistance and the person: (a) Has the apparent ability to physically threaten the officer or others; or (b) Is preparing or attempting to flee or escape (FSS 943.1717)

DEADLY FORCE

[CALEA 1.3.2]

These techniques may result in death or great bodily harm. They include use of a firearm, eye gouges, empty-hand strikes to the throat, and impact-weapon strikes to the side of the neck.

PROCEDURE:

Necessary Force- Deputies shall use only the force necessary to overcome the resistive force, gain compliance, of any subject they are trying to take into custody or prevent from further commission of a crime.

Overcoming Resistance- With the goal of overcoming resistance to achieve control, deputies are reminded that they are legally permitted to escalate their use of force as the subject resists and/or escalates his or her level of resistance. The deputy's response to resistance choices should be determined by the actions of the subject, and ultimately the risk of physical harm the actions pose to the deputy or

others. Deputies are not obligated to begin a use of force encounter at the lowest level of force. The suspect's actions are part of the totality of circumstances will determine at what level the deputy responds.

De-escalation- Deputies must de-escalate in the use of force once control has been achieved or the subject has complied. De-escalation does not always mean the deputy should cease all use of force. It simply means the deputy should de-escalate to a point where they can still safely maintain control. A subject who is communicating that he/she wants to comply can instantly begin escalating again if they deputy fails to maintain control.

Disengagement- Though state law clearly states that deputies have no legal obligation to retreat in the face of subject resistance, disengagement may very well be the best tactical option under the circumstances. Though risk is inherent to the job of law enforcement, it does not mean that a deputy should recklessly or hopelessly endanger his or her life, when other sound options are available. Factors that may indicate disengagement is a viable option may include that the deputy requires back up, the deputy is injured or outnumbered, or when the suspect has superior firepower.

Justification for Response to Resistance- Escalation and de-escalation of resistance and response may occur without going through each successive level. The deputy has the option to escalate or disengage, repeat the technique, or escalate to any level at any time. However, the deputy will need to justify any response to resistance. If the deputy skips levels, he or she must explain why it was necessary to do so.

DEPUTIES ARE JUSTIFIED IN THE USE OF FORCE

- Which the deputy reasonably believes to be necessary to defend himself or herself or another from bodily harm while making an arrest;
- When necessarily committed in retaking felons who have escaped; or
- When necessarily committed in arresting felons fleeing from justice.

Fleeing Felons- With dangerous fleeing felons, deadly force is justified if it was necessary to prevent the arrest from being defeated by such flight, and when feasible some warning has been given, and

- The deputy reasonably believes that the fleeing felon poses a threat of death or serious physical harm to the deputy or others; or
- the deputy reasonably believes that the fleeing felon has committed a crime involving the infliction, or threatened infliction of serious physical harm to another person.

Deadly Force Prohibited

[CALEA 1.3.1, 1.3.2]

- Unarmed, Non-dangerous Fleeing Felon; Deputies are prohibited from using deadly force against unarmed, non-dangerous fleeing felons.
- Misdemeanor; Deputies are prohibited from using deadly force to effect an arrest or prevent escape of any person charged or convicted of a misdemeanor, traffic offense, or violation of any county or city ordinance.
- Risk to Innocent Persons: Deputies will not discharge a firearm or otherwise use deadly force if:

Situations do not provide a high probability of striking the intended target.

There is substantial risk to the safety of innocent bystanders.

Totality of Circumstances- Deputies shall consider the subject's ability, opportunity, and intent to cause death or great bodily harm when making a decision to use deadly force. If these three criteria are present and the deputy cannot control the threat using lesser means then deadly force is justified. The deputy's actions will be judged against the totality of circumstances at the time of the incident.

The totality of circumstances includes consideration of the subject's form of resistance, all reasonably perceived factors that may have

an effect on the situation, and the response options available to the deputy.

Situation Factors- Some situational factors may include the following:

- Severity of the crime
- Subject is an immediate threat
- Subject's mental or psychiatric history, if known to the deputy
- Subject's violent history, if known to the deputy
- Subject's combative skills
- Subject's access to weapons
- Innocent bystanders who could be harmed
- Number of subject's vs. number of deputies
- Duration of confrontation
- Subject's size, age, weight, and physical condition
- Deputy's size, age, weight, physical condition, and defensive tactics expertise
- Environmental factors, such as physical terrain, weather conditions, etc.
- Deadly Force Prohibited

SPECIAL CONSIDERATIONS

Warning Shots- Warning shots are prohibited. [CALEA 1.3.3]

Shots at or From Motor Vehicles- Deputies will not intentionally place themselves in the path of an oncoming vehicle.

- When confronting an oncoming vehicle, deputies will make every attempt to move out of the vehicle's path, rather than discharge their weapon at the oncoming vehicle.
- Deputies will not discharge their weapon at a moving vehicle unless;

- The vehicle's occupant is using deadly force against the deputy or another person.
- Needed to prevent death or serious bodily harm to a deputy or another person.
- Needed to apprehend a person who has just committed a felony resulting in death or serious bodily harm.
- Deputies will not shoot from moving vehicles.

Destruction of Animals- Killing of animals is justified for a deputy's self defense, protection of others, or humanitarian reasons only if:

- All attempted requests for Animal Control's response to the scene have failed.
- Animals are so badly injured they require humane relief from further suffering.

Supervisor to Respond to the Scene- If deputies discharge a firearm to kill a dangerous or badly injured animal, their immediate supervisor will be dispatched to the scene to evaluate the incident and initiate applicable action.

Treatment of In-Custody Persons: Deputies will determine if a suspect is in need of medical assistance.

Subjects in Custody will be Monitored- All subjects placed into custody must be closely monitored and kept in a position not likely to cause asphyxiation.

"Hog-tying" is expressly forbidden.

If additional restraints beyond handcuffs are required, deputies are to utilize their training issued "RIP Hobble restraint devices" in the Total Appendage Restraint Position ("TARP") or other approved hard restraints as applicable.

Suspects being restrained (including handcuffed) who exhibit violent behavior that has the potential to injure others or damage property may be temporarily further restrained with additional control techniques including Oleoresin Capsicum (OC) spray or application of

an electronic control device in order to permit application of further hard restraints such as the RIPP hobble or other device.

MEDICAL CONSIDERATIONS

Medical Aid to Be Provided- Appropriate medical aid shall be provided after the use of lethal or less lethal weapons and other use of force incidents. [CALEA 1.3.5]

Medical assistance may include:

- Increased observation of the suspect or detainee to detect obvious changes in physical condition
- Flushing chemical agents from the eyes
- Applying first aid

Subject Injured- Any time a subject is injured or is the subject of a strike to the head, heart, or other vital organ or has respiratory restrictions during a use of force incident the deputy shall:

- Request Emergency Medical Service personnel to respond to the scene to administer emergency medical aid
- Contact an on-duty supervisor and advise him/her of the nature of the injury. The on duty supervisor will respond to the scene.

Deputy Injured- If the deputy(s) is also injured, adequate EMS personnel shall be requested to provide aid to all injured parties. EMS personnel shall treat the injured based on their training and triage protocols.

Non- Interference with Medical Aid- Sheriff's Office personnel shall not interfere with EMS personnel performing their duties, but may assist as directed.

Relief from Effects of Chemical Agents- With use of OC spray or other chemical agents, the subject shall be provided an opportunity to flush the agent from the eyes.

Supervisor to Respond to the Scene- If a deputy is injured, or seriously injures or kills a subject through a use of force, the deputy's on duty supervisor will respond to the scene to

evaluate the incident and initiate applicable action.

USE OF FORCE INCIDENTS

Death or Critical Injury- If use of force by deputies' results in death or critical injury, involved deputies will immediately notify Central Communications of:

- Their unit number
- Their location
- Incidents resulting in death or serious injury
- Any medical attention required
- Shots fired by a civilian or deputy
- Description and direction of flight for any wanted person.

Deputies actually involved in the incident will only take emergency action when:

- Administering first aid
- Protecting the scene
- Detaining witnesses
- Arresting suspects

Perimeter Establishment- Deputies arriving on the scene will set up a perimeter, secure the scene, preserve all evidence, and detain any witnesses and/or suspects until arrival of criminal investigators.

Establish an Entry Control Point- the on-scene supervisor will establish an entry control point (ECP) immediately outside the crime scene's perimeter. The ECP's purpose is to ensure the crime scene is not disturbed more than absolutely needed.

Each person reporting to the scene will check in, but not enter the scene unless assigned a specific task.

The ECP supervisor will maintain a log of all people entering the crime scene. The log will indicate the person's name, rank, address or agency, time in, time out, and the reasons for entering the scene.

Communications to Make Notifications- Upon learning a deputy is involved a death or critical injury incident, the Communications Watch

Supervisor will immediately notify the affected district and bureau chief.

All tapes of relevant radio/telephone transmission and conversations and the Communications Operator's written notes on the incident will be identified and preserved.

Specialized Unit Notification- the Central Communications shift supervisor will notify the Homicide Unit Supervisor, Internal Affairs Unit Commander, Public Information deputy and the state attorney will be notified. Homicide investigators will contact the medical examiner if needed.

F.D.L.E Response- Investigations of deputy involved death or critical injury may be conducted by the Florida Department of Law Enforcement as stipulated in the Memorandum of Understanding in effect at the time of the incident.

Jurisdictional Notifications- If the incident occurred inside the city limits of a Monroe County municipality, or outside of Monroe County, the appropriate jurisdiction will be notified by the Central Communications Shift Supervisor.

Constitutional Safeguards- If the investigation reveals an affected deputy may have committed a criminal violation, all applicable constitutional safeguards and Miranda Warnings will be given before interrogation. Deputies have the right for union representation, and to have that representative present at the scene.

REMOVAL FROM DUTY

The Sheriff, Undersheriff, bureau Chief or his or her designee(s) shall remove any employee, whose actions(s) or use of force in an official capacity results in death or serious physical injury, from the line of duty assignment pending an administrative review. [CALEA 1.3.8]

This includes employees involved in a critical or traumatic incident, not limited to shootings, and may include incidents such as fatal vehicle collisions involving the employee.

During this period of administrative leave or reassignment, there shall be a post-incident debriefing and at least one mandatory

psychological counseling session shall be required for the employee(s) involved.

ADMINISTRATIVE ASSIGNMENT

A memorandum reflecting the deputy's administrative assignment will be sent by the deputy's district/division commander to the deputy prior to the deputy's next shift or in compliance with any collective bargaining agreement. A copy of the memorandum will be sent to the Internal Affairs Commander within 24 hours.

An administrative assignment is not a judgment on the propriety of the deputy's actions, but serves to protect the rights of all concerned until a judgment is made.

Consistent with constitutional and Office rights and procedures, all involved personnel are expected to cooperate with the incident's official investigation.

NON-CONTACT SHOOTINGS

If deputies intentionally or accidentally discharge their firearm, except for personal recreational activities (e.g., hunting) or training practice (range), they will immediately contact their supervisor.

Supervisors will immediately contact their district/division commander and internal Affairs. An Offense Report will be made.

If an investigation reveals the involved deputy may have committed a criminal violation, all constitutional safeguards and Miranda Warnings will be given before interrogation. Deputies have the right for union representation, and to have that representative present at the scene.

REPORTING USE OF FORCE

Offense Report Required- An Offense Report will be written if deputies, in the performance of their duties: [CALEA 1.3.6]

- Take action resulting in or alleged to have resulted in the injury or death of another person.

- Apply force by using less-lethal or lethal weapons.
- Apply weaponless physical force causing injury or a complaint of injury requiring medical treatment.

Completion of Subject Resistance Report Required- When force is used, the offense report must document full details of the incident.

The Subject Resistance Report (SRR), in the SmartCop records management system, must also be completed and forwarded to the on-duty supervisor for review within 24 hours of the incident.

The deputy's Subject Resistance Report will include:

- The circumstances making the control necessary
- The type of control used
- The nature of any injury sustained and how the injury occurred
- The names of the persons involved

Supervisor to Complete the Subject Resistance Report if the Deputy is Injured or Incapacitated- The on-duty supervisor or unit supervisor will complete the Subject Resistance Report (SRR), in the SmartCop records management system and forwarded to the next immediate supervisor for review within 24 hours of the incident.

Supervisor's Responsibility for Use of Force Review-The supervisor must review the SRR and the offense report describing the control of resistive behavior. This review of the use of force is to ensure the appropriateness of the control of resistive behaviors. [CALEA 1.3.7]

The supervisor must review the actions of all persons involved in the incident to insure the response to resistance was appropriate and within state statutes and Office policy. The supervisor will indicate the results of his or her

investigative review on the Subject Resistance Report.

The supervisor must also take appropriate action when excessive force or a pattern of force is indicated in the report or a violation of statutes or Office policy and procedures is evident.

Subject Resistance Report Distribution- All original Subject Resistance Reports will be transmitted after district/division review, to the appropriate bureau chief, and to the Internal Affairs Division within 48 hours of the incident.

Monthly Review Required- On a monthly basis, the Training and Internal Affairs Divisions shall obtain all SRRs from SmartCop records management system.

- The Training Division shall review each SRR for compliance with the law and policy, and for an assessment of the need for remediation by a particular deputy.

The Training Division, by the 15th of the month following the review, will forward the monthly review to the appropriate bureau chief for any appropriate action

- The Internal Affairs Division shall input the data from the SRRs into the Early Warning System

LAW ENFORCEMENT CUSTODIAL DEATH REPORT (Department of Justice Form #CJ-11A)

Purpose- The Deaths in Custody Reporting Act of 2000 requires that all state and local law enforcement agencies participate in the federal data collection requirements of reporting all in-custody deaths.

General- The Law Enforcement Custodial Death Report must be completed and submitted to the Florida Department of Law Enforcement (FDLE) in all cases where a death occurs in the process of an arrest. This includes those persons whose deaths occur:

- In the physical custody or under physical restraint of a law enforcement deputy, even if the person was not formally under arrest.
- From any use of force by law enforcement deputies prior to booking.

- At a crime arrest scene or medical facility prior to booking.
- In transit to or from law enforcement facilities.
- In confined lock-ups or booking centers prior to arraignment.

Procedure- The primary deputy involved in the incident resulting in the in-custody death will obtain the Law Enforcement Custodial Death Report and enter all applicable case data.

After review by the deputy's supervisor, the Law Enforcement custodial Death Report will be returned to the Records Division for final completion and review.

RECORDS DIVISION REQUIREMENT

The Records Division supervisor will then send the original Law Enforcement Custodial Death Report to the FDLE Statistical Analysis Center. A copy will be filed with the Professional Standards Division.

TRAINING

At least annually, all personnel authorized to carry weapons by the Office shall participate in in-service training on this Use of Force Policy. [CALEA 1.3.11]

ANNUAL ANALYSIS

The Director of Training shall conduct a documented annual analysis of all Subject Resistance Reports for patterns or trends of training needs, equipment upgrades, and/or policy modifications. [CALEA 1.3.7]

The completed annual analysis report will be sent to the Sheriff via Chain of Command to include recommendations for resolutions. [CALEA 1.3.13]

The following is the decision making process using FDLE Criminal Justice Standards and Training Commission's Force Guidelines.

The Decision Making Process

Subject Resistance

Is the subject verbally or physically resisting my lawful authority?

Is the subject making attacking movements that are not likely to cause death or great bodily harm?

Is the subject making attacking movements that are likely to cause death or great bodily harm?



Situational Factors

What subject factors influence this situation? Weapon? Physical size? Demeanor? Others?

What officer factors influence this situation? Training? Experience? Physical size? Others?

What environmental factors influence this situation? Weather? Location? Presence of others?



Justification

Were my actions reasonable based on the subject's resistance and the totality of the circumstances?

Am I able to articulate the reasons for my actions?

Was I in compliance with constitutional and state laws, agency policy, and training?



Officer's Response

Can I physically control the subject?


Could I use a non-lethal weapon not meant to cause death or great bodily harm?

Is deadly force the appropriate option to prevent death or great bodily harm to myself or others?

1

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 32 - A		TITLE: Pursuits/Forcible Stops
EFFECTIVE DATE: 08/20/09	NO. PAGES: 8	REVIEWED/REVISED: August 28, 2013
REFERENCE: CALEA 41.2.2, 41.2.3		RESCINDS: Special Order: Pursuits/Forcible Stops 8.27.2007
 Sheriff of Monroe County		

PURPOSE: The purpose of this order is to establish policy and procedures governing the pursuit of law violators.

DISCLAIMER: This policy is for internal use only. The policy does not claim to create a higher legal standard of safety or care on 3rd party claims. Violation of this policy may for the basis of M.C.S.O. sanctions only. Law violations may form the basis of civil or criminal action in a court of law.

POLICY: It is the Sheriff's policy that vehicle pursuits be conducted when necessary in accordance with current laws and within accepted practices. The intent is to minimize endangering the public at large, the deputies and the fleeing suspect.

DISCUSSION: A law enforcement deputy has a statutory and constitution obligation to attempt to effect an arrest when the law is violated. In making the attempt, the safety of the general public must be considered. If upon attempting to effect a valid stop or arrest the subject initiates evasive action or refuses to stop, the deputy may initiate pursuit based on the factors identified in this policy.

Vehicle pursuits require a greater degree of caution, skill, common sense, and sound judgment for emergency operations. Hazards to the public or pursuing deputies must be considered if initiating or continuing a pursuit. Deputies and supervisors will terminate their pursuit if the risk to their safety and the safety of others outweigh the violation. These procedures will not relieve deputies from their duty to drive with due care, and not protect them from

careless disregard for the safety of others (See FS 316.072).

DEFINITIONS:

Attempting Arrest - An initial effort made to stop a moving vehicle for the purpose of arresting or citing the driver or passenger(s) for a violation of the law.

Vehicle Stop: The apprehension and/ or detention by deputies in MCSO vehicles of the occupants of a vehicle, whereby the driver of a vehicle immediately stops upon a deputy's initial use of emergency lights and/ or siren.

Vehicle Pursuit - An active and continuing effort by an authorized emergency vehicle to apprehend the occupant(s) of a moving vehicle provided the driver of such vehicle is or should be aware of the attempt being made, and increases his speed, takes other evasive actions, or refuses to stop in an attempt to avoid apprehension.

Primary Pursuit Unit - Generally, the unit that initiates the pursuit. If the vehicle initiating an attempted arrest is not a marked car with emergency equipment, a marked car with emergency equipment as soon as possible should assume the primary status.

Secondary Pursuit Unit - The emergency marked that trails the primary unit at a safe distance and which is available to assume the primary role or assist the primary unit if the fleeing vehicle is stopped. [CALEA 41.2.2 C]

Pursuit Supervisor: Shift sergeants or in their absence, the acting shift supervisor where the pursuit occurs will be designated as the pursuit supervisor, and solely responsible for monitoring the pursuit's progress. If both are unavailable, Communications will designate a pursuit supervisor.

Emergency Signal Device - siren and flashing or revolving lights, which meet the requirements of Florida Statute 316.126 (3)

Tire Deflation Devices- A device designed to disable vehicle tires through slow, controlled deflation.

Pursuit Termination - When it is ordered that a pursuit be terminated or units disengage, pursuing unit(s) break all contact with the suspect vehicle.

Traffic Law Exemptions

Monroe County Sheriff's Office vehicles that are equipped with emergency lights and sirens are designated as emergency vehicles. These vehicles are exempt from complying with traffic laws when in compliance with the emergency vehicle exemption found in Section 316.072(5), Florida Statutes.

Section 316.072 (5), Florida Statutes, authorizes emergency vehicles to disregard traffic signals, (after slowing down as may be necessary for safe operation), stop signs, speed limits, directional signs, etc, as long as they do not endanger life and property when responding to an emergency call or pursuit of suspected or actual violators of the law. During any pursuit, there must be due regard for the safety of all persons.

Section 316.126, Florida Statutes, requires that emergency equipment be in continuous use when emergency vehicles are being operated beyond the laws regulating all other traffic.

PROCEDURE:

Authorized Pursuit Vehicles

Marked Patrol Cars: Marked patrol cars equipped with sirens and emergency lights may engage in pursuits of fleeing vehicles.

Motorcycles and Unmarked Cars: Motorcycles and unmarked cars (equipped with emergency lights and sirens) may initiate and engage in a pursuit, until a marked patrol car can take over as primary pursuit vehicle. At which time the motorcycle/unmarked car will disengage from the pursuit.

[CALEA 41.2.2 D]

No more than two vehicles shall be involved in a pursuit, primary and secondary, unless authorized by the pursuit supervisor.

Deputies will not caravan in pursuits or while assisting other agencies or jurisdictions

Deputies will not become involved in pursuits if they have a civilian passenger(s) in their vehicle.

Vehicles transporting inmates or prisoners will not become involved in pursuits.

Corrections deputies will not become involved in pursuits.

Civilian employees will not become involved in pursuits.

Significant Factors to Consider When Initiating a Vehicular Pursuit

The following factors will be considered when determining whether any pursuits should be initiated, continued or terminated:

- The seriousness of the originating offense and its relationship to community safety.
- Safety of the public in the area of the pursuit.
- Safety of pursuing deputies
- Time of day
- Volume of vehicular traffic
- Volume of pedestrian traffic
- Location of pursuit (residential or rural)
- Weather conditions
- Road conditions

- Familiarity of deputies and supervisors with the area of the pursuit
- Speeds involved
- Quality of radio communications between pursuing unit(s), communications and supervisor
- Type of road
- Whether the suspect being pursued is readily identifiable and able to be captured at another time or by another means.
- Deputy's training and/or experience in pursuit driving, along with the conditions and performance capabilities of the pursuit vehicles; and
- The necessity of immediate apprehension weighed against the risk to the public.

The desirability of continuing a pursuit in which a fleeing vehicle refuses to stop will be evaluated continuously by the appropriate supervisor.
[CALEA 41.2.2 A]

Pursuit Communication

Deputies Involved in Pursuit will Tune to Identified Tactical Radio Channel: All communications will be conducted on the appropriate Tactical (TAC) channel, as designated by Monroe County Sheriff's Office Communications

Sheriff's Radio System is the Only Authorized Communications Method: NO communication with communications operators or between units involved in the pursuit will be conducted via cellular phones or direct connect phone service.

Primary Pursuing Deputy's Responsibility:

Upon initiation of a pursuit, a deputy shall immediately request assistance, notify communications of the pursuit and furnish all pertinent details to include,

The description of the vehicle, location and direction of travel,

Reason for pursuing the vehicle, and any other information that could aid in identification, apprehension, or other determination to either continue or terminate the pursuit.
[CALEA 41.2.2 B]

Secondary Pursuit Deputy Responsibilities:

Secondary pursuit deputies will keep Communications informed of the pursuit's progress, pursuit speeds, changes in travel direction, street and road locations, and last intersection or cross street passed.

Supervisor's Responsibilities:

Overall responsibility for the decision concerning continuation and/or termination of a pursuit rests primarily with the appropriate supervisor.

The supervisor upon being made aware of a pursuit shall:

- Continually evaluate the above factors to determine if the pursuit should continue or be terminated.
- Ensure the pursuit is being conducted by a marked unit.
- Identify the primary and secondary pursuit units and ensure that Communications is aware of their designation.
- Cancel any non-required units from the pursuit.
- Ensure allied agencies have been informed if the pursuit will enter their jurisdiction or if assistance is needed.
- Terminate the pursuit if:
 - there is insufficient information to justify the pursuit,
 - conducting the pursuit is more dangerous than not capturing the suspect or
 - circumstances no longer justify the pursuit.
- Conduct the investigation required if a Monroe County Sheriff vehicle is involved in

an accident during a pursuit, even a non-contact vehicle accident.

- Florida Highway Patrol will conduct the primary crash investigation.
- Respond to the scene of all terminated pursuits, especially when forcible stop techniques are applied, a traffic crash occurs, an injury or death occurs, and/or an arrest is made.
[CALEA 41.2.2 F] [CALEA 41.2.3 D]

In cases where pursuits result in serious injury/property damage or death to any person, pursuit supervisor will be responsible for notifying the termination location's district commander, FHP, and the Bureau of Law Enforcement Chief, who will notify the Sheriff's Legal Council, the Undersheriff and the Sheriff.

Communications Operator Responsibilities:

Designate a TAC channel if the pursuing unit(s) has not already requested one. Immediately notify the appropriate field supervisor.

- Control all radio communications during the pursuit.
- Coordinate assistance under the direction of the patrol supervisor.
- Advise other agencies of the pursuit and whether assistance is needed or is not needed.
- Advising and keeping other units informed of the vehicle pursuit's progress.
- Attempt to obtain any available information concerning the identity of the suspect vehicle's occupants and reason for pursuit.
- Make every effort to identify the driver and to determine if he/she is likely to be locatable in the immediate future. This information will be given to the appropriate supervisor to be evaluated for pursuit termination.
- If it appears that a pursuit has a potential to cross into another jurisdiction, the affected agency shall be promptly notified by Communications and given all available data regarding the pursuit.

Communications Responsibilities During Pursuit

During a pursuit, good communications between the pursuing unit(s), communications, the appropriate supervisor and other units are essential. The pursuing deputies shall

- Maintain radio contact with Communications
- Keep radio transmissions as brief as possible
- Keep radio transmission pertinent to the pursuit and advise locations and changes in direction
- If communication is lost between the primary unit and Communications or supervisor, the pursuit may be terminated.
[CALEA 41.2.2 E]

Conduct of the Pursuit

The initial pursuing vehicle (primary pursuit unit) and one backup vehicle (secondary pursuit vehicle) shall normally be the only ground units necessary to pursue a fleeing vehicle.

The secondary pursuit unit shall not follow too closely, and will not attempt to pass the primary pursuit unit unless the primary pursuit unit is forced to drop out.

Pursuing units shall;

- Not pass or attempt to pass other units involved in the pursuit.
- Maintain adequate spacing between units to ensure proper braking and reaction time.
- Not drive on the wrong side of the road or in the wrong direction to overtake or pursue a violator.
- Not use roadblocks unless authorized by the pursuit supervisor in accordance with policy on the *Use of Tire Deflation Devices* (see policy below).
- Not use their vehicle to bump or ram a suspect's vehicle.
- Not pursue on parallel streets unless directed by the pursuit supervisor.

- Take reasonable precautions when proceeding through intersections to avoid crashes with other vehicles not involved in the pursuit.

Route Staging: Non-pursuing units may stage along the pursuit route in the event assistance is needed when the pursuit is terminated, but shall not engage in the pursuit as it passes their location.

Leading Pursued Vehicle Prohibited: No Monroe County Sheriff's Office unit shall lead/escort/block a pursued vehicle, at any speed, by driving in front of the suspect vehicle.

Use of Firearms/Weapons During a Pursuit

Deputies shall not shoot from or at a moving vehicle or use any device, chemical agent, or technique that may incapacitate the driver of the suspect vehicle except under the following circumstances:

- As a last resort to prevent imminent death or serious physical injury to the deputy or other person(s), or
- As a last resort to apprehend a suspect who has just committed a felony resulting in a death or serious physical injury, and
- There is a high probability of striking the intended object, without causing harm to innocent persons.

Deputies will not fire their weapons at tires in an attempt to deflate the tires.

Termination of the Pursuit

The primary pursuit unit will continually re-evaluate and assess the pursuit situation, including all the initiating factors, and will terminate the pursuit whenever he/she reasonably believes the risks associated with continued pursuit are greater than the public safety benefit of making an immediate apprehension.

A pursuit will be terminated if the suspect's identity is determined, immediate apprehension is not necessary to protect the public or deputies, and apprehension at a later date is feasible.

A supervisor may order the termination of a pursuit at any time.

The primary and secondary deputy may terminate a pursuit if it becomes evident the suspect cannot be apprehended when the distance between the pursuit vehicle increases to the extent that pursuing units can no longer keep pace with the fleeing vehicle.

The primary and secondary deputy may terminate a pursuit if the pursuit vehicle loses visual contact with the fleeing vehicle to the extent identification of the fleeing vehicle becomes uncertain.

The primary and secondary deputy may terminate a pursuit if the pursued vehicle goes the wrong way on limited access, divided, or interstate highways.

When any pursuing or secondary unit is directed by a supervisor to terminate or disengage from a pursuit the unit is to immediately:

- Turn off emergency lights and siren.
- Reduce speed to the posted speed limit
- Take no further aggressive driving maneuvers to keep pace with or sight of the suspect vehicle, and allow the suspect vehicle to proceed without being followed.
- Abide by legal driving behavior.
- May include pulling off the road.

No disciplinary action will be brought against the deputy or supervisor for terminating a pursuit. [CALEA 41.2.2 g]

Pursuits from Monroe County into Miami-Dade County (cross jurisdictional pursuit)

The pursuing deputy will notify Communications when it is likely that a pursuit will continue into a neighboring jurisdiction or across the county

line. Communications will notify the approaching jurisdiction and provide the following information:

- Vehicle and suspect description
- Details of the charge initial reason for the pursuit and any known charges or warrants
- Any available data on the vehicle pursuit, such as length, speed, and suspect's displayed driving skills and any known weapons or other threats to officer safety.

The jurisdiction into which the vehicle pursuit is traveling is responsible for determining if they will assist with the pursuit.

The pursuit supervisor may approve pursuits across county lines per policy and FS 901.25 [CALEA 41.2.2]

Pursuits Entering Monroe County

When a pursuit enters Monroe County, the action of officers will be governed by the policy of the officer's own agency, specific inter-jurisdictional agreements, and state law as applicable.
[CALEA 41.2.2 H]

Assistance Requested From Other Agency (AOA):

If supervisors are notified by Communications that the pursuit from another agency is about to enter MCSO jurisdiction, the supervisor will decide if assistance is needed by the pursuing agency.

When a determination is made, the supervisor may assign added vehicles as specified in the *Authorized Pursuit Vehicles* section above.

Supervisors will not authorize a new pursuit if the pursuing agency canceled their pursuit. Supervisors must have further information to justify renewing the pursuit.

Under no circumstances will supervisors violate policy when assisting another agency.

Forcible Stops to Apprehend Fleeing Vehicles

Offensive action should be employed in areas where there is minimum safety risk to the public

and which is tactically advantageous for the pursuing deputies.

When it is necessary to stop a fleeing vehicle, because;

- The subject will not voluntarily stop,
- The subject cannot be positively identified and apprehended at a later time, and
- There is a danger to the public at large if the subject is not immediately apprehended

forcible stopping techniques may be necessary and should be employed in a lesser to greater use of force unless circumstances dictate otherwise.

Authorized Method of Forcible Stops

- Tire deflation devices
[CALEA 41.2.3 A]

A deputy who has been trained in the use of an approved tire deflation device may deploy the device in an attempt to disable a fleeing vehicle only if authorized by the pursuit supervisor.

Use of Tire Deflation Devices:

Tire deflation devices shall not be used on two wheeled vehicles such as motorcycles, or when innocent passengers are likely to be injured.

Deployment locations should have reasonably good sight distance to enable the deploying deputy to observe the pursuit and other traffic as it approaches.

The deploying deputy should choose a location with natural barriers such as overpasses, guardrails, bridge abutments or shrubbery. The barrier will conceal the deputy from the suspect's view and allow deployment of the device from a position of relative safety.

The deploying deputy and the pursuit deputy shall ensure, and acknowledge over the radio, that they are positioned so the suspect drives over the device and it is removed before the pursuit units cross it.

Once the suspect's vehicle passes over the device, the device will immediately be removed from the roadway to prevent damage to vehicles not involved in the pursuit and pursuing patrol vehicles.

The devices shall be secured in strategic locations throughout the county and shall be accessible to deputies trained in their use.

Use of Tire Deflation Device Reporting Requirement: If deployment of a tire deflation device results in contact with a pursued vehicle, the use of the tire deflation device must be reported in the vehicle pursuit report in the SmartCop Records Management System.

Authorization Level:

The Pursuit Supervisor may authorize deployment of a tire deflation device if the deploying deputy has received training on the proper use and deployment of the device.

Prior to authorizing a forcible stop, the supervisor must weigh the nature of suspected offense, road conditions, traffic conditions, potential area of deployment, and other factors affecting safety of the public at large, injury to the suspect and deputy(s).

The Bureau of Law Enforcement Chief, Undersheriff and/or Sheriff will be immediately notified of all uses of forcible stop techniques as soon as possible after deployment by the pursuit supervisor.

Anytime a technique to forcibly stop a fleeing suspect, is used a full written report will be completed providing necessary probable cause and a full account of the incident.

The only authorized method of forcible stops is the deployment of tire deflation devices.

PROHIBITIONS:

ALL other methods of forcible stops, such as but not limited to, channeling, pinning, rolling road blocks, total road blocks, are expressly PROHIBITED by the Monroe County Sheriff's Office.

APPREHENSION OF SUBJECTS:

After the pursued vehicle is stopped. The primary pursuit vehicle will advise Communications of:

- The exact location of the stop, vehicle's tag number if not already provided, number of occupants in custody and if any occupants have fled the scene.
- Any other assistance needed at the termination point such as rescue units, other vehicles and supervisors.

The pursuit supervisor will respond to the termination location to assume incident command, and insure all needed actions are completed and all appropriate notifications are made.

If the pursuit terminates in another jurisdiction outside of Monroe County, the pursuit supervisor will respond to assist the jurisdiction's chief ranking officer in managing the incident scene.

After arrests are made and needed assistance is rendered, unneeded vehicles will return to their area of assignment and resume regular patrol duties.

TRAINING REQUIREMENT

Training will be provided in the deployment of the tire deflation device technique as established by the Training Division and the manufacturer's recommended use.

ONLY DEPUTIES TRAINED IN THE USE OF TIRE DEFLATION DEVICES ARE AUTHORIZED TO UTILIZE THIS FORCIBLE STOP TECHNIQUE.[CALEA 41.2.3 C]

AFTER ACTION REPORTING

Anytime a pursuit is initiated and is later terminated by either the initiating deputy or a supervisor, the pursuit shall be documented on an offense report. Each deputy involved in the pursuit shall document his/her actions within the offense report.

Documentation may include, but is not limited to:

- Name(s) of pursuing deputy(ies) and supervisors involved
- Reason for the pursuit
- Place of origin
- Route of travel
- Length of pursuit (in distance and time)
- Point of termination
- Suspect's name, if apprehended
- Injuries and/or damage that occurred as a result of the pursuit;
- Any medical treatment rendered, and
- Any other noteworthy data or findings

This annual review is to be completed and forwarded to the Bureau of Law Enforcement Chief. Upon review by the Bureau of Law Enforcement Chief, the report will be forwarded to the Sheriff via chain of command.
[CALEA 41.2.2 I, J] [CALEA 41.2.3 E]

PURSUIT REVIEW

All pursuits and forcible stops shall be reviewed at the soonest practical Law Enforcement Bureau Staff meeting by commanders present.

The Chief of the Bureau of Law Enforcement or his or her designee shall chair the pursuit review.

The facts and circumstances shall be reviewed to ensure the pursuit was in compliance with Monroe County Sheriff's Office policy.

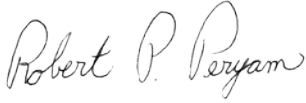
Policy violations identified and recommended discipline shall be documented by the deputy's commander on a DAF/SR form.

Discipline shall follow existing MCSO policy.

The Special Operations Unit Commander shall conduct an annual documented analysis of all pursuit reports to identify trends and issues needing to be addressed by the Office and recommend any additions, deletions, or modifications warranted in this policy.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 32		TITLE: Patrol
EFFECTIVE DATE: January 2, 2013	NO. PAGES: 24	AMENDED: December 26, 2012
REFERENCE: CALEA: 41.1.1,41.1.2,41.1.3,41.2.1,41.2.4,41.3.1,41.3.2,41.3.3,41.3.8,42.2.3, 46.2.1,55.2.6,61.3.3,81.2.4 CFA: 22.0.4, 24.03		RESCINDS:
 _____ Sheriff of Monroe County		

I. PURPOSE

The purpose of this directive is to establish guidelines for the patrol component and various patrol functions for other components.

II. DISCUSSION

This directive shall apply to all personnel. It is the policy of the Sheriff that the function and responsibility of the Patrol component be:

III. The Protection of Life and Property

1. Preserve Public Order
2. Enforce the Laws of Florida
3. Enforce the Ordinances of Monroe County
4. Prevent and Suppress Crime
5. Apprehend Violators of the Law
6. Performing Preventive Patrol
7. Traffic Direction and Control
8. Community Improvement Through Involvement

IV. POLICY AND PROCEDURE

A. Patrol Function

The Patrol function of law enforcement goes beyond patrolling the streets. Patrol work involves extensive crime prevention duties, criminal investigations, traffic enforcement, community improvement projects and an element of any other line activity carried out by field personnel. Patrol deputies play the leading role in the accomplishment of the law enforcement mission. The objectives of the Patrol Deputy in his/her specific area shall include:

1. The answering of requests for service

2. The investigation of all misdemeanors and some felony cases to completion, unless otherwise assigned to the Criminal Investigations Unit
3. The follow-up investigations of all misdemeanors and assigned felonies in the specific assigned area unless otherwise assigned to Criminal Investigations Unit
4. The service of criminal warrants in the specific area
5. The service of criminal summons in the specific area, if assigned
6. Conducting "Property Checks"
7. Meeting and becoming familiar with the proprietors of business establishments in the Deputy's specific zone.
8. Meeting and becoming familiar with the school officials in the Deputy's specific zone
9. Becoming familiar with "Normal" business operations and procedures within the Deputy's specific zone
10. Become familiar as to knowledge of any criminal element residing in the Deputy's specific zone
11. Be aware of all students suspended or expelled from school who reside in the Deputy's specific zone
12. Perform preventive patrol in the specific zone
13. Enforce traffic laws
14. Meet the citizens residing in his/her specific zone, as opportunity presents itself, and note any requests the citizen may have
15. Respond to back-up when directed
16. Check businesses for security and inside illumination during their closed hours

B. Exchange of Information

The proper exchange of information is vital to good law enforcement. To maximize communication, coordination and cooperation between the various components of the Office and the Patrol component the following shall occur:

1. Detectives and Detective Supervisors shall periodically attend Patrol roll calls.
2. Daily bulletins shall be exchanged between Patrol, Criminal Investigation, Vice and Organized Crime, Special Operations, Juvenile Operations, and Intelligence.

CALEA 42.2.3

C. The Patrol component shall provide twenty-four (24) hours-a-day, 365 days-a-year law enforcement response in all areas of Monroe County, Florida. During periods of shift change, patrol coverage shall not be reduced.

41.1.1 (A) CALEA

D. Assignment and Deployment

1. Patrol shifts in each Sector rotate weekly. Patrol shifts are designated as day or evening/night shift. Patrol deputies and supervisors work a twelve (12) hour shift.

41.1.1 (B) (C) CALEA

2. Patrol operates on a four-squad system, two day squads and two night squads. The shift supervisor will ensure that units are available to respond to calls for service from roll call if necessary. If staffing is available coverage achieved by over-lapping shift reporting times is preferred.

41.1.1 (B) CALEA

3. A weekly cycle starts with two days on, then two days off, then three days on. The following week the cycle is reversed. This allows for a three day weekend every other week.

41.1.1 (B) (C) (F) CALEA

4. Each day of the week is designed to maintain equal coverage; however, if certain events or situations arise that require extra patrol on certain days of the week, it is within a zone commander's authority to rearrange patrol deputies' days off in order to provide adequate coverage.

Persons assigned to administrative duties, investigations, or to specialized units or teams will work a schedule determined by their respective commander. Such rearrangements must be made in compliance with the Fair Labor Standard Act.

41.1.1 (B) (F) CALEA

5. Patrol Members are assigned to patrol shifts based on vacancies in a particular shift. It is, however, within the Sector Commander's authority to approve patrol members changing shifts for the purposes of:

- a. Furtherance of a Member's formal education
- b. Family problems
- c. Health problems
- d. Personal reasons approved by the Commander

41.1.1 (B) CALEA

6. Patrol Zones

- a. Patrol members should be assigned to a particular patrol zone based upon:

- 1) The member's knowledge of the geographical area
- 2) The member's knowledge of the population
- 3) The member's knowledge of businesses and proprietors
- 4) The member's community involvement within the zone

41.1.1 (D) CALEA

- b. This is not always possible due to holidays, vacations, day(s) off and sick days. However, such knowledge based assignment should be made as much as possible.

41.1.1 (D) CALEA

- c. There is no particular rotation practice of patrol zone assignments.

41.1.1 (D) (E) CALEA

- d. Patrol members lacking a knowledge of any particular zone or to gain knowledge of other patrol zones may be assigned different patrol zones to gain that knowledge.

41.1.1 (D) CALEA

E. Span of Control

To help insure adequate supervision, guidance, and coordination, Patrol Sergeants shall not be assigned more than twelve (12) individuals collectively to supervise.

F. Roll Call

1. At the beginning of each shift (including special functions such as, football games, parades, roll call for specialized units, etc.) the Commanding Officer in charge and/or the Sergeant will conduct roll call. The objectives of Roll Call are: [CALEA 12.1.4]

41.1.2 CALEA

- a. Briefing Members with information regarding daily patrol activity, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles and major investigations.
41.1.2 CALEA
 - b. Notifying Members of changes in schedules and assignments.
41.1.2 CALEA
 - c. Notifying Members of new directives or changes in directives.
41.1.2 CALEA
 - d. Evaluating Members' readiness to assume patrol / law enforcement duties.
41.1.2 CALEA
 - e. Providing Members with roll call training.
41.1.2 CALEA
2. Members shall become aware of activities in their areas of patrol, especially upon returning from vacations, illness, etc. Sources for this information include: [CALEA 12.1.4]
- a. Sergeant's Board
 - b. Daily Bulletins
 - c. Crime Analysis Maps and Unit
 - d. Other Member's Roll Call Notebooks
3. The Office issues each member a notebook for recording Roll Call notes and any other law enforcement matters. Roll Call notes will be maintained for a minimum of 180 days. Members will bring their notebook to Roll Call and write down all information relating to law enforcement matters of importance. Notebooks shall be routinely inspected by supervisors.
4. It is each member's responsibility to be prepared for Roll Call by:
- a. Being present at the required time
 - b. Being ready for inspection
 - c. Being properly equipped
 - d. Wearing the proper uniform of the day
5. Each member shall report to his/her Sergeant. Any information regarding law enforcement hazards, updated crime information, etc. that will be of interest to the oncoming shift.
6. A designated Roll Call Log Book is to be used for every roll call regardless of the number of deputies attending. Only in an extreme emergency will an officer be excused for roll call. The Roll Call Log Book will be filled in by the Shift Sergeant who is conducting the Roll Call.
- a. The following entries will be mandatory:
 - 1) Officers attending will be listed
 - 2) Zone assignment will be indicated for each officer
 - 3) Officers who do not attend will be listed and the reason why they were not present
 - b. Issues to be discussed / reviewed will be indicated. Some of the issues to be covered are listed below:
 - 1) BOLO's / Wanted Persons
 - 2) Active Burglary Areas
 - 3) Active Burglars
 - 4) Traffic Problem Areas
 - 5) Road Construction Sites
 - 6) Vacation Checks
 - 7) Compensatory Time to be Taken

- a. Arriving at or leaving the scene of an incident;
- b. Before leaving the patrol car;
- c. Upon making vehicle or pedestrian stops being sure to give:
 - 1) location;
 - 2) description; and
 - 3) registration, make and color of vehicle.
- d. When calling in and out of service.

[CALEA 81.2.4 A]

- 4. Whenever a member of this Office wishes to communicate by radio to another law enforcement agency within the jurisdiction of Monroe County, he/she shall notify Communications he/she will temporarily be on Channel Four (4). For example, once on Channel Four (4), the member shall identify himself/herself as "Monroe County ID # to Key West Police Department on Channel Four (4). Once acknowledged, the member shall once again notify Office Communications he/she has returned to the normal operating channel.

[CALEA 81.2.4 A, D]

I. Member Response to Incidents

Generally, most calls for service or incidents arising can be adequately handled by a single member. However, some calls may require several members to deal effectively and safely with the situation. In the following instances, two or more members shall be dispatched:

- 1. Where there is a potential for an assault on a member.
- 2. Where there is potential for an on-scene arrest for a felony or a violent misdemeanor.
- 3. Where there is likely to be resistance to arrest.
- 4. Where there is anticipation for the use of force.
- 5. Where there is a crime in progress.
- 6. Where there is a fleeing suspect or prisoner.
- 7. Where the Supervisor determines, based on the nature of the situation, more than one member is required at the scene.
- 8. Where specialized assistance is required the supervisor shall be notified and request the necessary specialized assistance. A perimeter shall be established to secure the scene, consideration given to persons needing emergency medical care, gather information critical to responding special units and case investigation and limited escalation of the incident till assistance arrives.

[CALEA 46.2.1 A], [CALEA 81.2.4 E]

J. Preliminary Investigations

Refer to Chapter 34.

K. Field Interview Reports

The field interview is a means of collecting, preserving and disseminating information about suspicious activity of individuals and/or vehicles. Deputies making temporary stops of individuals or vehicles for the purpose of conducting an investigative interview, may detain a person if the Deputy has reasonable suspicion that the person is committing, has committed, or is about to commit a crime. The right to detain applies to both pedestrians and vehicles and may be exercised upon reasonable suspicion of any crime.

Reasonable suspicion is more than a hunch and must be based on articulable circumstances, but is less than the probable cause necessary to effect an arrest. Reasonable suspicion coupled with the Deputy's experience, may justify a belief that the person to be stopped has committed, is committing or is about to commit a crime. Elements which may establish reasonable suspicion include, but are not limited to, the following:

1. The person fits the description of a suspect wanted for committing a crime.
2. The vehicle fits the description of a vehicle used to commit a crime.
3. The person flees at the sight of a Deputy.
4. The person or vehicle is seen leaving the area of a crime.
5. The person is behaving or maneuvering a vehicle in a manner indicating criminal activity.
6. The time of day or night.
7. The type of neighborhood or physical surroundings.
8. The Deputy's prior knowledge of the person or his/her criminal record.
9. The location where the person or vehicle was observed - A person or vehicle stopped may be detained for a reasonable period of time. Deputies should detain a person only for the length of time necessary to obtain identification or an accounting of the person's presence or conduct. The person should be released as soon as the interview is completed, unless probable cause to arrest develops. He/she may only be detained at or near the scene of the stop and not moved to another location without his/her consent. The United States Constitution guarantees an individual the right to refuse to answer questions.
10. A Field Interview Report shall be initiated when:
 - a. Persons or vehicles are observed acting in a suspicious manner or are involved in suspicious circumstances.
 - b. Persons or vehicles are observed in suspicious circumstances in high crime areas.
 - c. Contact is made with known criminals.
11. Initiation of Field Interview Reports shall be based on the experience and initiative of the individual Deputy making the observation.
12. Caution shall be exercised by initiating Deputies as to the Constitutional rights of individuals being interviewed.
 - a. Justification must be established as to why this particular individual is being interviewed.
 - b. Delay of the individual or vehicle must be kept to a minimum unless probable cause exists to effect an arrest.

13. Upon completion of the Field Interview Report, the originating Deputy shall submit the report to his/her Sergeant. The Sergeant shall submit the original to the Lieutenant. The Lieutenant shall forward a copy to the Crime Analysis Unit and another copy to CJIS Data Entry.
14. The Field Interview Report form is located in Chapter 90.

L. Informants

Patrol Deputies are encouraged to develop informants who will assist in bringing violators of the law to justice. **If an informant is developed by a Patrol Deputy, that Deputy shall contact the Special Operations Division, and follow the procedures in Chapter 34, Part H of these General Orders.**
Revised 08/07/09

M. Vehicle Operations

1. Take Home Car Program

- a. The Sheriff's Office has a Take Home Unit (car) program for law enforcement certified (excluding Court Security Deputies), necessary corrections certified and other necessary, by job function, members. (Revised 1/9/12)
- b. The member must have and maintain a valid Florida driver's license.
- c. Certified members, while in the FTO Program, shall only be assigned a take home unit after demonstrating to their Commander's satisfaction that they understand laws and regulations and can address any situation if it arises until assistance can arrive. The Sector Commander shall document this in the FTO Manual.
[CALEA 41.2.1]
- d. Non-certified members will only be assigned an unmarked unit
- e. Limitation on use of assigned unit for commute to and from work - To limit excessive expense, wear and tear on Office owned vehicles the following restrictions are being placed on work commute use. Members hired on and since March 6, 2006 are bound by this policy limitation on use of assigned unit. (Revised 02/27/12)

1) Members assigned to Sector's 1, 4 and 5

- a) May use the unit anywhere in Monroe County.
- b) If the member lives outside of the county the unit must be parked at the Plantation Key Substation (Roth Building) and the member must commute to and from home from there.
- c) Their commander must approve any other location the member wishes to park their **assigned** unit within the county.

2) Members assigned to Sector's 6 – 7

- a) May use their unit anywhere in Monroe County
- b) If the member lives outside of the county the member may drive the unit as far north as the Snapper Creek Service Plaza on the Florida Turnpike Extension.
- c) Members living south of the Snapper Creek Service Plaza may keep the unit at their residence.
- d) Their commander must approve any other location the member wishes to park their assigned unit south of the Snapper Creek Service Plaza.
- e) The unit may not be used for any personal business or recreational use while outside of the county.

(Revised 4-21-2006)

- f. Members hired prior to March 06, 2006 are bound by previous policy which states:
Members who choose to live in Miami-Dade County are permitted to drive their assigned unit to and from work or work related function. The unit cannot be taken further than 50 miles from the county line on US1. If they live further than the 50 mile limit they may park the unit at an approved location while it is not in use, i.e. Florida Highway Patrol Station –Turnpike Snapper Creek Service Plaza.
(Revised 02/27/12)
- g. Member Responsibility
- 1) Members assigned a vehicle are responsible to maintain it in duty ready status. Failure to accomplish this may result in the loss of the assigned vehicle. Duty Ready Status is accomplished by;
 - a) Maintaining operating fluids at the proper levels at all times.
 - b) Maintaining proper air levels in the tires at all times.
 - c) Maintaining an adequate level of fuel at all times.
 - d) Maintaining a clean exterior
 - e) Maintaining a clean interior, free of food, drink spills, food or drink containers, cigarette, cigar or other tobacco item waste, paper or general trash.
 - f) Ensuring routine maintenance is performed per scheduled requirement.
 - g) Ensuring routine or emergency repairs are performed as necessary.
 - 2) Members assigned a vehicle are required to operate the vehicle in accordance with all applicable traffic laws and regulations of the jurisdiction they are in during operation.
- h. Off-Duty Use
- 1) No person will operate a Sheriff's Office vehicle within eight hours of consuming an alcoholic beverage.
 - 2) Members must check in-service with communications and advise their status, projected destination and out-of-service when appropriate.
 - 3) All members must be properly attired when operating an Office vehicle. Especially certified members who may be required to take enforcement action at any time.
 - 4) Non-certified members may not operate any marked unit, except in the case of an emergency. Nor are non-members allowed as passengers in marked units, unless for official business.
 - 5) Non-certified members are permitted to operate unmarked units and civilian passengers are permitted as passengers.
 - 6) Sheriff's Office vehicles will not be taken out of the county except on official business or to commute to and from work as permitted under "M., 1., e. Limitation ..." above.
 - 7) Members assigned a vehicle who reside in Monroe County may use the vehicle for general personal business, such as shopping, etc... within the restrictions in "5 & 6" immediately above. Members assigned a vehicle who reside outside Monroe County may not use the vehicle off duty for general personal business.
 - 8) Assigned vehicles shall not be used for, or to commute to or from, Off-Duty employment, as defined in Chapter 23 of the General Orders.
(Revised 12/26/12)

9) Assigned vehicles may be driven to and from Extra-Duty Details, as defined in Chapter 23 of the General Orders, only if the Extra-Duty Detail has been approved in advance by the District Special Detail Coordinator (DSDC). **(Revised 12/26/12)**

i. Taxable Usage – certified members who are issued an Office vehicle are given a tax exemption for those vehicles if they meet certain criteria.

1) Marked Units.

a) The marked unit may only be used outside the county on Official Sheriff's Office business.

b) Should the issued vehicle be utilized outside the county and is not being used for Office business, this may invalidate the exemption for the entire year.

2) Unmarked Units – The unmarked unit must meet four (4) requirements to establish the tax exemption.

a) The unmarked unit must be driven by a Sheriff's Office member.

b) The personal use be must be authorized by the Sheriff.

c) The use must be incidental to law enforcement use (i.e. the officer must be available for calls).

d) The use of vehicles for vacation or recreation is not permissible.

2. Spare Units

a. When spare units exist the respective Station Commander is responsible for the routine maintenance of that vehicle.

b. When a member uses a spare unit that member is responsible to return the unit to storage after use in a duty ready status (i.e. fuel tank full, fluids at the proper level, tires properly inflated, battery, lights, etc... are check and in good working condition). If any necessary repairs are noted the employee is required to notify the Station Commander so repairs can be made.

3. Request For Sheriff's Office to Stop – Sheriff's Office members, when directed to stop by another law enforcement officer and/ or agency shall:

a. Immediately stop, regardless of assignment.

b. Clearly identify self and activity unless such declaration would nullify or hinder a criminal investigation.

c. Provide the stopping officer with requested information or documentation.

d. When the operator of a Sheriff's vehicle continues to be detained by another law enforcement officer (agency), advise communications of the circumstances and request a supervisor to report to the scene of the detention.

4. Routine Vehicle Operation

a. Under normal non-emergency- operating conditions, and while responding to routine calls for service members shall strictly adhere to all traffic laws, and shall drive defensively in a safe and courteous manner.

- b. Operators of Sheriff's vehicles shall exercise a greater than ordinary degree of care while backing.
- c. Seat belts shall be worn. If seat belts are not worn, injuries from accident may not be covered by Worker's Compensation.

[CALEA 41.2.1]

5. Emergency Vehicle Operation

- a. Sheriff's members may engage in emergency vehicle operation in accordance with Florida law when responding to an emergency.
- b. The provisions of this procedure and Florida law do not relieve the operator of a Sheriff's vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the operator of a Sheriff's vehicle from the consequences of careless disregard for the safety of others.
- c. Sheriff's vehicles engaged in emergency operations shall utilize emergency lights. The siren shall be used to warn vehicle and pedestrian traffic along the emergency route. Hazardous warning lights, the spotlight, headlights, and public address system may be used as additional safety measures during emergency operations.

[CFA 22.04M A B, C, D, E]

- d. When engaged in emergency operations, the operator of a Sheriff's vehicle shall exercise extreme care. Wearing of seat belts is mandatory at all times for the driver and occupants of the vehicle.
- e. In accordance with Florida law, Sheriff's vehicles engaged in emergency operations may:
 - 1) Exceed the maximum speed limit so long as life or property are not endangered. Speed shall be limited by road and weather conditions and the exercise of good judgment.
 - 2) Proceed past a stop signal or stop sign, but only after slowing or stopping as necessary for safe operation. Sheriff's vehicles shall not enter controlled intersections against the directed flow of traffic at a speed greater than fifteen (15) MPH and shall be sure that cross-traffic flow has yielded in each lane before attempting to cross that lane.
 - 3) Disregard regulations governing direction of movement or turning direction, so long as life or property are not endangered.
 - 4) Disregard regulations governing parking laws under normal circumstances, except that a Sheriff's vehicle shall not block access to a fire hydrant at a fire scene, or in any way obstruct the passage of fire apparatus.
- f. Sheriff's vehicles shall not be parked in roadways or traffic lanes except when necessary to protect accident scenes or injured persons.
 - 1) Use of Sheriff's vehicles to protect accident scenes or injured persons shall be signaled by the activation of emergency lights, flares, or other appropriate warning device.

[CFA 22.04M A]

- 2) When use of Sheriff's vehicles for protection of accident scenes or injured persons is necessary flairs shall be placed in the roadway between the Sheriff's vehicle and approaching traffic as soon as possible.
- 3) Sheriff's vehicles shall not be used to protect minor accident scenes.
- 4) Sheriff's vehicles shall be removed from roadways as soon as possible.

- g. Emergency operation of Sheriff's vehicles shall be immediately reported to communications.
- h. Operation of Sheriff's vehicles shall immediately terminate emergency operation when it is no longer necessary or ordered to do so by a superior authority.

[CALEA 41.2.1]

6. Traffic Stops

- a. Sheriff's personnel making a traffic stop shall inform Communications in a manner which enables the Communications officer to copy the information that a vehicle is being stopped, the location and a brief description (color, model, year, tag) of the vehicle being stopped.
- b. Operators of Sheriff's vehicles making a traffic stop shall make every effort to direct the violator to a suitable stopping point where normal traffic flow will not be impeded.
- c. Use of private driveways, gas stations (when open), or other areas providing access to business establishments shall not be used for traffic stops when avoidance is possible. When private property is used for a traffic stop, care shall be taken to avoid inconvenience to property owners or patrons.
- d. When stopping traffic violators in residential areas at night, flashing emergency lights may be turned off if there is no traffic hazard or need to signal location to other Sheriff's units.

[CALEA 41.2.1] [CFA 22.04M A]

- 7. Emergency Escort of Civilian Vehicles - Emergency escort of civilian vehicle is prohibited. Should a civilian request a medical emergency escort, the Deputy shall summon an ambulance for treatment and/or transporting of the injured or ill person. The MCSO does not escort emergency vehicles.

[CALEA 61.3.3]

[CALEA 41.2.1] [CFA 24.03 G]

- 8. Emergency Medical Transportation - In an extreme medical emergency, it may become necessary for a Deputy to transport the injured or ill person to a treatment facility in a Sheriff's vehicle. Such transports shall be approved by a supervisor.

[CALEA 41.2.1] [CFA 24.03 C]

N. Bank Alarm Response

1. Background Information

- a. Paramount to establishing as near to a "FAIL SAFE" program as possible is the acceptance and understanding by all members of the potential risk in any alarm situation. Underscored is the personnel safety of responding law enforcement members, banking employees, innocent bystanders, vehicular traffic and generally all citizens of Monroe County.
- b. To implement an effective program, adherence to the procedures set forth in this general order is critical for both the Monroe county Sheriff's Office and the financial institution alarm users.
- c. Our Crime Prevention Unit will be the liaison with the banks, savings and loan associations, and other alarm users to ensure their compliance and continuing cooperation, particularly as to notification of changes in security authorized personnel, code phrase changes, etc.
- d. Historically, as a nation's economy falters with continuing inflation and rising unemployment, significant increases occur for bank robberies, attempted hold-ups and burglaries. Therefore, it is timely to emphasize and implement as standard county-wide program at this time.

2. Dispatcher Response

- a. When a call is received by telephone:

- 1) Get the basic information and keep the caller on the line.
- 2) Dispatch a patrol unit and backup.
- 3) With the caller still on the line, get as much information as soon as possible, and communicate same to field units.

3. When an alarm board activated (financial institutions) during normal banking hours (0800 to 1700 hours):

- a. Dispatch a patrol unit and backup.
- b. Call the bank and state: "I would like to check on cash letter number 36 or whatever number is used on the code phrase (this number will change from time to time). At that time, the bank employee who answers the phone knows who to put on the phone to give you the information you need.
 - 1) If no response to the phone is received or the named official cannot be contacted, it will be assumed that an in-progress condition exists.
 - 2) When speaking with the named official, the code phrase should be given by the official. If this is not done properly, assume that there is an in-progress condition.
 - 3) If the code phrase is given correctly, cancel the back-up unit and reduce the responding patrol car to a routine response. Obtain a description of the clothing that the named official is wearing and request him/her to meet the Deputy at the designated meeting location outside the bank.
- c. Relay the description information to the responding Deputy.
- d. If the official does not meet the Deputy at the designated meeting place in a reasonable length of time (three minutes), it will be assumed that an in-progress condition exists.

4. False Alarm Situation

- a. If a financial institution phones the Sheriff's office advising their alarm was set off or activated in error, the following procedures are performed by the named bank employee. He/she will phone the Sheriff's Office giving the following information:
 - 1) Alarm number.
 - 2) Name of bank or savings and loan.
 - 3) Branch office location or address.
 - 4) Name of person calling us.
 - 5) Code phrase.
 - 6) Agree to meet Deputy outside at the designated place listed on the bank alarm information card.

DO NOT UNDER ANY CIRCUMSTANCES ASK FOR THE CODE PHRASE. FAILURE TO GIVE THE CODE IS OUR ALERT TO AN IN-PROGRESS CRIME.

- b. The zone Deputy is to continue to respond as expeditiously as possible and prepare for the tactical response to an in-progress situation.
- c. Some institutions have their alarm systems activate one or more lobby cameras. The relays and/or operation mechanisms can be heard and may alert a perpetrator to phone himself, claiming false alarm, further aggravating an inside duress situation.

5. Code Phrases

- a. The use and knowledge of bank identifier code phrases must be considered highly classified information. Access will be limited to authorized financial institution officers and employees, and in the Sheriff's Office, duty sergeants and communications section only. Auxiliary Deputies and Sheriff's office cadets are not included in this program.

- b. The theory of code phrases, alpha-numerics, and techniques is not new and is currently in various degrees of use throughout the nation. However, reliability is most often impaired by inconsistent application, lack of written policy standards to all users, improper training of new employees by all users, complacency, and downgrading impropriety relative to the day to day operations.

6. Bank Alarm Maintenance Checks

- a. If the commercial alarm company makes a routine equipment check from the bank or the bank itself phones in to check their alarm stations (they should perform this monthly or as recommended by the manufacturer), they will telephone our communications sections identifying properly, including code phrases. Once again, this could be a well planned bank robbery and an attempt to abort any law enforcement interference. The code phrase is vital.
- b. If the communications officer is satisfied as to the validity of the call, keep the phone line open while their alarm is tripped, functioning properly or not, and then reset. They may test more than one teller or desk station in the progress, but normally not lasting more than five or six minutes.
- c. If the communications officer is not satisfied with the response or if the code phrase is not given, a Deputy will be dispatched to the scene.

7. Field Unit Response

- a. Assigned units will respond, emergency lights and siren until reaching the proximity of the alarm site at which the siren can be heard. At that point, response will be downgraded to a routine response and from that point will be in accordance with all speed and traffic controls.
[CFA 22.04M A,B]
- b. Before arrival in the area, turn off emergency lights and take a position of surveillance of the building, locate all exits.
- c. Responding Deputies will observe traffic in and out of the bank for three minutes or longer as determined by the nature of the activity and total circumstances. After this observation interval, if no suspicious activity is noticed, advise communications. Stay on radio standby.
- d. With Deputy at scene, if communications confirms false alarm status, a bank officer or authorized employee will meet our deputy OUTSIDE at the pre-arranged location.
- e. At the outside rendezvous, the bank employee will identify himself/herself to the Deputy reinforced by general description provided by the communications section. Code phrases are NOT to be used here. The communications section has validated this phrase, thus confining code knowledge to limited users within our internal security network. The communications section will have radioed identifiers to the Deputy as described under Section 1., and 2. Any other means to confirm identify used in field work may be employed.
- f. If the bank employee does not appear outside the bank, the Deputy will REMAIN OUTSIDE and assume a robbery is in progress and transmit this information via radio.
- g. If the responding Deputy observes suspicious activity or if the communications section advises of a robbery / holdup situation, the communication section will notify the criminal investigation section. Deputies will then deploy under the command of the district commander, supervisor and/or senior detective. NO ONE will enter the bank until the bank officer has met with the district commander, supervisor or senior detective at the designated meeting location OUTSIDE the bank. When the officer in charge feels conditions permit, and there is no danger to anyone's safety, the detectives shall enter the building and view the situation.

AT NO TIME DOES A UNIFORMED OFFICER MAKE HIMSELF/HERSELF VISIBLE FROM INSIDE THE BANK OR ENTER A BANK UNLESS DIRECTED TO DO SO FROM A DISTRICT COMMANDER, SUPERVISOR OR SENIOR DETECTIVE DURING ANY SITUATION.

8. Alarm Response Procedure for Off-Duty Hours

- a. When an alarm sounds in the communications section, the dispatcher will dispatch a patrol car and backup unit, notify the bank official whose name appears on the alarm index card, and get a description of the vehicle used by the bank official.
 - b. The code phrase IS NOT required when calling the bank official at home during off-hours. If the alarm is from a bank which we do not monitor in the dispatch office, then their own security monitoring company will contact our dispatch office to let them know that a Deputy needs to respond to whichever bank it is.
 - c. The regular designated meeting location during this situation will NOT be used. After the named bank official has been notified, they are also instructed to meet with the Deputy at a safe location point in front of the bank. If the responding bank official arrives at the location prior to the deputy's arrival, he or she has been instructed to circle the area until they have visual contact with the Deputy to ensure a set-up condition does not exist.
 - d. After the bank official and responding Deputy meet, the bank official will unlock the bank door, and the responding Deputy will search the building for the cause of the alarm.
 - e. If the alarm is from a Nation Bank and everything appears secure and there is no signs of damage, NO BANK OFFICIAL WILL RESPOND. The Deputy will notify dispatch that everything appears secure after checking the outside of the bank and then go in-service. If damage is found, the Deputy will notify the dispatcher, who will contact Nation's security company by using the toll-free number. Nation's Alarm Monitoring Company will contact a responsible party to meet the Deputy and provide any further information as needed. During normal working hours, an official should be at the bank.
 - f. If a bank official does not wish to unlock the door himself/herself, they may give the keys to the Deputy. However, this information must be placed on the radio log.
 - g. If the responding Deputy(s) finds no evidence of a crime present, the bank official will then go in the bank with the Deputy(s) and attempt to locate the reason for the alarm.
- 9.** The code phrases, alpha-numerics will be issued on the first Monday of the month to each bank in each district. A copy will also be provided to each district's communications section and to the Key West Police Dispatcher's Office. NO two banks in Monroe County will have the same code phrase. These codes will go into effect on the first Tuesday of the month.
- 10.** All complaints from law enforcement or banking officials will be directed to the Crime Prevention Deputy as soon as possible after any incident.
- 11.** There will be a staff meeting of the Sheriff's Office Crime Prevention Unit and bank officer's every six months.
- 12.** There will be a training session every 30 days in each district of all new banking employees.
- 13.** During duty hours of the bank, if the Deputy arrives before the code has been cleared, DO NOT GO to the designated meeting location. Park at a proximity location, maintain surveillance until the code has been cleared.

14. On the index cards in the communications section, there will be an identification number next to the named employee name. This identification number will be used by the communications officer only to verify the identity of the person the communications officer is speaking with.

EXAMPLE: You know the voice of Mrs. Ruth Smith, but the voice just doesn't sound like her today. You may verify her identify at any time you feel the need to do so.

15. Reports will be written when:

- a. An actual robbery or extortion occurs.
- b. Any violation of said procedure by either the Monroe County Sheriff's Office or the financial institution.

O. Patrol Vehicle Equipment

1. All patrol cars shall be equipped with the following equipment:

- a. A siren
 - c. Red and blue emergency lights;
 - d. A mobile radio transceiver;
 - e. A first-aid kit with basic emergency medical supplies;
 - f. Two blankets in a suitable container;
 - g. A fire extinguisher;
 - h. Reflector set and/or flares;
 - i. A wrecking bar or other extrication device;
 - j. Jumper cables; and
 - k. Infectious disease kit
- l. In addition, for traffic enforcement cars:

- 1) a marking crayon;
- 2) an Accident Investigation template;
- 3) a clipboard; and
- 4) accident and supplementary report forms.

CALEA 41.3.1, CALEA 41.3.2

2. All patrol cars used in routine patrol shall be conspicuously marked.

CALEA 41.3.1

3. Deputies shall ensure that supplies are replenished as needed by requesting them from their supervisor. Supervisors shall insure that Deputies are maintaining appropriate amounts of supplies in their patrol vehicles during monthly inspections. Supervisors shall obtain supplies from the current inventory, requisitions or purchase orders.

CALEA 41.3.2

4. Vehicle Transfer - Upon completion of the FTO program, all Deputy Sheriffs are assigned a take home vehicle. Any time a deputy wishes to exchange their assigned vehicle for another, other than through normal rotation, MCSO form ops-040 must be completed and approved by the Undersheriff.

P. In-Car-Video Recording (VHS/DVD)

[CALEA 41.3.8]

See Chapter 32G In-Car Video/Audio Recordings.

(Revised 3/23/11)

Q. Computerized Mobile Data

The Monroe County Sheriff's Office has and will continue to use mobile computers in some or all of its vehicles to increase the productivity and effectiveness of its officers. As with the Monroe County Sheriff's Office computers in use at the substations and offices, precautions must be taken to safeguard the security and confidentiality of the information that may be stored on both the mobile computers and the sheriff's office central systems.

1. Mobile computer users will observe the following guidelines:

- a. Mobile computer users will use passwords and other security measures when logging onto the sheriff's office systems.
- b. Mobile computer users will be responsible for the physical security of the mobile computer and wireless connection equipment in their vehicles.
- c. Members shall be responsible for the proper usage of the MCT laptops and the accountability of all associated accessories that are assigned to them.
- d. Normal NCIC/FCIC inquiries shall be conducted by the member using their MCT laptop, unless officer safety is an issue.
- e. All NCIC/FCIC inquiries that indicate a positive hit, such as wanted person, stolen article, domestic violence, or missing person, should be confirmed to assure that the proper interpretation of the hit is valid and confirmed through NCIC/FCIC procedures. A member should not take action solely on the information obtained through MCT laptop until it is confirmed by the NCIC/FCIC operator on duty.
- f. Members shall not operate the MCT while driving. This shall be accomplished by keeping the cover down while the vehicle is in drive.

(Revised 10/4/2011)

R. Safety Belts

The use of seat belts can have a significant effect in reducing the number of deaths and the severity of injuries sustained in a vehicle crash. Increased seat belt usage at all times among members and strict enforcement of the applicable seat belt and child restraint laws remains the single most effective thing the Monroe County Sheriffs Office can do to save lives and reduce injuries on Monroe County Roadways.

1. It is the policy of the Monroe County Sheriff's Office that all members will comply with the requirements of F.S.S. 316.614-Seat Belt Usage and F.S.S. 316.613-Child Restraints, when applicable, while operating or riding as a passenger at any time in an office vehicle.
2. Any sworn member of this agency shall enforce F.S.S. 316.614-Seat Belt Usage while on-duty.
3. Any sworn member of this agency shall fully enforce F.S.S. 316.613-Child Seat Restraints with a zero tolerance while on-duty.

Pursuant to F.S.S. 316.614 (4)(a), it is unlawful to operate a motor vehicle unless each passenger under the age of sixteen (16) is properly restrained by a safety belt or child restraint device pursuant to F.S.S. 316.613. There is NO statutory exception for law enforcement officers transporting juvenile offenders.

4. All Passengers five (5) years of age or younger shall be transported in a crash tested federally approved child restraint device. Such restraint device must be a separate carrier or a vehicle manufacturer's integrated child seat for children age three (3) years or younger.
5. Any member who transports a child in an approved separate carrier, or an integrated child seat shall insure the device is properly installed/attached to the vehicle seat, in compliance with the manufacturer's

recommendations.

CALEA 41.3.3

S. Emergency Notifications

The delivery of emergency messages is a basic and legitimate function of law enforcement. However, restrictive guidelines are necessary in order to insure that Sheriff's personnel are able to operate effectively and perform their daily objectives. Therefore, the procedures outlined herein shall be followed when accepting and delivering emergency messages.

1. Agency Notification

- a. Medical Examiner - The Medical Examiner's Office shall be notified by the Homicide Team.
- b. Public Utilities - Notification of emergency, or hazardous situations involving public utilities shall be made by the on-scene Deputy through Communications. Requests for response shall be made promptly.
- c. Traffic Control / County Maintenance - Notification of traffic hazards requiring immediate attention shall be made by Communications.
- d. News Media - Media notification shall be made in accordance with existing procedures. Refer to Chapter 70.
- e. Department of Transportation - Notification of accidents on bridges shall be made by Communications. (The Department of Transportation must inspect the bridge before it can be opened.)

2. Notification of Individuals

- a. "Attempt to Contact" requests received by telephone or teletype in the Communications Center, which contain a specific location, shall be handled by dispatching a patrol unit to the applicable address.
 - 1) If the patrol unit is unable to locate the individual at the address provided by the complainant, the Deputy shall make inquiries to obtain information which may lead to the whereabouts of the subject.
 - 2) Other resources available to the Deputy, including the resources of the Communications Center, shall be utilized to investigate leads which may develop during the course of interviews.
- b. "Attempt to Contact" requests received by telephone or teletype in the Communications Center, which do not contain a specific address, shall first be researched by Communications personnel.
 - 1) If an address can be located, a patrol unit shall be dispatched to take action as required or to follow through with investigative procedures listed above.
 - 2) If the research efforts of Communications personnel should lead to negative results and a location for the subject cannot be developed through channels available to the Sheriff's Office, the request shall be forwarded to the Shift Supervisor

The supervisor shall review the request to determine if a county-wide alert would be appropriate based upon the nature and magnitude of the request.

- c. "Emergency Message" Request received by telephone or teletype in the Communications Center shall be handled by dispatching a patrol unit to the applicable address with the message.
 - 1) Notification of next of kin involving death, serious injury, or a critical illness shall be accomplished promptly in such a manner as to cause the least discomfort possible to the individual being notified.

2) Notification of next of kin involving death or serious illness, relating to a traffic or criminal investigation being conducted by the Sheriff's Office, shall be made only after approval of a supervisor.

3) All such notification shall be made in person by the originating Deputy or another Deputy as authorized by the supervisor.

[CALEA 55.2.6]

d. Communications personnel shall verify "Attempt To Contact" and "Emergency Message" requests received from private individuals to be true and factual.

1) Verification may require the receipt of an FCIC / NLETS administrative message from a local law enforcement agency or by contacting the appropriate medical or social organization within the jurisdiction of the requestor.

2) Once Communications personnel have verified that the request is legitimate, a patrol unit shall be dispatched.

e. When such a request is received by Sheriff's Office personnel, the requested member shall contact the Communications center and cause a case number to be generated in order to properly document the action.

f. Requests received by mail or telegram shall be forwarded to the appropriate patrol component of the Sheriff's Office for action as indicated by the nature of the request.

g. All notifications to be made outside Office jurisdiction shall be documented, teletyped to the law enforcement agency in that jurisdiction and request that contact be made. A reply shall be requested.

[CALEA 41.2.4]

T. Supervisor Notification and/or Presence Required

1. The on-duty supervisor must be notified by Communications or the member when the following exists:

a. When a member plans to transport a critically sick or injured person in an Office vehicle.

b. When transporting stranded passengers in an Office vehicle.

c. When a vehicle or vessel is to be impounded.

d. Accidents involving hazardous materials.

e. Chase situations.

f. Kidnapping.

g. Bomb, bomb threats.

h. Evacuation of a building.

i. Building search.

j. At the intention to execute a warrant.

k. Any member of the Office is injured.

l. Death notifications.

m. Any occurrence which generated, or has the potential to generate coverage by the news media.

n. When an on-duty Deputy must leave his/her patrol zone.

2. The on-duty Supervisor shall respond to the scene of the following:

a. When an arrestee, complainant, or other citizen requests to have a supervisor present.

b. When any member of this Office or a certified member of another office or department is arrested or there is a potential for such arrest.

c. When a member's family or friends are involved in a situation requiring official action by a member of this Office.

d. When a demented person may be taken into custody.

e. Accidents involving fatalities.

f. Traffic accidents involving on-duty members.

g. Traffic accidents involving an Office vehicle if in the jurisdiction of the on-duty supervisor.

h. Help calls.

i. When a member responds to calls involving terrorist activity, civil disorder, riots, barricaded gunmen, snipers, hostages and suicide threats.

j. When a member responds to calls involving homicides, deaths of questionable cause, serious injury, or major property loss.

k. When a member has used force involving his firearm or resulting in serious injury or property damage.

l. Bank alarm. (When not properly cleared by code)

m. When any person to be charged claims exemption from arrest because of diplomatic immunity or is an elected State or local official.

n. When any member of the Office is injured while on-duty.

o. When more than four (4) members execute a search warrant.

p. A robbery or burglary in progress.

[CALEA 41.2.4], [CALEA 81.2.4 F]

U. Florida Mental Health Act / Baker Act – (Mental Illness Encounters)

V. Handling Intoxicated Persons – Marchmans Act

The handling of intoxicated persons is outlined in Florida law by Florida Statute **397.6772**

(commonly referred to as the Marchmans Act). The purpose of the Marchmans Act is to recognize alcoholism as a disease rather than a crime and to provide treatment for the alcoholic through health and rehabilitative services. This directive section recognizes the fact that every person who becomes intoxicated is not an alcoholic. [CALEA 1.1.3] (Revised 5-13-05)

The purpose here is to establish guidelines, alternatives and duties of Sheriff's Office personnel when dealing with intoxicated persons.

1. Procedures for Handling Intoxicated Persons:

- a.** Under the provisions of the Marchmans Act, public drunkenness is no longer a violation of the law and persons coming under this category may not be arrested and charged as public drunks.
- b.** In the event a member is confronted with a situation where an individual has lost the power of self-control with respect to substance use; and either has inflicted, or threatened or attempted to inflict, or unless admitted is likely to inflict, physical harm on himself or herself or another; or is in need of substance abuse services and, by reason of substance abuse impairment, his or her judgment has been so impaired that the person is incapable of appreciating his or her need for such services and of making a rational decision in regard thereto; however, mere refusal to receive such services does not constitute evidence of lack of judgment with respect to his or her need for such services, and has been brought to the attention of law enforcement or is in a public place, the member shall have the following options for handling the individual.
 - 1)** If the person is posing no threat to himself or to others he may be released to make his own way home.
 - 2)** The member may take the person home if he resides within the member's assigned district.
 - 3)** The member may take the person into protective custody and transport him to the Detoxification Center or the jail for admission. At the member's request, Communications personnel shall telephone the center to determine if they will admit the person.
- c.** A person may be admitted to the detoxification center if he is inebriated or withdrawing from alcohol and requests voluntary admission. A person may be detained involuntarily at the Detoxification Center only on court order for evaluation or treatment.
- d.** Upon arrival at the Detoxification Center or the jail, the member's duty is concluded by delivery of the individual and completion of the report of the law enforcement member provided by the Detoxification Center personnel or jail personnel.
- e.** The following forms are to be completed by the detaining officer.
 - Report of Law Enforcement Officer Initiating Protective Custody
 - Monroe County Sheriff's Office Marchman Act Non-Criminal Detention Report
 - Detaining Officers Assessment of the Marchman Detainee Report

2. Intoxicated Persons - Crime Involved

- a.** Disorderly Intoxication Section 856.011, Florida Statute.

- 1)** "No person in the State shall be intoxicated and endanger the safety of another person or property, and no person in the State shall be intoxicated or drink any alcoholic beverage in a public place or in or upon any public conveyance and cause a disturbance.
 - a)** Arrest the person for the violation, using normal arrest and booking procedures; or,
 - b)** Take the person to the Detoxification Center if the person indicates a willingness to go and appears able to control his behavior and poses no danger to self or others.

b. Intoxicated persons committing other crimes

- 1) When a member observes an intoxicated person committing a crime other than disorderly intoxication, he shall arrest the person, using normal arrest and booking procedures.

3. Medical disability identification.

- a. Any member who comes in contact with any person who appears to be intoxicated shall ascertain if that person possesses identification which indicates that he has a medical disability which would account for such actions (i.e., diabetic reactions, etc.).
- b. Upon finding such identification, which may be in the form of an ID card, bracelet, or necklace, the member shall assure that the person receives proper medical attention.

4. Search, seizure and use of force.

a. Search and Seizure

- 1) Prior to placing an intoxicated person in a police vehicle for any reason, the member shall search that person for weapons as if the intoxicated person were under arrest.
- 2) Any contraband discovered during such search shall be seized by the member and used as evidence in bringing the appropriate charge against the person.

b. Use of Force

If a person resists a member, the member may use reasonable force necessary to take the intoxicated person into custody, including the use of handcuffs. The person shall not have the option of going to the Detoxification Center or being taken into protective custody, but instead, shall be transported directly to the Monroe County Jail and be charged with the offense committed.

NOTE: Taking an intoxicated person into protective custody under the Myers Act shall not be considered an arrest for any purpose and no other entry or record shall be made to indicate that he/she has been arrested or has been charged with a crime.

W. Uniforms and Equipment

See Chapter 19

X. Community Oriented Policing Position

1. Bicycle Patrol

- a. Performs patrols of assigned areas on a Sheriff's Office marked bicycle.
- b. Maintains constant contact with all citizens in the assigned areas.
- c. Responds to all calls for service in the assigned areas as practical and is considered the primary officer on these calls for not only report purposes, but as the lead investigator, environmental officer, etc. The Bicycle Patrol Unit performs all of the same duties within the assigned area as any other Deputy assigned to a zone and as outlined in the job description for Deputy Sheriff.

- d. Is primarily assigned to "high incident" and central commercial areas, as well as local schools where it has been traditionally difficult to maintain a close working partnership between this office and the citizens we serve.
- e. Duty schedules are flexible to meet the needs of the community in the assigned areas.
- f. Must be able to proficiently ride the Sheriff's Office mountain style bicycle and be able to perform routine maintenance on same.

[CALEA 41.1.3 A ALL OF ITEM 1]

2. Special Purpose Vehicle – Bicycle

- a. Objectives of their operation or usage: Monroe County bicycles may be used by any sworn Monroe County member for the purpose of community policing and responding to calls for service in the assigned work area.
- b. Instructions, conditions, and limitation of usage: Monroe County bicycles will not be used during inclement weather and all operators will wear an approved bicycle helmet while engaged in their use.
- c. Authorization for use in various situations: The duty supervisor will be responsible for authorizing the use of a bicycle in various situations.
- d. Qualifications and training for members assigned to operate the vehicle: A bike - A training course taught by an instructor certified to teach this type of course.

[CALEA 41.1.3 B]

- e. Designation of a person or position responsible for the condition and maintenance of the vehicle: The members assigned the use of the bicycle will be responsible for care and maintenance of the same.

[CALEA 41.1.3 C]

- f. A list of equipment to be kept in or on the vehicle: When the bicycle is being used at night, a bike light will be used and mounted on the bike.

[CALEA 41.1.3 D]

- g. Vehicle list of persons or positions authorized to operate the bike: All sworn Monroe County Sheriff's Office members are authorized to operate the bike with approval of the duty supervisor.

Y. Coordination of Investigation

Special Investigations Division (SID) - These investigations include: narcotics, homicide, and organized. The benefits of focusing these types of investigations through SID are numerous:

- 1. Personnel from the respective districts will be freed to handle their primary areas of responsibility.
- 2. SID will act as a case de-conflicting mechanism, thereby reducing the number of redundant or overlapping investigations. This is critical from both a safety standpoint and in promoting internal efficiency.
 - a. Notification by Member
 - 1) It shall be the responsibility of all Sheriff's Office personnel to notify their supervisor of any intelligence received pertaining to narcotics, death investigations, or organized crime. This notification shall be in the form of a Memorandum Of Information Received (MOIR), or if necessary, a standard Monroe County Sheriff's Office report form. (If the information is regarding criminal activity of an "in progress" nature, the member will investigate as authorized by law but will notify their supervisor as soon as possible without jeopardizing the safety of the public, other law enforcement members or the successful resolution of the investigation.

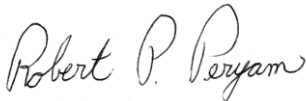
- 2) The member's supervisor will forward the MOIR to the Supervisor of the SID Narcotics Section. If the investigation is of an urgent nature or involves significant amounts of a controlled substance, the Supervisor will notify the supervisor of the SID.
- 3) The SID supervisor shall be notified of any narcotics, homicide, or organized crime investigation of a non-urgent nature. The SID supervisor and the Division Supervisor shall confer regarding the appropriate course of action for coordination of the investigation, however, the final decision on coordination shall be made by the SID commander or his designee.

b. Coordination with Outside Agencies

- 1) The Supervisor of the SID will be notified prior to any investigations pertaining to narcotics, homicide, or organized crime that coordinate with other local, state, or federal agencies. This will include found or abandoned narcotics that need safe keeping for future investigative purposes or disposal.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 32 – B		TITLE: DUI Rooms
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 2	AMENDED: November 1, 2010
REFERENCE: CALEA 71.1.1, 71.5.1		RESCINDS: Special Order: DUI Rooms; 12.07.2007
 Sheriff of Monroe County		

PURPOSE: To establish standard procedures for the use of the DUI Rooms maintained by the Office throughout the county.

POLICY: It is the Sheriff's policy that standardized procedures will be followed in each of the DUI Rooms maintained by the Office, which ensures consistency in DUI enforcement investigation and case preparation.

PROCEDURE:

DUI Room Designation

There shall be a DUI Room located at:

District 1 - Main Corrections Facility
District 4 - Patrol Station
District 7 - Roth Building Station

The DUI Room is to be equipped for the collection of video evidence of an arrestee's physical condition, if not recorded roadside, and collection of breath sample evidence using the Intoxilyzer 8000.
[CALEA 71.1.1]

DUI Rooms are to be used solely for testing of an arrestee in relation a DUI arrest.

Detainee Control

The arresting deputy is responsible and accountable for the processing, searching and temporary detention of the arrestee while in the DUI room. The arresting Deputy shall notify

dispatch of arrival time at the Main Corrections Facility or DUI Room and again upon exit. No meals are provided to arrestee while in the DUI Room

Arrestees are not to be left alone at anytime. The arresting deputy shall maintain constant visual observation of the arrestee.

Arrestees of different genders and minors and adults will not be allowed in the DUI Room at the same time.
[CALEA 71.5.1, a]

SECURING ARRESTEES TO FIXED OBJECTS PROHIBITED

NO ARRESTEE will be secured in any way to a fixed object by any means.

Firearms - Deputies will remove and secure their firearms before entering the DUI Room in the lockbox provided.
[CALEA 71.5.1 b]

Duress Alarm - Deputies shall use the "Officer Down" button on their portable radio if emergency assistance is needed.
[CALEA 71.5.1 c]

Access to Room / Arrestee - Access to the DUI room and the arrestee is limited to deputies conducting testing and those assisting that deputy while the room is being used for testing.

Escape Prevention

- The arrestee shall be physically monitored face-to-face, at all times and not left unattended.
- Deputies shall look for signs the arrestee may be preparing to try an escape attempt and take action to prevent such an attempt.
[CALEA 71.5.1 d]

Physical Needs

If an arrestee needs access to a restroom or water [drink] it should be provided as soon as practical.

EMS Assistance

If medical attention is necessary emergency medical services shall be requested via communications.

DUI Room Inspection

As the DUI Rooms are located within existing Sheriff's Office facilities the particular facility's fire prevention, evacuation and suppression plans take precedence.


The evacuation route shall be prominently posted outside each DUI room.

Each DUI Room shall be inspected by the respective District Commander or designee every month as part of the unusual occurrence equipment inspection.

The inspection shall be focused on cleanliness, safety conditions and security risk.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 32-C		TITLE: Mental Illness Encounters
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 5	AMENDED:
REFERENCE: CALEA 41.2.7		RESCINDS: Special Order: Mental Illness Encounter 06.15.2007
 Sheriff of Monroe County		

PURPOSE: The purpose of this order is to establish policy and procedures for dealing with persons suspected of suffering from mental illness.

POLICY: It is the Sheriff's policy that employees are able to recognize mental illness to better resolve situations they are called to in the best manner focused on the safety of all involved.

PROCEDURE:

Americans With Disabilities Act:

The American with Disabilities Act (ADA) entitles people with mental illness or disabilities to the same services and protection that law enforcement agencies provide to anyone else.

Treatment of Persons:

All Monroe County Sheriff's Office employees shall treat persons suspected of suffering from mental illness with dignity and respect. Non-sworn employees who are unable to effectively serve the person's needs shall contact the Communications Division and request a Deputy's assistance.

Health Records:

Any mental health records received by the agency shall be treated as a non-public record.

Recognition of Mental Illness:

The five most common forms of mental illness are:

Psychotic Disorder - A condition that limits an individual's ability to accurately perceive reality

Mood Disorder - A disturbance or significant problem in moods or emotional states

Bipolar Disorder - Alternating symptoms of depression and mania

Anxiety Disorder - A condition characterized by excessive nervousness, tension, apprehension, fear, or anticipation of imminent danger

Personality Disorder - A lifelong pattern of maladaptive behavior that interferes with daily living
[CALEA 41.2.7 a]

Recognition of Medical Ailments:

Conditions such as:

- Epilepsy
- Developmental Disorders
- Alzheimer's disease
- Hearing impairment
- Diabetes
- Intoxication
- Drug use or addiction
- Hypoglycemia
- Severe reaction to new medications
- Brain injury from head trauma

are not forms of mental illness. They can however cause confusion and disorientation in the individual.

Dealing with Persons Suspected of Suffering from Mental Illness

[CALEA 41.2.8,c]

A Deputy shall do the following when dealing with persons suspected of suffering from mental illness:

Obtain as much personal data from the subject, family members, neighbors, or others present as possible. Such as the following:

- Will the subject voluntarily submit to an evaluation?
- Is the subject violent?
- Does the subject need medical attention?
- Name of the next of kin of the subject.
- Name of doctor currently treating the subject, if any.
- Current medications prescribed for the subject and whether the subject has taken those medications as prescribed.

Maintain a high awareness for officer safety.

- Stay calm and do not overreact. Be helpful and professional.
- Indicate that you are trying to understand and help.
- Speak simply and briefly and move slowly.
- Remove distractions, upsetting influences, and disruptive people from the scene.
- Understand that you may not have a rational discussion with the subject.
- Recognize that the subject may be overwhelmed by sensations, thoughts, frightening beliefs, sounds, hallucinations, or even the environment.

- Be aware that your appearance may frighten the subject.
- Reassure the subject that you do not intend harm.
- Recognize and acknowledge the subject's delusional or hallucinatory experience is real to them.
- Announce your actions before initiating them.
- Avoid direct, continuous eye contact.
- If possible, avoid touching the subject.

Deputies SHOULD NOT

- Move suddenly, give orders rapidly, or shout
- Force a discussion with the subject
- Crowd the subject or move into his/her "buffer zone" of comfort.
- Express anger, impatience or irritation.
- Assume that a person who does not respond cannot hear. Mental illness does not cause deafness.
- Use inflammatory language, such as "wacko" "psycho" or "loony"
- Argue with delusional or hallucinatory statements, or mislead the subject to think that you feel or think the same way.

Florida Mental Health Act (BAKER ACT)

The following established uniform procedure for handling the mentally ill in accordance with the provisions of the Florida Mental Health Act, aka the Baker Act, shall be followed: [CALEA 1.1.3: 41.2.7,c]

The Florida Mental Health Act, F.S.S. 394, provides legal criteria for the involuntary examination of persons suspected of suffering from mental illness. The taking of a person into custody under the Florida Mental Health Act, aka The Baker Act, is not considered an arrest.

Involuntary Examination

A Deputy may take a person to a receiving facility for an involuntary examination if there is reason to believe that the person has a mental illness **and** because of his or her mental illness:

- The person has refused voluntary examination after conscientious explanation and disclosure of the purpose of the examination; **or**
- The person is unable to determine for himself or herself whether examination is necessary; **and**
- Without care or treatment, the person is likely to suffer from neglect or refuse to care for himself or herself; such neglect or refusal poses a real and present threat of substantial harm to his or her well-being; and it is not apparent that such harm may be avoided through the help of willing family members or friends or the provision of other services; **or**
- There is substantial likelihood that without care or treatment the person will cause serious bodily harm to himself or herself or others in the near future, as evidenced by recent behavior.

Behaviors and characteristics to look for in determining the existence of these criteria include, but are not limited to:
[CALEA 1.1.3: 41.2.7,b]

Behavior Characteristics

- Behaviors: rapid speech, flight of thought, no eye contact, quick movement, disconnected speech patterns, constant movement, can not concentrate, swift and frequent mood changes, disorganized thoughts, disoriented to time and place, acts of violence, cutting self, combative/aggressive behavior, inappropriate dress or nudity.
- Hallucinations: sees people who are not there, hears voices telling them to hurt themselves or others, reports that the television is suggesting harm to others, turning the head as if listening to an unseen person.

- Self-Care Issues: insomnia or increased sleep, has not eaten for days, not taking prescribed medications, home is in disarray, neglects household, property, or personal hygiene to the point of putting self or others at risk.
- Feelings: low self esteem with feelings of hopelessness or helplessness, flat affect, or not reacting with much feeling or interest.
- Suicidal Risk: has weapons or access to weapons, speaks about previous attempts, makes direct comments about dying or hurting self, evidence of previous attempts such as scars on the wrists.
- Elderly Issues: Statement of helplessness such as, "I don't know if I can go on," stocking of medication, old unused food, recent diagnosis of a debilitating or life threatening illness, recent loss of spouse or significant other, increase use of alcohol, generalized anxiety about every day events.
- Substance Abuse: abuse of prescribed medications, use of alcohol or illegal substances while taking medications. (If substance abuse appears to be the only issue, the Marchman Act, F.S.S. 397, may be more appropriate.)

Role of the Deputy

It is not the role of the Deputy to diagnose the subject. If the Deputy has reason to believe that the subject has a mental illness, the Deputy can decide whether or not that person may be putting himself or herself or others in danger, and therefore meet the criteria for a complete evaluation.

Use of Eye Witness Accounts

The Deputy need not personally witness all of the subject's behaviors. The Deputy may rely on credible eyewitness accounts from others.

Reporting Requirements

Deputies must complete two Florida State forms when initiating a Baker Act. These are the Report of Law Enforcement Officer Initiating Involuntary Examination (CF-MH 3052a) and

Transportation to a Receiving Facility – Part 1 (CF-MH 3100).

The Report must detail the circumstances under which the subject was taken into custody.

An MCSO incident report shall also be completed documenting the circumstances under which the subject was taken into custody.

As the Baker Act is a civil law, not a criminal one, probable cause is not required.

Communications Division Responsibilities

Communications shall dispatch a back-up unit in all cases in which a Deputy is interacting with a subject suspected of suffering from a mental illness.

Notification of Nearest Receiving Facility

A person who meets the criteria for an involuntary examination shall be transported by a Deputy to the nearest receiving facility. The transporting Deputy shall request that Communications notify the receiving facility of the impending arrival.

Court Ordered Involuntary Examinations

If the involuntary examination has been initiated by the circuit court, the court order will be given to a Deputy to deliver the person to the nearest receiving facility.

The Deputy acting in accordance with the court order may serve and execute such order on any day of the week, at any time of the day or night, and may use reasonable force as is necessary to gain entry to the premises and any dwellings, buildings, or other structures located on the premises and to take custody of the person who is the subject of the order.

Transportation By Emergency Medical Services:

If the person is transported by E.M.S

- Deputies dispatched to the scene shall notify Communications as soon as the need for an Emergency Medical Services is established.

- Deputies shall assist EMS personnel in the control of the patient as necessary.
- Patients who are physically aggressive and who are considered to be dangerous to themselves or others shall be accompanied in the rescue unit by at least one (1) Deputy.
- The use of physical restraints shall be held to a minimum depending on the patient's behavior

Physically injured persons (Medical Emergencies)

When a Deputy encounters any of the before mentioned situations and the mentally ill person is suffering from a physical injury of a serious and immediate nature, these guidelines shall be temporarily suspended and the person shall be transported to the hospital by EMS. Admitting personnel of the hospital shall be advised of any conduct evidencing a mental illness.

Transportation of persons when admission is voluntaryThe transportation of a patient for voluntary admission to a treatment facility shall be accomplished by friends or family members in a private vehicle if possible. A private request for EMS transportation should be considered as the most appropriate alternative.

The relationship of the Deputy in the case of voluntary admissions is advisory only. If friends or family members are not available, the Deputy may provide transportation for the patient to the treatment facility.

Coincidental Criminal Conduct

Quite often conduct which is technically a violation of the law is in fact a non criminal, immediate and unavoidable product of the actions of a person suffering from mental illness, (i.e., people who are hysterical and thus breach the peace, or a mentally ill person who attempts to burn down his own dwelling and thus commits arson).

When a Deputy encounters resultant criminal conduct which does not seriously injure other persons or the property of others, and the Deputy reasonably believes that the conduct is

an unavoidable consequence of the mental illness, the placing of criminal charges should be abandoned in favor of the treatment provisions of the Florida Mental Health Act.

Resolution of Doubt

Any doubts concerning the procedures specified in this policy should be resolved by the Deputy in favor of protection of life and property. The Deputy shall call the nearest receiving facility from the scene via telephone and talk with an emergency service consultation worker for advice.

Protection From Liability

The Florida Mental Health Act provides that Deputies acting in good faith in compliance with the provisions of the Act are immune from civil or criminal liability for their actions in connection with the admission, diagnosis, treatment or discharge of a patient to and from a facility. The law does not protect the Deputy from liability if he or she commits negligence.

Training

Entry level training is provided in the Criminal Justice Standards and Training Commission's Basic Law Enforcement Certification Training.

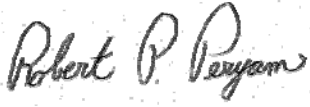
[CALEA 41.2.7 d]

All certified Deputies shall attend refresher training on mental illness encounters at least every three years.

[CALEA 41.2.7 e]

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 32 - D		TITLE: Trailers- Message/Radar/Storage
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 2	AMENDED:
REFERENCE: CALEA 41.1.3		RESCINDS: Special Order: Trailers – Message/Radar/Storage; 12.07.2007
 Sheriff of Monroe County		

PURPOSE: The purpose of this order is to establish policy and procedures for various trailers owned and operated by the Monroe County Sheriff's Office.

POLICY: It is the Sheriff's policy that standardized procedures be used in the operation of the message sign trailers, radar trailers and trailers used to store and move equipment.

PROCEDURE:

Trailers for the purpose of this order are defined as message signs, radar trailers, and storage trailers.

MESSAGE SIGNS

Message signs are trailers equipped with a large message display, solar panel, computer and battery system.
[CALEA 41.1.3 d]

Message signs will be assigned to Districts 1, 4 and 7 unless otherwise assigned by the Bureau of Law Enforcement Chief.

The District Captain has ultimate responsibility for the care and maintenance of the sign.
[CALEA 41.1.3 c]

The District Captain or designee will review all material on the operation of the sign and instruct any personnel directed to move and setup the sign. [CALEA 41.1.3 b]

Only employees so trained are allowed, at the Commander's direction to move and set up the sign.

Message Sign Use

Message signs will only be used for Office purposes. For example traffic control, warning of traffic issues, crime prevention, hurricane evacuation or re-entry.

The sign shall be placed at a location that does not hinder traffic or obscure a driver's view. It shall be placed, if along the road right-of-way, in accordance with Florida DOT regulations, if applicable
[CALEA 41.1.3 a]

The sign shall be removed from the site within one day of the event, or as soon as possible thereafter.

SPEED MEASURING RADAR TRAILERS

Speed Measuring Radar Trailers are equipped with a traffic speed measuring radar, graphic speed display, solar panel and battery system and in some cases a computer.
[CALEA 41.1.3 d]

Speed Measuring Radar Trailers are to be placed in areas prone to traffic speed violations, to educate the public as to the posted speed limits and their driving habits. This is a way to gain voluntary compliance with traffic speed laws.
[CALEA 41.1.3 a]

Speed Measuring Radar Trailers are the ultimate responsibility of the District Captain. Maintenance and care of the trailer is the responsibility of the District Captain or his/her designee.

[CALEA 41.1.3 c]

The District Captain or designee will review all material on the operation of the sign and instruct any personnel directed to move and setup the sign.

[CALEA 41.1.3 b]

Only employees so trained are allowed, at the Captain's direction to move and set up the sign.

Speed Measuring Radar Trailers are to be placed at the direction of or approval of the District Captain or designee. They should be placed in areas in response to citizen requests or complaints of excessive speed violations.

[CALEA 41.1.3 a]

Speed Measuring Radar Trailers should be routinely placed at locations known for speed zone violations when not deployed in specific request areas.

Speed Measuring Radar Trailers should be placed to minimize criminal mischief to the trailer. Placing it under streetlights, adjacent to occupied homes or another location allowing for frequent viewing by the public and patrolling units.

The Speed Measuring Radar Trailer should never be placed on a deserted street or where the majority of the homes are vacant.

The Speed Measuring Radar Trailer shall be secured or locked so that it cannot be attached to a vehicle and towed away while deployed. Tongue locks or other methods to disable it shall be employed.

Speed Measuring Radar Trailers should not be deployed for more than one week at a location.

STORAGE TRAILERS

Storage trailers are box type trailers intended to store items and transport them to areas of need.

There is no specific equipment assigned to these types of trailers.

Trailers may be assigned to School Resource Deputies for the purpose of storing and transporting equipment to Cadet events.

[CALEA 41.1.3a]

Trailers may be assigned to the Districts, SWAT, Dive, or Special Response Teams as determined by the applicable Bureau Chief for the purpose of storage and transportation of equipment needed for special events or responses.

[CALEA 41.1.3 a]

The District Captain or designee, SWAT, Dive, Special Response Team Leader or School Resource Officer will be responsible for the care and maintenance of an assigned trailer.

[CALEA 41.1.3 c]


Each person assigned a trailer will make himself or herself familiar with the operation of that trailer and shall train any other employee in its use and operation prior to directing that employee to use the trailer.

Only employees so trained are allowed to move and operate a storage trailer.

[CALEA 41.1.3 b]

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 32-E		TITLE: Foreign Nationals/Diplomats-Consular Notification
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 3	AMENDED:
REFERENCE: CALEA 1.1.4		RESCINDS: Special Order: Foreign Nationals/Diplomats Consular Notification; 07.23.2007
 <hr style="width: 20%; margin: auto;"/> Sheriff of Monroe County		

PURPOSE: The purpose of this order is to establish policy and procedures to assure compliance with all consular notification and access requirements in accordance with international treaties when dealing with foreign nationals.

POLICY: It is the Sheriff's policy that the all employees comply with all consular notification and access requirements in accordance with international treaties when dealing with foreign nationals.

PROCEDURE:

Offenses involving foreign diplomats and consular officials - Diplomatic and consular officers should be accorded their respective privileges, rights, and immunities as directed by international law and federal statute. These officials should be treated with the courtesy and respect that benefit their distinguished positions. At the same time, it is a well-established principle of international law that without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect local laws and regulations.

Diplomatic Immunity - a principle of international law, is broadly defined as the freedom from local jurisdiction accorded to duly accredited diplomatic officers, their families and servants. Diplomatic officers should not be arrested or detained except for the commission of a grave crime Family members of diplomatic officers, their servants, and employees of a

diplomatic mission are entitled to the same immunities under current United States law (22 U.S.C.252) if they are not nationals of, or permanently reside in the receiving state. Associated with this personal immunity is the inviolability enjoyed by the premises of the mission of the sending state and the private residence of a diplomatic agent, his property, papers and correspondence.

Diplomatic Officers - Ambassadors and ministers are the highest ranking diplomatic representatives of a foreign government. Other diplomatic titles are Minister Counselor, Counselor, First Secretary, Second Secretary, Third Secretary, and Attaché. These Officials are located either in Washington, D.C., or in New York City. Diplomatic officers, their families, official staff and servants, who are not nationals of, or permanently reside in the receiving state, are protected by unlimited immunity from arrest, detention, or prosecution with respect to any civil or criminal offense.

Consular Officers are Consuls-General, Deputy Consuls-General, Consuls, and Vice Consuls are also official representatives of foreign governments. Consular officers are required to be treated with due respect, and all appropriate steps are to be taken to prevent any attack on their person, freedom, or dignity. They are entitled to the following limited immunities.

Immunities - Under prevailing international law and agreement, a foreign career Consular Officer is not liable to arrest or detention pending trial, except in the case of a grave crime (felony

offense that would endanger the public safety) and pursuant to a decision by the competent judicial authority. His immunity from criminal jurisdiction is limited to acts performed in the exercise of consular functions and is subject to Court determination.

Identification - Career Consular Officers can be identified by credentials issued by the State Department and by other locally issued official identification papers. The State Department credential bears its seal, the name of the officer, his title, and the signatures of State Department officials.

Honorary Consuls - Often nationals or permanent residents of the receiving state are appointed and received as honorary Consular Officers to perform the functions generally performed by career Consular Officers. Such officers do not receive identification cards from the State Department of the type issued to career Consular Officers, though they exhibit reduced-size copies of the exequatur or diplomatic note evidencing recognition by the United States Government. These individuals are not immune from arrest or detention. They are also not entitled to personal immunity from the civil and criminal jurisdiction of the receiving state, except as to official acts performed in the exercise of their consular functions. However, appropriate steps must be provided to accord such officers the protection required by virtue of their official position. In addition, the consular archives and documents of a consular post headed by an honorary consul are inviolable at all times and wherever they may be, provided they are kept separate from other papers and documents of a private or commercial nature relating to the other activities of an honorary consul and persons working with him.

Family members of Consular Officers do not enjoy the same privileges and immunities with respect to the civil and criminal jurisdiction of the receiving state as do Consular Officers. However, they should be accorded appropriate courtesy and respect.

Consular premises used exclusively for the work of the consular post cannot be entered without explicit permission of the head of the consular post or his designee or by the head of the diplomatic mission. This permission may be assumed in the case of fire or other disaster requiring prompt protective action.

Consular archives, documents, records and correspondence are inviolable at all times and wherever they may be. The official correspondence of the consular posts, which means all correspondence relating to the consular post and its functions, is likewise inviolable.

Reporting incidents to office of the governor

In the event that a Consular Officer or member of his family or personal staff should become involved in actions taken by members of this Office, the Office of the Governor shall be immediately furnished with all pertinent information through the Office of Sheriff.

Arrest or Detention of Foreign Nationals

For the purposes of consular notification, a foreign national is anyone who is not a United States citizen. This includes persons with "green cards".

Citizens of foreign countries have, because of treaties between the United States and a foreign nation, the right to contact the embassy or consulate of their home nation.

In some cases, treaties require local law enforcement agencies to contact the embassy or consulate, regardless of the wishes of the arrestee or detainees. These mandatory notification countries are:

Algeria
Antigua and Barbuda
Armenia
Azerbaijan
Bahamas. The
Barbados
Belarus
Belize
Brunei
Bulgaria
China (Notification not necessary in the case of persons carrying "Republic of China" passports issued by Taiwan. Advise such persons that the Taipei Economic and Cultural Representative Office can be notified on their behalf.)
Costa Rica
Cyprus
Czech Republic
Dominica

Fiji
Gambia. The
Georgia
Ghana
Grenada
Guyana
Hong Kong (Notify Chinese consulate.)
Hungary
Jamaica
Kazakhstan
Kiribati
Kuwait
Kyrgyzstan
Malaysia
Malta
Mauritius
Moldova
Mongolia
Nigeria
Philippines
Poland (Non-permanent residents only.)
Romania
Russia
Saint Kilts and Nevis
Saint Lucia

Saint Vincent and the Grenadines
Seychelles
Sierra Leone
Singapore
Slovakia
Tajikistan
Tanzania
Tonga
Trinidad and Tobago
Tunisia
Turkmenistan
Tuvalu
Ukraine
United Kingdom (United Kingdom includes England, Scotland, Wales, Northern Ireland and the Islands, and the British dependencies of Anguilla, British Virgin Islands, Bermuda, Montserrat and the Turks and Caicos. Their citizens carry British passports.)
U.S.S.R. (Although the USSR no longer exists, some people still carry its passports. Notify the proper successor state listed herein.)
Uzbekistan
Zambia
Zimbabwe

Arrest

The arresting officer shall determine if the subject is a foreign national and his or her country of origin.

The deputy shall notify the corrections intake officer that the arrestee is a foreign national and his or her country of origin. Corrections shall follow their consular notification procedures.

The deputy shall note in the arrest/ incident report that corrections was informed.

Detention

If the detention of a foreign national is for a traffic stop or short investigative inquiry consular notification is not required.

If the detention exceeds a reasonable amount of time, the foreign national shall be informed of his or her right to communicate with a consulate.

If the foreign national is from one of the mandatory notification countries listed above,

notification must be made. The foreign national will be informed that notification is being made.

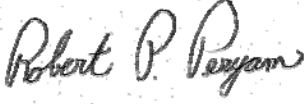
If the foreign national is not from a mandatory notification country, he or she shall be advised that notification will be made upon request. Notification shall be made as soon as possible. If the individual does not wish that notification be made, consular officials will not be notified.

Notification

Communications or Corrections Intake can provide contact information for consular officers. The Legal Division will provide any assistance needed on a 24-hour basis. The on-duty supervisor is responsible to ensure that proper notification is made.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 32 - F		TITLE: Civilian Ride Along Program
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 2	AMENDED:
REFERENCE:		RESCINDS: Special Order: Civilian Ride Along Program; 06.13.2007
 Sheriff of Monroe County		

PURPOSE: The purpose of this order is to establish policy governing civilian riders with patrol deputies during a shift.

POLICY: It is the Sheriff's policy that civilians who are interested in employment with the Sheriff's Office or its operations should have the opportunity to ride with a patrol deputy to experience what is involved in delivering law enforcement services to the Keys community, with limitations. This is a privilege that the Sheriff extends to the citizens of the community.

PROCEDURE: Civilians who desire to ride during a shift with a patrol deputy may do so, with the following provisions:

- Complete the approved Request to Ride Waiver form.
- Consent to a Criminal History/Warrant Check.
- If the civilian has a felony or crime of violence misdemeanor history they will be denied the privilege of riding. If they have an active warrant, the warrant will be served and they will be denied the privilege of riding.

WAIVER FORM

The Request to Ride Waiver form must be submitted to the shift supervisor at least 24 hours prior to the proposed ride along.

The shift supervisor shall review the waiver and run the criminal history/warrant check.

Once the Request is approved the supervisor will assign the rider to a patrol deputy.

CIVILIAN ATTIRE

The rider must wear appropriate attire, if not, the supervisor may deny them the privilege of riding.

Appropriate attire is defined as:

- Long pants, secured at the waist
- Polo or button up shirt / blouse
- Closed toed shoes

Attire not allowed:

- T-shirts with graphics of any kind.
- Revealing or see through shirts/ blouses.
- Mini-skirts
- Sandals.

LIMITATIONS

Civilian riders are limited to ride along 3 times in a 6- month period, for a total of 6 times per calendar year.

Family members, spouses and significant others of a deputy are prohibited from riding with that deputy.

The rider is to take no law enforcement action unless directed by the deputy they are riding with.

Riders are not authorized users of the in-car computer or allowed access to sensitive information displayed on it.

Riders are not authorized to carry any weapons or firearms or utilize any weapons carried in the patrol vehicle.

TERMINATION OF RIDE

The deputy may terminate the rider's privilege to ride at any time. The deputy will terminate the ride if any of the following occur:

- The rider takes undirected law enforcement action or action that places the deputy and/or civilian in danger.
- The rider becomes disruptive or interferes with the deputy's performance of duties.
- The rider refuses direction or fails to follow the deputy's instructions.


In terminating a rider's privilege the deputy shall contact the on-duty supervisor and advise him/her of the situation.

If the supervisor agrees to terminate the ride along, the rider shall be returned to their vehicle.

The rider will be prohibited from any future riding privileges with the Monroe County Sheriff's office.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 32-G		TITLE: In-Car Camera Video/Audio Recordings
EFFECTIVE DATE: March 23, 2011	NO. PAGES: 3	AMENDED:
REFERENCE: 41.3.8a,b,c		RESCINDS: Chapter 32 Section: P In-car video recording
 <hr/> Sheriff of Monroe County		

PURPOSE:

This directive provides guidelines for all Monroe County Sheriff's Office personnel assigned a vehicle equipped with an in-car video/audio recording system and establishes the following:

- Procedures for operation and control of video obtained on digital video systems.
- Procedures for the electronic storage of digital video obtained by this recording equipment.

POLICY:

It is the policy of the Monroe County Sheriff's Office to use in-car video/audio recording equipment to document contacts with citizens arising from traffic stops and other law enforcement events for the purpose of gathering recorded evidence to assist in court prosecution of violators of both traffic and criminal laws. In-car video/audio recording will also be used but not limited to the below:

- To help ensure Deputy Safety;
- As a training aid;
- For quality assessment of Deputy/Citizen contacts; and
- In response to complaints against personnel.

IN-CAR VIDEO/AUDIO RECORDING:

- In-car video/audio recorders shall be wired to automatically activate with the vehicle's emergency equipment (i.e. blue lights). In-car video/audio recorders shall also have a manual activation switch for use during street encounters or during situations when emergency equipment is not required. In-car video/audio recording systems are configured for a thirty (30) second *pre-* and *post* event record period which will capture video but not audio recordings. The speed trigger activates the in-car video/audio recording system when the vehicle speed reaches 70mph.
- In-car video/audio recordings *should, where possible, be used* to obtain information and evidence when investigating criminal cases. In-car video/audio recording equipment *should, where possible, be used* in the investigations of Driving under the Influence ("DUI") and other criminal investigations. In-car video/audio recordings *should, where possible, be used* during other law enforcement activities including but not limited to the recording of routine traffic stops, street encounters, pursuits, and emergency responses. Every effort should, where possible, be made to document all street encounters on in-car video/audio recorders. *All Deputies, whose vehicles have agency video/audio recording capability, should, where possible, use the systems during ALL traffic stops and street encounters from initial contact to the conclusion; including all back up/assist units.*

- Manual deactivation of in-car video/audio recording is permissible when recording times would be extended by the use of emergency lights such as rendering assistance with traffic control, or non-enforcement contacts (e.g. stand-bys, road hazards, special details, etc). Manual deactivation is also allowed when the video would no longer have evidentiary value.
- In-car video/audio recordings are used for official law enforcement purposes only. Deputies will not activate their wireless microphone while in Sheriff's Office buildings or other public/private venues not authorized by this written directive.
- No Deputy Sheriff shall use in-car video/audio recording equipment until s/he has been properly trained on use of such equipment. Training will be provided by Information Technology ("IT") or their designee prior to use. Each Deputy Sheriff shall inspect his/her in-car video/audio recording equipment prior to the beginning of each shift. Any malfunction, damage, or change in operating condition of the in-car video/audio recording equipment shall be brought to the attention of the Deputy's immediate supervisor. The supervisor shall determine if the in-car video/audio recording equipment should be placed out of service and submitted for repair. This will be documented by the supervisor in an email to their District/Division commander.
 - Only in-car video/audio recorders and accessories (i.e. cameras, microphones, cables, etc.) approved by Information Technology ("IT") Director or designee shall be installed in agency vehicles. Temporary installation of surveillance equipment is excluded.
 - Digitally recorded media on the in-car video/audio recording system will be uploaded to an authorized server ("the server") on the MCSO network via wireless or cable transmission. Deputies should make every attempt to upload digitally recorded events during or at the end of their shift rotation. Digitally recorded events shall not be kept on any Deputy's in-car video/audio system for longer than a one (1) week period unless authorized by a supervisor. Supervisors shall periodically review the deputies upload audit reports to ensure compliance.
- Deputies should notify the Training Division of any recorded events that may assist in furtherance of officer safety or provide documentation for training purposes.
- Deputies shall note in the evidence section of their report (i.e. incident, arrest, etc.) that video/audio recordings were obtained. Deputies should also note if their audio/recording equipment malfunctioned in any way or if their recording unit has been placed out of service.
- Deputies are responsible for properly tagging all digitally recorded events to ensure proper retention periods in accordance with agency policy and state law. Categories such as DUI, felony, misdemeanor, pursuit, etc. will be utilized to tag events recorded on in-car video/audio recording equipment. Properly tagging events ensures that proper retention rates are set to each recorded video. In addition, deputies are required to put the report number under the comment field when tagging the video.
- Supervisors whose deputies utilize in-car video/audio recording equipment shall ensure that all deputies follow established procedures, as set forth, for the proper use and handling of all recording equipment and the proper uploading, retention, and management of recorded events.
- It is the responsibility of the Deputy Sheriff who is assigned an in-car camera video/audio recording system, to immediately notify his/her chain of command for notification to the States Attorney's Office if said Deputy Sheriff becomes aware of lost or corrupted video evidence. This will be performed via email.

RETENTION AND DISPOSAL OF IN-CAR CAMERA VIDEO/AUDIO

- Digitally recorded events are managed for retention by back office automated software located on the MCSO network, the server. These recordings are retained in adherence with this written directive and the statutory requirements pertaining to the storage of video/audio evidence. The back office server will be programmed to perform automated purges to delete any video/audio files set to expire as described in this written directive. If a digitally recorded event is required beyond the minimum retention period of each category, as required by statutory limits or this written directive, it is the responsibility of the originating Deputy Sheriff to request that the evidence be archived.
- Only the Sheriff or designee, Manager of the Records Division or designee, or the Public Information Officer or designee, may satisfy request for copies for public use. Video/audio recordings obtained on agency in-car camera video/audio recording equipment shall not be released to the public without prior approval from an authorized person designated above. Request for copies of digital video which extend outside the agency or the SAO shall be subject to the provisions of F.S. Chapter 119.

CHAPTER THIRTY-THREE

COMMUNICATIONS

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CHAPTER THIRTY-THREE

COMMUNICATIONS

I. PURPOSE

The purpose of this directive is to establish minimum guidelines for the safe and efficient operation of Communications.

II. DISCUSSION

This directive shall apply to all Sheriff's Office personnel. Nothing contained herein shall prohibit the Communications Director from establishing more detailed procedures for the effective and efficient operation of Communications, as long as, such detailed procedures do not alter, amend, or rescind any portion of this directive. All Communications functions fall under the Communications Director. The Communications Center has 24-hour two-way radio capability 365 days a year. The main functions of Communications are radio communications, telephone communications, teletype and automated data communications, and alarm monitoring (where applicable). These functions are further depicted throughout the directive.

[CALEA 81.2.2]

III. POLICY AND PROCEDURE

A. Federal Communications Commission

All radio operations of the Monroe County Sheriff's Office shall be conducted in accordance with Federal Communications Commissions procedures and requirements.

[CALEA 81.1.2]

B. Access to Communications Centers

Only authorized personnel shall be allowed access to the Communications Centers of the Monroe County Sheriff's Office. Authorized persons are those who operate and command the center and to others specifically authorized.

C. Line Load Studies

Annually, The Communications Director shall conduct a study of all calls placed to the Monroe County Sheriff's Office switchboard in order to determine whether the Office has the proper number of telephone lines, callers are receiving a busy signal, or if calls are going unanswered due to lack of equipment. Such study is to be coordinated with Southern Bell. Equipment shall be available for active lines to advise the switchboard operator a call is waiting to be answered.

D. Tape Recordings

1. All Office radio transmissions and emergency telephone conversations within the Communications Center are to be recorded.
2. Care shall be exercised to assure that tapes are not erased.
3. **Since recordings are an indispensable source for criminal investigations, internal investigations, training, and audits of the agency's service delivery system, agency radio transmissions and emergency telephone conversations shall be retained in a secured room inside the Communications Center for a period of six months.**
4. Recorded conversations may be reviewed by
 - a. Communications personnel who need immediate playback of recorded telephone and/or radio conversations.

- b. Personnel authorized by the Sheriff, or Division Commander.
- c. Any person who requests to hear such tape recording in compliance with Chapter 119 of the Florida Statutes.
- d. Whenever such tape recorded conversations are reviewed, the Communications Supervisor shall be responsible for maintaining a log depicting who listened to the tape and of the date and time portion of the tape.

E. Requests for Service

1. All requests for service received by the Monroe County Sheriff's Office shall include:

- a. Date and time of request;
- b. Name and address of complainant (if possible);
- c. Type of incident reported;
- d. Location of incident reported;
- e. Identification of officer(s) as primary and backup (if applicable)
- f. Time of dispatch;
- g. Time of deputy's arrival;
- h. Time of deputy's return to service; and
- i. Disposition or status of reported incident.

[CALEA 81.2.3 B, C, D, E, F, G, H, I, J]

2. A complaint control number (CAD) is assigned to each specific call for service.

[CALEA 81.2.3 A]

3. On all calls for service, it shall be the duty of the individual receiving the call to solicit as much information as possible to enhance the safety of the deputy and assist in anticipating conditions to be encountered at the scene. In addition to the above information, the individual receiving the call shall attempt to obtain:

- a. Whether weapons are involved;
- b. Whether the suspect is at the scene or in the immediate area;
- c. Physical and clothing description of suspect;
- d. Description of suspect's vehicle;
- e. The number of individuals involved;
- f. Are there any injuries to any parties involved;
- g. The suspect's route of escape;
- h. A brief factual account of what happened;
- i. Any other pertinent information.

[CALEA 81.2.3 F]

4. A record shall be made of all back-up Deputies assigned to assist the primary Deputy. This shall be accomplished by:

- a. Preparing a complaint control document for the primary Deputy and writing in those deputies assigned as backup; or,
- b. Preparing a separate control document for each backup deputy assigned and utilizing the same control number as in the primary document number.

[CALEA 81.2.3 F]

5. All subsequent investigations to our original case will be documented on a supplemental report by using our original case number (i.e. recovered property/vehicle, warrant arrest, missing persons and long term investigations.)

F. All "Out-of-Service" status of Deputies shall be recorded.

Such records will permit the Office to:

1. Evaluate non-patrol time for agency planning purposes;
2. Maintain a level of security for all on duty deputies. Once the deputy is on a call or traffic stop, after four minutes from initial contact, the communications officer will do a code 5 check to confirm deputies' status. This policy is also in effect on all in progress calls and any other calls where it is deemed necessary.
3. Communications officers will conduct a code 5 check on all on duty deputies who are not on a call for service and who have been inactive for a period of one hour.
4. Retain records of vehicles and persons stopped by officers.

[CALEA 81.2.4 B]

G. Emergency Messages

1. Whenever an emergency message is received by the Monroe County Sheriff's Office that was intended for another agency, the individual receiving the call shall:
 - a. Receive the call as if it were for the Monroe County Sheriff's Office;
 - b. Immediately relay the call to the appropriate agency; and,
 - c. Notify the caller of the action taken and what to expect.
2. Whenever an emergency message is received by the Monroe County Sheriff's Office and falls under the Office's jurisdiction, the individual receiving the call shall:
 - a. Receive the call and gather information as indicated in this directive.
 - b. Have appropriate law enforcement dispatched for service;
 - c. Notify the caller of the action taken and what to expect.
3. Emergency notification for citizens:
 - a. Situations in which the agency shall make notifications include the following:
 - 1) Death of a person;
 - 2) Serious injury resulting from a crime or crash; and
 - 3) Serious illness of a family member.

b. The Communications Center will obtain complete information from any person who wishes to initiate an emergency notification. Upon receiving information by telephone or teletype for an emergency notification, the communications officer will:

- 1) **Obtain the name and telephone number of the person making the emergency notification request;**
- 2) **Obtain from the requesting person the name, location, and telephone number of the person to be contacted about the emergency notification;**
- 3) **Dispatch a deputy to deliver the message as soon as possible; and**
- 4) **If the deputy is unable to deliver the message, the Communications Center will contact the person who initiated the request, and inform them that the message was not delivered and why.**

[CALEA 41.2.4]

H. Alarms

1. The Monroe County Sheriff's Office does not monitor private security alarm of a commercial or residential nature; however, the Office does respond to alarms when notified by the various alarm companies.
2. The Monroe County Sheriff's Office does not monitor financial institution alarms and responds to such.
3. Alarms from financial institutions will be continually monitored to the frequency of false alarms.

I. B O L O's

At least once each shift, communications personnel shall advise all patrol and traffic deputies of any B O L O's that the Office has received information of since the deputies' last tour of duty. This may be done by continually adding B O L O's to the B O L O Board.

J. Written Directives showing procedures for performing telephone, radio, teletype, and automated data communications functions are found in the "Communications Manual." This manual is reviewed and updated annually by the Communications Supervisors.

K. Security of Communications Center

In order to provide and maintain communications in all emergency situations, the following security measures exist to protect communications personnel and equipment.

1. Only authorized personnel shall be allowed access to the Communications' Centers of the Monroe County Sheriff's Office. A notice to this effect shall be posted outside the Communications Room door.
2. Generators are located at Communications Centers in case of power failure and are inspected monthly by Monroe County.
3. All equipment of the Communications Centers is located within specially constructed rooms for protective purposes. Equipment that is not located in the Center includes transmitters and antennas, which are in secured fenced in areas and locked buildings to prevent unauthorized access.

L. S O P's

The Division Communications Supervisor shall cause to be outlined in the Communication's Manual detailed, up-to-date, procedures for the following situations:

1. Whenever a special crisis situation exists, Communications personnel shall follow the procedures outlined in Chapter 36 of this Operations Manual (Special Response Teams).
2. Fire equipment - All fire dispatching is done through the Monroe County Sheriff's Office with the exception of the City of Key West. Specific procedures for the dispatching of fire equipment are located in the Communications Operations Manual.
3. Ambulance - All EMS dispatching is done through the Monroe County Office with the exception of the City of Key West. Specific procedures for the dispatching of EMS are located in the Communications Operations Manual.
4. Aircraft - Air support or surveillance assistance will only be dispatched after requested by a Supervisor. The Supervisor will inform Communications of the type of air support needed.
 - a. If fixed-wing support is required, and the Monroe County Sheriff's Office plane is not available, Communications shall contact the Florida Marine Patrol, Marathon Office and advise of the request.
 - b. If helicopter support is required, Communications will contact the Florida Marine Patrol, Marathon Office and advise of the request. Should the Florida Marine Patrol helicopter be unavailable, Communications shall contact the U.S. Coast Guard Station in the respective District and advise of the request.
5. Wreckers - All wreckers shall be dispatched on a rotation basis. Wreckers are rotated on each call based on our software in the CAD System.
6. Cabs - Taxicabs are called upon the request of an individual. Should the individual have no preference, the cab company contacted shall be the next available.
7. Environmental Services - Whenever a matter of environmental concern comes to the attention of the Sheriff's Office, one of the Environmental Officers assigned shall be contacted. If the concern is an emergency it should be handled as outlined in the operations manual and the Environmental Officer notified of what action was taken and by whom. The Environmental Officer's primary concern is to make sure all the proper notifications and follow-ups are done.
8. Human Services
 - a. The Division of Youth Services with DJJ shall be contacted for all in-custody juvenile related matters when requested by a Deputy. Phone numbers are available at each Communication Center.
 - b. Department of Families and Children - The Abuse Registry shall be contacted at the request of a Deputy for problems related to child abuse or other family matters. The phone number is 1-800-96-ABUSE.
 - c. Guidance Clinic - Contacted at the request of a Deputy for intoxication related matters. Phone numbers for the Guidance Clinic are available at the Communications Center.

M. Emergency Medical Dispatch

1. Definition

- a. Primary Service Mode - This mode of service refers to all normal dispatch functions excluding emergency medical dispatch service.

- b. Advance Service Mode - This mode of service includes all normal dispatch functions included above as well as the supplying of emergency medical dispatch services. At least two (2) dispatchers should be on duty before such service is attempted.

2. Policy and Procedure

- a. All Monroe County Sheriff's office communications officers will be certified as Emergency Medical Dispatchers (EMD) by the Medical Priority Company. The emergency medical dispatch training offered by the Medical Priority Company is a 24 hours course, which does not include CPR certification (a separate course for CPR is conducted). The Medical Priority EMD course includes a review and explanation of a manual written and provided by the Medical Priority Company. Practical training is minimal. Each dispatcher will obtain 24 hours of re-certification every two years.
- b. Effective immediately, all newly hired communications officers will be required to attend and be certified in both courses during the probationary period of six months. New communications officers will work a shift accompanied at all times with a certified EMD and will not be permitted to be assigned to a shift working alone until they are certified.
- c. All new communications officers will be certified / re-certified by the Medical Priority Company in order to establish consistency with training and implementation of the curriculum.

d. Stages of Instruction

- 1) The location of the patient will be the first information obtained and the caller will be advised to stay on the line while the Medics and/or Fire / Rescue are dispatched. Medical calls are dispatched by the communications officer at position number two.
 - 2) Information should be obtained from the manual by using the "key" questions, and any further details on the location / address.
 - 3) Determine if pre-arrival instructions can be given. Refusal of the caller to assist can be for various reasons, but it is recommended that the communications officer stay on the line until the first responder arrives. This includes deputies, medics, and/or fire / rescue personnel which is verified by the arrival given by radio. At no time should a caller be intimidated into performing or providing assistance.
- e. If the caller is able to assist, follow the instructions in the "Flip Chart" manual.
 - f. Continue to update the medics as to the situation and condition of the patient.
 - g. It is of the utmost importance for the communications officer to remain calm and reassuring to the caller. Inform them that the ambulance is on the way or that help is on the way without giving specific statements indicating time frames.
 - h. If the patient is unconscious and not breathing, then immediately refer to the Flip Chart instructions for CPR for adults, children, and/or infants.
 - i. If the patient is choking, immediately refer to the Flip Chart instructions for choking adult, children, and/or infant.
 - j. Ascertain from the medics if there is any further information.

k. Note on each medical call the "dispatch priorities" which indicate the situation, response order, and priority of the calls. Medical calls should be handled expeditiously with emphasis on following the instructions from the manual with no deviations.

l. Callers that claim to be medically trained personnel should be given instructions according to the manual. Apply protocol to all callers. Ascertain if the caller informs you they are medically trained, and if they are going to manage the patient until the medics arrive. Report or copy the information that is given and relay by radio to the medics. Record the name of the person providing the medical information.

m Medic and Fire / Rescue Jurisdictions are established by Monroe County EMS. A list of each applicable zone coverage will be posted in the communications center.

N. Responding to Calls for Information and Services:

1. Definition

Communications Division personnel are likely to receive calls from victims/witnesses who request information or services. In many instances these calls may represent the first contact a victim/witness makes with the agency and Communications Division personnel should be able to provide an appropriate response.

2. Policy and Procedure (Procedures for performing telephone, radio, teletype and automated data are covered in the Communications Manual.

a. **The complaint intake officer will judge the characteristics of the event to determine whether an emergency or non-emergency response is required.**

1. This information will be passed on to the responding deputy and the patrol supervisor.

2. Information regarding the agency's response, including direct law enforcement service and/or referral to other agencies will be provided to the reporting person.

3. Victims or complainants will be referred to the proper agency or organization, or MCSO Victim/Witness pamphlet.

b. Communications Center personnel receiving calls for service shall obtain and record the following information at the time of request, this information shall include:

1. Date and time of request
2. Name and address of complainant (if possible)
3. Type of incident reported
4. Location of incident reported
5. Time of dispatch
6. Time of officer arrival
7. Time of officer return to service: and
8. Disposition or status of reported incident

[CFA 21.05M A]

Note: Information shall be recorded for all requests received including those received by telephone, letter, in person, self initiated by officers; or reported to officers in the field.

c. Complaint numbers will be assigned for calls requiring a Written Original Report to the agency. Extra-duty employment, meals, training or administrative details will not generate a complaint number. However, these details will be recorded as deputy activity on the CAD system. All other activities, call or complaints, including traffic stops, and other deputy/employee generated activity will be given a CAD number in the

system.

- d. Obtaining relevant information for each call for law enforcement service is critical for prompt agency respond and officer safety. Communications personnel shall elicit as much information as possible to enhance the safety of the officer(s) responding and assist in the anticipated conditions to be encountered at the scene. Checklist information should include, but not be limited to the following:
1. Nature of incident, and if in progress or not
 2. Location of incident
 3. Weapons involved
 4. Number of persons involved
 5. Description of suspect(s)
 6. Time occurred or lapsed time since incident
 7. Injuries involved
 8. Complainants name, address and telephone number (if possible)
 9. Suspects direction of travel, if no longer on scene
 10. Suspects mode of travel
 11. Description of vehicle(s)
 12. Vehicle license plate number
 13. Point of entry/exit
 14. Suspects or others intoxicated
 15. Additional suspect activities
 16. Any prior incidents at this location or involving the same suspects
 17. Any additional information about the incident, suspect(s) or activities

[CFA 21.05M A]

- e. A record shall be made of back-up officers assigned to assist a primary officer, back-up officers shall be added to the original incident and will not require a separate CAD code. It is the responsibility of the Communications Officer to be sure all in service units are displayed on their particular unit status screen. Further it is the communications officers responsibility to check on units when needed.
- f. Daily dissemination of stolen vehicle information. All stolen vehicles, stolen tags, stolen decals and missing persons meeting FCIC/NCIC criteria will be entered in the Teletype and CAD BOLO file. Felony vehicles shall be entered in the Teletype and CAD BOLO file. Information concerning stolen vehicles, etc. are BOLO'd by the communications section upon receipt and verification of the information.
- g. Acceptable priority code:
1. Priority 1- To be dispatched immediately
 2. Priority 2, 3, 4, 5, 6 - To be dispatched within 15 minutes
 3. In the event that a call cannot be dispatched in the allotted time, the communications officer will notify the on duty Sector Sgt. And advice of the holding call. Once this is done the communications officer will then place that information in the call notes of the incident to indicate that the information was passed on to explain the necessary delay.
 4. While most priority codes have been pre-programmed the call taker must use some discretion. Circumstances such as personal injury, presence of weapons, the perpetrator on scene, etc. would require the priority to be raised. The key word is discretion. DO NOT think that the pre-programmed priority is "locked in concrete". Do not tab through this field without giving it some reasonable thought.
 5. Not only do the call types indicate the priority - they are also indicated by the color of the call to correlate with the deputy's response. Red indicates a priority one call, yellow indicates priority two, green indicates priority 3, teal indicates priority 4, purple indicates priority 5, and white

indicates priority 6. The color olive green indicates that a call has been suspended, which means that the unit was pulled to go on another call. Gray indicates that the call is closed.

O. Alternative Report Filing

- 1. In most instances a deputy shall be dispatched to the scene or location of a complainant or victim to gather pertinent evidence or information for the completion and submission of an incident report.**
- 2. However, there are incidents where the presence of a deputy on the scene gathering information for a report is not necessary. The same information may be gathered through other means of contact with the reporting party. To facilitate the most efficient use of a deputy's time, reports as outlined below may be taken via the telephone:**
 - a. Misdemeanor theft, where the suspect is not known and/or on the scene.**
 - b. Information reports (reports filed to document information of no significant criminal matter).**
 - c. Lost/stolen tag, decal sticker.**
 - d. Lost cellular phones.**
 - e. Delayed reporting of misdemeanor crimes.**
 - f. Complainant is reporting the incident from another jurisdiction.**
 - g. Initial incident information was received via mail, U.S. mail or email, and phone contact is made with the complainant for report completion.**
- 3. Communications may, in the above listed instances, advise the complainant that a deputy will call them. If the complainant request, Communications will dispatch a deputy to the scene to take a report.**
- 4. A response to the scene is required in all cases where the incident is:**
 - a. A crime against a person.**
 - b. The potential for violence at the scene is possible.**
 - c. A felony theft.**
 - d. A forcible felony.**
 - e. A suspect is known and/or is on the scene.**
 - f. Evidence is available for collection and processing.**

P. Procedures to initiate entry and removal of F/NCIC, when appropriate, include the following: (CFA 25.02M)

- 1. In accordance with FCIC guidelines the following towed vehicle entries will be made into FCIC.**
 - a. Stolen/Recovered**
 - b. Felony Vehicles**
 - d. Abandoned / Towed**
- 2. The impounding deputy will, when appropriate, contact the Communications Center and ensure that the vehicle has been entered into F/NCIC.**
- 3. In cases involving the recovery of a stolen vehicle originally reported to this agency, the recovering deputy shall contact the Communications Center and request the cancellation of any computer entry which reflects the vehicle is at large.**
- 4. In incidents involving impounded felony vehicles, the case deputy shall contact the Communications**

Center and authorize cancellation, when applicable, of the computer entry.

5. Abandoned / Towed Vehicles


- a. **FCIC entry is not necessary for all vehicles with a known owners name and Monroe County address.**
- b. **FCIC entry will be made for all vehicles if the owner is known or not and the registration indicates the vehicle is from outside of Monroe County.**
- c. **Exceptions to this rule shall be following a natural or man-made disaster and approval of the Sheriff.**
- d. **Removal from FCIC - abandoned towed vehicles, FCIC entry may be removed after 90 days.**

6. All towed vehicles shall be entered into the CAD System Tow Log.

(Revised 5-3-2006)

MONROE COUNTY SHERIFF'S OFFICE

GENERAL ORDER

CHAPTER:	34A	TITLE: Interview / Interrogation Rooms
EFFECTIVE DATE: May 21, 2009	NO. PAGES: 2	AMENDED: October 12, 2011
RESCINDS: Special Order – Interview Rooms		REFERENCE: CFA 19.03e, 39.01, 39.02 , 39.03 CALEA 42.2.10
 <hr/> Sheriff of Monroe County		

PURPOSE:

To establish standard procedures for the safe, effective use of interview / interrogation rooms used throughout the county.

PROCEDURE:

Interview / interrogation room designation

These are rooms used primarily for interview/interrogation.

Authorization for use of the room

Any deputy wishing to use an interview / interrogation room to conduct an interview / interrogation as part of an investigation must obtain permission from the supervisor, or his/her designee, who controls access to that room [CFA 39.01a] [CFA 39.02b]

Items kept in the room

Only items that assist the deputy should be kept in the room, e.g. tables, chairs, writing materials, tape recording equipment, etc. [CFA 39.01g] [CALEA 42.2.10e]

Items that can be used as potential weapons shall not be kept in the interview / interrogation room [CFA 39.01g] [CALEA 42.2.10e]

Search of room prior to use

Deputies using an interview / interrogation room to conduct a suspect interview / interrogation shall conduct a security inspection of the room

prior to its use. Officers should look for and remove any item(s) that could be used as potential weapons. [CFA 39.02i] [CALEA 42.2.10]

Search of suspects

The interviewing deputy is responsible for the safety of all persons involved in the interview / interrogation including the safety of the suspect. [CFA 39.01b]

Prior to conducting the interview / interrogation, the deputy shall conduct a pat search of the suspect. [CFA 39.01b] [CFA 39.02a] [CALEA 42.2.10b]

Training for deputy accountability for the suspect is conducted during the Field Training Officer program. [CFA 39.01f]

Property belonging to suspect

Any property taken from the suspect prior to, or during the pat search, shall be placed in a secured area or given to another deputy for safekeeping [CFA 39.02e]

Separation of male, female and juvenile prisoner / detainee

Male prisoners / detainees shall be kept separate from female prisoners / detainees. Adult prisoners / detainees shall be kept separate from juvenile prisoners / detainees. [CFA 39.01c]

Weapons control

It is recommended that deputies secure their firearm and less-lethal weapons prior to entering the interview / interrogation room. If the deputy chooses to keep his/her firearm and/or less-lethal weapons on his/her person, the deputy should position him/herself so that the firearm or less-lethal weapon is not within ready access of the suspect. [CFA 39.02c] [CALEA 42.2.10a]

Suspect control

The deputy may use temporary restraints during the interview / interrogation to maintain control of the suspect. The officer shall not secure the suspect to a fixed object. [CFA 39.01d]

Number of officers present during interview / interrogations

No more than two deputies should be present at any one time during an interview / interrogation. [CALEA 42.2.10c]

Monitoring the suspect

Ideally, the suspect should be kept under continuous observation while he/she is in the interview / interrogation room.

Video monitoring can be used as long as the deputy watching the video monitor can maintain continuous observation without being distracted by other tasks and can immediately respond to a request for assistance.

If the suspect can not be continuously monitored, a deputy or other agency member shall visually check on the suspect at least every 30 minutes. The officer or agency member shall receive verbal affirmation from the suspect that they are "okay" and are not in need of water, a restroom, etc. [CFA 39.03] [CALEA 42.2.10f]

Access to water, restrooms, etc.

The interview / interrogation room shall have reasonable access to restrooms and water. The suspect shall be afforded reasonable breaks in the interview / interrogation process to gain access to water, restrooms and other needs. [CFA 39.01e] [CALEA 42.2.10f]

Escape prevention

Deputies shall be diligent in taking the necessary precautions to prevent the suspect from escaping.

Allowing the suspect access to the restroom, water, etc. may present the possibility of an escape attempt and the deputy (ies) should take precautions to prevent it. [CALEA 42.2.10f]

Deputies should also be aware that persons who accompany the suspect to the location of the interview / interrogation room, also present security risks. [CFA 39.02d] [CALEA 42.2.10b]

In the event of a medical or other emergency situation, i.e. floods, power failure, etc., the deputy (ies) shall take precautions to secure the suspect to prevent an escape. [CFA 39.02f]

In the event of a fire, the deputy (ies) shall evacuate the building with the suspect following the posted evacuation route. [CFA 39.02g]

Summoning assistance

Deputies should not conduct an interview / interrogation alone.

However, if it becomes necessary to conduct an interview / interrogation with only one deputy in the interview / interrogation room, a second deputy, and/or any additional deputies, shall place themselves in a position to be able to see and/or hear what is occurring in the interview / interrogation room.

Any deputy, in the interview / interrogation room, who needs assistance may use his/her "Officer Down" feature on his/her assigned portable radio. Deputies may also use a predetermined verbal/visual signal to summon assistance from other officers present. [CFA 39.02h] [CALEA 42.2.10d]

Non-designated interview / interrogation room

When areas are used for interview / interrogations that are not solely used for that purpose, the deputy shall take into consideration all of the issues / concerns presented in this directive.

CHAPTER THIRTY-FOUR
CRIMINAL INVESTIGATIONS

I. PURPOSE

The purpose of this directive is to establish guidelines for the operation of Criminal Investigations.

II. DISCUSSION

This Directive shall apply to all members associated with criminal investigations. The function of Criminal Investigations is to accomplish justice by determining the accurate detection of the offender and by making it possible in a trial to sustain the State's burden of criminal proof. The goal of law enforcement is to protect life and property from the criminal element. When crimes do occur it is necessary for law enforcement officials to determine the perpetrator and his/her locations. This criminal investigation becomes an integral and most important part of law enforcement. The personnel responsible for criminal investigations within the Monroe County Sheriff's Office are both patrol and detective personnel. It is the policy of the Sheriff that the Detective be responsible for all detailed investigations relating to death investigations, aggravated assault, serious injuries, robberies, sex crimes, burglaries, missing persons, detention facility crimes, crimes against children, frauds, forgeries, illegal checks, counterfeiting, auto thefts, arson and other document and white collar crimes. Detectives will also conduct latent investigations on all referred offenses. Divisions I, II, III and IV shall have a Criminal Investigation component supervised by a Detective Sergeant answerable to the Division or Station Commander.

III. POLICY AND PROCEDURE

A. Detective Availability

Each Criminal Investigations Unit shall have an "on-call" Detective roster to be left in the Communications Center and with the Division Commander. This shall be the responsibility of the Detective Sergeant. Detectives will respond to all:

- Homicides;
 - Aggravated Battery;
 - Robbery;
 - Sexual Battery (involving adult and juvenile victims)
 - Suicide;
 - Cases which require specialized skills, knowledge and abilities beyond those of uniformed officers.
 - Arson
 - Lewd and lascivious acts (juvenile victims)
 - Business Burglaries
- [CALEA 42.1.1]

B. Preliminary Investigations (revised 12-18-00)

A properly conducted preliminary investigation maybe sufficient to bring a case to a satisfactory conclusion, thereby eliminating the need for follow-up investigation. A preliminary investigation is the activity that begins when uniformed deputies arrive at the scene of an incident. The activity

should continue until such time as postponement of the investigation or transfer of responsibility will not jeopardize the successful completion of the investigation. Preliminary investigations are to be conducted by uniformed patrol deputies, unless the case is reported in person at the Office and is of a specialized nature, (i.e., child abuse, etc.).

1. The first Deputy arriving at an incident scene shall:

- a. Protect life;**
- b. Render aid;**
- c. Secure and protect the scene by placing crime scene tape around the perimeter of the crime scene and prevent unauthorized persons from entering the scene and**
- d. Secure and protect evidence.**
[CALEA42.2.1C]

2. The Deputy conducting the preliminary investigation shall:

- a. Upon arrival at the scene, observe conditions, events and any remarks made by witnesses.**
[CALEA 42.2.1 A]
- b. Determine if an offense has actually been committed, and if so, the exact nature of the offense.**
- c. Determine the identity of the suspect or suspects, and effect an arrest if it can be accomplished either at the scene or through immediate pursuit.**
- d. Furnish other field units, through the communications system, descriptions, method and direction of flight, and other relevant information concerning wanted persons or vehicles.**
- e. Obtain complete identification of all witnesses.**
[CALEA 42.2.1 B]
- f. Determine what information is known by the victim and witnesses.**
- g. Arrange for the collection of evidence by requesting a crime scene detective as per chapter 35 - crime scene reporting, III, A,**
[CALEA 42.2.1 C]
- h. Determine in detail the exact circumstances of the offense.**
- i. Interview complainant, witnesses and suspects and take written statements when appropriate.**
- j. Accurately and completely record all pertinent information on the prescribed report forms.**
[CALEA 42.1.4/ CALEA 42.2.1 D]

C. Follow-up Investigations

A properly conducted follow-up investigation may be sufficient to bring a case to a satisfactory conclusion. Not every case can be readily solved. However, by measuring the degree of solvability, and the degree of seriousness, along with proper scheduling and periodic reporting, the investigative workload can be properly managed for successful follow-up investigation.

1. The following steps are presented as a guideline to be followed in conducting a follow-up investigation. (There are steps that may be eliminated in the event they are not found to be necessary. For example, every follow-up investigation may not include a search.)

[CALEA 42.2.2 A & H]

a. Reviewing and analyzing all previous reports prepared in the preliminary phase:

When conducting follow-up investigations the member conducting the investigation will thoroughly review the initial incident report documenting the incident under investigation, as well as any supplemental reports that have been written, and any statements taken during the initial investigation. It is based upon this review that the member should develop an investigative strategy for conducting additional investigation of the incident.

[CALEA 42.2.2 A]

b. Conducting additional interviews and interrogations:

Upon completion of the initial case review, members conducting follow-up investigations should make an initial determination of any additional witness, or potential witness, that may need to be interviewed regarding the incident under investigation. In addition if a suspect, or potential suspect has been identified, then an interrogation of the suspect may be appropriate. Any interrogations will be conducted in compliance with agency policy and with due regard for the civil rights of the subject being interrogated. As the investigation progresses, members conducting follow-up investigations should conduct additional interviews of witnesses as new witnesses are identified.

[CALEA 42.2.2 B]

c. Reviewing departmental (Office) records:

Members conducting follow-up investigations should do a search in the agency computer database for information possibly related to the incident currently under investigation. This search is to identify, but not limited to:

- Prior incidents at the same location where the incident currently under investigation occurred.
- Any known suspect from prior incidents as described above.
- To locate any identifiable stolen property from the case under investigation that may have been pawned and entered in the pawn shop database of the agency.
- To identify any potential suspect who may have been field contacted by officers, in the area of and during the time frame, when the incident under investigation occurred.

[CALEA 42.2.2 A]

d. Seeking additional information (from Uniformed Deputies, informants, etc.):

Upon completion of the initial case review, members conducting follow-up investigations should make an initial determination of potential sources of information related to the incident currently under investigation. These sources of information can include, but are not limited to, uniform officers, confidential informants, cooperating defendants, citizens, etc.

[CALEA 42.2.2 C]

e. Collecting physical evidence:

Upon initiating a follow-up investigation the member conducting the investigation should review the initial case reports to ensure that a thorough processing of the initial incident scene was conducted. If additional scene processing is required, the member conducting the follow-up investigation should insure that this processing is accomplished and any additional evidence is recovered. All evidence recovered will be placed into property in compliance with agency policy. In addition, the member conducting follow-up investigations will insure that any evidence recovered that is to be submitted for laboratory analysis, is in fact submitted and submitted in compliance with the guidelines of the agency and the Florida Department of Law Enforcement.

[CALEA 42.2.2 D, 83.2.4 D]

f. Reviewing results from laboratory examinations:

Members conducting follow-up investigations will review all laboratory examination reports related to the incident under investigation to determine if they provide any information; that may identify the perpetrator(s) of the incident under investigation, or provide any additional investigative leads that can be followed.

[CALEA 42.2.2 A]

g. Arranging for dissemination of information as appropriate:

It is the responsibility of the member conducting follow-up investigations to ensure that the internal dissemination of any information related to the incident under investigation is accomplished. Any release of information to the media will be coordinated through the Community Relations Division.

h. Identifying and apprehending suspects:

When a member conducting a follow-up investigation makes a determination that probable cause exist to arrest a suspect, it is the investigating member's responsibility to complete a probable cause/arrest affidavit, and or apply for an arrest warrant for the suspect. Additionally, it is the investigating members responsibility to insure that any arrest warrant issued is appropriately entered by the agencies Warrants Division, if the original warrant is not served on the suspect. It is also the responsibility of the investigating member to ensure that a diligent effort is made, by the investigating member or others, to locate and arrest the suspect named in the affidavit or arrest warrant.

[CALEA 42.2.2 E]

i. Planning, organizing and conducting searches:

It is the responsibility of the member conducting follow-up investigations to coordinate through their Immediate supervisor any follow-up searches for evidence that may be conducted. Searches are to be conducted with due regard for safety of the members involved and in compliance with the established rule of evidence and criminal procedure.

[CALEA 42.2.2 D]

j. Preparing cases for Court presentation:

It is the responsibility of members conducting follow-up investigations to insure that a complete copy of the initial case report, all subsequent investigative reports, statements, audio/video tapes, arrest affidavits, warrants, etc., are submitted to the State Attorney's Office to facilitate the criminal prosecution of any subjects arrested. In addition, members conducting follow-up investigations will assist the Assistant State Attorney prosecuting the criminal case as requested.

[CALEA 42.2.2 H]

k. Assisting in prosecution:

Members conducting follow-up investigations will assist the State Attorney's Office in any subsequent criminal prosecutions related to the investigation conducted by the member as requested.

I. Determining involvement of suspects in other crimes; and

Members conducting follow-up investigations should conduct a search of the agency computer database to determine if the suspect(s) identified in the incident under investigation are named as a suspect involved in other crimes. This may be accomplished by a simple name search of suspects identified in other crimes or a more complex modus operandi search conducted through the Crime Analysis Division. In serious violent crimes, members conducting follow-up investigations should complete and submit to the FBI a FBI V.I.C.A.P. report on the crime for entry into the nationwide database.

[CALEA 42.2.2 F]

m. Checking suspects' criminal histories, determine is suspect is an habitual offender:

Members conducting follow-up investigations will conduct (either themselves or by others) a search of the NCIC/FCIC computer database to determine what if any prior criminal history any suspect(s) or potential suspect(s) in the incident under investigation may have. This search is done to:

- Determine the potential habitual offender status of the suspect.
- For member safety in determining the potential threat level of the suspect.

[CALEA 42.2.2 G]

2. All follow-ups are to be documented on a Supplemental form and signed by the investigating member.

3. Whether the case follow-up is conducted by a uniformed deputy or detective, the victim, complainant, and/or witness(s) are to be contacted a "second time" within seven days after the report of the original incident and preliminary investigation. After this "second contact", the case may be closed by a supplement report if no information or leads exist, making another follow-up unnecessary or impractical. Contacting a victim, complainant, and/or witness for a second time, after a lapse of several days, may result in the receipt of information leading to the clearance of a case. Maintaining a policy of "second contact" is valuable in building public confidence in the Office as well as indicating that the members of this Office are genuinely concerned about the welfare of the victim and other citizens associated with the case.

4. Assignment of Follow-ups

a. All misdemeanors and Third degree felonies will be assigned to the member who originally received the complaint. Any detective supervisor may assign a case for a detective to follow-up if it requires extensive investigative time and/or resources.

1) The Patrol Sergeants will be responsible for reassigning each case to the original member who received the complaint.

2) The Patrol Sergeant shall maintain a record of all follow-up cases assigned for his/her squad.

3) Each Deputy shall maintain a follow-up case jacket.

4) If the case has not been closed after the original "second contact", a fourteen (14) day follow-up contact report will be conducted after which the supplement report will be generated detailing any additional information developed or closing the case.

(CALEA 42.1.3 B)

5) If at the end of fourteen (14) days, no leads have been developed, the case may be suspended.

6) Deputies shall make a sincere effort to solve all crimes assigned to their investigation.

7) Follow-ups may be completed via telephone when necessary.

b. All Second, First Degree Felonies and assigned misdemeanors, are to be followed-up by a Detective.

1) The Detective Sergeant shall assign follow-up investigations to each detective based on his/her area of expertise, solvability factors and:

a) Documented experiences of the Office;

b) Documented experiences of other law enforcement agencies;

c) Research conducted within the Office; and

d) Research conducted in other law enforcement agencies.

2) The Detective Sergeant shall maintain a record of all follow-up cases assigned.

3) Each detective shall maintain a follow-up case jacket.

4) The Detective Sergeant will review all Detectives' cases weekly and determine which will be closed or followed up.

5) Detectives shall make a sincere effort to solve all crimes assigned for their investigations.

6) Follow-up may be completed via telephone when necessary.

[CALEA 42.1.2]

5. All cases will receive one of four (4) status designations - Arrested, Exceptional, Unfounded, and Other. These designations are the four (4) that are used by Federal & the State of Florida UCR. For consistency all officers and supervisors need to be familiar with these classifications codes. Additional assistance can be given by the Planning and Research Division.

[CALEA 42.1.3 A]

a. Arrested / Closed - "Closed by Arrest" when at least one (1) person is 1) arrested, 2) charged with the commission of the offense, and 3) turned over to the court for prosecution (whether following an arrest or court summons served by a deputy). Arrest of a principal, aider, abettor or conspirator permits a clearance by arrest even if charged with a lesser offense.

b. Exceptional / Suspended - If all of the following questions can be answered "yes", then the offense may be listed as Exceptional / Suspended.

1) Has the investigation definitely established the identity of the offender?

2) Is there enough information to support an arrest, charge and prosecution?

3) Do you know the exact location of the offender so that you could take him/her into custody now?; and

4) Is there some reason beyond law enforcement control that stops you from arresting, charging and prosecuting the offender?

c. Unfounded - A reported offense that investigation shows to be false or baseless.

d. Other - Open: An other case that does not meet the requirements of Closed / Arrest, Exceptional / Suspended or Unfounded will be classified as Open.
(CALEA 42.1.2)

6. After the seven (7) day contact, the victim of the crime shall be advised by the assigned "follow-up" member of the status of his/her case. Crime victims are to be advised should their case be put into a "Suspended" status.
[CALEA 42.1.2/ 42.1.4]

D. Case File Management

Revised 08/26/09

1. A case file shall be kept on all cases in which investigative activities are ongoing. The case file shall contain:
[CALEA 42.2.3]
 - a. A copy of all preliminary investigative reports (all originals shall be maintained in Central Records);
 - b. All statements;
 - c. The results of examinations of physical evidence;
 - d. Case status reports; and
 - e. All other reports and records needed for investigative purposes.
 - f. Investigative checklist for prosecution.
[CALEA 42.2.3]
2. Hard copies of all open investigative case files shall be kept secured at all times when unit personnel are not in their work area.
3. Investigative files within the computerized case management system are accessible only by personnel given authorized access via password
4. Once the case is closed or suspended, these files shall be consolidated and sent to Central Records. Criteria for suspending/inactivating investigative effects shall include:
 - a. The absence of further leads or solvability factors;
 - b. All assigned follow-up investigations will be reviewed by the Section/Unit Supervisor prior to the suspension of investigative activity.
[CALEA 42.1.2 & CALEA 42.1.3 C D E & CALEA 42.1.4]

E. Cold Case Evaluation

1. Cold Case - is defined as a criminal case where all leads have been exhausted and there are no new investigative leads to follow-up on.
[CALEA 42.2.9 A]
2. Review Responsibility
 - a. The Homicide Unit Supervisor is specifically responsible for the periodic evaluation of all cold cases involving crimes of physical violence.
 - b. Any detective or detective supervisor may review any cold case when a possibility of reopening criteria exist.
 - c. Any employee has a duty to bring to light any circumstance where a cold case needs to be reviewed and possibly reopened per evaluation criteria.

3. Evaluation Criteria - A cold case may be re-opened and investigated upon learning of new leads, reviewing the evidence and resubmitting evidence for new examination procedures, i.e DNA, or any other new developments that may develop or any other new information that may be relevant to the case and it's resolution.
[CALEA 42.2.9 B]
4. Recording of Investigation Actions - the same documentation and reporting requirements for active investigations shall be followed.
[CALEA 42.2.9 C]

(Effective 7-4-2007)

F. Constitutional Requirements During Criminal Investigations

Sheriff's personnel who are engaged in criminal investigation or law enforcement action shall make certain that all persons are afforded rights and protection guaranteed by the Constitution of the United States. Sheriff's personnel shall not perform their duties in any manner that shall cause a suspect to be coerced to admit or involuntarily confess to a crime. Sheriff's personnel shall not cause any unnecessary delay in arraignment nor shall they fail to inform defendants of their rights against self-incrimination. Sheriff's personnel shall not deprive these persons counsel or contribute to any pretrial publicity that would tend to prejudice a fair trial. To insure such, the following procedures are established:

1. Whenever any member of the Monroe County Sheriff's Office investigating a crime wishes to question an individual who has been placed under arrest, temporarily detained for investigative purposes, or is otherwise not free to leave, such individual shall immediately be read the "Miranda Warning" in the following fashion:

"You have the right to remain silent. Anything you say can be used against you in court.

You have the right to talk to a lawyer for advice before you are asked any questions and to have him/her with you during questioning if you wish.

If you cannot afford a lawyer, one will be appointed for you before any questioning, if you wish.

If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at anytime.

You also have the right to stop answering at anytime until you talk to a lawyer."

(After the warning, ask the following questions and secure an affirmative answer to each to obtain a waiver.)

Do you understand each of these rights I have explained to you?

With these rights in mind, do you wish to talk to me now?

2. Should the suspect state he/she will not answer any questions, all questioning of the suspect will cease immediately.
3. Should the suspect agree to answer questions, but wishes to speak with an attorney or be present, the following shall be followed:
 - a. If the suspect is not in custody, all questioning of the suspect will cease immediately.
 - b. If the suspect is in custody, he/she shall be allowed to contact his/her attorney, or if the suspect wishes an attorney but he/she cannot afford an attorney, the Public Defender's Office shall be contacted by the Deputy

handling the case. All questioning of the suspect shall cease until the attorney arrives and confers with the suspect.

4. Should the suspect agree to talk with the Deputy, whether the suspect is in-custody, not in custody, or has an attorney present, the questioning of the suspect shall be deemed an official interrogation. At this point the procedure detailing interrogations and confessions shall be followed.
5. Once arrested and charged with a crime, the suspect shall be taken before the court within twenty-four (24) hours of arrest.
6. No member of the Office shall make any comments regarding any criminal case that could lead to pretrial publicity, which would tend to prejudice a fair trial.

G.Criminal Background Investigation

Background investigations for Criminal Intelligence and Habitual Offender information.

1. Background investigations and habitual offender information shall be the responsibility of each detective.
2. Habitual offender information will be obtained on all identified suspect(s) before an arrest is made, if possible.
 - a. Any suspect identified as an Habitual Offender will be so identified in the case report.
[CALEA 42.1.5 B]
 - b. The investigating detective will consult with the State Attorney's Office and request assistance in case preparation.
[CALEA 42.1.5 C]
3. Habitual / serious offender is defined as defendant for whom the court may impose an extended term of imprisonment, as provided in this section, if it finds that:
 - a. The defendant has:
 - 1) Previously been convicted of a felony in this state.
 - 2) Twice previously been convicted of a misdemeanor of the first degree in this state or of another qualified offense for which the defendant was convicted after the defendant's 18th birthday.
 - 3) The felony for which the defendant is to be sentenced was committed within five (5) years of the date of the conviction of the last prior felony, misdemeanor, or other qualified offense of which he was convicted, or within five (5) years of the defendant's release, on parole or otherwise from a prison sentence or other commitment imposed as a result of a prison conviction for a felony or other qualified offense, whichever is later;
 - 4) The defendant has not received a pardon for any felony or other qualified offense that is necessary for the operation of this section; and
 - 5) A conviction of a felony, misdemeanor, or other qualified offense necessary to the operation of this section has not been set aside in any post-conviction proceeding.
 - b. "Habitual Misdemeanant" means a defendant for whom the Court may impose an extended term of imprisonment, as provided in this section, if it finds that;

- 1) The defendant has at least twice previously been convicted of the same crime committed at different times after the defendant's 18th birthday;
 - 2) The misdemeanor for which the defendant is to be sentenced was committed within two (2) years of the date of the commission of the last prior crime or within two (2) years of the defendant's release, on parole or otherwise, from a prison sentence or other commitment imposed as a result of a prior conviction for a crime, whichever is later;
 - 3) The defendant has not received a pardon on the ground of innocence for any crime that is necessary for the operation of this section; and
 - 4) A conviction of a crime necessary to the operation of this section has not been set aside in any post-conviction proceedings.
- c. "Qualified Offenses" means any offense in violation of a law of another state or of the United States that was punishable under the law of such state or the United States at the time of its commission by the defendant by death or imprisonment exceeding one (1) year or that was equivalent in penalty to as misdemeanor of the first degree.
(CALEA 42.1.5 A)
4. When an individual with established or suspected relationships to white collar crime, organized crime, and/or vice activities is found, a background investigation will be completed. When background investigations of individuals are required for licensing or a given permit, the investigation shall be completed.
 5. Potential sources of information can be, but will not be limited to the following:
 - a. Criminal histories
 - b. Motor vehicle registration
 - c. Parole / probation reports
 - d. Property ownership
 - e. Drivers license
 - f. Corporation memberships
 - g. Beverage licenses, state and local
 - h. Other law enforcement agencies
 6. All information collected will be indexed and filed in the Intelligence Unit. Distribution of the material will be on an "as need to know" basis ONLY. All requests for such information must have written authorization from requesting members Division Commander. The Commander of Division IV shall be advised of any "need to know" questions. He may request authorization of the Undersheriff before allowing the release of the information.

H. Criminal Investigations Procedures

Procedures to be used in criminal investigations.

1. Information obtained from person: victims, witnesses, suspects, other law enforcement members and informants.
2. Members should also be aware that there are many types of individuals are potential sources of information because of their occupational status, profession, or other natural inclinations.
3. Informants - In view of the vital importance attached to the handling of confidential sources of information, the following is established to ensure that all precautionary measures are considered when dealing with such persons. No member shall:

- a. Use an informant if he/she can get results by any other means.
 - b. Divulge more information than necessary.
 - c. Place entire confidence in information furnished by an informant.
 - d. Make any promises or "Deals" with an informant that cannot be fulfilled.
 - e. Meet a confidential source at the Sheriff's Office, on the street, at a bar, or other place where the element of exposure is great.
 - f. Fail to consider the motive and interest of the informant when estimating reliability.
 - g. Permit the informant to break the law.
 - h. Make payments to a confidential source until the information rendered has proven of value. Each member shall make sure the source understands the arrangement of payments; be exact in all financial transactions; and obtain a receipt for all payments.
 - i. Fail to take notes or make a tape recording of information.
 - j. Fail to verify all information received. Insist on accuracy.
 - k. Permit the informant to take charge of any phase of the investigation.
 - l. Fail to warn the informant that he/she should never disclose the fact of working for the Sheriff's Office.
 - m. Permit a relative or member of his/her immediate family to function in the role of a confidential informant unless approved by the Sheriff.
4. The procedure outlined below is to provide uniformity within the Monroe County Sheriff's Office for the handling of informants and to provide protection of investigative personnel in their official relationships with informants.
[CALEA 42.2.7 A, D]

a. Files

- 1) All Informants used by Office employees shall be documented and recorded in a master file, once they are documented and approved as outlined below. The master file may include an electronic data base.
[CALEA 42.2.7 A]

- a) These files shall be kept in numerical sequence with only the number showing on the file tab.

- b) The informant file shall contain at least the following:

- (1) Information Source Report
- (2) Informant Interview Report
- (3) Informant Receipt / Status Report

- c) Informant Control Numbers

- (1) The Intelligence Officer shall issue Informant Control Numbers in sequential order on a yearly basis.
[CALEA 42.2.7 C]

- (2) When any member refers to informants in official Office reports he shall always refer to the informant by his assigned number and never by name.
[CALEA 42.2.7 D]

d) Accessibility

- (1) Informant files are subject to inspection by the affected Special Operations Commander, Internal Affairs, Staff Inspections or the Sheriff.
- (2) During any assigned inspection or internal investigation the files will be made available to the concerned personnel.
- (3) Informant files are not required to be available to any other person.
- (4) It is the responsibility of the concerned Commander to insure that all informant information is kept in the prescribed manner and in a secure file.
(CALEA 42.2.7 C)

b. Member's Responsibilities

- 1) Members initiating the services of an informant will obtain an informant control number from the Intelligence Unit and establish an informant folder. Every effort will be made to document the informant prior to actual use. The following guidelines apply.
 - a) Prior to utilizing the informant, a check will be made to determine the following:
 - (1) Is he/she currently under indictment or out on bond;
 - (2) Wanted for any criminal offense;
 - (3) On parole or probation; and
 - (4) Present or past informant for any agency or the Office in any capacity.
 - b) If on bond, the arresting officer may be contacted for additional information and to determine if the informants assistance is possible.
 - c) Members will not utilize an informant if it is known that he/she is wanted for a criminal offense. Arrangements should be made to surrender the informant. He/she may then be utilized after bond requirements are met.
 - d) Permission from parole and probation officers is necessary if the informant is in this category.
 - e) If it is determined that the informant currently is assisting another agency or Monroe County Sheriff's Office Unit, that agency or unit should be contacted to determine no duplication of effort or compromise of another investigation will occur. If he/she has previously assisted another agency or unit of the Monroe County Sheriff's Office, a contact with the concerned agency / unit will help determine the feasibility of utilizing the informant. The Commander of the Special Operations Division should make every effort to avoid this duplication.
 - f) A letter from a parent or guardian giving permission to utilize a juvenile informant must be included in the informant's folder.

c. Forms

- 1) "Information source" shall be completed upon initial development of an informant.

- 2) "Informant Interview Report" should include statements as to motivation, capability and current status. Also, investigators of other agencies contacted in reference to utilizing the informant.
- 3) "Informant Receipt / Status Report" accounts for payments made to informants and expenses incurred during course of the investigation. Members will update this form each time the informant is utilized with a brief narrative summary of pertinent facts.
 - a) Informants will sign their name and number when receiving money for services. Money receipts must indicate date and case number.
 - (1) Refusal to sign by the informant must be documented by the investigating officer on the Informant Status Report. If such is the case, a witness shall sign verifying the above.
 - (a) Whenever an informant is deactivated, the appropriate documentation should be made under "Remarks", of the Informant Status Report and included in the case file.

d. General Procedures

- 1) Informant contacts will be made by at least two members or one member with a covering member close at hand.
- 2) In a situation when only one member is available, the member will notify his supervisor prior to making the contact. If the supervisor is not available, then the investigator shall notify the concerned Unit Supervisor or the Division Commander (or his designee) and again when the meeting has concluded. Appropriate documentation of the meeting is required.
- 3) The investigating officer(s) should take precautions when dealing with informants of the opposite sex, juveniles and with informants whose sexual preferences may make an investigation more susceptible to compromise through alleged improprieties.
[CALEA 42.2.7 F, G]
- 4) When assistance is requested by other law enforcement agencies or other units of the Monroe County Sheriff's Office and as a part of this assistance Monroe County Sheriff's Office will be utilizing their informants, an informant file will not be necessary. Monroe County Sheriff's Office will use the informant control number of the agency involved. If a number is not available then these contacts will require complete documentation as if the informant belonged to the Monroe County Sheriff's Office.
- 5) Except when assisting another agency / unit and utilizing their informant, a debriefing statement will be taken after each operation and included with the case file.
- 6) When debriefing an informant, any information received relating to violations of law which would be of interest to other agencies or other units of the Monroe County Sheriff's Office, this information should be explored and passed along to the appropriate agency / unit.
- 7) Debriefing statements will be made a part of investigative report folders.

e. Blacklisting an informant.

- 1) In the event continued use of an informant would be detrimental to the goals of the Office and/or safety of its members or when an informant is found to be unreliable and in the opinion of the member should not be used further, he will be "blacklisted."

- 2) This will be accomplished by the member initiating a memorandum to his supervisor detailing the reasons for the "blacklist".
 - 3) No "blacklisted" informant may be utilized without permission of the concerned Division Commander, with notification to the Undersheriff.
 - 4) All concerned units and/or agencies shall be notified of the "blacklist".
- f. Method of payment - Due to the nature of narcotics, vice, gambling and related investigations, it is necessary that an investigator be supplied with appropriate funds to pay informants and cover investigative expenses. A total audit trail is also required by the Office to account for every expense from initial disbursement to the Confidential Informant who receives the funding, therefore, this standard procedure is necessary.
[CALEA 42.2.7 E]
- 1) A request for Special Investigative Expense Account Funds to the Finance Division must be made through the chain of command via the Undersheriff to the Sheriff for approval. [CFA 706 B] **Once approved**, the Finance Division will issue a check to the Detective Sergeant. It is the Detective Sergeant's responsibility to deposit and record the funds into the general investigative fund. [CFA 7.06 A]
(Revised 08/17/09)
 - 2) Each Detective assigned to this unit is provided an investigative fund of up to \$300.00. To replenish the investigative fund or to obtain funds over \$300.00, the Detective must make a written request to the Detective Sergeant on the Investigative Funds Request/Receipt Form. The request will be reviewed by the Detective Sergeant and authorized by the unit Lieutenant. [CFA 7.06 C]
(Revised 08/17/09)
 - 3) Expenditures from the Detective's investigative fund must be documented on the Informant Receipt Status Report by the Detective stating the purpose / use of the expenditure and the following specific information:
[CALEA 42.2.7 E]
 - (a) Date [CFA 7.06 C 5]
 - (b) Case Number and Confidential Information Number (if applicable) [CFA 7.06 C 3 & 6]
 - (c) Amount spent [CFA 7.06 C 1]
 - (d) Authorizing Signatures [CFA 7.06 C 2]
 - (e) Information or material purchased [CFA 7.06 C 4]
 - 4) The unit Detective Sergeant will submit a quarterly reconciliation to report all expenditures and receipts to the Finance Director for audit on AUDIT OF INVESTIGATIVE FUNDS along with copies of an individual audit reconciliation of each Detective's funds.
(Revised 08/17/09)
 - 5) The unit Detective Sergeant will maintain a file of receipts and have these receipts available for inspection at any time.
 - 6) The unit Detective Sergeant will audit the fund monthly and reconcile cash received, expended, and the remaining balance monthly on the INVESTIGATIVE FUNDS MONTHLY RECAP.

- 7) All pertinent forms, receipts, records, and documentation shall be compiled and maintained, along with the fund balance, by the Detective Sergeant who will make them available for inspection and audit by the Undersheriff.
- 8) The Director of the Finance Division will be responsible for control of the process and audit the expended funds. **[CFA 7.06 E]**
- 9) The Director of the Finance Division will audit all expenditures on a quarterly basis and submit a report on the audit to the Sheriff. **[CFA 7.06 E]**
- 10) The Director of the Finance Division will maintain a file of the original request(s) and a copy of the check available for inspection at any time. **[CFA 7.06 E]**

**g. Criteria for use of confidential funds.
[CFA 7.06 F]**

All expenditures of confidential funds must be in furtherance of the investigation.

Every expenditure, including, but not limited to, drug purchases, supplies, informant payments, and miscellaneous expenses, must be verbally approved by the unit Detective Sergeant.

The unit Detective Sergeant has authority to approve expenditures up to \$50.00.

Any expenditure over \$50.00 must be approved by the unit Lieutenant.

Every expenditure must be accompanied by a receipt, when practical.

All receipts must be attached to the Informant Receipt status Report and submitted to the unit Detective Sergeant on a monthly basis.

- h. Loss or theft of funds - When the Office suffers a loss or theft of investigative funds, documentation will be prepared as follows:**
- 1) A report will be filed under the same case number as the current case. The report will be written by every member involved prior to the end of their shift clearly stating in detail all circumstances of the loss.
 - 2) The Division Commander will be immediately notified. The Division Commander will then make appropriate notifications through the chain of command.
 - 3) An investigation of the loss will be conducted by Internal Affairs.
- i. The Special Operations Commander or his designee is tasked with the training and refresher training of all personnel involved in the use or recruitment of confidential informants. This training will include agency policy and procedures and current Florida state law. This training will be accomplished annually. (CFA 18.03M)**
- j. The Special Operations Commander or his designee is tasked with an annual review of agency practices, policies, procedures and current Florida state law. This review will be accomplished annually. (CFA 18.03M)**

INTERVIEWS, INTERROGATIONS, ADMISSIONS, AND CONFESSIONS

(Refer to General Orders Chapter 34 - A governing Interview Room Procedures)

- a)** Interviews - Interviews are conducted to seek information from the victim or a witness(es) of a specific incident.
- b)** Interrogations - Interrogations are conducted to match information to a particular suspect in order to obtain a confession or admission. Interrogations also serve as a tool for obtaining information about the facts and circumstances surrounding a crime.
 - (1)** Objectives of an interrogation.
 - (a)** Learn the truth;
 - (b)** Obtain an admission of guilt;
 - (c)** Ascertain the identity of participants, principals and accessories;
 - (d)** Recover evidence and property;
 - (e)** Discover crimes in which the suspect is or has been involved;
 - (f)** Eliminate suspects;
 - (g)** Obtain all the facts, method of operation and circumstances of the crime in question;
 - (h)** Gather information to corroborate or disprove some fact;
 - (i)** Record, report and furnish the results of interviews to the State Attorney's Office for prosecutive opinion; and
 - (j)** Develop intelligence information that might uncover unlawful activities and identify persons and criminal groups.
 - (2)** Members conducting an interrogation shall adhere to the following procedures. Members shall:
 - (a)** Recognize legal rights and ethical and humanitarian principles. Threats or promises of any kind shall not be a part of any interrogation procedure.
 - (b)** Have a plan of interrogation. All material pertaining to the crime and statements of witnesses and victims prior to beginning an interrogation shall be carefully reviewed.
 - (c)** Recognize individual differences of social, economic, and intelligence levels. Members shall adjust their vocabulary to the level of the subject.
 - (d)** Keep in mind that the object of the interrogation is to learn the truth. No case is ever important enough to justify falsification.
 - (e)** Avoid leading questions unless used for motivating purposes.
 - (f)** Do not divulge previously acquired information that would allow the suspect to become aware of the extent of the information possessed concerning the case unless such a disclosure is an interrogative tactic.

- (g) Always terminate an interrogation so that it might be reopened at a later time should it be necessary.
- (h) Tape record interrogations whenever possible.
- c) Confessions and admissions - The following procedures shall be followed during the taking of confessions or admissions.

 - (1) The form of the confession may be oral, narrative, question-and-answer, or combination question-and answer / narrative type.
 - (2) The suspect should not be placed under oath as such precaution reflects a possible form of compulsion.
 - (3) Confessions may be handwritten in pen by the member or suspect and prepared in the first person. In other cases confessions may be typewritten or recorded and later transcribed into written form for the suspect's signature.
 - (4) If a tape recorder is used, it should not be turned on until the member is ready to obtain a concise statement from the suspect.
 - (5) When suspects confess orally to a crime, a written statement should be immediately prepared from the suspect's signature.
 - (6) The suspect shall be advised of his/her constitutional rights prior to giving the confession.
 - (7) The number of persons present at the taking of a confession shall be kept to a minimum to avoid the implication of coercion or duress.
 - (8) If, during the course of an interview or interrogation, the interviewing deputy or deputies are compelled to leave the room, the detainee must remain under direct continuous supervision by another sworn officer. Direct continuous supervision means personal observation, not use of video cameras or other electronic surveillance equipment.
 - (9) All indefinite answers shall be clarified.
 - (10) The confession statement should not include any crime other than that for which the suspect is charge unless it is tied closely with the case.
 - (11) Confessions should be as brief as possible and commensurate with all relevant details involved.
 - (12) Any alterations, changes, corrections, or erasures necessitated in a statement shall be made in the suspect's own handwriting or made by the member and initiated by the accused to show that the suspect is aware of them.
 - (13) Each page of the confession statement shall be signed by the suspect.
 - (14) At the conclusion of the confession statement, the suspect shall say in his/her own handwriting, if possible, that the statement has been read and is acknowledged to be true.
 - (15) The member shall witness the statement with signature, date and time.

4) Collection, preservation and use of physical evidence. Refer to Chapter 54 and 91.

5) Surveillance. Refer to Chapter 42.

INVESTIGATION FEES

It shall be procedure for all officers to include in all criminal investigation reports the time spent by each officer on the case. Anytime spent by support staff on the case and any expenses related to the investigation shall be itemized on an affidavit.

A \$25.00 per hour fee for investigative personnel costs shall be charged to allow the investigating agency(s) to capture some of the expenses in criminal cases.

1. The Courts have requested that the officer(s) submit the investigative time in affidavit form (i.e., it must be sworn to).
 - a. Sworn Non-Arrest - Examples: Complaint Affidavits, Notice to Appear, etc. Place the amount of time spent in your investigation on the last line of the narrative space.
 - b. Arrest Affidavits - Road Patrol or other short-term investigation. Place the amount of time spent in your investigation on the last line of the narrative space.
 - c. Long-term investigation wherein total investigation time is not complete at the time of signing the arrest affidavit, then prepare an Affidavit of Costs for Investigation form.
 - d. Supplemental Costs - These are costs which occur after the arrest affidavit, etc. was prepared. Please utilize the Affidavit of Costs for Investigation form. Include both your original costs submitted and supplemental costs for one inclusive total for the case.
 - e. Traffic Citations - These forms are not sworn to, therefore, an Affidavit for Cost of Investigation will be necessary. If an arrest is accomplished, then an Arrest Affidavit can be utilized.

POLYGRAPH

The purpose herein is to establish guidelines in the administration of polygraph examinations in conjunction with investigations conducted by the Sheriff's Office.

Polygraph examinations by qualified examiners are accepted nationwide as an investigative aid. It should not be used to circumvent good investigative procedures, or when sufficient physical or oral evidence is available to establish the facts. The polygraph is a scientific instrument, which records physiological changes that occur in the human body when a person is asked questions of a relative nature.

1. Testing - Who may or may not be tested.
 - a. Persons who may be tested.
 - 1) An individual who knows right from wrong.
 - 2) Generally children above the age of seven years are testable, but in each case involving young children, the final decision to test will be made by the polygrapher.
 - b. Persons who should not be tested.

- 1) Any person with a history of heart problems, or presently under a physician's care or taking medication for heart problems.
 - 2) Women who are pregnant.
 - 3) Persons with epilepsy.
 - 4) Persons with mental conditions.
 - 5) Persons with physical problems, which may affect the results of the polygraph examination, must have a letter from his/her physician stating that he/she is physically able to take the examination. This letter must be obtained by the case detective / deputy who is responsible for insuring the letter is authentic.
- c. Polygraph examinations shall only be conducted by examiners who have successfully completed a course of training at an American Polygraph Association certified school or American Association of Police Polygraphists recognized school.
2. Requests for testing - criminal.
- a. Requests for polygraph examinations should be submitted by memorandum through the chain of command to the Division Lieutenant. The request shall include the following:
 - 1) Person's name and date of birth.
 - 2) Type of case and case number.
 - 3) Brief summary of the issue to be tested.
 - 4) Person's relationship to the investigation (suspect, witness, victim, etc.)
 - 5) Affirmation that all investigative procedures have been exhausted prior to request.
 - b. Responsibility of the Deputy requesting a polygraph.
 - 1) Suspects shall be interviewed regarding the issue to be tested prior to the polygraph examination.
 - 2) Provide the polygraph examiner a copy of the case file and all pertinent information, to include a list of specific issues to be addressed, at least seven (7) days prior to the scheduled examination.
 - 3) The deputy shall have the subject sign a polygraph consent form prior to taking the polygraph. In the event the subject to be tested is a juvenile, the form must be signed by the juvenile's parents or legal guardian.
 - 4) The deputy shall be immediately available during the examination in the event a subject confesses to the issue being tested.
 - 5) If the subject to be tested cancels an examination appointment, the deputy shall immediately notify the polygraph operator.
- [CALEA 42.2.6]

TEMPORARY ASSIGNMENT TO CRIMINAL INVESTIGATIONS

- 1) Temporary assignments afford members an opportunity to gain experience and firsthand knowledge of the duties and responsibilities associated with various positions through the agency. [CALEA 16.2.3 a]
- 2) Certified law enforcement personnel may request to be temporarily assigned to the Criminal Investigations Division by routing a memorandum expressing an interest in the assignment, via chain of command, to their Division Commander. [CALEA 16.2.3 a]
 - a) Selection of deputies for temporary assignment to the Criminal Investigations Division shall be based on the following criteria: [CALEA 16.2.3 c]
 - 1) Supervisory recommendations
 - 2) Training and education
 - 3) Length of patrol service
 - 4) Quality of work
 - 5) Report writing skills
 - 6) Manpower allocation
 - 7) Disciplinary record
 - b) Commanders of the Patrol Operations Bureau and the Investigative Operations Bureau, or their designee shall review the requests based upon the recommended criteria and make recommendations to the Sheriff who shall have final approval authority. [CALEA 16.2.3 d]
 - c) Temporary assignment to the Criminal Investigations Division will be for a minimum of 30 days. [CALEA 16.2.3 b]

CLASSIFICATION OF POSITION

Certified positions in the criminal investigations component are the same as those used in the patrol component for:

1. Rank titles (i.e., Road Deputy / Detective Deputy, Road Sergeant / Detective Sergeant)
2. Salary schedules.


SEARCH WARRANT PROCEDURES

1. **Drafting the warrant:** Any member seeking to obtain a search warrant in furtherance of a criminal investigation shall follow F.S.S. 933 in making such application. The following procedure should be followed.
 - a. Define the need for the search
 - b. Draft a Probable Cause affidavit in the existing format,
 - 1) Provide case facts
 - 2) Clearly state the "Probable Cause" justifying the search
 - c. Draft the Search Warrant for the Judges signature in the approved format
 - 1) In detail describe the location or item to be searched (i.e. vehicle, container, etc..)
 - 2) Provide precise driving or other directions to locate the item so that it cannot be confused with any other similar location.
 - 3) List the items that are believed to be located and collected for evidence.
 - 4) Photo copy of signed warrant to be left with the subject or at the property.

- 5) Draft an "Inventory" to list all the items that we secured from the scene. A copy of the Inventory must be left with the subject or at the location.
2. **Approval process:** Prior to making an application for or obtaining a search warrant, a supervisor will review the merits of the case and completeness of warrant draft. The drafted warrant shall then be submitted to the appropriate State Attorney's Office for approval. This shall be accomplished prior to the warrant being submitted to a judge for review and signature.
3. **Execution of warrant:** As provide by Florida Statute, all search warrants will be executed within ten days of the date of issue and appropriate return made to the Clerk of the Courts, including a detailed inventory return of any items seized in the execution of the search warrant. Members who obtain search warrants will utilize appropriate assistance in the execution of such search warrants. All members executing search warrants will wear appropriate clothing identifying them as law enforcement officers; such as raid jackets or uniforms. Uniform officers should be utilized if and when possible to gain the initial entry to the location to be searched. Any search warrant execution that is considered high risk, IE: weapons are known or suspected to be present, suspects are known to be violent, etc., will be executed by the members of the SWAT Team.
1. **Areas to be searched:** Members obtaining search warrants will adhere to the appropriate limitations placed upon the scope of the search by the search warrant itself and appropriate case law. Members will only conduct a search in those areas as allowed by, or specified in, the search warrant and applicable case law.
2. **Return:** As required by Florida Statute, a return on all search warrants obtained will be made within ten days of the warrant being issued. The return will include a complete inventory of all items seized, if any, and the original search warrant and application affidavit for the search warrant. In addition, the member executing the warrant will sign, date and time, the original search warrant indicating the search warrant was served and by who. (Example: Warrant served 8/24/99 at 10:00 a.m. by _____.)

MONROE COUNTY SHERIFF'S OFFICE

GENERAL ORDER

CHAPTER: 34-B		TITLE: Special Operations Unit
EFFECTIVE DATE: June 5, 2009	NO. PAGES: 3	AMENDED:
RESCINDS:		REFERENCE:
 <hr style="width: 20%; margin-left: 0;"/> Sheriff of Monroe County		CFA 18.13 CALEA 43.1.1, 43.1.2, 43.1.3, 43.1.4, 43.1.5

PURPOSE:

To establish guidelines for safe and effective surveillance operations, undercover operations, decoy operations and drug raids to include; loan sharking, labor racketeering, corruption, bribery extortion, theft, fencing rings, illegal sale and distribution of liquor and tobacco, illegal sale and distribution of controlled substances, illegal gambling operations, illegal prostitution and pornography, firearms and other related criminal activity. These activities are investigated by the Special Operations Unit.

RECEIVING / CONVEYING INFORMATION

The Special Operations Unit shall maintain a log of all information / complaints received from within and outside of the Sheriff's Office. This log shall also include a record of all information conveyed to and received from outside agencies (CALEA 43.1.1a, b, c)

Regardless of the source, all information / complaints shall be maintained in the computerized criminal intelligence database. A Memorandum of Information Received (MOIR) number shall be assigned by a crime analyst, and a computerized MOIR shall be generated and forwarded to the unit sergeant or lieutenant so they can determine the proper dissemination of the information.

The Sheriff shall be apprised of the Special Operations Unit's activities through the chain of

command. In addition, the unit lieutenant shall submit a monthly report summarizing the unit's activities to the Sheriff via Chain of Command (CALEA 43.1.1d)

RECORDS:

All MOIRs shall be assigned a MOIR number. All reports generated shall be assigned a case number. If any paper copies of Special Operations active investigation reports are generated they shall be maintained in a secure file within the Special Operations Unit's office. This file shall be maintained separately from the Central Records system. All electronic Special Operations records and reports of active investigations shall be maintained in a password protected restricted electronic file. These files are not accessible through the Central Records system. (CALEA 43.1.2)

Purging of criminal and intelligence information will be done in accordance with MCSO schedules of retention and F.S. 119 (CALEA 42.1.3e)

PROCEDURES:

The Special Operations Unit shall maintain a standard operation procedure (SOP) manual within the Marathon office. The SOP manual shall be reviewed, at least annually, by the unit lieutenant to insure compliance or for any revisions.

The SOP manual shall outline how to conduct and/or participate in surveillance, undercover, decoy and raid operations. At a minimum, the SOP manual shall describe:

- The level or authority that can approve an operation
- The single person in command of each operation
- Routine and emergency communications
- Notification of the patrol supervisor responsible for the target area
- Confirmation of the target location
- How to identify and make contact with the suspect(s)
- Proper documentation necessary (CFA 18.13a – g, CALEA 43.1.5)

USE OF UNDERCOVER DEPUTY SHERIFF

MCSO recognizes that the use of undercover deputy sheriff's is sometimes required to obtain information and/or evidence on criminal activity (CALEA 43.1.5)

Undercover deputies will not:

- Become agent provocateurs or engage in entrapment
- Commit acts in violation of the law or fail to perform their duties imposed by law
- Pose as news media members in order to obtain evidence or information

SURVEILLANCE/ UNDERCOVER EQUIPMENT

Surveillance is sometimes needed as a productive part of investigative functions.

All surveillance and undercover equipment shall be maintained within a locked cabinet and/or a secure room at the Special Operation Unit's office.

The unit sergeant must authorize, in writing, the use of the equipment. Detectives must sign the equipment control log when checking equipment out of the room/cabinet and returning equipment to the room/cabinet. (CALEA 43.1.4)

Investigators will not violate the constitutional rights to privacy of persons while conducting the investigation.

Audio, video or electronic surveillance will not be conducted without legal authorization where applicable and in compliance with state statutes or federal guidelines.

CONFIDENTIAL/INVESTIGATIVE FUNDS

Confidential funds to support the Special Operations Unit are budgeted within the Sheriff's Office budget. The Special Operations Unit will maintain a working account. (CALEA 43.1.3)

Additional funds shall be requested through the chain of command to the Finance Director and approved by the Sheriff or his/her designee. These funds will be subject to continuous audit and will be approved by both the unit sergeant and the unit lieutenant.

Monroe County Sheriff's Office

Confidential/Investigative Funds Receipt

Date: _____

M C SO ID#: _____

Detective's Name: _____

Detective's Signature: _____

I HEARBY ACKNOWLEDGE RECEIPT OF:

\$

UNITED STATES CURRENCY

CHECK NUMBER: _____

**INVESTIGATIVE FUNDS WILL BE USED FOR:
HEADQUARTERS TO COMMANDERS:**

MAINTENANCE OF FUND

FLASH ROLL

COMMANDERS TO DETECTIVES:

EXPENSES

CONFIDENTIAL INFORMANT PAYMENT

CASE NUMBER: _____

CONFIDENTIAL INFORMANT NUMBER: _____

APPROVAL: _____ DATE: ____ / ____ / ____

RECEIVING MEMBER: _____ DATE: ____ / ____ / ____


PRINT YOUR NAME

DISBURSING MEMBER: _____ DATE: ____ / ____ / ____

PRINT YOUR NAME

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 34 - D		TITLE: Identification Theft Investigation Procedures
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 8	AMENDED:
REFERENCE: CALEA 42.2.8		RESCINDS: Special Order: Identification Theft Investigation Procedures 07.05.2007
 _____ Sheriff of Monroe County		

Purpose: The purpose of this policy is to establish uniform procedures to ensure a complete investigation of identity theft crimes.

Policy: It is the policy of the Sheriff to thoroughly investigate all identity theft crimes and assist victims in recovering losses.

Discussion: Florida ranks in the top 10 states for identity crimes. They can be as devastating to the victim as some crimes of violence. Under the provisions of the Fair Credit Reporting Act, an Identity Theft report may be filed wherever the reporting party lives or has lived.

Definitions

Identity Theft: Identity theft is a crime in which the imposter obtains key pieces of information such as Social Security and driver's license numbers and uses them for his or her own gain. Victims are left with a tainted reputation and the complicated task of restoring their good names.

There are four types of identity theft crime:

Financial ID Theft —Typically focuses on the victim's name and Social Security number (SSN). The imposter may apply for telephone service, credit cards or loans, buy merchandise, lease cars or apartments using the victim's identity.

Criminal ID Theft —The imposter in this crime provides the victim's information instead of his or her own when stopped by law enforcement. Eventually when the warrant for arrest is issued it is in the victim's name.

Identity Cloning —In this crime the imposter uses the victim's information to establish a new life. The imposter works and lives as the victim. Examples: Illegal aliens, criminals avoiding warrants, becoming a "new person" to leave behind a poor work and financial history.

Business or Commercial Identity Theft — Businesses can also be victims of identity theft. Typically the perpetrator gets credit cards or checking accounts in the name of the business. The business finds out when unhappy suppliers send collection notices or their business rating score is affected.

Deputy's responsibilities when taking Identity Theft report:

- Have victim complete an "Identity Theft Statement and Fraudulent Account Information Request" (see Addendum A) *(NOTE - the victim is to mail a copy of this form to creditors and the three national credit bureaus - see Addendum B.)* The deputy is not to keep this form. It provides a means for investigators to access documentation from lenders and credit issuers regarding fraudulent accounts opened in another's identity.
- Have victim provide a sworn, written, statement that describes how they first discovered the fraud/theft and all details concerning the incident.

- Deputy to type, in narrative section of report, the following information:
 - Name and contact number for each business identified as being involved in the fraud/theft;
 - Full account number for each account associated with fraud/theft;
 - Date, time, and amount of each fraudulent transaction;
 - Names of all persons (i.e. fraud investigators) that victim spoke with regarding the fraud/theft to include date and time of the call, if available.
- Advise the victim to obtain a current copy of their credit report and to fill out the Identity Theft Affidavit. The ID Theft Affidavit can be accessed online at www.consumer.gov/idtheft. [CALEA 42.2.8, b]
- Instruct the victim to retain all documents and electronic communication that they have received. [CALEA 42.2.8, a]

All Identity Theft cases shall be forwarded by the duty sergeant/supervisor to the Criminal Investigation Unit.

Criminal Investigation Unit supervisor will assign Identity Theft cases to a detective for follow up investigation.

Upon receipt of Identity Theft case assignment, the detective shall review the details of the case to determine what type of Identity Theft has occurred.

Based upon the type of Identity Theft case, the detective should consider the following when initiating the investigation:

Send out preservation letter requests to businesses such as Internet Service Providers, telephone/cellular phone companies, lending institutions, etc;

Obtain electronic data, such as IP (Internet Protocol) Connection Log Data, taking into consideration that this type of evidence may only

be retained by businesses for a short time (usually between 30 to 90 days).

In Financial Identity Theft Cases, the detective should seek the following evidence:

- Application forms if the account is opened via postal mail or in person, or application information if done online or by phone.
- Signature cards - for any checking or bank account.
- Credit history records, found on the victim's credit report.
- Transaction records - the individual purchase slips for any goods bought on a credit card.
- Billing statements.
- Records of calls made from a specific telephone number - part of the billing statement for a cell phone or telephone utility account.
- Shipping records.
- Videotapes - often part of a security system monitoring cash registers. Most tapes are only kept 2-4 weeks and then reused.
- Bankruptcy records.

In Criminal Identity Theft Cases, the following evidence should be sought:

- Department of Motor Vehicles records.
- Arrest records and outstanding warrants, criminal database searches.
- Passport records.

In Identity Cloning Cases the following evidence should be sought:

- Social Security benefit records.
- Federal IRS tax records, state tax records.

- Employment records.
- Employee photos.
- Department of Motor Vehicles records.
- Credit history information (see financial identity theft, above).
- Credit card and bank account records.
- Bankruptcy records.
- Mortgage and property records.
- Fictitious business name applications and records.
- Business licenses.
- Passport records.

Identity theft information may be available from the Sheriff's Public Information Office. It is also made available to the community at large. [CALEA 42.2.8, c & e]

INTERAGENCY COORDINATION

The case detective should contact investigator(s) in all involved jurisdictions.

The United States Secret Service (USSS) should be consulted, as their area of expertise is the investigation of financial crimes. [CALEA 42.2.8, d]

VICTIM ASSISTANCE

The investigator should provide information and assistance to victims when possible. At a minimum, the investigator shall provide information on resources to the victim. These resources include but are not limited to;

- Identification Theft Center
www.idtheftcenter.org
- Identity Theft Assistance Center
www.identitytheftassistance.org
- Florida Attorney General's Office
- Florida Identity Theft Victim Kit
www.myfloridalegal.com/idkitprintable.pdf
- Federal Trade Commission
www.ftc.gov/bcp/consumer.shtm

Addendum A

**INITIAL VICTIM OF IDENTITY THEFT STATEMENT AND
FRAUDULENT ACCOUNT INFORMATION REQUEST- Credit Issuers or Merchants**

Date: _____

Sent certified, return receipt mail: Number _____

TO: _____ [Credit Issuer] _____ FAX _____

ACCOUNT NO. _____ REFERENCE NO. _____

FROM: [Your Name] _____

I have learned that an unauthorized account has been opened with your company or bank. I did not open this account and have not given permission to anyone else to open this account for me. I have not benefited by this account. You shall consider this account to be fraudulent and a case of identity theft.

Below is my identifying information. I have filed a report with my local police department. Under CA (PC 530.8) and WA law, all lenders and credit issuers must provide documentation regarding all fraudulent accounts opened in another's identity and do so within ten days. The Cantwell-Enzi amendment to the nationally approved FACTA (effective June 2, 2004) will require compliance with this request within 30 days.

Further, credit issuers must provide that documentation and information to a police agency designated by the impersonated party. I am designating the below named detective(s)/prosecutors as additional recipients of all account information and documents.

- Application Records or screen prints of Internet/phone applications
- Statements, Billing and Payment Records
- Transaction Records/Charge Slips
- Log of outgoing calls if a cell phone account or telephone utility
- Investigator's Summary
- Delivery addresses
- Any other documents associated with the account
- All records of phone numbers used to activate the account or to access the account

Additionally, I hereby request you immediately start an investigation, and remove any entries of this account, the application or inquiry records and collection notices from my credit report at once. I also wish to speak with a fraud investigator within 30 days about the status of this case. Once resolved, I expect a letter of clearance to be sent to me within 10 days.

Do not sell, distribute, trade, exchange, share, donate, giveaway and/or transfer information about this fraudulent account with any other entity except with the designated law enforcement agencies and prosecutors involved in this case.

Please notify any collection agencies that you may have sent this account to. Please do not assign this account to another collection agency. So far these criminals have stolen approximately \$_____ in checks or credit charges in my name. We suspect there will be more until they are caught.

Be advised that reporting these items to the credit bureaus as collection items or continuing to pursue these debts from me would be considered a violation of the state and federal level Fair Debt Collection Practices Act and the Fair Credit Reporting Act.

Victim Information

1. My full legal name is: _____

(If different from above) When the events described in this affidavit took place, I was known as:

2. My birth date is (day/month/year): _____

3. My Social Security number is _____

4. My driver's license or identification card number is: State _____ # _____

5. My current address is: _____

City: _____ State: _____ Zip Code: _____

6. I have lived at this address since _____ (month/year)

7. (If different from above) When the events described in this affidavit took place, my address was:

City: _____ State: _____ Zip Code: _____

8. I lived at that address from _____ until _____ (month/year)

9. My daytime telephone number is (____) _____ Cell (____) _____

10. My evening telephone number is (____) _____

11. My e-mail address is _____

How the Fraud Occurred (Check all that apply):

___ I did not authorize anyone to use my name or personal information to seek the money, credit, loans, goods or services described in this report.

___ I did not receive any benefit, money, goods, or services as a result of the events described in this report.

___ My identification documents (i.e., credit cards; birth certificate; driver's license; Social Security card, etc.) were **stolen** were **lost** on or about _____ (day/month/year)

___ I don't know who the imposter is at this time or how this happened.

___ I have proof that the following person(s) used my information (for example, my name, address, date of birth, existing account numbers, Social Security number, mother's maiden name, etc.) or identification

Addendum B

Credit Bureaus

Experian

Fraud Center

<https://www.experian.com> 1-888-397-3742

TransUnion

P.O. Box 6790

Fullerton, CA 92834

1-800-680-7289

fvad@transunion.com

Equifax

Equifax Credit Information Services, Inc.

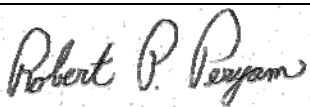
P.O. Box 740241

Atlanta, GA 30374

Fraud Alert Call 1-888-766-0008

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 34 - C		TITLE: Computer Search and Seizure
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 3	AMENDED:
REFERENCE: CALEA 83.2.5		RESCINDS: Special Order: Computer Search and Seizure 12.07.2007
 Sheriff of Monroe County		

PURPOSE: The purpose of this directive is to establish a procedure to insure the proper search and seizure of computer evidence.

SCOPE: Includes the search and seizure of computer equipment both in operating and non-operating models, and all disks, drives, and peripheral equipment (see definitions).

DEFINITIONS:

Computer system - [as described in FSS 815.03 (1), (2), (3), (4), (5), (6), (7), and (8)] computer monitor, central processing unit (CPU), hard drive, I/O (in/out) device, modem, CD-ROM, or floppy drive configured to work together as a unit or cabled together externally.

MCSO forensic computer examiner - Office personnel who have received specific training on the proper techniques to examine and recover evidence from computers and storage devices.

Peripherals - Auxiliary devices, such as a printer, modem, or storage system, that work in conjunction with a computer.

Recording device - CD-ROM, digital video disc, floppy disc, tape, zip, jazz, magneto-optical, or hard drive used to store data that is not currently connected to an operating system.

Recording media - Any disk, tape, cartridge or other type of media used to store data electronically (i.e. floppy disk, jazz cartridge, zip disk, jump drive, or magneto-optical disk).

PROCEDURES:

Searches and Seizures of computer hardware and software shall be done in accordance with State and Federal Guidelines for searching and seizing computers.

Secure the scene

- Deputy safety is of utmost importance;
- The area and equipment should be treated as a crime scene and preserved for potential fingerprints and or DNA evidence.
- Immediately restrict access to the computer by any person.
- Isolate from phone lines (data on the computer(s) can be accessed remotely).
- Remove wireless (Wi-Fi or Bluetooth) capabilities.
- Secure the computer as evidence and record serial numbers of each item.

Computer operation status

Deputies shall not attempt to log on to the computer, operate the computer in any manner in an effort to use any software or explore files that may be contained on the media storage devices, retrieve e-mails, instant messages, etc.

If the computer is "ON" follow these steps for stand-alone computer (non-networked) systems.

- Consult with MCSO forensic computer examiner as needed to secure the computer system.
- If you determine that the computer is running encryption software or Vista Operating System, contact MCSO forensic computer examiner before proceeding.
- Do not turn off.
- Do not enter any input from the keyboard or mouse.
- Photograph the video screen display, computer system, surroundings and connections.
- Label all cable connections and associated ports.
- Disconnect the power source from the computer, not the wall outlet.
- Disassemble the computer system and seize all cables and peripherals.
- Package all seized property.
- Do not place the computer equipment or related devices in a vehicle trunk during transport.
- Do not use radios that produce strong-magnetic fields around computers or while transporting them.

If the computer is "OFF" follow these steps for stand-alone computer (non-networked) systems.

- Disconnect any telephone or modem connection.
- Photograph the computer system, its surroundings and connections.
- Label all cable connections and associated ports.

- Disconnect the power source from the computer, not from the wall outlet;
- Disassemble the computer systems and seize all cables and peripherals.
- Package all seized property.
- Do not place the computer equipment or related devices in a vehicle trunk during transport.
- Do not use radios that produce strong-magnetic fields around computers or while transporting them .

Networks, business operations or online providers

Do not attempt to disconnect or recover any networked computer system or related device prior to consulting with the MCSO forensic computer examiner.

Seize all investigation relevant related computer systems, recording devices, recording media, tapes, papers, documents, manuals and notes in and around your crime scene (as indicated in search warrant or consent search).

EVIDENCE HANDLING PROCEDURES

All seized computer equipment evidence shall be reported, handled, and stored in accordance with Office procedures (General Orders, Chapter 54). Due to the nature of computer and electronic devices forensic analysis, the MCSO forensic computer examiners are authorized to maintain a temporary storage area for such equipment. The temporary storage area is only authorized for evidence submitted for computer /electronic examination and /or analysis and shall be secured to the level of all evidentiary property.

A Deputy transferring computer equipment as evidence for review, examination or analysis will:

- Complete a property receipt.
- Provide a copy of the search warrant, acknowledgment of consent or other documentation, which authorizes the

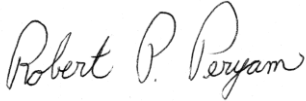
evaluation of the evidence to the MCSO forensic examiner.

Upon completion of the computer/electronic device forensic analysis, the evidence shall be returned to the property division for evidentiary storage.

A.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 34E		TITLE: Show-Up/Photo Line-Up/Physical Line-Up	
EFFECTIVE DATE: 11/23/10	NO. PAGES: 13	AMENDED: October 5, 2011	
REFERENCE: 42.2.11, 42.2.12		RESCINDS:	
 <hr style="width: 20%; margin: auto;"/> Sheriff of Monroe County			

PURPOSE:

The purpose of this directive is to provide guidelines for preparing non-suggestive show-ups and lineups for the purposes of eyewitness identification or elimination of a suspect involved in an investigation. A show-up/line-up will be conducted in such a way that a witness in the case is not subjected to suggestive methods in order to ensure reliable and accurate identifications. All members must follow this policy when conducting a show-up/line-up.

Sworn members will be instructed in this policy through field training and annually through training bulletins. Sworn members will review and acknowledge that they understand the agency's policy regarding eyewitness identification.

DEFINITIONS:

Show-up: a single suspect viewed by a victim or witness immediately following the commission of a crime (within two hours) for the purpose of identifying or eliminating the suspect as the perpetrator.

Line up: A lineup is any procedure in which a witness to a crime or other incident is asked to identify a suspect from among a grouping of individuals.

Photo Lineup: a lineup in which a minimum of six photographs of individuals with similar

features are presented to a victim or witness in order to eliminate or confirm the identity of a suspect.

Physical Lineup: a lineup of individuals often used when a suspect has not been identified but may be in custody.

Fillers: Individuals or photographs of individuals that resemble the suspect that are used to fill in a lineup. A minimum of five (5) fillers will be used with any simultaneous or sequential lineup. Individuals who are suspects in the same case may not be used as fillers.

Sequential Lineup: photo lineup in which persons are presented to the witness one at a time, rather than in any sort of grouping.

Simultaneous Lineup: photo lineup in which persons are presented to the witness at the same time, in a group.

Live Lineup: Live presentation of individuals, before an eyewitness, for the purpose of identifying or eliminating suspects. Live lineups may present the persons in the lineup simultaneously, or sequentially. Live lineups are sometimes called "physical lineups."

Photo Array: The group of photographs utilized in a photographic lineup. A photo array may be presented to the witness simultaneously or sequentially. The

process of conducting a photographic lineup is often called the “photo array.”

Functional Equivalent Procedures: (FEP)

Procedures utilized when an Independent Administrator is not utilized, permitting the investigator to conduct a sequential photographic lineup in a manner that precludes him or her from knowing when the suspect is presented to the witness.

Independent Administrator: An investigator administering a line-up or photo array who has no knowledge of the suspect’s identity. (Sometimes referred to as a “Blind Administrator”.)

Blank Photo: A sheet of paper the same size as the photos utilized in the photo line-up that is blank, with no photo showing. (Blank photos are utilized in sequential photo line-ups.)

SHOW-UP PROCEDURES

- A show-up occurs when law enforcement officials show one suspect to one witness for the purpose of eyewitness identification within two hours of the incident. Courts recognize that show-up procedures can be suggestive but acknowledge show-ups have benefits for both public safety and innocent suspects. [CALEA 42.2.12 (a)]
- In situations in which law enforcement lacks probable cause to arrest but have temporarily detained a suspect who matches a general eyewitness description, show-ups allow law enforcement to conduct an eyewitness identification procedure rather than simply releasing a potentially guilty perpetrator.
- Show-ups benefit innocent suspects because they have the potential to immediately clear an innocent person from suspicion without suffering the indignity of arrest or further investigation. This procedure normally takes place during the preliminary investigation by the Uniform Patrol Division.
- The following procedures are designed to address those risks and outline the proper use of show-ups. The procedures apply regardless of whether other practices would be legally permissible. For instance, even if a given suspect consents to a show-up, a show-up still should not be conducted unless the investigating officer decides that the exigencies of the situation outweigh any possible risk of misidentification presented by conducting a show-up. Consent may legally authorize law enforcement to detain a suspect for a show-up, but it does nothing to remove the suggestiveness of the procedure.
 - Prepare for the Show-up
 - Before the show-up is conducted, obtain a detailed description of the perpetrator, from the witness. This description should be carefully documented.
 - Location of Suspect- The victim/witness shall be transported to the detained suspect (as opposed to transporting the suspect to the witness) to limit the potential legal impact of the suspect’s detention and to minimize the influence on the witness of seeing the suspect transported under custody. [CALEA 42.2.12 (b)]
 - Show ups should NOT be conducted at the district office or other law enforcement building or while the suspect is seated in a patrol vehicle.
 - Conduct the Show-up – Review Show-Up Instructions with witness (form located in Outlook/Public Folders and at the end of this chapter). After reading the instructions witness(es) will be asked to sign and date the instruction sheet. Some witnesses may decline to sign. When a witness declines to sign, it is sufficient for the investigating officer to document that the witness was appropriately instructed. [CALEA 42.2.12 (d)]

- Present the Suspect - If possible and safe, have the witness view the suspect while the suspect is not restrained by handcuffs, and while the suspect is **not** seated in a patrol car. When circumstances dictate that the suspect must be controlled and/or separated from the witness then take practical steps to minimize the suggestiveness of the procedure. The suspect may be asked to speak words uttered by the perpetrator or to perform other actions of the perpetrator.
- Avoid suggestive words or conduct of any type that may suggest to the witness that the individual is or may be the perpetrator.
- Question the Witness - After the witness views the suspect, ask the witness, "Is this the person you saw [insert crime or description of act]?" If the witness answers "Yes," ask the witness, "In your own words, can you describe how certain you are?" Note: Percentages are in keeping with this Order, however, additional descriptors are good.
- Document the Witness's Responses.
 - Document the witness's responses to each question using the witnesses' own words when possible. Audio/Video equipment should be utilized if available. If the witness identifies a suspect, the officer will not provide the witness any feedback regarding the individual selected or comment on the outcome of the procedure in any way. After identification, a follow-up interview should assess any relevant factors used by the witness in making the identification, such as; special facial features, hair, marks, etc. [CALEA 42.2.12 (f)]
- Document Procedures and Results
 - Witness provides Sworn Statement.
- Once the procedure is completed, have the witness provide a sworn statement indicating who was identified and their level of certainty. Complete a supplement report detailing the date, time and location of show-up along with names of people present. [CALEA 42.2.12 (e)(g)]
- Photograph the Suspect.
- Whenever possible, photograph the suspect at the time of the show-up.
- Multiple Witnesses. Show-ups should not be conducted with more than one witness present at a time. If there are multiple witnesses and one witness makes an identification during a show-up, that identification should provide probable cause for an arrest, and the remaining witnesses should ordinarily be shown a photo lineup rather than a show-up. [CALEA 42.2.12 (c)]
- Multiple Show-ups with Same Suspect and Same Witness. Avoid multiple identification procedures in which the same witness views the same suspect more than once. Should you decide to do more than one identification procedure you are likely to be called upon to clarify and/or justify the action.
- Multiple-Suspects - If there are two suspects, the witness should view two separate show-ups, each conducted in accordance with these procedures. Two or more suspects should not be shown to the witness at the same time.

PHOTO ARRAY/LINEUP PROCEDURES

- [CALEA 42.2.11 (a); A photo lineup is the structured presentation of photographs for the purpose of identifying or eliminating the suspect as the perpetrator. Photo lineup is the preferred method of conducting a lineup

for suspect identification or elimination. When composing a photo lineup, the following procedures will be followed:

- The photo lineup will consist of a minimum of six photographs. A minimum of five filler photos shall be utilized together with only one photo of the suspect.
- All photos and blanks used in a simultaneous photo array will be numbered. *(For instructions on sequential photo array/lineup, refer to sequential lineups listed below.)*
- Filler photographs used for photographic arrays shall be representative of the physical characteristics of the suspect in question in order to promote a fair and unbiased review by the witness.
- The filler photo shall be used in the lead photo position in a simultaneous photographic lineup and in sequential photographic lineups administered by an independent administrator.
- The investigating officer will ensure that no writings or information concerning previous arrests or identifications will be visible to the witness on any lineup.
- All photos should be contemporary photographs of individuals who are reasonably similar in age, height, weight, and general appearance and are of the same sex and race in accordance with the witness's description of the subject.
- Do not mix color and black and white photos. Use photos of the same size and basic composition.
- Do not mix mug shot photos with other photos.
- Do not include more than one photo of the same suspect.

- Cover or crop any portion of a mug shot or other photo that provides identifying information on the subject or other persons included in the photographic lineup
- The investigating officer will view the lineup once it is completed to ensure that the suspect does not unduly stand out and appears only once in the lineup.
- Photo lineup Instructions: (Form located in Outlook/Public folders)
 - [CALEA 42.2.11 (d)] The investigating officer will advise the witness that they will be asked to view a group of photographs and advise them that the person of interest may or may not be present in the photo lineup.
 - The witness will be instructed that the photos are not in any particular order and that they can take as much time as they need to examine the photos.
 - Advise the witness that it is as important to eliminate innocent parties from consideration as it is to identify the perpetrator.
 - [CALEA 42.2.11 (d)] The investigating officer will advise the witness that individuals presented in these photographs may not appear exactly as they did on the date of incident because features such as hairstyles, beards and mustaches are subject to change and that complexions may look slightly different in photographs.
 - The witness should be notified that they should not feel they have to make an identification and that they can take as much time as needed to view the photographs. If the witness identifies someone, the investigator will advise the witness that they will document the witness's exact words regarding the identification.

- The witness will be advised that the investigation will continue with or without an identification by them.
- Instruct the witness not to discuss the lineup or its results with other witnesses and will discourage the witness from discussing the case with the media.
- If there are two suspects from the same offense, do not use the same fillers used in previous lineups shown to the same witness.
- Sequential Photo Array/Lineup
 - In extenuating circumstances, a sequential lineup may be authorized by the Division Commander or Detective Sergeant, Regardless of the method used, the procedures established for photo array/lineup will be followed.
 - Once instructions have been read and acknowledged by the witness, the investigating officer will show the witness all of the photographs in the lineup, even if the witness makes an identification early in the process.
 - Only if the witness makes the request, the entire photo array may be repeated once but must be in the same sequence as originally presented. The entire sequence will be presented even if the witness requests to see only one or a few photos.
 - If the sequential photo lineup is administered by an independent administrator, at least two blank photos should be introduced following the sixth photo. This prevents the witness from knowing he or she has viewed the last actual photo.
 - If an Independent Administrator is **not** utilized in a sequential photo array, blank photos shall be included in the group by placing the suspect and filler photos in folders. The Investigating officer will include two blank photos for a minimum of eight folders, and shuffle the folders before giving them to the witness.
 - The investigator administering the photo lineup shall position themselves away from the witness and in a position that he or she cannot see inside the folders as they are viewed by the witness.
 - When a sequential photo array is **not** presented by an independent administrator, the photos and blanks should not be numbered until after the folders have been shuffled and the witness has been presented the sequence.
 - If the nature of the photographs will not allow for a simultaneous presentation and an independent administrator is not used, the investigating officer may present the sequential lineup and must exercise extreme caution to avoid inadvertent signaling to the witness of the “correct” response.
 - In a sequential photo array/lineup, the witness should not only mark the “identification” photo as the one selected, but also initial the other photos used, indicating he/she did not pick them. This makes it clear which photos were actually viewed by the witness.
- Multiple Witnesses
 - [CALEA 42.2.11 (b)(c)] If multiple witnesses are involved, a photographic lineup shall be presented to only one witness at a time.
 - If multiple witnesses are being presented a lineup at generally the same time and place, they shall be kept separate to assure that they are not aware of the responses of

the other witnesses and do not have an opportunity to discuss the lineup procedure.

- Suspects should be placed in different positions in each lineup, both across cases and with multiple witnesses in the same case.
- When the **“Functional Equivalent Procedure”** is used (refer to definitions) in a sequential photographic lineup, placement of the suspect will be random in each lineup by reason of shuffling of the folders.
- Investigator Responsibilities [CFA 18.15(b)]:
 - [CALEA 42.2.11(b)] Whenever practicable, the lineup presentation should be audio or video recorded. Video recording is preferred.
 - A witness instruction form (found in online forms library) will be read aloud to the witness and the witness will be asked to sign the form acknowledging how the lineup will be administered. If extenuating circumstances exist where a variance in the instruction process exists, the investigating officer is required to document the reasons for variance.
 - Prior to beginning the review, the investigating officer will ask the witness if they understand how the procedure will be conducted and if they have any questions. No additional commentary shall be made by the investigating officer/administrator beyond reading the standardized instructions.
 - Whenever practicable, the investigating officer will use an independent administrator to conduct the photo array or live lineup. The independent administrator shall include a statement in the instructions that

the administrator does not know whether the person being investigated is included in the group to be viewed.

- Once instructions for the lineup are given, the investigating officer should position themselves away from the witness's immediate vicinity and away from the witness's direct line of sight. This helps to minimize the opportunity for inadvertent behavior that might influence the witness's decision and provides the witness with a more relaxed opportunity to view the lineup.
- The witness may look at the lineup for as long as the witness wishes; however, the investigating officer may not provide any feedback regarding the photographs.
- [CALEA 42.2.11 (d); After the witness has had an opportunity to view the photo lineup, the investigating officer will ask if they recognize anyone and if so, the circumstances from which the witness recognizes the individual.
- [CALEA 42.2.11 (f); If the witness identifies a suspect, the investigating officer will not provide the witness any feedback verbal or non-verbal regarding the individual selected or comment on the outcome of the procedure in any way.
- [CALEA 42.2.11 (e); If the witness identifies anyone in the lineup, the witness will be asked to put their initials next to or on the photograph, indicating the individual they identified. The witness should complete any portions of the witness form.
- [CALEA 42.2.11(e)(g); For proper and accurate presentation in future court proceedings, the investigating officer will document all lineup procedures on a supplement report, including the

source of the photos used, the date and time the lineup was conducted, the names of all persons present when the lineup was shown, the level of certainty expressed by the witness and any comment made by the witness during the entire process shall be carefully documented word-for-word. Any non-verbal communication or action of the witness shall also be documented.

- If a witness makes a positive identification, the original lineup will be entered into evidence and a copy maintained with the case file. If positive identification was not made, the lineup will be maintained with the case file.
- The entire photo array, all forms utilized, together with the documentation about the process shall be maintained in the investigative case file.

PHYSICAL LINEUP

The Monroe County Sheriff's Office does not routinely conduct physical lineups. In the event that the need for a physical lineup would occur, the photo lineup procedures set forth above will be followed and the physical lineup will be coordinated with the Detective Sergeant of the member's command. All physical lineups will be conducted in accordance with legal guidelines and case law.

MONROE COUNTY SHERIFF'S OFFICE
Photo Line-ups: Instructions

Case Number: _____

Line-up ID# _____

NAME OF WITNESS: _____

Type of photo-line up: Simultaneous Sequential

All photographs shown once

All photographs shown twice

Person administering the photo line-up:

Independent Administrator (does not know the identity of the suspect; the preferred method)

Name: _____

Investigating Officer (knows the identity of suspect; must use the functional equivalent procedure)

Name: _____

Instructions (read BEFORE showing photo array):

*If a simultaneous or sequential photo array is being utilized by an investigator/officer who DOES know identity of the suspect, the Functional Equivalent Procedure (FEP) **shall** be used.*

One of 4 different witness photo array forms will be used: 1) Simultaneous photo line-up with independent administrator, 2) Sequential photo line-up with independent administrator, 3) Simultaneous photo line-up using the functional equivalent procedure, and 4) Sequential photo line-up using the functional equivalent procedure.

Make certain you are using the proper form. Fill out the case information at the top of the form. Verbally read the instructions to the witness. Have the witness read the instructions and write their initials at the bottom of the instructions. Their initials merely acknowledge that they understand the directions.

In sequential photo displays, show the photos one at a time.

In simultaneous photo displays, present the folder to witness and display the entire photo array at one time.

In a sequential display, after all photos have been displayed and *ONLY* if the witness requests it, the entire display may be repeated **once**. In any repeat, ALL photos must be displayed in the same sequence, even if the witness only requests to see only one or a few photos again.

During the process, avoid using statements, clues, casual comments or providing unnecessary or irrelevant information that in any manner may influence the witness's decision-making process or perception. This includes after-the-fact confirmation to a witness that he or she identified the suspect.) Be careful not to provide any feedback to a witness indicating the witness has, or has not, identified the suspect.

During the process, document the witness's exact words, and note any non-verbal communication.

Ask the witness to complete the witness portion of the photo array form and sign it. If any selection is made, have the witness sign, date, and designate the photo selected. Have the witness initial and date the other photos and indicate not selected.

If the witness makes an identification, the original photo array must be entered into evidence. A copy of the photo array, this instruction form and the photo array form must be maintained in the case file.

After the witness has completed the witness portion of the photo array form, complete the administrator portion of the form. A separate investigative report or supplement report must be completed pursuant to agency requirements.

MONROE COUNTY SHERIFF'S OFFICE
Sequential Photo Line-up using Functional Equivalent Procedure

Witness Name: _____

Date: _____

Time: _____

Display ID# _____

Read to witness before the photo line-up and then the witness read and initial below:

1. You will be asked to view a series of photos of individuals.
 2. It is just as important to clear innocent persons from suspicion as to identify guilty parties.
 3. The suspect may or may not be present in the group of photographs.
 4. Individuals presented in the series may not appear exactly as they did on the date of the incident because features such as head and facial hair are subject to change.
 5. You should not feel you have to make an identification. If you do identify someone, I will have you designate the photograph of the person you have identified.
 6. Regardless of whether you make an identification, we will continue to investigate the incident.
 7. The photos will be shown to you one at a time and are not in any particular order. I do not know the order of the photos. There are some blank photos in the series. This is part of the normal process. Take as much time as you need to examine each photo. If you make an identification, I will continue to show you the remaining photos in the series.
 8. Since this is an ongoing investigation, you should not discuss the identification procedures or results.

Initial here if you understand the above instructions: _____



Have the witness complete this portion AFTER viewing the photo line-up.

The photo line-up I was shown consisted of _____ photos.

Check **one** of the boxes:

I am unable to select any photo as being the person who _____

(describe how, why, or where you witnessed the incident. For example, robbed the store)

I have selected photo # _____ as the person who _____

(describe how, why, or where you witnessed the incident. For example, robbed the store)

Witness signature

Date

Signature witnessed by:

Person administering photo line-up

Date

OFFENSE NUMBER: _____

MONROE COUNTY SHERIFF’S OFFICE
Show-ups: Instructions and witness admonition

In a moment you are going to have the opportunity to view a person or persons who may or may not be the person(s) who committed the crime being investigated.

You should not guess or feel like you have to make identification. It is just as important to exclude innocent persons, as it is to identify the person who committed the crime. This procedure is important to the investigation whether or not you identify someone.

After you have observed the individual, I will ask you:

- “Do you see the person(s) who [*Insert Crime or description of act*]?” Take your time answering the question.
- If you answer “Yes”, I will then ask you, “In your own words, can you describe how certain you are?”

Because you are involved in an ongoing investigation, in order to prevent compromising the investigation, you should avoid discussing this identification procedure or its results.

Do you understand the way this procedure will be conducted and the other instructions I have given you?

The following statement should be signed and dated by the witness.

“I have read these instructions, or they have been read to me, and I understand the instructions. I am prepared to observe the individual who will be presented to me, and I will follow the instructions provided on this form.”

Witnesses Signature	Date	Investigator Signature /ID	Date
---------------------	------	----------------------------	------

If a witness declines to sign, write refused on the signature line, documenting that the witness was appropriately instructed.

MONROE COUNTY SHERIFF'S OFFICE
Simultaneous Photo Line-up using the Functional Equivalent Procedure

Witness Name: _____

Date: _____ **Time:** _____ **Display ID#** _____

Read to witness before the photo line-up and then the witness read and initial below:

- | |
|--|
| <ol style="list-style-type: none">1. You will be asked to view a group of photos of individuals.2. It is just as important to clear innocent persons from suspicion as to identify guilty parties.3. The suspect may or may not be present in the group of photographs.4. Individuals presented in the group may not appear exactly as they did on the date of the incident because features such as head and facial hair are subject to change.5. You should not feel you have to make an identification. If you do identify someone, I will have you designate the photograph of the person you have identified.6. Regardless of whether you make an identification, we will continue to investigate the incident.7. The photos will be shown to you simultaneously and are not in any particular order. Take as much time as you need to examine the photos8. Since this is an ongoing investigation, you should not discuss the identification procedures or results. |
|--|

Initial here if you understand the above instructions: _____



Have the witness complete this portion AFTER viewing the photo line-up.

The photo line-up I was shown consisted of _____ photos.

Check **one** of the boxes:

I am unable to select any photo as being the person who _____

(describe how, why, or where you witnessed the incident. For example, robbed the store)

I have selected photo # _____ as the person who _____

(describe how, why, or where you witnessed the incident. For example, robbed the store)

Witness signature

Date

Signature witnessed by:

Person administering photo line-up

Date

MONROE COUNTY SHERIFF'S OFFICE
Simultaneous Photo Line-up with Independent Administrator

Witness Name: _____

Date: _____ **Time:** _____ **Display ID#** _____

Read to witness before the photo line-up and then have the witness read and initial below:

1. You will be asked to view a group of photos of individuals.
 2. It is just as important to clear innocent persons from suspicion as to identify guilty parties.
 3. The suspect may or may not be present in the group of photographs.
 4. I don't know whether the person being investigated is included in this group.
 5. Individuals presented in the photo group may not appear exactly as they did on the date of the incident because features such as head and facial hair are subject to change.
 6. You should not feel you have to make an identification. If you do identify someone, I will have you designate the photograph of the person you have identified.
 7. Regardless of whether you make an identification, we will continue to investigate the incident.
 8. The photos will be shown to you simultaneously and are not in any particular order. Take as much time as you need to examine the photos
 9. Since this is an ongoing investigation, you should not discuss the identification procedures or results.

Initial here if you understand the above instructions: _____



Have the witness complete this portion AFTER viewing the photo line-up.

The photo line-up I was shown consisted of _____ photos.

Check **one** of the boxes:

I am unable to select any photo as being the person who _____

(describe how, why, or where you witnessed the incident. For example, robbed the store)

I have selected photo # _____ as the person who _____

(describe how, why, or where you witnessed the incident. For example, robbed the store)

Witness signature

Date

Signature witnessed by:

Person administering photo line-up

Date

CHAPTER THIRTY-FIVE
CRIME SCENE REPORTING

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CHAPTER THIRTY-FIVE
CRIME SCENE REPORTING

I. PURPOSE

The purpose of this directive is to establish guidelines for processing and reporting crime scenes.

II. DISCUSSION

This directive applies to all affected members of the Monroe County Sheriff's Office. It is the policy of the Sheriff that the Office have specially trained members assigned to each Sector of the County to systematically process crimes scenes, and to collect and preserve all evidence obtained at those crime scenes.

III. POLICY AND PROCEDURE

A. Crime Scene Detectives

1. Crime Scene Detectives are under the direct supervision of the Sector Detective Sergeant.
2. Crime Scene Detectives shall be available to each Sector 24 hours a day.
3. When the services of a Crime Scene Detective are not immediately available, a Crime Scene Detective shall arrive at the scene no later than one hour after being requested.
4. Crime Scene Detectives shall be requested through the Detective Sergeant. The Crime Scene Detectives may be called out for all felonies and/or crime scene involving less than a felony if a member on the scene determines assistance is needed in collecting physical evidence.
5. During the investigative process, the role of the Crime Scene Detective shall be that of processing and collecting physical evidence. The role of the Case Detective shall be that of overall coordination and investigation of the incident. The patrol member's role is to maintain and assist as directed.

B. Reporting

1. Definitions

- a. Report - A written report is the documentation of work performed by a Sheriff's Office member and is reflective of the quality of service being rendered by members of the Sheriff's Office to other entities in the Office and the Criminal Justice System. All efforts shall be made to ensure that crime scene reports are accurate, proper, neat, self-sufficient for Courtroom testimony and based upon a uniform format.
- b. Responsibility - The performance of any function relative to a crime scene on behalf of any departmental or governmental agency requires the submission of a written report that is assigned a Monroe County Sheriff's Office case number. Crime Scene Detectives are personally responsible for the prompt preparation and submission of reports relative to incidents, which they are assigned.
- c. Time table - All reports not involving additional processing shall be completed and submitted before the end of the immediate tour of duty. Reports requiring additional processing shall require a preliminary report prepared by the end of the immediate tour of duty. The final report shall be completed and submitted within seventy-two (72) hours from the initial visit to the crime scene.

2. Report Review

- a.** Detective Sergeants will review and, if correct, will approve all reports submitted by Crime Scene Detectives.
- b.** Review and approval criteria will be based upon but not limited to the following standards:
 - 1)** Use of correct forms.
 - 2)** Legibility and spelling.
 - 3)** Thoroughness and comprehensiveness.
 - 4)** Promptness.
 - 5)** Absence of deletions and corrections.
 - 6)** Conforming with established format.
 - 7)** Symbols and abbreviations be in accordance with standard and proper procedure.
 - 8)** Printed reports are completed in black ball point.
- c.** After approval, distribution of reports shall be made to the investigative member, Records Section, Crime Laboratory, and the crime scene case file. Copies of reports involving deaths shall be forwarded by the Detective Sergeant to the Homicide Team supervisor.

3. Report Forms

a. Burglary Scene Report

- 1)** The burglary scene report form is to be used on all burglary scenes with the exception of burglary of vehicles.
- 2)** This report form, is intended to be used as a source of information for the Criminal Investigations and the Identification Section of the Laboratory. It can also be used to assist the Crime Scene Detective in giving intelligent testimony at deposition and trial.
- 3)** Although not required, this report should be used in note-taking on other types of cases when a burglary is only a part of a crime scene such as a burglary / rape or burglary / homicide, etc.

b. Death Scene Report - Used for all death cases responded to.

c. General Crime Scene Report - Used for all crime scenes responded to other than burglary or death investigations such as vehicle theft, larceny, follow-up, robbery, assault, etc. Also includes burglary of a vehicle.

d. Continuation Report - Provides additional writing space for expansion of other report forms.

e. Property Receipt - All evidence and property removed from a crime scene will be turned over to the Evidence Custodian. Property receipts will be used in compliance with Monroe County Sheriff's Office evidence and property guidelines and procedures. (Refer: Chapter 54)

- f. Aerial Photograph Request - Map-like form to be completed by the requesting member and approved by the Undersheriff.

4. Instructions for Report Forms (not including "Narrative")

a. Burglary Scene Report

1) General Instructions:

- a) In order to check all applicable blocks, the reporting member will have to obtain basic information from the first member on scene and the investigator who is assigned to the case. All blocks are to be considered even if the results of processing are negative or the scene is poor from an evidentiary point of view. This information will be included in the "remarks" section of the form.
- b) Determine if case is handled by Monroe County Sheriff's Office or outside agency and check appropriate box. If outside agency, indicate case number in space provided.
- c) Check "service cancellation" if case is canceled or scene is unavailable.
- d) Specific instructions
- e) Date: Date responding to the scene.
- f) Case Number: Monroe County Sheriff's Office case number.
- g) Victim: Name of individual or company burglarized.
- h) Scene Location: Specific address of scene of burglary.
- i) Phone Number: Phone number at scene of burglary.
- j) Requested By: Identification number and/or name of officer making request.
- k) Date / Time Received: Date and time request was received.
- l) Dispatch Time: Time dispatched to the scene.
- m) Arrival: Time of arrival at the scene.
- n) In-Service: Time departing scene.
- o) Structure: Indicates what floor entry was made and total number of floors to building. Check if building construction is CBS, frame, or other.
- p) Facing: Check direction structure faces.
- q) Scene: Check one block that best describes the nature or use of the structure.
- r) Entry Point: Check one block that best describes where entry was first gained.
- s) Type Window: Check one block if entry was gained through a window.
- t) Type Door: Check one block if entry was gained through a door.

- u)** Method of Entry: Check one block that best describes method in which entry was gained. Indicate number of slats removed or number of jalousies that were pushed out of the way.
- v)** Screen: Check one block that best describes how screen was attached at entry site.
- w)** Hand Coverings: Check one block only if known from evidence developed (fabric impressions) or item discovered on the scene (i.e., socks, towels, etc.)
- x)** Property Taken: Check all appropriate blocks.
- y)** Tools Used: If no tool was used, check appropriate block. If a tool was used and victim's tools are not out of place, check the appropriate block. If a pry tool was used, check the appropriate block and indicate approximate width of the pry tool.
- z)** MO Peculiarities: Check all applicable blocks. If a tool was used to gain entry and not left on the scene, check the appropriate block. If tools used to gain entry (victim's or subject's) are left at the scene, check the appropriate block.
- aa)** Safe: Check one block if applicable, otherwise "N/A" entire box.
- bb)** Alarms: Check one block if applicable, others "N/A" entire box.
- cc)** Remarks: Used to amplify any box marked "See Remarks" in Blocks M - X. A Continuation Report will be used for any additional information that will be useful to the investigator, (i.e., exit point, items left behind by subject(s), etc.)
- dd)** Items / Areas Latents Recovered: List only those areas where latents were recovered and not all surfaces processed. A representative list is sufficient in this area, (i.e., POE, metal boxes, ceramic items, etc.)
- ee)** Other Evidence Collected / Disposition: List all items collected (other than latent prints) in this box and the item's disposition, (i.e., blood specimen / serology; 1 hat / property room; 1 pry bar / property room). Use continuation form if necessary.
- ff)** Property Receipt: Check applicable block.
- gg)** Continuation: Check applicable block.
- hh)** Photo File: Check applicable block.
- ii)** Paper: Check applicable block if paper item(s) are collected chemical processing by the Identification Section.
- jj)** Eliminations: Indicate number of eliminations taken and name of person(s) printed. If block is too small, list names in the "remarks" box.
- kk)** Latents: Total number of latents submitted to the Evidence Custodian for examination by the Identification Section. Additional items in this section are to be used only by the Identification Section. However, if latent prints were submitted on a property receipt, write "via property receipt" in this area.
- ll)** Photos: Total number of black and white and/or color photos taken.

mm) Reporting Officer: Signature of reporting officer. Officer's last name is to be printed below this line.

nn) Badge: Reporting officer's Identification number.

b. General Crime Scene Report

1) General Instructions

- a)** Determine if case is handled by Monroe County Sheriff's Office or outside agency and check appropriate box. If outside agency, indicate what agency and that agency's case number in space provided.
- b)** Check "service cancellation" if case is canceled or scene is unavailable.
- c)** If "no service" applies, indicate reason in the "remarks" section.
- d)** Case Number: Monroe County Sheriff's Office case number (Incident No.)
- e)** Date: Date responding to the scene.
- f)** Specific Instructions.
- g)** Offense / Incident: Crime classification or type of incident.
- h)** Victim: Name of individual or company victimized. (Note: only one person can be indicated as the victim of a robbery)
- i)** Phone Number: Phone number at address of dispatch.
- j)** Scene Location: Specific address of scene of original incident.
- k)** Address Of Dispatch: Specific address of scene processed.
- l)** Requested By: Identification # and/or name of officer making request.
- m)** Date / Time Received: Date and time request received.
- n)** Dispatch Time: Time en route to scene.
- o)** Arrival: Time of arrival on scene.
- p)** In-Service: Time departing from scene.
- q)** Vehicle: Complete all available information if a vehicle is being processed or recorded as part of a scene. Mark "N/A" if not applicable.
- r)** Remarks: See Chapter 90
- s)** Items / Areas Latents Recovered: List only those areas where latents were recovered and not all surfaces processed. A representative list is sufficient in this section.

- t) Other Evidence Collected / Disposition:** List all items collected (other than latent prints) in this box (i.e., blood specimens, 1 hat, etc.). If space does not permit listing all items collected, use continuation form to complete list.
- u) Property Receipt:** Check applicable box.
- v) Continuation:** Check applicable box.
- w) Photo File:** Check applicable box.
- x) Paper:** Check applicable box if paper item(s) are collected for chemical processing by the Identification Section.
- y) Eliminations:** Indicate number of eliminations taken and names of person(s) printed. If block is too small, list names in the "remarks" box.
- z) Latents:** Total number of latents submitted to the Evidence Custodian for examination by the Identification Section.
- aa) Reporting Officer:** Signature of reporting member. Member's last name is to be printed below this line.
- bb) Badge:** Reporting member's Identification number.
- cc) Approved By:** Legible signature of Detective Sergeant Supervisor.

c. Death Scene Investigation Report

1) General Instructions

a) Multiple Scenes

- (1)** If the body is at the scene of the crime, the Death Crime Scene Report is directed at the crime scene.
- (2)** If the body scene, only, is known (original scene of crime is unknown), the Death Crime Scene Report is directed at the body scene.
- (3)** If the crime scene and body scene are both known, but are separate locations (i.e., body had been transferred), the Death Crime Scene Report is directed to the crime scene. The scene where the body is located is described on a separate Death Crime Scene Report form.
- (4)** If, the crime scene is processed by one member, and body scene is processed by a different member, the death scene investigation report form is to be completed for the crime scene. A crime scene report form is completed for the body scene. The officer completing the death scene form will make notation in the "body" section: "See report by Deputy Smith."

b) Multiple Victims

- (1)** A death scene investigation report form will be prepared for each victim.
- (2)** Victim numbering must be the same as used by the lead detective. Victim #1 is entered on the lead sheet.

- (3)** Subsequent death scene investigation report forms are supplementary to the lead sheet, (i.e., victim #2 on sheet 2, etc.)
- (4)** "Scene, Vehicle and Evidence" portions of the subsequent forms must be completed if they are unique and relevant to that specific victim, otherwise a large "N/A" can be recorded in each portion.

2) Specific Instructions

- a)** Page ____ of ____ Pages: Self explanatory.
- b)** Monroe County Sheriff's Office / Assist Other Agency: Determine if case is handled by Monroe County Sheriff's Office or outside agency and check appropriate box. If outside agency, indicate respective case number and name of agency in space provided.
- c)** Case Number: Monroe County Sheriff's Office case number.
- d)** Victim's name: Enter full name of victim (if known) indicating last name first.
- e)** Type Case: Enter one of the following: homicide, unclassified, apparent suicide; apparent natural; apparent accidental.
- f)** Manner Of Death: This section should answer (in specific terms) what caused the victim's death (i.e., multiple gunshot wounds, massive blunt trauma from fall, electrocution, suffocation, suffocation from hanging, etc.)

In the Event of Natural Death, be careful not to denote cause unless already confirmed by the medical examiner and such information is included in report. "Unknown" is sufficient otherwise.
- g)** Race, Sex, Age And Occupation: Self explanatory.
- h)** Instrumentality: Be specific when possible. Weapon, item or general which contributed toward death, (i.e., canal, bathtub, faulty power tool, Arsenic, .38 caliber revolver). Indicate N/A for natural deaths.
- i)** Street Address of Scene: Street address or general location here incident occurred (i.e., canal bank - 186 NW of NW 212th Street and 8th Avenue).
- j)** Description of Instrument / Weapon: Precise description of the weapon listed above.
- k)** Contact Person Responsible for Victim: Name of Medical Examiner.
- l)** Place Victim Viewed: Enter "scene location". If elsewhere, state location (i.e., Medical Examiner's Office, etc.)
- m)** Date / time viewed: Actual time victim first viewed by Crime Scene Detective.
- n)** Phone number: Phone number at the scene or closest to the scene.
- o)** Lead Investigator: Name and Identification number of lead detective assigned the responsibility for case investigation and coordination.
- p)** ID Number: Self explanatory.

- q)** Agency: Investigative agency responsible for the investigation, (i.e., Monroe County Sheriff's Office CIU or Medical Examiner, etc.)
- r)** Requested By: Name or Identification number of person originally requesting crime scene processing by the Crime Scene Member (i.e., Deputy Smith / 1311).
- s)** Date / Time Received: Date / time original request received.
- t)** Dispatch Time: List time first dispatched to the scene.
- u)** Arrival: Time unit arrived on scene.
- v)** In-Service: Time unit cleared scene.
- w)** Type Of Scene: General description of scene (i.e., urban street, wooded area, one family home, motel room, etc.) Simply putting "indoor" or "outdoor" is not sufficient.
- x)** Weather Upon Arrival: Self explanatory.
- y)** Outside Lighting: Use specific terms that best record conditions at time of arrival.
- z)** Inside Lighting: Use specific terms that best record conditions at time of arrival.
- aa)** Air Conditioning: Self explanatory.
- bb)** Windows: Window conditions (i.e., SE bedroom closed, living room open). Record any forced entry.
- cc)** Curtain / Shades: Condition of window coverings (i.e., open, partially open).
- dd)** Temperature Inside: Record room temperature where the victim's body is found. (If the scene is outside, this information is recorded on line gg)
- ee)** Doors: Condition of doors, (i.e., open, closed, locked, unlocked). Record any forced entry.
- ff)** Primary Surface or Floor Covering: General types of surfaces found within the scene (i.e., carpeted floors, lawn, tile floors, gravel, etc.)
- gg)** Temperature And Humidity outdoors at the time of arrival on the scene. Record in "Temperature Outside" block. (Can be obtained from weather bureau.)
- hh)** Appliances / Tools: Only list items which may be relevant to the investigation. Make note of any appliances which seem to have been in use at time of death.
- ii)** Furnishings: List generic furniture type in the vicinity of the victim (if any).
- jj)** Chemicals / Poisons: List presence and location of any toxic materials.
- kk)** Smoke Materials: List pertinent data concerning condition, location, brand, etc. of smoking items; use of or absence of matches, lighter, ash tray, etc.
- ll)** Drugs: Record location, types, quantities of drugs including empty containers if death related.

mm) Food / Drink: Record presence, condition and contents of drink containers, food materials etc. on the scene.

nn) TV / Radio: State if either a TV or radio is present in the vicinity of the victim and if they are turned on when first unit arrived at the scene.

oo) Trash / Garbage: Record presence and condition of any evidentiary items.

pp) Newspaper / Dates: Record types, dates and location of any newspapers that may have accumulated in or around the structure.

qq) Exact Location: Exact location of body in relation to the entire crime scene (i.e., SW bedroom on floor, front driver's seat, etc.) Provide measurement data in narrative section of report.

rr) Position: Record body position (i.e., sitting, slumped, supine, prone, hanging, etc.)

ss) Contact Surface: Material body in contact with (i.e., carpet, concrete, vinyl seat, etc.)

tt) Trauma: Record generalized trauma (i.e., gunshot wound to right temple, multiple stab wounds to chest and arms, contusions to head and face, etc.)

uu) Decomposition: List if the victim's body is in any state of decomposition (i.e., no, mild, severe). List if rigor is present and briefly to what extent.

vv) Clothing Description: Complete description of clothing on body. Include underwear, belts, shoes, etc.

ww) Condition of Clothing: Record peculiarities (i.e., fly open, top two buttons missing from shirt, right sleeve torn, etc.)

xx) Vehicle: Self explanatory. Describe additional vehicles in narrative.

yy) Additional Functions Performed: Indicate actual evidence functions performed (i.e., vacuuming, plaster cast, shoe impression, measurements, etc.) If nothing other than items already indicated in latent / photo / sketch blocks, then indicate "no other".

zz) Weapons / Other Items Impounded: Record any weapon which contributed to the death or other evidentiary items, (i.e., victim's clothing, hand swabs, etc.)

aaa) Reporting Officer's Name: Type / print last name first, then sign complete name.

bbb) Badge: Identification number of reporting member.

d. Anatomy Chart

1) General Instructions

This chart is designed as a supplement to other Crime Scene Reports to record trauma to the bodies of victims. The trauma recorded can be any of the following but not limited to:

a) Bullet entrance and exit wounds

b) Knife wounds

c) Burns, abrasions, bruising, etc.

2) Specific Instructions

a) Page_____of_____Pages: Self explanatory.

b) Incident No.: Monroe County Sheriff's Office Case Number.

c) Date: Date of Incident.

d) Victim's Name: Self explanatory.

e) Nickname: Self explanatory.

f) Race: Self explanatory.

g) Sex: Self explanatory.

h) HT: Height of Victim.

i) WT: Weight of Victim.

j) DOB: Date of Birth of Victim.

k) AGE: Self explanatory.

l) Place Viewed: Location where observations were made (Crime Scene, Hospital, Morgue, etc.)

m) Date / Time Viewed: Self explanatory.

n) Investigator: Name of Investigator making observations.

o) ID: Investigator's Identification Number.

p) Sector: What Sector does the Detective work out of.

q) Offense / Incident: What in the nature of the incident (murder, rape, battery, etc.)

r) Remarks: Any general observation.

s) Notations: List trauma on appropriate mannequin showing extent of trauma

t) Reporting Officer's Signature: Signature of Investigator making observations.

u) ID Number: Investigator's Identification Number.

v) Approved By: Signature or initials of Investigator's Supervisor.

5. Narrative Instructions

a. Continuation Narrative

1) The "narrative" section is provided for the purpose of relating a written description of information not already covered by the report forms filled out at the scene. This information can be a further explanation

of items on the cover forms and a detailed list of actions the Crime Scene Investigator took at the Crime Scene.

- 2) The facts and details contained in the narrative shall relate directly to the information gathered, actions taken, and observations made for each occurrence and will appear in a logical order.
- 3) The key to effective report writing is to be concise, reporting only pertinent information and excluding irrelevant material.
- 4) The report, as well as the remarks, reflect the ability and attitude of the reporting member. An investigation properly conducted but inadequately reported fails to provide the Sheriff's Office with the many and varied needs that the report must fulfill.

b. Narrative Format

- 1) Continuation narrative on death scene investigation and crime scene investigation report forms will follow a standard and comprehensive format of subheadings which are as follows:

a) Death scene investigation report form.

- (1) Remarks (if appropriate)
- (2) Case summary (be brief)
- (3) Scene and body
- (4) Processing
- (5) Evidence
- (6) Pending

b) Crime scene report form.

- (1) Case summary
- (2) Scene
- (3) Processing
- (4) Evidence
- (5) Pending

c) Explicit Details of checked boxes.

- (1) Sub-headings will be printed or typed in capital letters to the left side of the report form.
- (2) Narratives pertaining to subheadings will be indented accordingly.

2) Expansion of format

a) Remarks (death scene reports only)

Used to further clarify or further explain any items in the lead sheet blocks. In some instances there may not be sufficient room on the lead sheet to fully explain a block (i.e., "chemicals / poisons" block might contain "lye" and "see remarks"). In this case, "remarks" could state: "chemicals / poisons: two half empty and one empty can of lye found at victim's feet". In general, anything not adequately explained on the lead sheet must be further explained in the "remarks" section of the form.

b) Scene

Provide a detailed description of the scene. State observations as they are viewed upon arrival. When describing the scene, be as specific as the case warrants being aware of separation of thought and comprehension of ideas.

The facts and details contained in the narrative should bear directly upon the occurrence(s) in question and should appear in a logical sequence. The "remarks" in conjunction with pertinent blocks of the lead sheet must answer or attempt to answer basic questions such as WHO, WHAT, WHEN, WHERE, HOW and WHY.

EXAMPLE: The structure is a three bedroom, one bath CBS one story single family residence facing north with a circular driveway, located on 1370 NW 174 Street. There is an open field to the rear, similar residences east and west and a canal across the street in front.

The front of the home faces north. The yard is neatly kept. The house consists of three bedrooms, two baths, kitchen, living room, carport and small Florida room in the rear.

The scene is located in the NE master bedroom which is furnished as follows: etc.

When describing the scene, be as specific as the case warrants using paragraphs to provide separation of thought and comprehensive reading. Do not offer an analysis or conclusion of evidentiary value or potential.

c) Scene And Body (Death Scene reports only)

Describe scene first. Reference may be made to the body as it relates to the scene, detailed measurements are to be included in this subheading.

Specifically describe the body (i.e., position, clothing and details concerning trauma, etc.)

d) Processing

This subheading is to reflect those specific functions that were conducted by the crime scene officer including a description of what was collected and from what locations. When including latent processing, photos, etc. generally state what was processed and photographed. Other functions would include plaster casts, swabbing, vacuuming, recovery of paint, stains, glass, etc. and the processing of subjects.

e) Evidence

Itemize all accumulated evidence and disposition.

f) Pending

List those functions which will be accomplished at a future time i.e., aerial photos, search of vacant field using metal detector, plat drawings, etc.

c. Helpful Hints For Narrative Preparation

- 1) Remarks must be comprehensive and should be written by starting at a logical point of origin, thus placing all facts in sequential order and closing with an appropriate conclusion thereby providing an orderly narrative.**

- 2) Limit the narrative to facts and details that are related to the incident. Accurate and detailed facts are necessary in any report. Degree of brevity or conciseness will be commensurate with the type of incident being reported.

The report of a major offense will be more lengthy than the report of some minor incident.

- 3) Opinions will not be stated in a report.

- 4) Crime scene section reports are always written in the first person, present tense.

Recurring references to people, property, places, etc. can be solved by using "aforementioned", "above mentioned", or "below mentioned".

- 5) Elaboration on any topical block can be indicated in the "remarks" section of the form by prefixing the elaboration with the topic then stating the elaboration. Information contained on the lead sheet need not be repeated in the remarks unless it adds to the clarity and reading continuity of the report.

- 6) Reports will be correct relative to grammar, sentence structure and spelling.

- 7) Reports do not have to be typewritten, however, they must be written in a manner that is easily read by everyone that has a need.

d. Anatomy Chart

- 1) This form can be used for any case where body trauma is present (i.e., assaults, battery, etc.)

- 2) General Instructions

- a) This form is self explanatory. The mannequins are present to mark locations(s) of birth marks, tattoos, bruises, wounds, and their path or trajectory from entry to exit.

- b) Notations can be anything that the Crime Scene Detectives observes and wants or needs to document.

6. Property Receipt

- a. Format will be in compliance with Monroe County Sheriff's Office Property Evidence standard guidelines.

7. Accepted Abbreviations

Following is an incomplete list of standard abbreviations, other abbreviations may be used provided they are deemed acceptable for Crime Scene Reports by reviewers (supervisors) as being comprehensible, appropriate and in proper context:

Atomic Absorption	AA
Air Conditioner	A/C
Also Known As	AKA
Approximately	approx.
Automatic	auto.
Avenue	Ave.
Black and White	B:W
Boulevard	Blvd.
Caliber	cal.
Captain	Capt.
Cubic Centimeters	cc

Centimeter	cm
Case Number	C/N
Colonel	Col.
Court (Street / Lane)	Ct.
Degree	Deg.
Department	Dept.
Deputy	Dep.
Detective	Det.
Division	Div.
Date of Birth	DOB
Doctor	Dr.
East	E
Eliminations	elim.
Explosive Ordinance Disposal	EOD
Estimated	est.
Estimated Time of Arrival	ETA
Et cetera	etc.
Florida Crime Information Center	FCIC
Foot (feet)	ft.
Forward	fwd.
Gauge	ga.
Gallon	gal.
Gone On Arrival	GOA
Gram	g.
Gunshot Residue	GSR
Gunshot Wound	GSW
Highway	hwy.
Improvised Explosive Device	IED
Inch (inches)	in.
Information	info
Inside	i/s
Junior	Jr.
Kilogram	kg
Large Evidence Bag	LEB
Large Glassine Bag	LGB
Last Known Address	LKA
Lane	Ln.
Large Plastic Box	LPB
Lieutenant	Lt.
Liter	l
Pound	lb.
Major	Maj.
Medical Doctor	M.D.
Medical Examiner	M.E.
Medium Evidence Bag	MEB
Medium	Med.
Medium Glassine Bag	MGB
Meter	m
Mile	mi.
Millimeter	mm
Modus Operandi	M.O.
Miles per Hour	MPH
Mister	Mr.
Misses	Mrs.

Marital status unknown (female)	Ms.
North	N
Outside	o/s
Revolver	Rev.
Small Evidence Bag	SEB
Scanning Electron Microscope	SEM
Small Glassine Bag	SGB
Sergeant	Sgt.
Small Plastic Bag	SPB
Senior	Sr.
South	S
Street	St.
Supervisor	Supv.
Technician	Tech.
Terrace	Terr.
Television	TV
Unable to Locate	UTL
University	Univ.
Vehicle	Veh.
Vehicle Identification No.	VIN
West	W
White Female	W/F
White Male	W/M
White Pill Box	WPB
Within	w/i
Without	w/o
Yard	yd.

Other commonly accepted abbreviations may be used such as:

States: Standard 2 capital letters used by NCIC and UPS

Weekdays: Sun., Mon., Tue., Wed., Thurs., Fri., Sat.

Months: Jan., Feb., Mar., Apr., May, June, July, Aug., Sept., Oct., Nov., Dec.

Government Agencies: FBI, ATF, etc.

Department Entities: CIU, ID, CSD, etc.

C. Processing

1. Photographs

- a. Whenever photographs are not taken or whenever physical evidence is not recovered from the scene of a crime against a person or property, the individual assigned shall state in the case report why no such recovery was made.
- b. Whenever available, materials and substances from a known source are to be collected for submission to the laboratory for comparison with the physical evidence collected.
- c. Prior to a detailed examination of the crime scene being made or prior to any items being moved or even touched, the crime scene is to be photographed. Detailed photographs are to be taken to show items of physical evidence prior to their removal in the condition found. All photographs are to be taken twice, once

with a scale so that the exact size of the object can be determined and once without the scale. In addition, photographs are to be taken to clearly and accurately depict:

- 1) The scene as it was found;
- 2) The path taken by the criminal to the scene;
- 3) The point of entry;
- 4) The point of exit; and
- 5) The escape route.

d. The following information is to be recorded at the time evidentiary photographs are taken:

- 1) The type of camera used;
- 2) Description of the lens;
- 3) Kind of film used;
- 4) ASA speed of the film and camera;
- 5) Lens setting;
- 6) Kind of lighting;
- 7) Direction of camera at the time of exposure;
- 8) Date and time of exposure; and
- 9) A brief description of each photograph taken.

e. **Digital photographs – if digital photography equipment is used to document the crime scene storage and chain-of-custody are key issues. The following is to be recorded at the time of evidentiary digital images are captured.**

- 1) **The type of camera used;**
- 2) **Date and time of image capture;**
- 3) **A brief description of each image captured;**

- 4) **Download digital data from camera through a USB interface to a Windows compatible computer and directly to a CD/DVD compact disk through the use of the Windows Explorer program. The image should not be placed into any image software program or initially stored within the computer hard drive prior to saving onto the permanent CD/DVD disk in order to maintain purity of the image**
 - a) **The CD/DVD shall be marked with the appropriate case number and acquiring officer and placed into property.**

- 5) **An additional CD/DVD may be made as backup or for the working case file, marked as noted above and at the close of the case placed into property.**

(Revised 5-3-2006)

2. Crime Scene Sketch

a. A Crime Scene sketch is to be routinely made. Both the photographs and crime scene sketch should compliment each other in order to adequately and properly depict the crime scene. The sketch is to include:

- 1) The case number;
- 2) The name of suspect (if known);
- 3) The name of victim;
- 4) The name of investigating officer;
- 5) The name of the individual drawing the sketch;
- 6) The date and time the sketch was made;

- 7) A scale;
- 8) Distance measurements between items present on the sketch;
- 9) Reference points to located items;
- 10) The location; and
- 11) The direction of "north" is indicated.

3. Physical Evidence

Physical evidence must be collected following the initial crime scene search, photography, and sketching of the crime scene. Priorities are to be set for which evidence to collect first. The most fragile evidence shall have first priority.

a. Search for fingerprints

1) Latent fingerprints

a) Develop; **The majority of latent fingerprints can be developed with powders which are on non or low porous surfaces. A powder of contrasting color to the object the print is on should be used. A print card of similar color to the object should also be used.**

b) Photograph; **when possible photograph developed latent prints prior to lifting them, and** Lift and preserve with lifting tape or print lifters.

(1) **Only one lift will be placed on a card unless consecutive fingerprints can be made with one lift.**

(2) **Latent prints that are next to each other need not be lifted separately, but can be lifted with one piece of tape and placed on one card.**

(3) **The location the print is lifted from shall be noted on the back of the card with the case number, date and deputies/technicians name and ID #.**

(4) **Nothing shall be written on the glossy side of the latent finger print card it is for latent prints only.**

(5) **Latent prints will be packaged separately in a clear evidence envelope and sealed in accordance establish procedures. A separate Property Receipt shall be used for all latent fingerprints.**

2) Visible fingerprints

a) Photograph;

b) Lift and preserve with lifting tape or print lifters if possible; and

c) If not possible to lift, collect print by taking the object the print is on as evidence.

3) Questionable Fingerprints

a) **When the object that the latent prints may be located on is of a material that presents a problem for the deputy to easily develop the print he/she may elect to:**

(1) Collect the object packaging it in a manner to preserve the desired surface and submit it to the lab for development

(2) Contact a supervisor and request a Crime Scene Technician respond to the scene to develop and or collect the latent prints/object.

a) If the deputy has any concerns about developing and collecting the latent fingerprints, a supervisor shall be contacted and a Crime Scene Technician requested.

(4) Submission for Identification

a) If a suspect is know, the recovered latent fingerprint may be submitted, following the chain-of-custody to available personnel for an timely comparison.

b) They shall then be submitted to Property for proper storage

c) The Property Division shall submit all recovered latent fingerprints to the Identification Technician for an AFIS system review.

(Revised 1-24-2005)

b. Blood and Bloodstains - Any blood that is to be collected must be collected before fingerprint powder is used.

1) Liquid state of blood.

a) Place sterile gauze pad in blood;

b) Air dry if possible and place dry gauze in envelope and seal; and

c) If not possible to air dry, place wet gauze in test tube and leave end unplugged.

2) Dried blood.

a) Scrape with scalpel on to clean piece of paper;

b) Fold paper in such a way as to minimize loss of blood;

c) Mark paper and place in an envelope and seal; and

d) Mark envelope appropriately.

3) Blood smears.

a) Wet cotton swabs with water;

b) Retain one (1) control swab;

c) Hold swabs with tweezers and gently swab the smear;

d) Once a dark-colored stain is on the cotton, a sufficient sample has been collected;

e) Place cotton swab in a dry, clean test tube and leave the end unstopped; and

f) Mark test tube.

4) Bloodstained objects.

- a) If possible, collect the blood stained objects;
- b) If not possible, follow the above procedures;
- c) Air dry blood stained clothing, then package;
- d) Package all items separately and loosely in wrapping paper or in paper bags. Never use newspaper or plastic bags;
- e) Mark all objects prior to packaging; and
- f) If blood stained items cannot be air-dried, package separately and loosely in paper and transport to the office. Allow item(s) to air dry in a secure area.

c. Control Sample

1) A "control sample" would be any material from which the evidence was collected without the suspected evidence included. Control samples are necessary to determine if there is anything normally in the material that may cause a false positive.

- a) Cut and remove a specimen of the object next to the stain and package.
- b) In areas that are swabbed, swab an area next to the stain following the procedures outlined for the collection of smears.

d. Trace Evidence

1) Trace evidence can be any material that may be small, microscopic, or of endless variety which is found at the scene of the incident. Examples of trace evidence include paint chips, metal tooth fillings, dust, dirt, blood flakes, glass fragments, rust particles, cloth fragments, cigarette butts, matches, etc.

- a) Collect in a legally admissible manner.
- b) All trace evidence shall be double packaged with each package marked.
- c) Control samples shall be collected at the same time and packaged separately.

e. Sample Collection

1) A complete evidence sample will be collected at a crime scene when possible and practical. Obtaining complete samples may include the impounding of materials/objects upon which fluids, liquids, and physiological evidence is found.

f. Firearms Evidence

- 1) All firearms evidence shall be carefully marked, photographed, and sketched at the scene before moving.
- 2) Firearms evidence shall include but not be limited to:
 - a) The weapon;
 - b) Bullets;
 - c) Pellets;

- d)** Wadding;
- e)** Slugs;
- f)** Casings;
- g)** Bullet fragments;
- h)** Bullet holes;
- i)** Shotgun patterns;
- j)** Ammunition associated with the weapon; and
- k)** Distance measurements.

3) Care must be taken in the handling of firearms to avoid accidental discharge and/or the destroying of any fingerprints or any contact evidence on the weapon.

4) All weapons suspected of being used in the commission of a crime shall be submitted to the Evidence Custodian for laboratory testing.

5) All weapons should be packaged in clear plastic bags for F.D.L.E. submission. All weapons submitted to the Evidence Custodian shall be unloaded and rendered safe prior to submission, however, if the order of fire of revolvers is of possible importance to the investigation, the Evidence Custodian must be informed that the weapon is loaded and not safe prior to submission.

6) Gunshot Residue

a) Gunshot residue shall be collected on the suspect immediately using the GSR kits.

b) Gunshot residue shall be submitted to the Evidence Custodian the next working day if possible.

g. Impression Marks

1) Impression marks are those impressions left by tools, tires and the like.

2) Impression marks are to be first photographed with and without scale.

3) Impression casts are then to be of the marks.

4) With tool marks, it is best to collect the object bearing the mark. If not possible, photograph and cast.

h. Documents

1) Handle evidence documents with care using tweezers.

2) When possible, documents should be placed in clear plastic protection sheets.

3) If latent processing is required, advise the Evidence Custodian.

4) Severely crumpled, torn or oversized paper items should be placed in an evidence bag.

5) Charred documents should not be directly handled.

a) If possible, place entire ashtray or other small container of a charred document in a rigid box. Handle cautiously and keep free from air flow.

b) If charred document must be handled, carefully slide rigid piece of paper underneath and collect.

c) Place in hard air free container.

- 6) Typed documents in a typewriter should be collected with instrument intact.
- 7) If not intact, collect typewriter separately and submit.
- 8) Do not attempt to develop document with indented writing. Simply collect and submit using proper procedure.
- 9) Whenever possible, collect comparison standards of hand- writing and signatures. (Simple signatures are not usually sufficient.)

i. Trace Evidence: Luma Lite System

- 1) This is a portable illumination system that will cause fluorescence in some materials in their natural state and in other materials after they have been processed with certain chemicals. This will cause stains and fingerprints, that were not visible to the naked eye, to be seen and photographed under the Luma Lite. This equipment is to be used at major crime scenes by personnel trained in its use.

j. Use of Video Recording Equipment for Crime Scene

- 1) Each Crime Scene van shall be equipped with a portable video recorder, lights and a battery pack or a generator with extension cords.
- 2) Extension cords will not be used if there is blood or trace evidence on the floor or ground, or if there is rain.
- 3) To protect the video recorder during rain, a clear plastic bag should be placed over the recorder and pulled close to the lens.
- 4) Only one crime scene will be recorded on each tape. This will become the Master recording.
- 5) The master recording is evidence and will be listed on a property receipt and turned into Property. The Master recording will NOT be edited in any manner. A copy of the Master can be made for investigative purposes or for the State Attorney's Office. Copies can be made only by a signed written request to the Video Technician.
- 6) At the beginning of the recording of the tape, the Crime Scene Detective will announce his/her name, case number, date, time, the crime being investigated, and the location (be as specific as possible). If, the CSD is being assisted by someone in recording the scene, the name(s) of such persons will also be announced. Then at this time, the sound recording will be shut off and only a video recording will be made. At the end of the recording session, the CSD will turn on the sound recording and announce the completion time. The time / date generator is not to be used during this recording. Any required narration of the recording can be made during the Court presentation.
- 7) If at all possible, all exterior recordings should be made in daylight, rather than by artificial light. If the interior lighting needs to be supplemented, the use of tungsten lighting is best.
- 8) The recording should start by showing the general location in relation to known or permanent landmarks and then shift to the scene or building. The total exterior of the scene or the building should be made prior to entering.
 - a) In a building, all of the rooms are to be recorded, with the actual scene to be recorded last. As in the case of a homicide, the views of the body would be at the end of the tape.

b) For an exterior scene the actual scene should again be recorded last.

c) If a detailed recording of graphic injuries to a body is wanted, a separate recording is to be made, then if the graphic injuries are challenged in Court, the Crime Scene recording will not be affected.

9) During the recording, no extraneous personnel should be walking through the area.

10) If the victim is to be walked through the scene, a separate tape is to be used. The recording should have the same information at the beginning and end as listed in 6) above, plus the name of the victim. No sound recording is to be made during the walk-through. The required narrative can be made during the Court presentation by the victim.

11) If the suspect is to be walked through the crime scene, a separate tape is to be used. The recording will have the same information as listed in 6) above, plus the name of the suspect. The suspect will be read his rights at the beginning of the recording, prior to the walk-through. The time / date generator is to be used during this recording. During the whole recording session, the sound will be turned on.

k. Other Evidence

All other evidence is to be collected, preserved and submitted according to the guidelines established in the Florida Department of Law Enforcement, Crime Laboratory Services, and Evidence Submission Manuals. Manuals are issued to all certified members.

D. Special Purpose Vehicle – Crime Scene Van

1. Objectives of their operation or usage: The crime scene vehicle is to be used by the crime scene detective to respond to crime scenes and perform his other police duties. It will be utilized for the storage and transportation of equipment used for crime scene investigations and will be a self contained crime scene vehicle.

[CALEA 41.1.3 A]

2. Instructions, conditions, and limitations of usage: Due to it's specialized equipment, the crime scene vehicle will not be utilized for other duties that would jeopardize it's being available for it's intended usage. Prisoners will not be transported in this vehicle and the equipment area will be separated from the passenger area.

[CALEA 41.1.3 A]

3. Authorization for use in various situations: The Sector Commander will have the authority to authorize the vehicles use for non-crime scene duty.

4. Qualifications and training for members assigned to operate the vehicle: The department member assigned to operate the crime scene vehicle will conform to department regulations regarding operation of department four wheeled vehicles.

[CALEA 41.1.3 B]

5. Designation of a person or position responsible for the condition and maintenance of the vehicle: Each crime scene vehicle is assigned to a crime scene detective, who is solely responsible for the condition of his vehicle. He is responsible to schedule maintenance for the vehicle. The CIU Detective Sergeant is responsible for a monthly inspection of the crime scene vehicle.

[CALEA 41.1.3 C]

6. A list of equipment to be kept in or on the vehicle: A list of the crime scene equipment assigned to the vehicle will be kept in the vehicle. Equipment of a permanent nature such as a gasoline generator will be noted with the amount of this item. Evidence gathering equipment will be listed under it's general use and not broken down further. (Example: blood gathering material)


[CALEA 41.1.3 D]

7. Vehicle list of persons or positions authorized to operate the crime scene vehicle: The crime scene detective, or detectives assigned to the command are authorized to operate the crime scene vehicle. If

none of the authorized members are able to operate the vehicle, a sergeant or above may authorize a qualified operator to operate the vehicle if necessary.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 36		TITLE: Special Response Teams
EFFECTIVE DATE: November 26, 2010	NO. PAGES: 42	AMENDED: November 13, 2012
REFERENCE: CALEA 41.1.3, 41.1.4, 46.2.1, 46.2.2 CFA 17.12, 21.04, 21.07		RESCINDS:
 Sheriff of Monroe County		

I. PURPOSE

The purpose of this directive is to establish guidelines for the operation and utilization of the Special Response Teams.

II. DISCUSSION

This directive shall apply to all Sheriff's personnel. The primary responsibilities of Special Response Teams are to support the law enforcement functions within the Monroe County Sheriff's Office.

III. POLICY AND PROCEDURE

- A. The Special Weapons and Tactics Team is to provide specialized services in support of law enforcement operations that require the use of special weapons, tactics, decoy operations, undercover surveillance / stakeouts, coverage of special events, VIP protection, assistance in bomb discoveries, coverage of disasters, coverage of civil disorders and coverage of civil defense emergencies. The Special Weapons and Tactics Team reports to the Commander of the Special Crimes Investigations Unit.

1. The team functions as follows:

- a. Team Leader - Specially trained in the use of special weapons, tactics, decoy operations, undercover surveillance / stakeouts, coverage of special events, VIP protection, bomb discoveries, coverage of disasters, coverage of civil disorders and coverage of civil defense emergencies and who is responsible for the coordination of selection, training, deployment, and tactical operations involving members of the Special Weapons and Tactics Team. The Team Leader shall be responsible for tactical decisions regarding the selection of advance routes, points of entry into buildings or structures, directing target acquisition and all other operational components associated with the Special Weapons and Tactics Unit. The Team Leader shall coordinate all team responses with the corresponding patrol, CIU or other unit supervisor/commander on the scene or detail.
[CALEA 46.2.1 C]

- b. Sniper - A Deputy trained in the use of special weapons and tactics whose primary function is to provide security for the Team during movement and act as a specialized sharpshooter when needed. The sniper also acts as an observer and gathers intelligence for Unit objectives.
- c. Sniper Observer - A Deputy trained in the use of special weapons and tactics whose primary function is to act as an observer for the sniper and gather intelligence for Team objectives. The observer is also trained as a sharpshooter in order to relieve the sniper and provide auxiliary sniper when needed.
- d. Team Member - A Deputy trained in the use of special weapons, tactics, decoy operations, undercover surveillance / stakeouts, coverage of special events, VIP protection, bomb discoveries, coverage of disasters, coverage of civil disorders, and coverage of civil defense emergencies who is utilized in various capacities which include, but are not limited to the following:
 - 1) Perimeter Security
 - 2) Building Entry and Suspect Apprehension
 - 3) Hostage Rescue
 - 4) Unit Security
 - 5) Chemical Agent Delivery
 - 6) Anti-Sniper Techniques
 - 7) Anti-Terrorist Techniques
 - 8) Directed Patrol Assignments in High Crime Areas
 - 9) Stakeouts for Felony Crime
 - 10) Covert Criminal Investigations
 - 11) Dignitary Protection Details
 - 12) Security at Special Events
 - 13) Anti-Sniper Tactics
 - 14) Anti-Terrorist Tactics
 - 15) Barricaded Subjects
 - 16) Apprehension of Armed and Dangerous Persons
 - 17) Execution of Search Warrants in Hazardous Situations
 - 18) Crisis Situations and Hostage Rescue Situations
- e. When requested the Team will provide support to other operational components of the Sheriff's Office. These may include but are not limited to, inmate and court security - high profile trials, officer rescue detail during Fantasy Fest or other large crowd event, narcotic search warrant execution , etc....

CALEA 46.2.1 B

- 2. Team Member Availability - Based on a twenty-four (24) hour need for rapid response, Team members may be required to respond to emergency situations during non-duty hours. Team members shall remain readily available for contact via telephone, radio, or pager during off-duty hours. The Special Investigations Commander shall be informed and approve vacation schedules or other activities that would render a Team member unavailable for duty.
 - a. Emergency Response (On-duty) - Upon notification of a crisis situation, Communications shall dispatch on-duty Special Weapons and Tactics Team members to the scene. Additional Team members may be requested as needed by the Special Investigations Division Supervisor. The minimum personnel to be utilized shall be five (5) team members.
 - b. Emergency Response (Off-duty) - Upon notification of a crisis situation call-out, off-duty Team members shall respond to the crisis scene as rapidly as safe transport permits.

- c. Use of Emergency Equipment - Special Weapons and Tactics Team members shall use emergency lights and sirens when responding to a crisis situation, unless otherwise directed. Driving safety is a must and emergency lights and siren shall be used in conjunction with existing traffic conditions. The use of emergency equipment shall be discontinued at a reasonable distance from the crisis scene to avoid antagonism of crisis perpetrators.
- d. Other Requests - Non-emergency requests for use of the Special Weapons and Tactics Team shall be directed through the chain of command and coordinated with the Special Investigations Division Commander. Such activities include, but are not limited to, assisting other operational components in the service of search warrants, apprehension of dangerous criminals, or directed patrol.

3. Team Safety

- a. Team Members are responsible for their own individual safety as well as the safety of other Team members, members of the Sheriff's Office, and the public.
- b. Each Member shall utilize standard techniques in handling crisis situations and shall immediately respond to the Team Leader's directions.
- c. Deadly force shall not be used unless directed by the Team Leader, or in defense of life of self or others as outlined in Sheriff's Office directives.

4. Training of Team Members

- a. Formal Training - Members of the Special Weapons and Tactics Team shall receive technical training in the areas of:

- 1) Special Weapons and Tactics
- 2) Decoy Operations
- 3) Undercover Surveillance / Stakeouts
- 4) Coverage of Special Events
- 5) VIP Protection
- 6) Bomb Discoveries
- 7) Coverage of Disasters
- 8) Coverage of Civil Disorders
- 9) Coverage of Civil Defense Emergencies

- b. In-Service Training

- 1) In-service training shall be conducted **at least annually**. The location and curriculum shall vary for each training session. Instructors specialized in area of Team-related functions shall be selected in accordance with training needs.

Revised 08/07/09

- 2) In-service training shall include, but not be limited to, weapons and tactics, anti-sniper, anti-terrorist techniques, and physical training and conditioning.
- 3) Each Team Member shall be responsible for an overall self-administered physical fitness program. This program should include fitness in the areas of endurance, strength and agility, as set by the Team Leader. Periodic physical fitness tests shall be performed by Team members and certain standards met to insure Unit readiness. Members of the Team shall be removed from the Special Weapons and Tactics Team if unable to meet physical standards.

- 4) Each Team Member shall be required to meet semi-annual qualification standards with assigned weapons. Team members who fail to meet the qualification standards established by the Sheriff's Office firearms instructors shall not be permitted to engage in official team actions until qualification standards are met.

5. Equipment

- a. Maintenance - Each Team member shall be responsible for the routine maintenance of issued equipment including, but not limited to, weapons, web gear, protective vests, clothing, and other designated equipment. Equipment shall be subject to periodic inspection by the Team Leader. Team members shall carry body armor, helmets, portable radios and additional equipment in their assigned vehicles. Supplemental equipment shall be stored at the Special Investigations Division's Office and the SWAT vehicle.
 - b. Weapons - Weapons utilized by the Team shall be designated by the Team Leader in accordance with Sheriff's Office directives.
 - c. Uniforms - Uniforms utilized shall be designated by the Team Leader.
 - 1) Under normal assignments, all Special Weapons and Tactics Team members will wear their standard duty clothing.
 - 2) Military type jungle boots, jump boots, or other footwear, as designated by the Team Leader shall be worn.
- CALEA 46.2.3**
- 3) Vehicle - The Special Weapons and Tactics Team van is specially equipped with the following:

- a) Repelling ropes and gear
 - b) Non-pyrotechnic gas and gas delivery system
 - c) Bull horn
 - d) Radio communications equipment
 - e) Telephone and telephone line for hook-up
 - f) Extra load-bearing gear
 - g) Night vision gear
- [CALEA 41.1.3 D]

6. Records

- a. Following a crisis situation in which the Special Weapons and Tactics Team is utilized, the Team Leader shall prepare and submit to the Special Investigations Division Commander, which shall be forwarded to the Undersheriff, an after-action critique which shall include the following:
 - 1) All reports relating to the incident
 - 2) Copies of written logs relating to the incident
 - 3) Photographs of the incident scene, if available
 - 4) Diagram of the incident scene
 - 5) Critique of operational tactics
 - 6) Any suggestions for correction of operational errors or procedural deficiencies
- b. A record of all training sessions shall be maintained by the Team Leader or designated officer in addition to the Training Unit. This shall include copies of training schedules, training outlines, firearms qualifications records, and proficiency records of each team member in all phases of team activities and training.

7. General

CALEA 46.2.2

1. Prior to a member of the Office being considered for placement on the Special Weapons and Tactics Team, the following criteria must be met:
 - a. The applicant for the Special Weapons and Tactics Team shall have at least one year of experience with the Office or an equivalent from another agency.
 - b. The one-year experience may be waived if the applicant can show specialized training that would benefit the Special Weapons and Tactics Team. If selected, the team leader will forward a memorandum to the Special Weapons and Tactics Team Commander outlining the reasons for the waiver.
 - c. The applicant must pass a physical standard test as set by the Team Leader.
 - d. The applicant shall submit to a Psychological Screening Examination. If the applicant is selected for the Special Weapons and Tactics Team, the Psychological Screening Examination will be scored. Applicant must pass the Psychological Screening Examination to be considered as a Team Member of the Special Weapons and Tactics Team. Test results will be kept on file.
 - e. An oral board that is comprised of a representative of Human Resources, Special Weapons and Tactics Team Commander/Leader and a member of the Special Weapons and Tactics Team will interview the applicant and make their recommendation and selection of a new member.
 - f. Once the applicant has met and passed the above criteria, the recommendations for acceptance to the Special Weapons Tactics Team will then be forwarded for approval to the Special Weapons and Tactics Team Commander by the Team Leader
2. Coordination
 - a) Prior to assignments by the Special Weapons and Tactics Unit taking place, the respective Division Commander shall be notified by the Special Investigations Division Commander.
 - b) The only assignments by the Special Weapons and Tactics Unit that will not be relayed to the Division Commanders are those where disclosure may jeopardize a tactical operation, and then, only with the approval of the Sheriff or Undersheriff.

8. Special Purpose Vehicle – SWAT Truck

- a. Objectives of use: The vehicle is to be maintained with all necessary equipment needed for a SWAT call-out and kept in close proximity to the SWAT equipment lockers for quick loading of any necessary equipment.
- b. Instructions of operations of special vehicles listed under guidelines of the Monroe County Sheriff's Office Operations Manual of police vehicles.
- c. SWAT vehicles can be operated by any authorized person that may operate other Monroe County Sheriff's Office vehicles.

[CALEA 41.1.3 A]

- d. Limitations of operations of these vehicles is limited to transport and use as a staging area for tactical command post at a critical incident. Only authorized SWAT members are authorized to enter the storage areas and to use specialized equipment.

[CALEA 41.1.3 A]

- e. This vehicle is only used for SWAT situations or special events or operations so designated by the SWAT Supervisor or Sector Commander as required.

- f. SWAT Supervisor is responsible for the condition and maintenance of the SWAT vehicles.

[CALEA 41.1.3 C]

- g. List of equipment in vehicle.

[CALEA 41.1.3 D]

- h. List of persons authorized to operate SWAT vehicles: All current SWAT members or any authorized person that may operate other Monroe County Sheriff's Office vehicles as designated by the Sheriff, SWAT Supervisor or Sector Commander. Only SWAT members are authorized to enter storage areas and use specialized equipment.

[CALEA 41.1.3 B]

9. Special Purpose Vehicle – Vessel

- a. Objectives of use: To perform routine waterborne operations to include patrol, surveillance and special assignments.

- b. Instructions, conditions, and limitations of usage: Vessels operated by office members will be done so within the specifications of the manufacturer, in a manner that abides by all local, state and federal laws or regulations and in a manner that is courteous to the boating population.

- c. Authorization for the use in various situations: Authorization for use of the vessel shall be granted by the commander responsible for the vessel.

- d. Qualifications and training for personnel assigned to operate the vessel: All boat operators shall be required to successfully complete the USCG Safe Boaters' Course, Florida Fish and Wildlife Conservation Commission Safe Boating Course, or show proof of a valid license (Captain, etc.) sanctioned by the USCG.

[CALEA 41.1.3 B]

- e. Designation of the person or position responsible for the condition and maintenance of the vessel: The commander responsible for the vessel shall designate a person or persons to ensure the maintenance and care of the vessel. This person will have authority to have repairs and maintenance done at service centers.

[CALEA 41.1.3C]

- f. A listing of equipment to be kept in the vessel: The vessel shall contain all USCG required equipment. When in normal operation the operator shall have a MCSO radio (on), and all duty gear needed for the operation.

[CALEA 41.1.3 D]

- g. A list of persons authorized to operate the vessel and its equipment: All patrol and investigators are able to operate the boat with requisite training. A current list shall be maintained by the commander in charge of the vessel.

[CALEA 41.1.3 A]

10. Special Purpose Vehicle – Wave Runner

- a. Objectives of Use: Patrol of residences and businesses from the water access side to enhance the ability of law enforcement in preventing and detecting crime.
- b. Instructions, conditions, and limitations of use: Wave runners operated by office personnel shall do so for the purposes mentioned above and shall not use them for the enforcement of fishing regulations.
- c. Authorization for use in various situations: Authorization for the use of wave runners shall be granted by the commander responsible for the vessel.
- d. Qualifications and training for personnel assigned to operate the vessel: All personnel operating office wave runners must first complete a course geared for law enforcement presented by the Florida Marine Patrol or the MCSO and a course offered by Yamaha on operational maintenance of the vessels.
- e. Designation of the person or position responsible for the condition and maintenance of the vessel: The commander responsible for the vessel shall designate a person or persons to ensure proper maintenance and care of the vessels. This person shall have the authority to have repairs and maintenance performed at authorized service centers.
- f. A listing of equipment to be kept in the vessel: The vessel shall contain all USCG required equipment. When in normal operation, the operator shall have a MCSO radio and all appropriate issued duty gear.
- g. A list of persons authorized to operate the vessel: The commander responsible for the waver runners shall designate persons ,who have met the training requirements, as wave runner operators.

[CALEA 41.1.3 A,B,C,D]

11. Special Purpose Vehicle – All Terrain Vehicles (ATV)

- a. Objectives of Use: ATV's are essential for patrolling the inaccessible areas of Monroe County. They provide quick response in situations that would delay traditional law enforcement vehicles. The effective use of ATV's is dependent on proper training and certification to demonstrate operator efficiency.
- b. Instructions, conditions, and limitations of use: Usage of ATV for patrolling inaccessible areas will include, but is not limited to:
 - 1. Patrolling heavily wooded or off road areas found within Monroe County.
 - 2. Areas within County managed parks/preserves.
 - 3. Beach accesses and beach front that is normally patrolled by deputies.
 - 4. Accessing those areas that require patrolling will sometimes entail operating the vehicles on the roadway. The shoulder of the road should be used as much as possible, as well as the ATV headlight(s) should be in operation and appropriate hand signals given notifying other motorist of turns.
- c. Authorization for use in various situations: Authorization for the use of the ATV's shall be granted by the commander responsible for the ATV.
- d. Qualifications and training for personnel assigned to operate the ATV: All deputies operating ATV's in the capacity of Deputy Sheriff shall complete an approved basic operators course. This course will include viewing appropriate videos on safe operation, familiarity of the vehicles'

nomenclature and demonstration of safe operations. Training will be continuous while on the job and therefore, all procedures must be followed consistent with operating a department vehicle. Positions authorized to patrol on ATV's are reserved for those deputies assigned to Higgs Beach, and those beach areas found within the Sheriff's Office jurisdiction.

- e. Designation of the person or position responsible for the condition and maintenance of the ATV: All ATV operators will inspect before and after use for vehicle damage, visible work equipment, and any other pertinent safety issues necessary for effective and safe operation. All ATV operators will complete the maintenance log prior to tour of duty, to include (name of operator, date being used, hour meter out/hours noted, due for next service). Additionally, at the conclusion of the tour of duty, the following shall be noted/performed (hour meter in/hours noted, mileage is recorded, gas/oil filled, chain lubricated, washed and towel dried). Should the vehicle be due for service, the Vehicle Maintenance Division shall perform all required service on the ATV.
- f. A listing of equipment to be kept on the ATV: Each ATV is equipped with gear to make functional in the area in which it is assigned. All ATV's are equipped with no less than the following: (emergency lights and siren, storage containers (to include fire extinguisher, tool kit and radio, first aid kit). All deputies assigned to the ATV will be equipped with and will utilize the following while operating a department ATV: (approved helmet, gloves, footwear consistent with terrain type, eye protection, uniform consistent with assignment type).
- g. A list of persons authorized to operate the ATV: The commander responsible for the ATV shall designate persons, who have met the training requirements, as ATV operators.

12. Special Purpose Vehicle - Bomb Truck

Revised 08/07/09

- a. Authorization, conditions, and limitations of usage.
[CALEA 41.1.3 a]
Any use of the Bomb Truck must be authorized by the Sheriff, the Undersheriff, the Chief of the Bureau of Law Enforcement, the Bomb Squad Supervisor, or the District Commander.

The Bomb Truck is to be used for bomb threat call outs.

The Bomb Truck may only be driven by certified law enforcement employees or certified reserve employees of the Monroe County Sheriff's Office.

Only certified Bomb Technicians are authorized to enter the Bomb Truck and use the specialized equipment associated with it.
- b. Qualifications and training for personnel assigned to operate the Bomb Truck.
[CALEA 41.1.3 b]
The Bomb Truck may only be operated by certified law enforcement employees or certified reserve employees of the Monroe County Sheriff's Office. There is no specific training required for the operation (driving) of the Bomb Truck.
- c. Designation of the person or position responsible for the condition and maintenance of the Bomb Truck.
[CALEA 41.1.3 c]
The Bomb Squad Supervisor is responsible for the condition and maintenance of the Bomb Truck.
- d. A listing of equipment, if any, to be kept in or on the Bomb Truck.

[CALEA 41.1.3 d]

A complete inventory of the equipment kept in the Bomb Truck shall be maintained by the Bomb Squad Supervisor.

B. Hostage or Barricade Situations

The Sheriff's Office shall respond to hostage situations, incidents involving barricaded persons, or other crisis type situations which pose imminent danger to human life. The primary responsibilities of Deputies responding to a crisis situation is to identify the situation and participants, secure the crime scene, notify and deploy necessary support personnel, establish communications with the participants, and initiate efforts to resolve or defuse the crisis situation. Personnel involved also have the responsibility of maintaining accurate records of the event from beginning to end. The Undersheriff or his designee periodically reviews hostage or barricade situations to insure that guidelines are being followed. For the purposes of this directive, a Crisis Situation is any incident involving violence or potential act of violence in which law enforcement officers are at a disadvantage and subject to extreme danger; and/or, any situation where an individual(s) poses a danger to themselves or others (i.e., suicide attempts, hostage situations, sniper attacks, and barricaded armed subjects.

[CFA 21.04M -L]

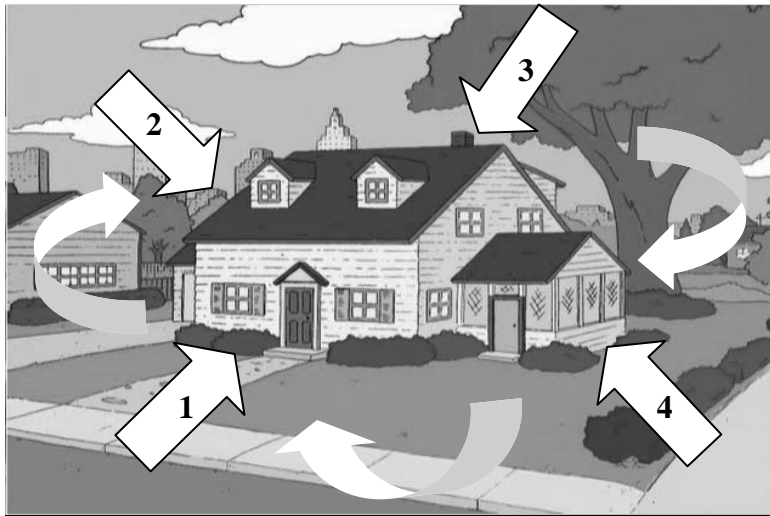
1. Initial Notification and Response - This phase consists of the initial response, containment, and evaluation of a crisis situation which occurs at a fixed location. Upon receipt of information that a crisis situations exists, the following actions shall be immediately initiated:

a. Communications shall:

- 1) Dispatch Patrol Deputy and Sergeant
- 2) At the request of the Sergeant, notify the Station Commander and Division Commander
- 3) Compile a separate written log of information received and calls dispatched concerning the crisis situation
- 4) Designate the primary channel as a tactical channel, if this has not already been done by the patrol deputy and/or patrol sergeant. Route all other radio communication to another designated channel. **(Revised 11/13/12)**
- 5) Notify the Special Investigations Division Commander, Undersheriff, and Sheriff

2. The first Deputy on the scene shall:

- a. Determine the nature of the situation
- b. Relay information to Communications, as necessary
- c. Request the primary channel as a tactical radio channel
- d. Use the tactical numbering system (see diagram) and establish the "one" side (use the street side or the front of the target, if possible).

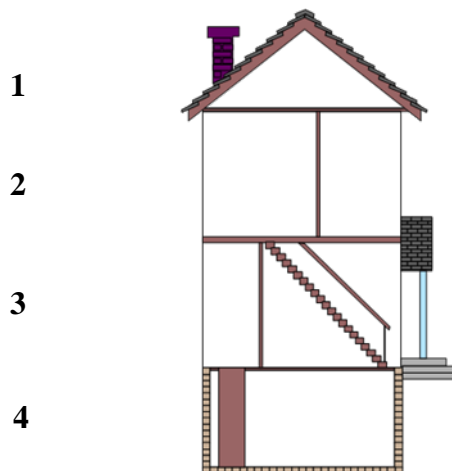


- e. Tell other responding units what side of the target has been designated as the “one” side
 - f. Give the exact location of the incident and the number of units needed to establish an inner perimeter
 - g. Pick a safe location on one of the corners of the target, e.g. the 1-2 corner, the 3-4 corner, etc.
 - h. Tell other responding units what corner of the target to respond to in order to establish an inner perimeter
 - i. Tell other responding units the safest access routes
 - j. Contain the situation as much as possible
 - k. If possible, detain all persons having information regarding the suspect(s) and/or the circumstances surrounding the situation.
 - l. If necessary, and safely possible, treat and evacuate any wounded persons
 - m. Provide the Sergeant with an estimate of back-up support requirements
- (Revised 11/13/12)

3. The first Supervisor on the scene shall:

- a. Evaluate the situation and modify or affirm back-up requirements
 - 1. If the situation warrants immediate action (i.e., a sniper firing, a barricaded subject firing, an armed subject with hostages, etc.) the member shall request the Special Weapons and Tactics Team respond immediately and make every effort to contain and de-escalate the situation.
 - 2. If there is not sufficient time for the Special Weapons and Tactics Team to respond and the situation has become an immediate threat to human life, the Sergeant (Supervisor) shall coordinate the immediate action necessary to stabilize the situation.
 - 3. Initiate a written log of actions taken.

4. Advise Division Commander and Special Investigations Division Commander of the circumstances via secure communications.
5. Debrief initial response unit(s)
6. Ensure an inner and outer perimeter are established and adjacent areas are cleared of all uninvolved persons.
7. Establish a command post, (i.e., a field headquarters from which the Commander directs operations and from which all planning and responses to crisis situations shall be coordinated), advising all concerned units of the incident location and of any streets or areas which may be unsafe for responding units to enter. The command post shall not be located in the line or sight of fire.
8. Direct all responding members of the Office and of any other agency to report to the command post for assignment and briefing prior to deployment.
9. Direct members of the Office not to fire their weapons unless their lives or the life of another is in imminent danger, or as directed by the Division Commander to neutralize the situation.
10. Request for ambulance, rescue, fire, or surveillance equipment to report to the command post.
11. Deploy additional personnel when they respond:
 - i. Assign personnel to cover exits and possible escape routes being certain to position them so they are not accessible to fire
 - ii. Assign personnel to vehicle and pedestrian control
 - iii. Maintain a list of the location of deployed personnel
 - iv. Establish radio call numbers that correspond with the perimeter personnel locations, e.g. IP 1 (inner perimeter on the one side), OP 3 (outer perimeter on the three side)
12. The Sergeant (Supervisor) shall be responsible for compiling all of the initial on-scene intelligence regarding:
 - i. The exterior of the target using the tactical numbering system, numbering the floors from the top-down (see diagram).



- ii. Location of suspect (floor, room, roof, etc.)
- iii. Types of weapons to which the suspect may have access
- iv. Identification of suspect, including complete physical description, mental state, and physical condition
- v. Suspect's purpose
- vi. The crime suspect has committed (assault, robbery, disturbance)
- vii. Physical description of any hostage and his physical and mental condition, communicating this information to all responding personnel.

(Revised 11/13/12)

4. Call Out Procedures for Crisis Situations – Crisis Negotiators for the agency are members who are specially trained in crisis intervention and negotiation techniques. Crisis negotiators should be utilized whenever members of the agency are confronted with individuals who are suicidal or barricaded, as well as in hostage taking and kidnapping situations. The procedure for call out of crisis negotiators shall be as follows:
- a. Upon being confronted with a situation where a negotiator is needed the officer on scene will notify his/her supervisor. The supervisor will make a determination if the services of a crisis negotiator are in fact necessary. If the supervisor determines that the services of a crisis negotiator are in fact necessary, the supervisor will direct the dispatch center to contact the negotiator from the involved Sector as well as the negotiator from the adjacent Sector to respond. In addition, the Sector Commander of the Sector involved, as well as the Special Investigations Division Commander will be notified.
 - b. In situations involving armed individuals where crisis negotiators are requested to respond to the SWAT team will also respond to the scene.
5. Command Operation - Field Deputies and supervisor(s) shall, as soon as practical, transfer operational control and coordinating authority to Special Weapons and Tactics Team personnel who have specialized crisis situation training and experience.
- a. The Special Investigations Division Commander shall evaluate initial reports and insure that an attempt has been made to establish a line of communication with the crisis principal (i.e., the person(s) responsible for initiating and/or sustaining a crisis situation) and;
 - 1) Establish liaison with the Special Investigations Division Unit Supervisor to determine the possible call-up of back-up and plans of action.
 - 2) Determine the necessity to evacuate the area (i.e., homes, apartments, businesses, schools, and churches).
 - 3) Discuss plans of action with the SWAT Leader and give approval for the overall plan of action including:
 - a) Deployment
 - b) Gas Munitions
 - c) Special Tactics
 - d) Deadly Force
 - 4) Allow the Special Crimes and Response Team Leader to conduct and direct the actual tactical operations once the decision has been made to initiate the tactical assault.

- 5) Relay information to Communications regarding manpower deployment and information relative to the suspect and any hostage.
- 6) Contact the State Attorney's Office as soon as possible.
- 7) Maintain press relations until the arrival of the Community Relations Officer.
- 8) Evaluate the situation and determine the degree of danger to any hostage, Office member, or citizen and whether perimeter deployment is adequate.
- 9) Notify the Undersheriff and the Sheriff to advise them of the situation.
- 10) Request the telephone company prevent any incoming or outgoing calls at the perpetrator's location, except those called by Monroe County Sheriff's Office (Hostage Negotiators) Special Weapons and Tactics Unit personnel.
- 11) Advise the Community Relations Officer of any hostage, sniper, or other crisis situation information. The public information officer shall confer with the on-scene commander prior to releasing any information to the media. Only pre-approved information by the on-scene commander will be released. Once the situation has ended, all public information can be released.
- 12) Consider establishing a mobile reserve at the assembly area to relieve personnel previously assigned to other tasks.
- 13) Ensure off-duty personnel will only be utilized if they possess a technical skill or pertinent knowledge associated with the situation.
- 14) Take any other action deemed necessary to resolve the situation in the safest manner possible.

b. Duties of Hostage Negotiators

- 1) Hostage negotiations are initiated to accomplish two purposes:
 - a) Seek the safe return of the hostage(s) and insure the safety of all persons involved.
 - b) Convince the offender(s) to surrender.
 - c) To gather information and intelligence for the SWAT Team; should a tactical assault become necessary.
 - d) The Hostage Negotiators are specially selected and trained personnel who are adept at dealing with suspects and/or hostages involved in crisis situations.
 - e) Upon "call-out" the negotiator from the Division involved shall respond and a member from the adjacent Division shall respond to the second scene.
 - f) There shall be at least two (2) negotiators present during negotiation with the crisis principal, with a third "non-negotiation" member maintaining a written log.
 - g) All Hostage Negotiators shall keep communications informed of their location(s) and be available, at all times, by Office Radio, Office Pager, or via Telephone in case of "call-out". Division Commanders will coordinate with each other all requests for leave by Hostage

Negotiators to insure that at no time will the County be without enough members to handle a Hostage Negotiation situation.

- h) The hostage negotiators shall report to the Division Commander at a designated location.
 - i) Negotiations should not be attempted until the perimeter is secure and adequate law enforcement resources are on the scene. However, it should be noted, the initial fifteen (15) to thirty (30) minutes of the negotiation process are the most crucial due to the potential for an irrational and violent response from the offender(s).
 - j) The Supervisor-in-charge shall secure audio and video recording equipment, if available, to provide further documentation of the crisis situation.
 - k) Direct negotiations with the crisis principal should be performed by one of the hostage negotiators, if available.
 - l) The negotiator should express clearly to the offender(s) that it is not how or if he is going to release the hostage(s) and/or surrender, but only when and under what circumstances.
 - m) Generally, a "no deal" policy will be a standard response to offender(s) demands.
 - n) Negotiators shall NEVER negotiate for the exchange of people, because the transfer can never be guaranteed. Members will not disarm themselves as an exchange for hostages nor for negotiations.
 - o) Negotiators shall NEVER negotiate to give weapons of any kind to the offender. This includes "dummy" weapons, because of the possibility of developing a false sense of security in the offender(s), who may initiate irrational behavior and endanger the hostage(s) and the control force.
 - p) Negotiators must not give the perpetrator(s) the understanding that he is in charge. Conversely, he/she must make the perpetrator(s) understand any decision(s) to be made must have the approval and consent of a higher authority. The effect of this rationale is to afford extra time, and it is time for which is negotiated.
 - q) Negotiators shall refrain from making promises to the crisis principal that cannot be kept, without approval of the member-in-charge.
 - r) Provisions of any foodstuffs, comforts, contact with other negotiators, etc. must be approved by the member-in-charge.
 - s) Any concessions to the suspect(s) will have the prior approval of the member-in-charge.
 - t) In prolonged crisis situations, the Special Weapons and Tactics Team will have responded and shall establish a work and relief schedule that will provide the Hostage Negotiators services for the duration of the situation.
- c. Relocation - (Hostage Situation Only) - When seizure and arrest is not possible at the initial location or to insure the safety of hostages, it may be necessary to permit the hostage taker and hostage to relocate. Commanders shall not allow relocation from the initial scene unless a tactical advantage can be gained.
- 1) Generally, negotiations of this type are discouraged. The loss of tactical control by moving away from a secured area and the possibility of interagency coordination detracting from the probability

of a successful goal accomplishment, must be weighed against the safety and welfare of the hostages.

- 2) Should a decision be made to negotiate for a transfer from the secured incident location to a different area, it will be for the safety and welfare of the hostage(s) and others, not for negotiations.
- 3) The following shall begin when the hostage taker, accompanied by a hostage, moves from the original location by vehicle or other means. The Special Investigations Division Supervisor shall:
 - a) Inform Communications of the proposed route and destination, if known, to allow Communications to notify Sheriff's personnel or other agencies along the primary and parallel routes not to interfere with the progress of the convoy.
 - b) Maintain command responsibilities unless the incident shifts to another jurisdiction or until relieved by superior authority.
- 4) The Special Investigations Division Commander or Lieutenant shall take charge of the hostage transportation convoy and determine its size. Consideration shall be given to the number of hostage takers, their armament, the number of hostages, and the destination.
 - a) Efforts shall be made to utilize a Swat Team Member as the operator of the hostage vehicle.
 - b) Parallel motorcades should be utilized to provide security for the hostage convoy and to prevent escape by the hostage taker.
 - c) Convoy vehicles should be utilized and manned as follows:
 - (1) Lead Vehicle - Members as designated by the Special Investigations Division Team Commander.
 - (2) Second Vehicle - The hostage vehicle.
 - (3) Third Vehicle - Members of the SWAT.
 - (4) Fourth Vehicle - The Command car with the Special Investigations Division Supervisor, one Hostage Negotiator and other necessary personnel.
 - (5) Additional vehicles needed to secure the convoy and to transport required personnel.
 - d) The Special Investigations Division Supervisor shall insure that Communications is advised of the progress and location of the convoy.
 - e) The Special Investigations Division Supervisor shall confer with the Hostage Negotiator as to the proposed primary and parallel routes.
 - f) The Special Investigations Division Supervisor shall insure that suitable convoy vehicles are provided with negotiators as operators.
 - g) On arrival of the convoy at its destination, the Special Investigations Division Supervisor shall institute containment procedures and notify Communications of the current situation.
 - h) Should the new location be within another jurisdiction, responsibility shall be transferred to the chief law enforcement agency of the jurisdiction.

- i) Jurisdictional responsibility will be in accordance with existing mutual aid agreements.
- d. Assault and Rescue Operations - Continued negotiating, a lessening of demands, and the uneventful passage of deadlines imposed by the suspect may indicate he is beginning to weaken. Continue to negotiate and to consume time. However, if convinced the suspect has become destructive and irrational, consideration should be given for an assault action. Preparation for a tactical assault is continuous and structured considering all available information including, but not limited to criteria as established in other sections of this directive.
 - 1) Tactical assaults shall be made only upon the specific authorization of the Division Commander. Commanders shall confer with the Undersheriff and/or the Sheriff prior to a tactical assault, whenever possible.
 - 2) Prior to the assault and rescue, the Team Leader shall be briefed and shall prepare his respective Team for the operation.
 - 3) Operating procedures in which the assault and rescue shall be conducted will be the responsibility of the Special Investigations Division Commander and executed directly by the Special Weapons and Tactics Team.
 - 4) When an order is given to resolve the situation with the use of deadly force:
 - a) All available non-lethal methods of apprehension shall have been attempted or considered.
 - b) The initial volley must be decisive and simultaneous if there are multiple offender(s) in order to insure maximum protection for the hostage(s).
 - c) It is vitally important that Special Weapons and Tactics Team members respond in a professional manner, rather than an emotional one, and that tactical conditions are in the Team's favor prior to the assault.
 - d) Team Members will not engage fire without an order unless it is in protection of life, the target has been identified and the safety of the hostage(s) insured.
 - 5) The assault and rescue phase of any crisis situation shall not be executed by Sheriff's personnel outside the jurisdictional boundaries of Monroe County, unless specifically authorized by the Sheriff.

e. Press Procedures

- When a tactical situation has been resolved, hostages may be interviewed by the media after they have been debriefed by Office investigators, provided they have given their consent.
- 1) Newspersons will be allowed such access as safety and law enforcement needs will allow during crisis situations.
 - a) Under no circumstances will newspersons be allowed into the inner perimeter during a crisis situation.
 - b) Newspersons will be placed together in a designated location as designated by the scene commander.

- 2) All requests by newsmen shall be coordinated through the Community Relations Officer.
- f. Hostage incidents involving a Foreign Official or Official Guest of the United States
 - 1) If the hostage is a foreign official or an official guest of the United States, as defined by the US Code, Chapter 51, Title 18, jurisdiction is concurrent with the Federal Bureau of Investigations.
 - 2) If the Federal Bureau of Investigation clearly indicates it will take command in this instance, the Office will comply.
 - 3) Concurrent jurisdiction implies concurrent responsibilities; therefore, all subsequent strategy must be mutually planned and implemented.
 - g. Victims of Federal Crimes
 - 1) If a hostage incident results from the commission of a Federal Crime such as a bank robbery or extortion, jurisdiction is concurrent with the Federal Bureau of Investigation.
 - 2) If the initial control of the operation is handled by the Office, it will be retained by the Office until the senior or ranking Federal Bureau of Investigation Agent at the scene declares responsibility.
 - h. Reports
 - 1) Immediately following the conclusion of the crisis situation, all logs, audio and video tapes, and/or photographs shall be collected by the Special Investigations Division Supervisor or his designee.
 - 2) The Team Leader and supervisors shall file a consolidated report of the activities of their respective units which shall consist of the following:
 - a) All reports relating to the incident.
 - b) Copies of written logs relating to the incident.
 - c) Photographs of the incident scene, if available.
 - d) Diagram of the incident scene.
 - e) Critique of operational tactics.
 - f) Any suggestions for correction of operational errors or procedural deficiencies.
 - 3) Information pertaining to the crisis situation shall not be released to the media or any private or public agency except by the Sheriff or his designee.
 - 4) Operation Commanders will prepare an independent report surrounding the incident and submit such report to the Sheriff. The purpose of this report is to identify procedural deficiencies and to document the events that occurred.
 - i. Debriefing

Once a crisis situation has been defused, the Division Commander will be responsible for conducting a short meeting of all personnel involved in the situation. The purpose of such meeting is to debrief those involved, identify mistakes, and document the events. The Division Commander shall insure a full and complete report of the situation is prepared and forwarded to the Undersheriff and the Sheriff within twenty-four (24) hours of the event.
 - j. General Instructions

- 1) Deputies responding to a crisis situation will report to the Command Post or to a designated staging area. Assisting deputies will not deploy on their own.
- 2) When duly assigned to a specific duty, assisting deputies are expected to maintain absolute control of their post to assure the safety of innocent person and to prevent escape of the perpetrator(s).
- 3) Assisting deputies will not act individually unless ordered to do so or, if failing to act, would jeopardize the safety or lives of other personnel or citizens.
- 4) Units directed to respond in emergency status shall terminate the use of emergency lights / siren at a reasonable distance from the crisis scene.
- 5) Upon arrival at the scene, deputies shall change radio frequency to the designated operational channel.
- 6) Deputies assigned to a crisis situation shall execute containment procedures, and evacuations where necessary for public safety.
- 7) Units shall refrain from, radio transmission related to the crisis situation except when necessary, and then only on the designated channel.
- 8) Tactical assault shall be made only upon the specific authorization of the Special Investigations Division Commander or Lieutenant. The Commanders shall confer with the Undersheriff and/or the Sheriff prior to a tactical assault, whenever possible.
- 9) Unassigned units shall remain clear of the crisis area and shall not enter the area unless directed.
- 10) If taken hostage, whomever it may be (i.e., the Sheriff, Undersheriff, etc.) cannot order subsequent strategic actions to be taken by Office Personnel.

6. Hostage Negotiators Selection

CALEA 46.2.4

- a. All openings for Hostage Negotiator will be posted through Human Resources.
- b. All members wishing to become hostage negotiators shall first:
 - 1) Have a minimum of one-year road patrol or field assignment experience;
 - 2) Pass a psychological screening examination and a clinical interview given by a licensed psychologist or psychiatrist;
 - 3) Demonstrate good verbal skills and problem-solving abilities.
- c. Qualified applicants may be selected based on their qualifications and job performance and history or an oral board may be conducted comprised of the Special Operations Commander or designee, Senior Negotiator and Sector Commander.

7. Deployment

CALEA 46.2.4

- a. The Special Investigations Division shall have two members trained in hostage negotiations who may be supplemented by other designated negotiators from operational components.

C. Bomb Threat, Explosives Incident, and/or Improvised Explosive Device Response Procedures

The Monroe County Sheriff's Office maintains a Bomb Squad as part of the overall services rendered to the public. The mission of the MCSO Bomb Squad is to provide a front line response to incidents involving or suspected of involving explosives and other shock sensitive materials or chemicals.

CALEA 41.1.3 A

1. Definitions

- a. Bomb Technician - a full time, certified law enforcement officer who is a graduate of the FBI Hazardous Devices School.
- b. Senior Bomb Technician - a full time, certified law enforcement officer, regardless of rank with the longest MCSO tenure who has the earliest graduation date from the FBI Hazardous Devices School.
- c. Bomb Data Center - support unit of the Federal Bureau of Investigation responsible for the compiling and reporting of technical data concerning explosives and terrorist related incidents. The BDC governs the qualifications and certification of Bomb Technicians.
- d. Small spill - pursuant to the 1996 North American Emergency Response Guidebook, defined as a liquid spill of 55 gallons or less
- e. Large spill - pursuant to the 1996 North American Emergency Response Guidebook, defined as a liquid spill 55 gallons or more.
- f. Secondary Device - an improvised explosive device or chemical agent placed in the immediate area outside of the actual scene. The purpose of these devices is to target first responders and/or evacuees.

2. Command and Control

- a. At the scene of an actual incident the Bomb Technicians will report to the command personnel of the affected division.
- b. At incident scenes Bomb Technicians will be delegated functional authority over the scene until such time that the scene has been declared safe.
- c. At the conclusion of any action performed by MCSO Bomb Technicians investigation of the incident will be the responsibility of the investigative personnel of the affected division. If the incident warrants Bomb Technicians will be responsible for notifying the appropriate federal agency.
- d. At the scene of an incident the only persons allowed inside the secure perimeter will be the bomb technicians or those persons requested by the bomb technicians.
- e. At no time will any MCSO personnel except bomb technicians perform render safe procedures, handle explosives or suspect packages. This includes military ordnance.

3. Bomb Squad Duties and Responsibilities

- a. Render safe and/or remove suspected improvised explosive devices, incendiary devices, explosives, explosive chemicals (as currently defined by the Bureau of Alcohol, Tobacco and Firearms), pyrotechnics and ammunition
 - b. Provide for proper and safe transportation, disposal and/or storage of explosives and other items referred to above
 - c. Conduct post bomb crime scene investigation
 - d. Collect and preserve evidence
 - e. Prepare and provide courtroom testimony
 - f. Store, maintain and inventory bomb squad equipment
 - g. Provide technical support to Special Operations
 - h. Provide dignitary protection
 - i. Prepare and participate in explosive related training programs
 - j. Maintain and be familiar with a technical library of Bomb Data Center publications and other explosive related materials
 - k. Maintain professional liaison with other state and local bomb squads, Military Explosive Ordnance (EOD) units, federal agencies and professional associations.
 - l. Compile and report technical data on explosive devices and incidents
 - m. Develop the agency's emergency response plans for a bomb threat, actual improvised explosive device and bomb crime scene
 - n. Develop and promulgate bomb threat awareness and safety programs for public and private organizations
 - o. Report found or recovered military ordnance to military EOD units
 - p. Fireworks disposal
 - q. Marijuana fields
 - r. Drug labs
 - s. Explosives permits / storage inspections
 - t. Provide operational support and or technical advice to Special Operations or outside agencies
 - u. Special searches
- CALEA 41.1.3 A
4. Bomb Threats
- a. The purpose of this section is to establish guidelines for a law enforcement response to bomb threats. While most calls of this type are unfounded, recent trends mandate that these calls be

handled in an appropriate manner. Responding officers should be aware that secondary devices have been placed in areas that may be used for evacuation.

- 1) Law enforcement units responding to the location of bomb threats will do so in an inconspicuous manner
- 2) When entering the affected areas responding units will cease the use of two way radios, on arrival telephone contact will be established with the dispatcher and an open line maintained - DO NOT USE CELLULAR TELEPHONES.
- 3) Responding officers will contact the complainant. If the complainant is the business owner / manager, he/she will be advised that the decision to evacuate the premises is their decision
- 4) **If the decision is made to evacuate, personnel from the threat area will be instructed to coordinate and implement a search of the premises. These persons will be instructed to first conduct a search their respective work areas for unusual or suspect items. If the threat area does not have a search plan in place, the responding deputies may assist in developing a search plan. The deputies should instruct the personnel to divide the threat area into quadrants and assign a person or persons to be responsible for searching each quadrant.**
Revised 08/26/09
- 5) **After work areas are searched, the public areas should then be searched for unusual or suspect items; the owner / manager of the premises should do this. All persons searching will be instructed not to handle suspect items**
Revised 08/26/09
- 6) Persons evacuating the premises will be directed to one specific area upwind of the scene.

5. Duties of First Officer on The Scene

a. The first officer on the scene will be responsible for:

- 1) evacuating the area, the minimum evacuation distance is 300 feet under cover
- 2) secure the perimeter
- 3) request a response by the Fire Department and Emergency Medical Services
- 4) establish a command post
- 5) identify, separate and isolate witnesses
- 6) Upon arrival at an incident scene and unknown liquids are involved whether from a leaking package, a small spill or a large spill, officers will consult the green section of the 1996 North American Emergency Response and follow the directions accordingly.

6. Found Explosive Device / Recovered Explosives / Suspect Packages

a. Whenever explosives, and explosive device or a suspect package are located the dispatcher will immediately notify Bomb Squad Personnel.

7. Duties of The Bomb Squad

- a. Bomb Technicians will not respond to threat calls solely for the purpose of conducting searches.
- b. the Bomb Squad will respond with all essential safety equipment and personnel and conduct render safe procedures in accordance with established guidelines
- c. search for secondary devices

d. protect evidence and record activities

e. Decisions related to improvised explosive devices rest with the Senior Bomb Technician present at the scene.

D. Security of VIP's

CALEA 46.2.6

The purpose herein is to establish guidelines for the responsibility, authority, and functions of the Intelligence Unit and the Special Weapons and Tactics Team in reference to coordinating the protection of visiting dignitaries. It shall be the responsibility of the Special Weapons and Tactics Team, reporting directly to the Special Investigations Division Lieutenant, to coordinate all activities of visiting dignitaries while they are within the jurisdiction of the Office, and to be directly responsible for the protection of visiting dignitaries. Should the dignitary be the primary responsibility of the United States Secret Service, it shall be the responsibility of the Special Investigations Division Supervisor to coordinate all activities between the United States Secret Service and local law enforcement. It is an absolute necessity that there be a coordinating effort between local law enforcement and the United States Secret Service, who is directly responsible for the protection of visiting dignitaries, President, Vice-President, members of the Cabinet, etc.

- A. One detective from Special Investigations will be designated as the dignitary protection officer, who will assist other STATE AND Federal Agencies (I.E.: Secret Service and FDLE).
- B. It shall be the responsibility of the other agency to provide the required equipment (vehicles, body armor, security and weapons) to maintain the safety of the VIP.
- C. The other agency will be responsible for planning travel routes and alternate routes. The SID dignitary protection officer will offer advice for the safest and most direct routes.
- D. Advance inspections of locations that will be visited by the VIP will be the responsibility of the other agency. The SID dignitary protection officer will provide any and all intelligence information to the other agency. (I.E.: criminal history, intelligence on organized protest.)
- E. The other agency will coordinate all aspects of the security detail to include contacting outside agencies.
- F. The SID dignitary protection officer will be knowledgeable of all medical facilities in Monroe County. The other agency is responsible for contacting Monroe County EMS and other medical facilities.
- G. Communications for the VIP detail will be provided by the other agency. The SID dignitary protection officer will carry county issued radio and pager.
- H. The other agency will provide the SID dignitary protection officer the lapel pin for the day.

1. Dignitary Protection Not Under the United States Secret Service

- a. The Intelligence Unit will not perform enforcement activities, but rather shall be a source of information to the Special Investigations Division Unit Supervisor.
- b. The Intelligence Unit will monitor all "hate mail" as it pertains to the visiting dignitary.
- c. The Intelligence Unit will monitor all aspects of Terrorist- Extremist Groups with local influence or representation within Monroe County as it relates to the visiting dignitary.

- d. The Intelligence Unit will monitor all activities of mentally deranged individuals who have in the past or are presently suspected of making either oral or written threats as they relate to the visiting dignitary.
- e. The Intelligence Unit will coordinate with the Supervisor of Special Investigations Division and the Head of Security of the facility being visited by the dignitary and formulate primary and secondary traffic routes, hotel security, traffic control, bomb detection, and any other assignment deemed necessary, such as crowd control, etc.
- f. Special Weapons and Tactics Team personnel will be responsible for the physical protection of the dignitary, as well as advance inspection of sites and facilities, and identification of emergency first-aid, ambulance, and medical facilities.
 - 1) Designated lapel pins will be worn by all personnel assigned to the detail.
 - 2) The issuance of designated vehicles, body armor, and any special weapons needed other than those normally worn by sworn personnel will be under the direction of the Special Investigations Division Supervisor.
 - 3) A designated radio frequency and walkie-talkies will be assigned to the personnel working this detail.

2. Dignitary Protection Under the United States Secret Service

- a. The Intelligence Unit will not perform enforcement activities, rather it shall be a source of information to the Secret Service.
- b. The Intelligence Unit shall monitor all "hate-mail" and appraise the local Secret Service as it pertains to any dignitaries visiting Monroe County.
- c. The Intelligence Unit shall monitor all aspects of Terrorist Groups with local influence or representation within Monroe County and coordinate information available with the Secret Service.
- d. The Intelligence Unit shall monitor all activities of mentally deranged individuals who have in the past, or are presently suspected of making either oral or written threats as they relate to visiting dignitaries, and reporting their activities to the Secret Service.
- e. In cooperation and support of the Secret Service, the Special Investigations Division Commander will have the Special Weapons and Tactics Team supply whatever manpower is needed as it relates to bomb detection, traffic control, primary and secondary traffic routes, hotel security, and any other assignment deemed necessary.
- f. If requested, the Special Weapons and Tactics Team personnel will team up with the Secret Service personnel who are assigned to the physical protection of the dignitary.

E. Special Events

CALEA 46.2.7

Special events are those activities (i.e., parades, athletic contests, public demonstrations, etc.) which result in the need for control of traffic crowds, crimes, and/or dignitary protection. The Station Commander in the Sector in which a special event is taking place shall be responsible for the planning and control of that event and shall consider the following in his/her plans. He/She shall coordinate any needed support from SWAT, Traffic, Aviation or other specialty unit as necessary. The

Undersheriff may assign a Commander for specific special events, based on the scope of the event and geographical considerations.

[CFA 21.07 A]

1. Overall situation

a. Type of event

b. Activity and location

1) Estimates of crowds, activity, traffic, etc.

2) Locations which will be impacted by the event.

[CFA 21.07 B]

c. History

1) Past events of similar nature.

2) Problems.

3) Participating groups.

d. Authority - any relevant statutory information which will potentially be utilized by operational personnel.

e. Intelligence - any known corroborated facts which may provide information on potential criminal activity that may occur.

1) Non-corroborated intelligence shall be considered, but not utilized as a basis for operational planning.

2) Weather information.

3) Liaison with information sources from other agencies.

f. Participants - law enforcement personnel, civilian groups, volunteers, etc.

1) Specify the identity, location, and activity of participants in the event, by preparing a concise plan setting forth a detailed identity, exact location during the event, and relationship to any overlap plan.

2) Prepare a means of special identification of participants. (i.e., gloves, vests, flags, baseball caps, arm bands, lapel pins, florescent belts, or any other means of special identification)

g. Attachments or detachments - any group or individual(s) that may be added or deleted from the operational plans.

h. Support available for operation - any unit(s) or individual(s) designated as a back-up unit.

i. Identity, location, and activity of any agency or individual not involved in the event, but whose duties may require their presence in and around the operation area.

1) Prepare a statement setting forth any unit(s) or individual not actively involved in the event, but who may need to be advised of the event.

2) Plan for persons not included in the event, but who may be in the area due to everyday activities, or due to the special event itself.
[CFA 21.07 C]

2. Mission - prepare a brief statement of the task to be performed and the objectives to be achieved, to include who, what, when, where, how, and why.

3. Execution - prepare a statement setting forth the general plan to be used to accomplish the mission.

4. Specific Duties

a. Prepare a concise statement specifically setting forth the manner by which each unit will accomplish its designated tasks with particular attention being given to detail.

b. Prepare a concise statement specifically setting forth the manner by which each individual in the designated units will accomplish his/her assigned task with particular attention given to detail.

5. Administration and Logistics

a. Weapons

1) consider weapons required for task accomplishment.

2) extra ammunition.

3) use of chemical agents.

[CFA 21.07 C]

6. Clothing and Equipment

a. Consider those items of uniform clothing and equipment that may be required to accomplish a specific task, such as:

1) traffic reflective vest;

2) protective vest;

3) gloves;

4) hat;

5) rain gear;

6) flex cuffs; and

7) gas masks.

b. Special Equipment

1) lighting equipment;

2) cameras; and

3) binoculars.

c. Transportation - consider vehicles and other transportation assignment and/or requirements.

d. Injured or Ill Persons - consider procedures for handling injured or ill personnel or civilians.

e. Handling of Prisoners and/or Evidence - consider procedures to be utilized in the handling of prisoners.

1) Cuffing;

- 2) Booking / photographing;
- 3) Reports;
- 4) Transportation; and
- 5) Property / evidence impoundment.

f. Meals / Breaks / Relief - consider setting forth times and, if required, places for personnel to eat or be relieved for breaks along with who will be the relief person.

g. Command and Signal

1) Command

- a) Command Post - prepare a statement setting forth the name, title, and responsibility of the individual(s) in command of the event to include the location and means of contact.
- b) Sub-Unit Leader(s) - prepare a statement describing the name, title, and responsibility of the individual(s) in command of sub-units of the event to include the locations and means of contact.
- c) Command personnel shall insure unity of command and communication liaison during inter-agency events.

[CFA 21.07 D]

2) Signal - Radios

- a) Type.
- b) Channels / frequencies.
- c) Designated codes.
- d) Reporting time and procedures - including a statement setting forth the exact times and methods to be used in reporting progress / problems of the event
- e) Call sign of unit(s) and personnel.
- f) Radio discipline.

h. Coordinating Instructions

1) Time schedule of date and time of special phases of the event.

- a) Pre-event check-on - mobilization point prior to the event (assignment and instruction phase)
- b) Departure - the time designated as post time or to begin movement to the event.
- c) Rendezvous the time designated for involved units to effect required link-ups.
- d) Execution - the designated time for task accomplishment.
- e) Specific tasks - the designated time for accomplishment of operational phases of the event.
- f) Other - any time plan not covered.

- g) Return - the time to complete the assignment or return to the debriefing area to be released from assignment.
- 2) Order of Movement - sequence of unit movement during the event.
- 3) Routes to Follow - designated travel routes to and from the event.
- 4) Intra-office, Inter-agency Coordination - Coordination within command agency and others such as:
 - a) Traffic Engineering;
 - b) Civil Defense; and
 - c) Other law enforcement agencies**[CFA 21.07 D]**
- 5) Area Isolation - keeping units, non-involved people and routing traffic around the event area.
- 6) Rendezvous Locations - designated rendezvous points for all units and personnel.
- 7) Danger Area - any places impaired by or within the event area where danger exists or special equipment and/or additional personnel may be needed.
 - a) Intersections / cross streets;
 - b) Barricaded locations;
 - c) Hazardous material sites;
 - d) Volatile crowds;
 - e) Event crossing points; and
 - f) Adverse impact areas.
- 8) Rehearsals, Inspections - a dry run to test plan feasibility, mission objective, and fitness of the equipment for the task shall be the responsibility of the specific event commander.
- 9) Post Event Procedures
 - a) Equipment removal and inspection;
 - b) Replace used and disposable items;
 - c) Account for all personnel; and
 - d) Turn in equipment.
- 10) Debriefing - meeting of all involved units to critique conduct and success / failure for future referral.
- 11) Command And Press Liaison

F. Underwater Search and Recovery Team, "USRT"

CALEA 46.2.5

1. The Monroe County Sheriff's Office Underwater Search and Recovery Team consists of Deputy Sheriffs who are specially trained and equipped to conduct waterborne rescues, search and recovery operations, and marine law enforcement operations.

The Team will be the only authorized Deputies of the Sheriff's Office to retrieve evidence, vehicles or persons, which may be in or under water.

2. The objective of the Underwater Search and Recovery Team is to provide the Office's public safety needs throughout the waterways of Monroe County, Florida, with readily available, trained personnel specializing in water rescue and underwater recovery capability and technology.
3. Underwater Search and Recovery Team duties and responsibilities.
 - a. The Team will provide water rescue, underwater search and recovery and specialized crime scene processing in the waters of the County. These specially trained Team members will be readily available and subject to call on a twenty-four (24) hour a day basis. If a team member is going to be unavailable for call, it will be the team members responsibility to advise the Team Leader of this and the times that they will be unavailable.
4. General Provisions
 - a. The team shall be voluntary and be a collateral duty to the Officer's regular assignment. Assignment to the Team shall be divided among the three Sectors with direct supervision by the supervisor who will be assigned by the Sheriff.
 - b. A member so assigned must be physically capable of performing certain tasks mandated by the State and shall be required to make re-certification dives as necessary from time to time.
 - c. Assigned tasks will include but are not limited to:
 - 1) Conducting drowning or diving accident investigations;
 - 2) Assisting in boating accident investigations;
 - 3) Investigating submerged vehicles as required;
 - 4) Conducting underwater crime scene investigations;
 - 5) Assisting Bomb Squad when water bound; and
 - 6) Assisting other agencies as required.
 - d. Each Team member will be required to maintain and will be accountable for all equipment assigned to him/her related to his/her Underwater Recovery team function.
5. Requests for, or authorization for use of the Underwater Search and Recovery Team, will be made through the Sector Commander and/or his designee of the Sector where the dive is to be made.
6. Department USRT divers shall be properly trained and effectively utilized as outlines.
 - a. Operational dives are voluntary and not required when a diver deems them unsafe.
 - b. Operational dives shall be made with the assistance of at least one other active certified USRT diver.
 - c. In the event of emergency circumstances, a single USRT diver may conduct the dive. This will be at the discretion of that USRT member.
7. USRT Activation Procedure
 - a. The first unit at the scene, possible requiring USRT divers, shall decide if USRT divers are needed and, if needed, shall notify the duty supervisor, who will then notify the Team Leader as listed in Dispatch.
 - b. The Team Leader shall alert the USRT members and send them to the scene to make an evaluation of the situation.

- c. In the absence of the Team Leader, his/her designee will be notified and will be responsible for the activation of the USRT members.
 - d. Contact information for the USRT members will be maintained in the Dispatch area of each substation.
8. USRT divers shall:
- a. Observe all safety rules taught at department schools and use appropriate safety devices while engaged in the diving operation.
 - 1) Following any dive, all department equipment shall be cleaned, dried, and rendered serviceable as soon as possible.
 - 2) All department equipment will be maintained in good working condition and inspected annually or as needed by a certified technician. All inspections of, or work done on, equipment will be logged and this record maintained by the Team Leader.
 - 3) Any loss or damage of equipment shall be reported to the Team Leader as soon as possible to maintain a state of readiness.
 - 4) Personal equipment may be used, but any loss or damage of personal equipment will be the responsibility of the owner.
 - 5) A team dive log shall be maintained for all team activities, showing training and call-out dives.
 - 6) In addition to the team dive log, all team members will maintain a personal dive log book which will be periodically inspected by the dive team leader.
 - b. Report all accidents or near-accidents involving a dive / diver in accordance with department policy. In addition, such accidents / near-accidents will be documented in the dive report.
9. Team Leaders, where underwater search and recovery / rescue operations are requested, shall:
- a. Immediately notify the Station Commander.
 - b. Determine if such a request is within the scope of department policy.
 - c. Be directly responsible for the assignment of divers and shall assign only certified active USRT department divers. The Team Leader or his/her designee or a senior diver at the scene shall assume command of the diving operation.
 - d. The Team leader or designee or the senior diver will conduct a mandatory debriefing immediately following any team activity.
 - e. any problems or concerns of a USRT member regarding the USRT will be reported to the Team Leader for his/her resolution.
10. Training requirements for team selection:
- a. All members wishing to become part of the USRT must first hold a minimum of Open-Water SCUBA certificate with twenty (20) logged open water dives.

- b. Members wishing to become part of the USRT must attend the eighty (80) hour Underwater Police Science and Technology courts offered by the Florida Keys Community College or one recognized by FDLE.
11. Divers will be selected for a team by the Team Leader, who will be the Chairperson of the Selection Committee. The committee will consist of the active USRT members and the designated USRT Command staff. Prerequisites for the selection are:
- a. Applicant must be certified in CPR and first aid.
 - b. Applicant must meet or exceed the requirements of the annual physical abilities test.
 - c. Applicant must pass the county's dive skills and performance evaluation, which will be conducted during the selection process.
12. Training
- a. Each year, a training calendar will be produced, with training days scheduled.
 - b. Training will provide an opportunity for team members to develop and maintain a minimum of the following specialized skills:
 - 1) Underwater navigation;
 - 2) Limited visibility or night diving;
 - 3) Search and recovery / rescue;
 - 4) Light salvage;
 - 5) Diver rescue;
 - 6) Deep and simulated decompression diving;
 - 7) Area search patterns'
 - 8) Mask clearing and ditch-and dons;
 - 9) Simulated out-of-air emergencies, use of an alternate air source while returning to the surface;
 - 10) Full face mask diving;
 - 11) Tethered diving;
 - 12) Underwater crime scene reporting;
 - 13) Repetitive dive planning;
 - 14) Nitrox diving (if certified);
 - 15) Current diving.
 - c. It is the individual diver's responsibility to remain physically fit to dive.

13. Maintaining Team Member Status

- a. Team members must maintain a minimum of 3.0 on their annual evaluations.
- b. Team members must pass the annual physical fitness test.
- c. Team members must respond to and assist on at least ninety (90) percent of the dive call-outs unless prior leave approval was obtained from the Team Leader.
- d. All department equipment will be maintained in good working condition.
- e. Team members must COMPLETE And PASS the County's annual dive skills and performance evaluation.
- f. Team members will maintain team members' confidence in their skills and abilities as a USRT diver.
- g. All team members will be required to regularly attend dive team training sessions and log a minimum of twelve (12) open water dives per year.

14. Dive Call Reporting

- a. On any dive operation, the Dive Team Leader will be responsible for the completion of the approved dive operation report and all other required paperwork.
- b. Form #1 is the only report needed if the dive call is in relation to an existing case. In the absence of an existing case, a complete incident report will be completed in addition to Form #1.

G. Aviation Division

1. The Aviation Division assists in law enforcement operations to include the following:

- a. Routine Air Patrol - Airplane or helicopter aerial patrol throughout the county for the purpose of detecting criminal activity, conducting general business and residential security, and responding to ground units to assist in enforcement operations.
- b. Air Search - A search, from the air, to locate missing persons, wanted persons or vehicles, stolen property, or evidence of illicit activity such as trash dump sites or illegal drug operations.
CALEA 41.2.5 E [CALEA 46.2.5]
- c. Air Surveillance - The use of the helicopter or airplane(s) as mobile observation platforms. These operations may be covert or overt in nature and are used to aid law enforcement operations.
- d. Prisoner Transport - The air transport of prisoners either to or from Monroe County.
- e. Photo Mission - Missions flown specifically for the purpose of photographing objects or locales from the air.
- f. Aviation Demonstrations - Public relations missions, usually for school activities or civic groups, for the purpose of displaying Sheriff's Office aircraft to promote interest and positive relations between law enforcement and the community.

- g. Administrative Flights - Flights conducted to transport personnel and/or equipment in the furtherance of a criminal investigation or office functions.
- h. Training Flights - Flights conducted in the furtherance of individual pilot recurrent training, check rides, or pilot skill / rating enhancement.

2. Instructions, Conditions, and Limitations on Usage

- a. Requests for flights and scheduling of flights will take into consideration the limitations of equipment and flight personnel. priorities will be assigned for each request in the following order:
 - 1) missions of a definite life-saving nature
 - 2) missions of a probable or possible life-saving nature.
 - 3) calls for assistance from patrol or other law enforcement units
 - 4) prisoner transport
 - 5) administrative flights
 - 6) routine air patrol
 - 7) training flights
- b. Each request for a flight will be evaluated as to the equipment needed, personnel needed, and safety of all involved.

3. Authorization for Use in Various Situations - Requests for non-emergency, administrative, or extended use of the Aviation Division shall be forwarded through the chain of command. Requests for emergency utilization of the Aviation Division may be made directly to the Aviation Division. All non-emergency request for scheduled flights will be cost-compared for the most cost-effective means of transportation.

- a. All flights shall be for official government use only.
- b. The requesting party will insure that all passengers on the requested flight have been screened in regards to meeting the criteria in paragraph 3 (a).

4. Qualifications and Training for Members Assigned to Operate the Sheriff's Office Aircraft

- a. Pilots assigned to the Aviation Division must be certificated by the Federal Aviation Administration.
- b. All pilots must possess at least a Commercial Pilot Certificate with appropriate ratings for the aircraft to be flown and possess a valid Second-Class Medical Certificate.
- c. Pilots must be named on the Sheriff's Office Aviation Insurance Policy to operate the aircraft.

[CALEA 41.1.3 B]

- 5. Designation of a person or position responsible for the condition and maintenance of the aircraft - The Aviation Division Director is responsible for the condition and maintenance of the aircraft. The pilot in command is responsible for ensuring that any conditions that may affect the safety of the mission are brought to the attention of the Aviation Director. The Aviation Director will ensure that the discrepancies are corrected and the equipment is safe.

[CALEA 41.1.3 C]

- 6. Equipment to be kept in the aircraft - Airplanes and helicopters will have the necessary equipment required by the Federal Aviation Administration to operate in visual and instrument flight conditions. Additional equipment needed to communicate with Sheriff's Office personnel and other law enforcement agencies may be installed as needed.

[CALEA 41.1.3 D]

- 7. List of Persons Authorized to Operate the Sheriff's Office Aircraft

- a. Any employee assigned to the Aviation Division who is property licensed and current in the aircraft.
- b. Any pilot who is approved by the Monroe County Sheriff's Office, and who meets minimum requirements and has qualifications that meet insurance requirements.

H. Canine (K-9) Unit (Revised 11/19/10)

Background: The use of trained canines for the purpose of narcotics and dangerous drug detection is widely recognized by both state and federal courts throughout the United States. An alert by a trained narcotic detection canine may be used for probable cause, a search warrant, seizure of property, and arrest of individuals. The canine's ability to detect odor related to the availability of the odor, the time and the environment of the odor, and other guidelines are set forth in this document.

1. Definitions:

- a. Canine (K-9) - A working class dog which has been procured and specifically trained to execute a number of specific tasks that make use of canine speed, agility, and sense of smell. The Office will use dogs classified as "trained narcotics detection canine."
- b. Canine Handler - A Deputy specifically trained in the care, handling, and training of a dog for law enforcement canine narcotics detection dog use.
- c. Canine Team - A Canine Handler and authorized trained police canine dog.
[CALEA 41.1.4 a,c]

2. Certification and Training

- a. The canine team shall satisfactorily complete the agency prescribed canine training program and canine certification BEFORE the team is deployed for official law enforcement use. Copies of training certificates for assigned canine will be maintained by each canine handler and a copy maintained in the agency Training Unit.
- b. Copies of the lease, ownership papers, licenses, and insurance information shall be kept on file with Risk Management.
- c. The assigned canine will ONLY perform duties it has been specifically trained and/or certified to do.
- d. The Narcotics Detection Canine Handler shall complete and document continuous in-service training with his/her assigned canine as required by the agency and document all such training in the appropriate computer program.
- e. Narcotics Detection Canines will conduct a minimum of two (2) hours of training per week.
- f. The canine team will be evaluated annually by an independent source approved by the agency, to insure narcotics detection and job performance capabilities.
[CALEA 41.1.4 b]

3. Security of controlled substances for training purposes for narcotics detector canine teams.

- a.) The Agency shall be licensed by the Federal Drug Enforcement Administration D.E.A. to possess controlled substances for the purpose of canine training.

b) Controlled substances used for narcotics detection canine training will be received from the Federal Drug Enforcement Administration (D.E.A.) or the Monroe County Sheriff's Office Property Division after a court order is obtained by the Sheriff's Staff Attorney on drugs that are from criminal cases after they have been adjudicated and completed the appeal process and are ready for destruction. Controlled substances will be returned to the MCSO Property Division for destruction when the substances are damaged and deemed no longer serviceable as training aids. Controlled substances will not be 'rotated' or replaced unless written documentation is submitted outlining the circumstances requiring the need for replacement submitted through the chain of command.

[CFA 17.12 a]

c.) A log will be maintained of all narcotics received for use in narcotics detector canine training as well as all narcotics subsequently returned to agency property. This log will detail the date received / returned, quantity and type of narcotics, property receipt number, who received / returned the narcotics.

Narcotics Storage Facility:

a) The designated storage facility for narcotics used in narcotics detection canine training will be the Marathon District Station as prescribed on the agencies DEA license. All narcotics training aids will be kept in a narcotic storage safe secured on the premises unless being used by the handler.

b) The Special Investigations Division (SID) District Commander, SID Narcotics Supervisor, or his designee and canine handlers are the only personnel authorized to access the narcotics storage safe. Canine handler will be the only person to possess the working keys /combination to this safe. A separate set of keys / combination code will be sealed in an envelope with evidence tape and secure by the SID District Commander.

4. All controlled substance training aids shall be accounted for at all times and maintained in a secure location by the canine handler. Handler audits of the training aids will be carried out on a monthly basis, with surprise (unannounced) supervisor audits taking place randomly. At least 2-times per year the SID District Commander, SID Narcotics Supervisor, or his / her designee will inspect all training kits, the narcotics storage safe, and the narcotics detection canine narcotics log. A record of all audits will be maintained by each canine handler with a copy of each audit sent to professional standards. (CFA 17.12.a)

5. All audits shall include a documented accounting of all controlled substances under the control of the canine handler. The quantity on hand shall be compared to the quantity received by the handler from the property division and recorded in the "KATS" canine computer log. Any differences shall be noted, explained by the handler and documented to the Sheriff via the chain of command.

a) All narcotics used in training aids will be lab certified for court purposes and a copy of the lab results report shall be maintained on file for all training narcotics by the canine handler.

b) No training aids may be checked out by anyone other than designated canine handlers.
[CFA 17.12 c]

6. Narcotics Training Aids Kit: Every canine handler will be issued a narcotics training kit. Each kit will consist of Cocaine, Heroin, Marijuana, Crack Cocaine, Ecstasy and Methamphetamine, when

available. They will be separated and packaged by drug type.

7. Inspection of Training Aids:

The training kits can be inspected at any time by any supervisor in the SID Narcotics Division chain-of-command. Inspections will be documented using the authorized computer software program.

Damaged Training Aids:

If a training aid packed is damaged, the concerned canine handler will, photograph the package and write a memorandum to the SID Division Commander denoting the case and property receipt number from which the narcotics contained in the training kit was obtained. The memorandum will detail the circumstances under which the training aid was damaged.

The SID Division Commander or supervisor of his designation will inspect the damaged training aid and sign off on the memorandum prior to the training aid being repackaged or returned to property for destruction.

[CALEA 84.14 CFA 17.12 b]

8. Supervision

- a. The canine handler will report to his/her appropriate supervisor during routine duties. When the role changes from Deputy to Canine Handler, however, the direct supervisor may change temporarily as the assignment dictates. The Canine Handler will answer to the supervisor in charge for the duration of the immediate assignment. The final decision to utilize the canine in any given situation will be the responsibility of the canine handler.
- b. Call-Out By Supervisor - The canine team will answer directly to the Patrol Sergeant and/or acting supervisor on duty while in the field.

9. Special Details

- a. During special details, functions or criminal investigations, Canine Teams shall work under the supervisor in charge of the special detail or function to which they are assigned.
- b. Public Relations - During special details related to public relations, the Canine Team shall work under the supervision of the Public Relations Director as assigned (see section below on public relations).

10. Canine Training and Maintenance -Payroll Documentation

- 1) The Canine Deputy is entitled to one shift of regularly scheduled time per every 28-day period for care and maintenance of the assigned canine.
 - a. Detection Team – Special handler and canine training in one or more of the following type disciplines:
 - 1) Narcotics detection – detects specific kinds of illegal narcotics
 - a) Canines used for narcotics detection must be qualified and specifically trained in narcotics detection. Documentation of this training must be on file.

11. General Operational Procedures

a. Deployment and Use

1. Use of Canines:

- a. Canines **SHALL** be kept on a lead or under the handler's control at all times when out of their assigned pens / kennels and when they are not involved in performing their law enforcement skills.
- b. Canines will be used for the purpose of narcotics detection during their normal duty hours at the direction of the canine handler's supervisor.
- c. Requests for narcotics detection canines after normal duty hours will be made by a supervisor (sergeant or above) of the entity requesting the canine, by notifying Communications, who will contact the canine handlers supervisor / commander. A determination will be made at the time as to whether a canine could assist and enhance the investigation. If it is determined that a canine would be of value, normal call-out procedures would be followed.
- d. No narcotics detector canine searches will be conducted unless by search warrant, consent, or other legal means.
- e. Even if consent to search has been obtained, the law requires a separate consent to search with a canine. Consent to search with a canine should be noted in the written consent form.
- f. The final decision as to whether the canine will be utilized in an investigation shall be the responsibility of the canine handler. Environmental and safety concerns take precedence over investigative needs. Whenever possible, on-duty canines will be used when responding to a request for drug canine services based upon the geographic location of the canine team and search location.
- g. Requests for drug canines, both on and off duty, will be made in a timely manner so as to increase the availability of the canine in-service time.
- h. In those instances where the canine is used in building searches for narcotics, the following procedure will be followed for maximum effectiveness and safety of the canines:
 - 1) All persons on the premises must be removed or placed in one room prior to the commencement of the canine search.
 - 2) All drugs in plain view must be secured prior to the canine search.
 - 3) The lead investigator or his designee shall do a "walk through" with the handler prior to the search.

Prohibited Uses: The following prohibitions apply to the use of drug detection canines:

Narcotics detection canines will not be utilized to detect contraband on any individual's person, nor on articles in the immediate possession of the individual, unless trained as a "Passive Alert" Canine.

- 1) Canines will not be used for breeding without the express authorization of the Sheriff.
 - 2) Canines will not be retired or destroyed without the express authorization of the Sheriff.
 - 3) Canines will not be used for demonstrations without the express authorization of the SID Division Commander.
 - 4) Canines will not be used for detection purposes at the request of any private party unless specifically authorized by the SID Division Commander.
 - 5) Canines will not be used in any areas or location from which the handler would be excluded by law.
2. Request from outside agencies, which are not of emergency nature shall be forwarded for consideration, approval, and coordination to the appropriate Division Commander. Emergency requests shall be approved and coordinated or disapproved by the on-duty Patrol Sergeant in the absence of the Station Commander .
[CALEA 41.1.4 a]

12. Documentation

1) Canine Records

- a) A complete documentation file will be kept on each individual canine. This file will be maintained in the authorized canine records software program. Records will include training, licenses, ownership or lease papers, insurance information, monthly activity reports, veterinary information and miscellaneous correspondence.
- b) The Canine Deputy will be responsible for maintaining originals of the canine's licenses and training certificates and make them available for review on request.

2) Incidents / Activity

All incidents and activity involving the Canine Team will be documented by the Canine Deputy appropriately, using the authorized software program. Copies of newsworthy supplements will be submitted via the chain of command to the Community Relations Director for the media.

3) Monthly Report

- a) The K-9 Deputy will record all incidents and activity involving each canine in the designated computer software program. The electronic report will be periodically queried and reviewed by the appropriate District Commander.
- b) The Deputy Handler's immediate supervisor will observe the appearance of the canine for health and hygiene, the condition of the canine equipment, as well as observation of skills and techniques of the Canine Team. All observation-warranting follow-up will be submitted via memorandum to the Station Commander where the Canine Team is

assigned.

4) Activity and Incidents to be documented:

- a) All narcotics detection searches.
- b) Dog bites, attacks, incidents involving injuries
- c) All incidents where canine behaves inappropriately
- d) Public relations details
- e) Any other canine unit deployments (SWAT, etc.)

13. Reports:

- a) Canine handlers will document all requests for canine services.
- b) Canine handlers will keep a log using the authorized computer software program of the following information:
 - 1) Alerts (type of item/drug alerted to)
 - 2) Non-Alerts and or false alerts.
 - 3) Case / CAD Numbers under which the canine was utilized.
 - 4) Date
 - 5) Requesting Entity/Lead Investigator

14. Canine Bites / Injuries:

While not specifically trained to bite, should a narcotics detection canine bite or injure any person; the handler will:

- a) Render first aid as required and request Fire Rescue, if necessary.
- b) Notify the appropriate supervisor.
- c) Assist in the preparation of a Supervisor's Report of Use of Force to Control and all required reports.

15. Public Relations

- 1) Activities performed by the Canine Team are of particular interest to the public. Awareness of incidents involving the Canine Teams will facilitate the Sheriff's Office in promoting good public relations.
- 2) The Community Relation's Division PIO Director will be notified of any significant narcotics find by a narcotics detection canine or public relations demonstration.
- 3) The canine team may be requested from time to time to participate in special details such as school presentations, public demonstrations, etc. Participation in these types of events must be authorized by the affected Division Commander. The Community Relation's Division PIO

Director will be made aware of all canine events of this nature.

- 4) The canine will be kept in complete control at all times during any event or demonstration.
- 5) The Canine Deputy will maintain a record of dates, times, and locations of all public relations special details.

16. Uniforms and Equipment

1) The K-9 handlers will be permitted to wear a nylon gun belt and any other special gear the handler requires. The duty shirt will be the issued shirt with the Monroe County Sheriff Office cloth patch badge to be sewn in place of the metal badge. Above the right pocket will be the Deputy's rank and name embroidered in goldenrod color. The handler will wear Sheriff's Office issued green B.D.U. pants. In the event of a call out the handler may wear a department approved black K-9 shirt with green B.D.U. Pants.

2) Canine vehicles shall be specially equipped and modified for the safe transportation and well-being of the canine during the Canine Team's normal tour of duty (i.e.: heat alarm). Canine Vehicles:

- a) Each canine vehicle will be equipped with a secure, independently locking, storage area within the vehicle for training kits.
- b) Canine vehicles will be equipped with heat alarms.
- c) During non-duty hours, training kits will be secured in the same manner as all issued equipment.
- d) During any leave period, all training kits will be secured in the Narcotics Detector Canine Storage Facility safe.
- e) If a handler becomes ill and will be out of work for more than 72-hours, the appropriate Division Commander or his designated supervisor will ensure the training kits are picked up and secured in the Narcotics Detector Canine Storage Facility safe.

3) All Sheriff's Office issued canine equipment and vehicles shall be properly maintained by the canine handler and in good repair at all times for immediate application. If any of the above equipment should be damaged or not working, the canine handler should notify chain of command for immediate repair.

[CALEA 41.1.4 d]

17. Care of the Canine

- 1) Canine Handler shall be responsible for providing all necessary care for their assigned canine.
- 2) The Office will be responsible for payment of the feeding of the canine.
- 3) The Canine Handler will be responsible for coordinating all veterinarian visits as well as the annual physical checkups. All veterinarian visits will be documented in the monthly report.
- 4) The Sheriff's Office will be responsible for payment of veterinarian bills.

5) Should the canine become injured or ill in any way, it shall be taken to the nearest veterinarian if the injury or illness is an emergency. If the injury or illness is not an emergency, the Canine Handler will see that the canine sees a veterinarian as soon as an appointment can be scheduled.

6) Whenever the canine suffers from injury or illness, the SID Division Commander and /or appropriate District Commander is to be notified through the chain of command.
[CALEA 41.1.4 c]

18. Insurance

1) Insurance coverage is provided for all Sheriff's Office canines while on-duty in the performance of law enforcement activities or while kept in their assigned pens / kennels; there is **no coverage** if the dog is being handled or used outside these limited guidelines, such as: a family pet, while playing, while kept in a house or while running loose in a yard.

MEMBER CONDUCT IN THE PRESENCE OF POLICE CANINE(S)

The following rules apply to all Monroe County Sheriff's Office personnel for their safety:

1. Treat the canine as you would a canine owned by a friend. Be friendly but not familiar. Never pet the canine without permission of the canine handler;
2. Respect the handlers wishes in regards to the canine;
3. Stay away from the canine during searches unless otherwise instructed;
4. Stand still if you think you are about to be bitten;
5. Avoid furtive or sudden movements in the presence of the canine;
6. Do not tease or agitate the canine;
7. Do not try to entice the canine to break away or disobey a command;
8. Do not use any command you have heard the handler use;
9. Do not feed the canine;
10. Do not engage in violent or simulated violent behavior with the handler in the presence of the canine;
11. Do not point a weapon at the canine or handler;
12. Do not stare intensely at the canine;
13. Do not hug the canine or lean down closely to the canines head.

I. Mobile Command Post

1. Use

- a. The Mobile Command Vehicle (MCV) is to be deployed during ongoing incident scenes. These may include, but are not limited to, hostage/barricaded suspects, major crime scenes, man made disaster scenes, natural disasters, major public events, Public Relation events (County Fair, etc...).
[CALEA 41.1.3 A]
- b. Deployment outside the county must be approved by the Sheriff or his designee.
- c. If the MCV is deployed in the assistance of another government agency, the MCV will be, staffed by an authorized Sheriff's Office operator at all times.

2. Requesting the MCV

- a. Any Commander may request the deployment of the MCV.
 - b. Deployment for Planned Events
 - 1) Request shall be made to the MCV Commander or designee.
 - 2) Request shall be made as soon as the need is known to allow for scheduling the MCV use
 - 3) The requesting Commander is responsible for assigning an Operator and/or Driver, it's deployment, staffing, cleaning, breaking down and returning it to its storage location.
 - 4) The MCV is subject to immediate re-deployment for any immediate law enforcement need.
 - c. Deployment in Emergency Situations.
 - 1) The Commander who has an emergency situation requiring the MCV shall make the request via Communications.
 - 2) A designated Driver will transport the MCV to the incident command post. Where he/she will be relieved by an Operator from the requesting Sector and provided transportation back to their point of origin.
 - 3) Upon securing from the incident the requesting Sector is responsible for the cleaning, breaking down and returning it to it's storage location.
 - d. After the MCV is returned from an incident the responsible MCV commander will inspect the MCV to ensure it was returned in a clean condition, re-stock any consumable items, note any damage and obtain reports of any damage, and that the MCV is in a state ready for deployment.
3. Hurricane Provisions
- a. The MCV will be removed from the county to a safe location prior to a major hurricane landfall within the county. The exact safe location will be determine at the time based on the storms potential track and other available information.
 - b. The MCV will be returned to the county after the storm has passed and deployed at the direction of the Sheriff's Office authority in the county EOC.
 - c. The MCV will be removed to a safe location outside the county during a hurricane warning, considering all factors of the treat potential. It will be returned as soon as possible after the passing of the storm and deployed according to the Emergency Operations Manual.
4. Maintenance
- a. The Undersheriff shall designate the commander responsible for the maintenance and care of the MCV.
 - b. The responsible MCV commander will ensure that all routine maintenance is completed according to an established schedule of the MCV and all associated equipment, according to any manufacturers recommendation. Such maintenance shall include running of equipment, such as generators, to ensure readiness for deployment
 - c. A maintenance log shall be established and kept current recording all maintenance and repairs made.

[CALEA 41.1.3 C]

5. Training – The assigned MCV Commander is also responsible for ensuring proper training of drivers and operators is accomplished before a person is allowed to function in one of those capacities.

[CALEA 41.1.3 B]

6. Equipment List – The MCV should contain at all times at a minimum;

- a. Radio system capable of communicating with Sheriff's Office patrol personnel
- b. Cellular telephone with satellite capability.
- c. Video recording camera / system.
- d. Television with VCR and or DVD capability
- e. At least one lap-top computer capable of accessing the Sheriff's Office intra-net.
- f. Current copies of the Sheriff's Office and Monroe County Emergency Operations Manuals
- g. Maps of the entire county, including Mainland Monroe and associated Marine Charts
- h. GPS capability
- i. Fax machine
- j. Other equipment deemed necessary for the mission.

[CALEA 41.1.3 D]

7. Drivers / Operators

- a. Drivers /Operators may include employees or members from any department or unit of the Sheriff's Office

[CALEA 41.1.3 B]

- b. Drivers

- 1) Shall be specifically trained to drive the MCV and operation of the vehicle it self.

- 2) Shall possess a valid Florida Driver's License

[CALEA 41.1.3 B]

- c. Operators

- 1) Shall pass the Mobile Command Post Operator's Class in the operation and care of all equipment installed in the MCV.

[CALEA 41.1.3 B]

- 2) May be called up on to instruct personnel utilizing the MCV in equipment use at time of deployment if they are not familiar with the equipment, i.e. radio system.

- 3) Is responsible for the care and maintenance of the MCV.

- d. During incidents of long durations the Scene Commander will make arrangements for rotating Operators.

- e. Individuals may be cross designated as a Driver/Operator.

CHAPTER THIRTY-SEVEN

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CHAPTER THIRTY-SEVEN

LINE-OF-DUTY DEATH

I. PURPOSE

This policy is designed to prepare this Agency for the event of an active member's death in the line of duty and to direct the Agency in providing proper support for the deceased member's family.

II. DISCUSSION

This policy shall apply to all Sheriff's Office personnel. It is the policy of this Agency to provide liaison assistance to the immediate survivors of an active member who dies in the line of duty, and to provide tangible and emotional support during this traumatic period of readjustment for the surviving family.

III. DEFINITIONS

1. Line-of-Duty Death - The death of an active duty member by felonious or accidental means during the course of performing his/her assigned functions for the Monroe County Sheriff's Office.
2. Survivors - Immediate family members of the deceased member to include spouse, children, parents, siblings, fiancé and/or significant others.

IV. POLICY AND PROCEDURE

A. Death Notification

The following procedures should be adhered to in the case(s) of line-of-duty deaths and in case(s) of critically injured members with poor prognosis for survival. These procedures should be followed whenever possible with the understanding that the wishes of the family take precedence over the desires of the Agency. Members providing services and assistance to family members and survivors shall take all possible measures to accommodate their needs, wishes, and desires, but should not make promises to family members/survivors that they are not sure they can keep.

1. The name of the deceased member shall not be released to the media or other parties before immediate survivors living in the area are notified.
2. The Sheriff or Division / Site Commander will designate an officer to inform the immediate family of the member's condition or death. If not immediately available, the senior ranking member will make the appointment.
3. Notification of the immediate family should be made as soon as possible and, if possible, coincidental with command notifications.
4. Notification of survivors in the immediate area shall be made in person and, whenever appropriate, with another person such as a clergy member. Whenever the health of immediate survivors is a concern, emergency medical services personnel shall be requested to inconspicuously stand by during the notification.
5. If the opportunity to get the family to the hospital prior to the member's death exists, notification officers shall advise the hospital / an Agency member there that the family is on their way. In such cases, immediate transportation should be provided for survivors rather than waiting for any other members of the departmental delegation to arrive. If the member has died, notification should be to the survivors in as forthright and empathetic manner as possible.

6. Communication of information concerning the member and the incident shall, whenever possible, be restricted to land-line telephone to avoid interception by the media or others. Should the media obtain the member's name prematurely, the senior member should request that the information be withheld until proper notification of survivors can be made.
7. The notification member shall be responsible for identification of additional survivors outside the area and shall make any notifications as desired by the immediate family. Such notifications shall be made by contacting the law enforcement agency in that jurisdiction and requesting that a personal notification be made.
8. The notification officer shall submit a written report to the Sheriff specifying the identity, time and place of survivors notified.

B. Assisting Survivors at the Hospital

Whenever possible, the Sheriff shall join the family at the hospital in order to emphasize the Agency's support. The next-highest ranking member to arrive at the hospital shall serve as or designate a hospital liaison officer who shall be responsible for coordinating the arrival of immediate survivors, departmental personnel, the media, and others, and who shall assume the following responsibilities.

1. Arrange for waiting families, for immediate survivors and a press staging area. The desires of the surviving family members should be followed with regard to their accessibility to other members and friends.
2. Ensure that medical personnel provide pertinent medical information on the member's condition to the family before any other parties.
3. Assist family members, in accordance with their desires, in gaining access to the injured or deceased member.
4. Provide hospital personnel with all necessary information on billing for medical services. The liaison officer should ensure that all medical bills are directed to the appropriate authority and that they are not forwarded to the member's family or other survivors.
5. Arrange transportation for the family and other survivors upon their departure from the hospital.
6. Ensure that immediate family members are provided with appropriate assistance at the hospital.

C. Appointment of Agency Coordination Personnel

The designated Agency member(s) shall begin serving in the following capacities: Agency liaison, funeral liaison, benefits coordinator, and family support advocate. These assignments will be made in writing to departmental personnel and the surviving family members will be informed of those designated. In addition the Sheriff or Sheriff's designee will do all of the following:

1. Make additional personnel assignments to assist in handling incoming phone calls and inquiries, and to direct the public to appropriate personnel.
2. Ensure that the Employee Assistance Program is implemented to assist surviving family members and emphasize the family's right to psychological services.
3. Ensure that other members are provided the opportunity to participate in critical incident stress debriefings.

D. Agency Liaison

The Agency liaison officer will serve as a facilitator between the family and the Agency. This individual will normally be a commanding officer in order to expedite the tasks of employing Agency resources and the delegation of assignments. This member will work closely with the funeral liaison to ensure that the needs and requests of the family are fulfilled. This includes, but is not necessarily limited to, the following:

1. Notifying the 100 Club, which may provide immediate assistance to the family.
2. Overseeing provision of travel and lodging arrangements for out-of-town family members.
3. Identifying alternative churches and/or halls that will accommodate a law enforcement funeral. These alternatives will be presented to the family, who will make the final decision, and who may select one of the alternatives or another location they prefer, in which case the Agency will continue to provide all services discussed herein.
4. Coordinating all official law enforcement notifications and arrangements to include Honor Guard, pallbearers, traffic control, and liaison with visiting law enforcement agencies, all according / subject to the family's wishes.
5. Assisting family members in dealing with general media inquiries and informing them of limitations on what they can specifically say to the media.
6. Providing liaison with the media to include coordination of any statements and press conferences. The Agency liaison shall also ensure that members of the Agency are aware of restrictions regarding release of any information that might undermine future legal proceedings.
7. Ensuring that security checks of the survivors' local residence(s) are initiated immediately following the incident and continued for as long as necessary thereafter.

E. Funeral Liaison

The funeral liaison acts as facilitator between the decedent member's family and the Agency during the wake and funeral. The funeral liaison officer is responsible for:

1. Meeting with the family members and explaining his/her responsibilities to them.
2. Being available to the family prior to and throughout the wake and funeral.
3. Ensuring that the needs and wishes of the family come before those of the Agency.
4. Assisting the family in working with the funeral director regarding arrangements.
5. Relaying any information to the family concerning the circumstances of the decedent member's death and appropriate information regarding any investigation.
6. Determining the need for travel arrangements for out-of-town family members and any other special needs of the family during the funeral and reporting his information to the Agency liaison, if the funeral is held locally and if the family desires the Agency's presence at the funeral.
7. Determining the need for travel arrangements for Agency representatives and reporting this information to the Agency liaison, if the funeral is to be held locally and if the family desires the Agency's presence at the funeral.

8. Briefing the family members on the procedures involved in a law enforcement funeral, if they desire one.

F. Benefits Coordinator

The benefits coordinator is responsible for:

1. Filing Workers' Compensation claims and related paperwork.
2. Presenting information on all benefits to the family.
3. Documenting inquiries and interest in public donations to the family, and establishing a mechanism for receipt of such contributions, as appropriate.
4. Preparing all documentation of benefits and payments due survivors to include the nature and amount of benefits to be received by each beneficiary, the schedule of payments, and the name of a contact person or facilitator at each benefit or payment office.
5. Filing all benefits paperwork and maintaining contact with the family in order to ensure that benefits are being received. A copy of benefits documentation should be provided to all survivors affected and explained to each of them.
6. Advising the surviving family of the role of law enforcement associations and organizations and the nature of any support programs that they sponsor for law enforcement survivors.

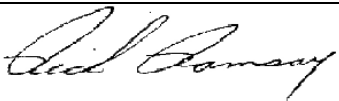
G. Family Support Advocate

The family support advocate serves as a long-term liaison and support function for the surviving family. The duties of this individual include:

1. Providing contact with surviving family members in order to keep them abreast of criminal proceedings relating to the death of their family member.
2. Accompanying surviving family members to criminal proceedings if they wish to attend, and explaining the nature of the proceedings and introducing them to prosecutors and other people as required.
3. Identifying all support services available to family members and working on their behalf to secure any services necessary.
4. Maintaining routine contact with family members to provide companionship and emotional support, and maintaining an ongoing relationship between the Agency and the immediate family.
5. Relaying the concerns and needs of the family to those individuals or organizations that may provide assistance, and encouraging others to visit and help as necessary if the family so wishes.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 38		TITLE: Volunteer Program
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 6	AMENDED/REVISED: May 2, 2013
REFERENCE: CALEA 16.3 – 16.4.3 CFA 2.09; 5.03		RESCINDS: Chapter 38: Reserve Deputy Program (effective date 06.04.2002) Special Order: Reserve Deputies – Paid Assignments, 01.12.2004
 <hr style="width: 20%; margin: auto;"/> Sheriff of Monroe County		

POLICY: Volunteers are a valuable component of any modern law enforcement agency. The Sheriff's Office has volunteers to augment the delivery of law enforcement services and offer opportunities for community involvement. All volunteers are subject to the rules, regulations, policies and procedures of the Sheriff's Office.

PROCEDURE

Classifications of Service

There are three (3) classifications of volunteer service:

Reserve Deputy: This individual has received certification from the State of Florida, Criminal Justice Standards and Training Commission as a Law Enforcement Officer and is formally enrolled in or has successfully completed the Monroe County Sheriff's Office Field Training Officer's Program. Reserve Deputies have full police powers and discretion by appointment. A Reserve Deputy works less than full time with or without compensation.

Reserve Deputies generally assist full-time sworn Deputy Sheriffs in the day- to- day delivery of law enforcement services and for emergencies. [CALEA 16.3.1]

Note: CFA, CALEA, and FDLE refers to this class of volunteer as "sworn member or part-time sworn member," "Reserve," and "Law Enforcement Officer; respectively"

Auxiliary Deputy: This individual has limited law enforcement authority. This individual has received certification from the State of Florida, Criminal Justice Standards and Training Commission as an Auxiliary Law Enforcement Officer or received

certification from the State of Florida, Criminal Justice Standards and Training Commission as a Law Enforcement Officer, but is not formally enrolled in or has not completed the Monroe County Sheriff's Office Field Training Officer program. An Auxiliary Deputy volunteers his or her time to the Office and only has police powers in the presence of (span of immediate control) a Deputy Sheriff. (CFA and FDLE use the term "auxiliary member" and "auxiliary law enforcement officer" to describe this class of volunteer, respectively)

Revised 2/11/10

Civilian Volunteer: A volunteer, who is not sworn, is unarmed, has no law enforcement certifications from the State of Florida, Criminal Justice Standards and Training Commission and has no police powers. This individual, volunteers his or her time to the Office in a civilian support capacity. (CALEA defines this class of volunteer as "auxiliary." CFA defines this class of volunteer as "volunteer.")

Eligibility

Reserve Deputies and Auxiliary Deputies shall meet eligibility requirements established for regular Deputies and shall meet the requirements of the Florida Criminal Justice Standards and Training Commission for Law Enforcement Officers or Auxiliary Law Enforcement Officers. [CALEA 16.3.7]

Persons in occupations or professions likely to have conflicts of interest are not eligible for selection as Reserve Deputies, Auxiliary Deputies, or Civilian Volunteers. Ineligible occupations are, but not limited to:

- Persons currently employed as guards, private detectives, security services, or similar occupations.
- Bail bondsmen or attorneys.
- Employees of state, county or municipal agencies, which prohibit the acceptance of appointments as Reserve Deputies, Auxiliary Deputies, or Civilian Volunteers.
- Persons subject to Dual-Office Holding under Article 2, Section 5, Florida Constitution.

Benefits/Conditions for Volunteers

Reserve Deputies, Auxiliary Deputies and Civilian Volunteers have no proprietary rights and may have their appointment withdrawn at any time by the Sheriff.

- Remuneration/Entitlements - Reserve Deputies, Auxiliary Deputy and Civilian Volunteers are volunteers and receive no benefits, remuneration or entitlement including annual leave, sick leave, etc.
- Worker's Compensation – Reserve Deputies, Auxiliary Deputies and Civilian Volunteers are covered by the Office insurance for injuries received while acting in the capacity of their appointed position and are entitled to Worker's Compensation.
- Liability Protection/Bonding – Reserve Deputies, Auxiliary Deputies and Civilian Volunteers are provided the same liability protection as that provided for full time employees while acting in the capacity of their appointed volunteer position.
[CALEA 16.3.7]

Selection Process

Reserve Deputies, Auxiliary Deputies, and Civilian Volunteers are appointed by the Sheriff.

Applicants shall:

- Obtain application forms from the Human Resources Division of the Sheriff's Office.
- Be subject to the same background investigation by the Sheriff's Office as conducted for full time employees within the applicable class, either sworn or non-sworn.

- Be screened for conformity with regular entrance requirements.

Successful Applicants shall:

- Be recommended for an appointment by the Reserve Administrative Chain-of-Command.
- Be appointed by the Sheriff.

All selections shall be fair and unbiased and made through a non-discriminatory process.
[CALEA 16.3.2] [CFA 5.03]

Duties

- Reserve Deputies may perform the same duties of a fully certified Deputy Sheriff, unless restricted by a member of the Chain-of-Command.
- Auxiliary Deputies may perform the same duties of a fully certified Deputy Sheriff only in response to life threatening situations. All other actions must be within the reasonable confines of the direct span of control of a Deputy Sheriff or a Reserve Deputy Sheriff.

An Auxiliary Deputy may:

Assist in the preparation of traffic citations, but may not sign them.

Assist in the preparation of reports, but may not sign them;

Be restricted from performing any other law enforcement function at any time by direct order from the Sheriff, his designee, or the Deputy under whose direct span of control he/she is under.

Civilian Volunteers may perform any function, other than active law enforcement functions under the general supervision of a full-time or reserve supervisor. A Civilian Volunteer is to act as an "observer" and may participate only if directed by their supervisor.

Approved Civilian Volunteer duties include patrol (with no law enforcement authority), communications, records, administrative or support tasks as needed, special details and public functions, or as directed by the District Command Staff.

Civilian Volunteers may:

- Assist in the preparation of incident / offense reports, traffic citations, and other duty forms, but may not initiate or sign them except as a witness or as otherwise directed by a supervisor.
- Execute the duties of a Parking Enforcement Specialist only after they have completed the FDLE approved Parking Enforcement Specialist For Civilians course, and while under the general supervision of the on duty shift supervisor.
- Conduct traffic control duties, only after they have completed an office approved Traffic Direction and Control Training program and while under the general supervision of the on duty shift or detail supervisor.
- Be restricted from performing any function at any time by direct order from the Sheriff, his designee, or the Deputy under whose direct span of control they are under.

Minimum Required Time and Reporting

Required monthly service is an average of 12 hours per month. Minimum required time is subject to review at the end of every quarter by the Reserve Captain.

Volunteers not contributing the minimum hours will be given a time frame to come into compliance.

If not in compliance in the agreed upon time frame the volunteer will be subject to removal from the volunteer program upon the recommendation of the Reserve Captain.

Each volunteer will prepare and submit a monthly volunteer service time report as dictated by their reserve squad commander. This report is to be received by the 3rd of the following month. Reserve squad commanders will submit a squad reserve time summary report to the Reserve Captain by the 7th of the following month. The Reserve Captain or his/her designee will submit the monthly report to the Chief of the Bureau of Law Enforcement for review by the 15th of the month.

Reserve Division Chain-of-Command ADMINISTRATIVE

- Sheriff
- Undersheriff
- Chief, Bureau of Law Enforcement
- Reserve Captain
- Reserve First Lieutenant
- District Reserve Lieutenant
- District Reserve Sergeant
- District Reserve Squad Members
- This Chain of Command is used for the day to day administrative functions of the reserve program. This provides the different divisions of the Sheriff Office one point of contact to handle any administrative issues involving the Reserve Division.

Reserve Division Chain-of-Command OPERATIONAL

- District Commander/Station Commander
- District Reserve Coordinator (if required)
- District Patrol Sergeant
- District Reserve Lieutenant
- District Reserve Sergeant
- District Reserve Squad
- This Chain of Command is used for all day to day operational issues. It provides one point of contact to the district reserve squad for operational issues. A District Reserve Deputy coordinates their assignment with the District Command.

Training

The Training Division shall maintain training records of all volunteers appointed by the Sheriff.

Reserve Deputies and Auxiliary Deputies must meet Florida, Criminal Justice Standards and Training Commission mandatory retraining requirements for certification as defined in Chapter 55 – Training. They must be trained in the Office Use of Force policy with the same frequency as full-time Deputy Sheriffs.
[CALEA 16.3.3/16.3.6]

In-service training - Reserve Deputies and Auxiliary Deputies are required to attend Office in-service training as required of Deputy Sheriffs. Under supervision of the Training Division, in-service

training may be developed and presented just to volunteers.

Field Training

Field training –Auxiliary deputies may request FTO training via their Chain-of-Command. The Reserve Command will coordinate such training with the respective District Command. Once FTO training is coordinated, it is the Certified Auxiliary Deputy's responsibility to comply with the agreed upon requirements for the FTO training.

Full-time Deputy Sheriffs get preference for FTO training. The FTO training schedule can be part-time as approved by the district FTO supervisor. The part-time schedule must be such that meaningful training takes place. A commitment of at least 24 hours per week and at least 8 hours per session is recommended.

Civilian Volunteer Recruit Training

Civilian Volunteers are offered training in Parking Enforcement and Traffic Control through the Training Division, as classes become available.

Civilian Volunteers are offered in-service training if space is available in the training session.

Civilian Volunteer are provided On-The Job-Training within the areas of the Sheriff Office that they wish to volunteer. The training is by the full-time staff that they are working with.

Direct Span of Control

Direct span of control is defined as a Deputy, Reserve Deputy, or full-time Sheriff Office employee who knowingly assumes the responsibility for and directs the actions of the Auxiliary Deputy or the Civilian Volunteer.

Firearms

Auxiliary Deputies may carry a firearm while on duty. Auxiliary Deputies are not allowed to carry firearms off duty.

Reserve Deputies have the same authority to carry a firearm, on and off duty, as a full time Deputy as delineated in Chapter 31 of the General Orders.

Reserve and Auxiliary deputies shall be required to demonstrate firearms proficiency with the same frequency as full time deputies. [CALEA 16.3.6]

A MCSO badge and commission card will be carried when firearms are carried as authorized.

Reserve and Auxiliary deputies are to provide their own firearm (handgun) in compliance with Chapter 31 of the General Orders and must qualify with that particular weapon before it is carried on duty.

Firearms Prohibited-Civilian Volunteers

Civilian Volunteers are **NOT** allowed to carry firearms as part of their service with the Sheriff's Office even if they have a valid concealed firearms permit.

Prohibited Emergency Equipment

Auxiliary Deputies and Civilian Volunteers are not to carry, or display, emergency lights (blue or red lights), or siren in their private vehicles.

Authorized Uniforms

(Revised 5/17/10)

Reserve Deputy uniforms shall be the same as authorized for Deputy Sheriffs as outlined in Chapter 19, of the General Orders. The badge shall be inscribed with the words "Deputy Sheriff". [CALEA 16.3.4]

Auxiliary Deputy uniforms shall be the same as authorized for Deputy Sheriffs as outlined in Chapter 19 of the General Orders with the following exceptions.

- A patch with the word "Auxiliary" will be worn on the left breast pocket flap below the badge. The top border of this patch will be aligned with the top of the breast pocket flap.
- The official Accreditation pin will be centered below the Auxiliary patch on the left breast pocket flap. The pin will not extend below the bottom of the pocket flap.
- The badge will be inscribed with the words "Reserve or Auxiliary Deputy."
- The patch on the sleeves shall read "Sheriff's Office."

Civilian Volunteer uniforms shall be the same as those of civilian Sheriff's Office employees (tan polyester shirt) with the following exceptions:

- The Civilian Volunteer shall wear a cloth “Star” patch instead of a metal badge.
- A patch with the word “Volunteer or Civilian Volunteer” will be worn on the left breast pocket flap below the badge. The top border of this patch will be aligned with the top of the breast pocket flap.
- The official Accreditation pin will be centered below the Civilian Volunteer patch on the left breast pocket flap. The pin will not extend below the bottom of the pocket flap.
- The patch on the sleeves shall read “Sheriff’s Office.”
[CALEA 16.4.3] [CFA 2.09]

Uniforms shall not be worn when the Auxiliary Deputy is not under the direct span of control of either a full time or a reserve MCSO deputy. This includes driving to and from a volunteer shift.

A mix of civilian and/or uniform wear shall not be permitted and a violation may result in suspension, withdrawal of appointment or other action so deemed by the Sheriff.

The Reserve Captain or designee(s) shall conduct routine uniform inspections.

Reserve Deputies and Auxiliary Deputies shall be issued a Sheriff’s Office photo identification clip-on card and a wallet photo identification with annotations describing them as a Reserve Deputy Sheriff/Sworn/Firearms Authorized” or as an Auxiliary Deputy Sheriff/Sworn/Firearms Authorized On Duty Only.

Civilian Volunteers shall be issued a photo identification clip-on card with the annotation Civilian Volunteer and Non-Sworn.

All issued identification cards will incorporate features to make copying difficult. The duplication or photocopying of issued commission or identification cards is prohibited.

All volunteers shall return all Sheriff’s Office equipment, uniforms, uniform accessories, commission cards and other property of the Sheriff’s Office to their Reserve Squad Captain or his/her designee upon resignation or decommissioning.

Reserve Squad Captain or his/her designee will forward all returned equipment to supply and commission cards to the Human Resources Division.

Evaluations

All Reserve deputies shall be subject to performance evaluations with the same frequency as full-time Office personnel. The District Commander to which the Reserve Deputy is assigned will be responsible for ensuring timely evaluations. This will include quarterly evaluations for the first year for each newly hired Reserve Deputy as well as yearly evaluations to follow. The Reserve Captain will be part of the performance evaluation sign off process. [CALEA 16.3.1]
Revised 2/11/10

Change in Status

Any volunteer may request of the Sheriff, via the chain-of-command, a reclassification after completing all training and other requirements for that classification.

A volunteer’s status does not change until the Sheriff authorizes the appointment in the new class, and the appropriate action is taken by the Human Resources Division with FDLE regarding the change in status.

Volunteers who do not complete required training to maintain their current volunteer status will be temporarily assigned to the Civilian Volunteer level until required compliance is achieved. The Reserve Captain will notify the volunteer of the change in status, both up and down.
[CALEA 16.3.1, 16.3.4, 16.3.5, 16.3.6, 16.3.7, 16.4.1, 16.4.2, 16.4.3]

Reserve Deputies – Paid Assignments

When the Office has a temporary staffing need that cannot be filled with regular Deputy Sheriffs qualified Reserve Deputies may be temporarily assigned and compensated at a pre-determined hourly rate of pay.

Reserve Deputies must have satisfied their required monthly volunteer time before being eligible to work such assignments.

A Reserve Deputy who is to be compensated for working a temporary assignment must obtain approval from the Bureau of Law Enforcement Chief or his/her designee prior to the work being performed.

The District Commander will complete the Request for Reserve Deputy Assignment Staffing form and forward to the Bureau of Law Enforcement Chief who will approve or deny the assignment.

- Verbal approval may be obtained in an emergency situation. However, the request form must still be forwarded for confirmation and will be attached to the Reserve Deputy's timesheet.
- The approved request form will be returned to the requesting Commander. Approved forms will be completed by a supervisor verifying the work was performed and given to the assigned Reserve Deputy for submission for payment.
- Reserve Deputies who are employees of the Office will note the assignment time worked on their time sheet and attach the approved request form to their time sheet.
- Reserve Deputies who are not employees of the Office will submit the request form to Finance for payment. The approved request form will act as an invoice.
- Employees who have retired and joined the Reserve Unit are not eligible for paid assignments under this policy until they have been retired for one (1) year.

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CHAPTER FORTY

TRAFFIC

I. PURPOSE

The purpose of this directive is to establish guidelines for traffic administration, law enforcement, accident investigation, direction and control, engineering and ancillary services.

II. DISCUSSION

This directive shall apply to all Sheriff's personnel. One of the goals of the Monroe County Sheriff's Office is to ensure the safe, convenient and efficient transportation of people and property on the public highways of this jurisdiction. The primary goal of the Sheriff's Office Traffic Management Program is to promote the safe and expeditious flow of vehicular and pedestrian traffic through effective and efficient traffic law enforcement and delivery of law enforcement related services designed to reduce traffic collisions and their resultant fatalities and injuries.

It is the policy of the Sheriff that traffic law enforcement and the delivery of law enforcement related services are to be applied in a consistent and courteous manner to foster a positive public attitude and acceptance of such enforcement and control as is necessary to achieve the goals of the Office. The Office must carry out its traffic management responsibilities with full consideration of the requirements of judicial, engineering, educational, and administrative agencies involved in the transportation management system. The Office will foster an on-going dialogue with other agencies involved in the transportation management system to ensure that channels of communication remain open and that problems are resolved as quickly and efficiently as possible. The Office will participate in transportation systems management planning concerning construction and/or reconstruction of traffic ways and facilities. Further, the Office will participate in the drafting and/or review of proposed legislation to determine impact and the need for additional manpower or equipment. Finally, the Office will initiate and promote programs to inform and educate the public as to conditions adversely affecting the safe movement of traffic and the countermeasures used to combat them and other measures that enhance traffic safety.

The planning, analysis, inspection, and coordination of the Office traffic activities shall be the responsibility of the Traffic Unit Supervisor. The Traffic Unit is designed to operate on a county-wide basis responding to problem areas as needed.

Although the Office has a Traffic Unit, the responsibility for enforcing traffic laws and regulations shall be shared by all uniformed personnel.

The Monroe county Sheriff's Office enforces all traffic laws relevant to private and commercial vehicles.

Education of members regarding new or modified traffic laws is handled by the Sheriff's Office of Legal Counsel and/or the Special Traffic Enforcement Patrol ("STEP") Unit.

III. POLICY AND PROCEDURE

A. Administration

1. The Office has established the following objectives and functions for the delivery of law enforcement traffic-related services by the Traffic Unit. These objectives are to be reviewed annually and an evaluation of the progress made toward attainment shall be submitted to the Sheriff through the chain of command by the Traffic Unit Supervisor.

a. Technical accident investigation to include:

- 1) Fatal and serious personal injury accidents.
 - 2) Accidents involving Office vehicles.
 - 3) Hit-and-Run accidents.
 - 4) Accident investigation follow-up and reconstruction.
- b. Review of accident reports and records.
 - c. Additional selective traffic enforcement of determined high accident areas.
 - d. Development and coordination of the Office's selective enforcement program to include specialized DWI, DUI, and speed enforcement efforts.
 - e. Operation of the speed measuring device "RADAR".
 - f. Operation of the speed measuring device "LASER".
 - g. Operation of chemical breath test equipment.
 - h. Specialized traffic congestion and parking control during peak traffic hours.
 - i. Establishing traffic safety education and public information.
 - j. Establishing liaison with local traffic safety groups and agencies on a quarterly basis. These agencies and groups are outlined in this directive.
2. Traffic Records - The traffic records system must provide information rapidly and accurately to field personnel who are performing primary traffic functions and also provide compilations of data upon which management decision may be based. (Some required data is collected by other state / local agencies. To the extent possible, the Office will avoid dual record keeping.)
- a. Records Section
 - 1) The Records Section shall have the primary responsibility for traffic record keeping and for maintaining the Traffic Records System (NOTE: A, 2, b, 1) in the Office.
 - 2) No other Division, Section or Unit shall keep duplicate records without prior authorization and such authorization shall not be given without good cause.
 - 3) The security and dissemination of records shall be the responsibility of the Records Section and such security and dissemination shall be rigorously maintained and controlled in accordance with existing statutes.
 - 4) Due to the importance of information to effective law enforcement service, and since duplicate records will not be ordinarily available, the Records Section shall so operate that all authorized personnel shall be provided information requested with the least possible delay.
 - b. The traffic records system shall contain the following:
 - 1) Traffic accident data (reports / investigations / locations);
 - 2) Traffic enforcement data (citations / arrests / dispositions / locations);
 - 3) Roadway hazard reports;

- 4) Traffic safety education reports;
- 5) Traffic volume data;
- 6) Traffic volume and distribution reports; and
- 7) Traffic enforcement activity reports.

c. Preparation, Review, and Transmittal of Traffic Records

- 1) Each member of the Office responsible for the preparation of citations, accident reports, or other special reports that comprise the traffic records system shall make every effort to complete all forms and reports to the best of their ability and submit them as quickly as possible to the Records Section through the chain of command.
- 2) Supervisors shall conduct an initial review of traffic reports to ensure that they are submitted in a timely manner and contain complete and accurate information. The Supervisor of the Records Section shall conduct a continuing formal review to ensure that the Office's traffic records system and its capabilities are both understood and used.
- 3) The Supervisor of the Records Section shall be responsible for the prompt transmittal of appropriate enforcement and accident data, and traffic services data contained in the traffic records file to the Planning and Research Unit, the traffic unit and other appropriate agencies outside the Office.

d. Preparation and dissemination of accident / enforcement data summaries.

- 1) The supervisor of the Traffic Unit shall be responsible for the preparation and dissemination of appropriate accident / enforcement summaries to support field operations, facilitate program planning, and assist in the development of countermeasures along with an evaluation of program effectiveness on a quarterly basis.
- 2) The Traffic Unit with the assistance of the Records Section will maintain a system to determine concentrations of accidents and enforcement activities to identify areas warranting detailed analysis. Limited time span reports shall be available in four to eight hour increments to identify accident / enforcement patterns unique to specific time frames.
- 3) Comparison of current to past, data will be conducted to help reveal changing accident / enforcement patterns. Data will be maintained for at least two years.
- 4) Appropriate accident / enforcement data summaries will be disseminated to the Sector. Commanders and all effected units on at least a quarterly basis.[CALEA 61.1.1]

3. Selective Enforcement - Selective enforcement activities shall be based on the review of traffic accident experience. [CALEA 61.1.1]

a. Analysis of Traffic Accidents – The Traffic Unit will maintain accurate records of all traffic accident reports filed by this agency. The data will include date and time of the crash, as well as the location. The Traffic Unit will analyze this data quarterly and selectively assign Traffic Deputies to hazardous areas. **(REVISED ON 12-12-01)** [CALEA 61.1.1]

b. Review of traffic enforcement activities, frequency of traffic violations - Constant surveillance of the public roadways is important for alerting the Office to the magnitude of its traffic problems. Periodic and planned observations of traffic law violation occurrences shall be undertaken as directed by the Traffic Unit Supervisor to determine the type, frequency and location of violations. Among the techniques to be used in determining violation patterns and volumes are:

- 1) Observation by deputies to periodically determine the types and numbers of violations. Observers should be concealed from the motorist so that his/her driving behavior will be uninhibited. Sampling should be for periods of not less than one hour at one location and should be repeated at different periods of the day and days of the week.
- 2) RADAR surveys for determining speed violations shall be conducted.
- 3) Explanations offered by motorists can be utilized. Persons who violate traffic laws may offer reasons based on conditions beyond their control. Deputies should be alert to such reports in order to determine why violations are occurring. Suggested reasons should be validated and determine if validly reported. Examples of such reasons are:
 - a) Inadequate, lack of, or improperly placed directional warning, or informational signs to alert drivers of a precautionary procedure, danger, turnoff, or route change.
 - b) Malfunctioning or improperly timed traffic signals
 - c) Improper channelization and ineffective road signs and markings
 - d) Poorly banked or maintained portions of roadways or streets
 - e) Obstructions, natural, or artificial, which contribute to inadvertent violations
[CALEA 61.1.1]

c. Implementation of selective enforcement techniques and procedures

- 1) Deputies shall complete reports on individual activity thoroughly and accurately.
 - 2) Field reports shall be reviewed by first line supervisors for completeness and accuracy.
 - 3) Data contained in each report contributing to a proper review of activity shall be collated by the Traffic Division.
 - 4) Data summaries (printouts) shall be channeled to the Traffic Unit.
 - 5) Traffic Unit personnel will analyze the summaries relative to where accidents occur, when they occur, causes contributing to the accidents, violations identified in the accidents where enforcement action has been taken at what times enforcement action is predominant, and the violations resulting in enforcement action.
 - 6) The analysis of the summaries shall result in a consolidated summary for each Sector identifying high hazard areas, violations contributing to accidents and the times accidents predominantly occur. The Traffic Unit will also update spot maps indicating accident experience. Spot maps will be located in each Sector Office.
- 7) The consolidated summaries for each Sector will be distributed to all sworn personnel.
- 8) Supervisors will use the summaries and spot maps in assigning Deputies and assisting them in planning individual patrol efforts.
 - 9) Each Deputy should plan his tour of duty based upon available data to maximize the patrol effort when not on a specific assignment. [CALEA 61.1.1]

4. Personnel Deployment for Traffic Employment

- a. Traffic Unit personnel will be assigned to the areas of greatest potential and actual need as identified by surveillance activities and a careful analysis of traffic records.
- b. The deployment of traffic law enforcement personnel shall be based on a review of traffic accidents and traffic related calls for service covering the most recent three-year period. [CALEA 61.1.1]

5. Motorcycles

- a. Assignment - as a functional component of Patrol, the law enforcement motorcycle is utilized primarily in those traffic assignments which require quick mobility, ease of ingress and egress, and any other situation which would be difficult for traditional law enforcement vehicles to be utilized such as:
 - 1) Selective Traffic Enforcement;
 - 2) Traffic point and route control during special events;
 - 3) Escorts; and
 - a) Not to exceed posted speed.
 - b) With due regard to posted traffic control devices when mobile.
 - 4) Other special event assignments as required or requested.
[CALEA 41.1.3 A]
- b. Availability - It is recognized that the motorcycle member's primary assignment is traffic enforcement, however, such members are also responsible for the general enforcement of all criminal as well as traffic laws. The availability of motorcycle members for response to general calls for service shall be limited to:
 - 1) Response to any call in their area where there is a possibility of injury or an immediate threat or danger to human life; or
 - 2) Times when calls for service become excessive.
- c. Members shall maintain the appearance and cleanliness of their assigned motorcycle in an exemplary manner.
- d. A Sheriff's Office motorcycle is a standard motorcycle equipped with a law enforcement package used to enforce traffic laws and for road patrol functions.
[CALEA 41.1.3 d]
- e. A Sheriff's Office motorcycle is a single passenger vehicle limited to on road use. It requires a motorcycle endorsed driver's license to operate.
[CALEA 41.1.3 A]
- f. A Sheriff's Office motorcycle is authorized for use by all trained Sheriff's Office motormen in all situations applicable for motor use.
[CALEA 41.1.3 b]
- g. Each Monroe County Sheriff's Office Traffic Unit member must possess a motorcycle endorsement on their drivers license and pass a 40 hour police motorcycle training course to operate a Sheriff's Office motorcycle.
- h. Each Deputy is responsible for their assigned motorcycle's maintenance.
[CALEA 41.1.3 c]
- i. Equipment kept on a Sheriff's Office motorcycle includes radar equipment and rain gear.

j. Monroe County Sheriff's Office Deputies assigned to the Traffic Unit are authorized to use Sheriff's Office motorcycles.
[CALEA 41.1.3 A]

B. Traffic Law Enforcement

[CALEA 61.1.2]

1. All certified Deputies shall take appropriate enforcement action for each violation of the law witnessed or reported to them. Enforcement action does not provide the Deputy a privilege to scold, belittle, berate, or otherwise verbally abuse a traffic violator. Rather, all enforcement actions will be accomplished in a firm, fair, impartial and courteous manner using one (1) of the following four (4) methods:
 - a. Verbal Warning
 - b. Citation
 - c. Written Warning
 - d. Physical Arrest
2. The Deputy's action shall demonstrate a professional attitude and serve to improve the relationship between the public and the Office.
3. Physical Arrest - The decision to effect a physical arrest should be based upon sound legal principles as opposed to peripheral issues such as the violator's "attitude."
 - a. Rather, physical arrest of the violator shall occur for a misdemeanor offense when:
 - 1) The accused fails or refuses to sufficiently identify himself/herself or supply the required information for completion of the traffic citation. Section 843.02 Florida Statutes
 - a) When a violator is to be charged, the Uniform Traffic Citation shall be used as the charging document. Arrest Affidavits shall be completed, however, a written report is not needed.
 - (1) When the traffic citation and arrest affidavit is completed on a physical arrest the flow of paperwork is as follows:
 - (a) The two (2) top **white** copies of the traffic citation are attached and submitted with the arrest affidavit.
 - (b) The **blue** copy of the traffic citation is forwarded to the local records section for transmittal and computer entry.
 - (c) The **yellow** copy of the traffic citation is retained by the arrestee.
 - (d) The **pink** copy of the traffic citation is retained by the officer.
 - (2) The Deputy has reason to believe that the continued liberty of the accused constitutes an unreasonable risk of bodily injury to the accused or others, such as, DUI, DWI, or Reckless Driving violations.
 - (3) The accused has no ties with the jurisdiction reasonably sufficient to insure his/her appearance in Court or there is substantial risk that he/she will refuse to respond to the citation.
 - (4) The Deputy has reason to believe that the accused may be a fugitive from any jurisdiction.

- (5) It appears that the accused has previously failed to respond to a citation or a summons, or has violated the conditions of any pretrial release program.
- b. All other subjects detained for a misdemeanor traffic offense shall be released at the scene upon signing the traffic citation's promise to appear in Court.
- c. Upon release, the accused shall be given an arraignment date.
- d. Felony Traffic Offenses
 - 1) Adults charged with felony traffic offenses shall be arrested and booked. Juveniles shall be taken into custody and referred to the Circuit Court in accordance with Sheriff's Office directives. HRS will be notified immediately. (Chapter 30)
 - 2) When an adult is arrested for a felony traffic offense, a criminal affidavit shall be completed in addition to the Uniform Traffic Citation. (See 1), a), 1. above)
 - 3) When a juvenile is taken into custody for a felony traffic offense, a juvenile affidavit shall be completed in addition to the Uniform Traffic Citation. The juvenile affidavit is also know as a Probable Cause Affidavit.
 - 4) **All** juvenile paperwork will be stamped "**JUVENILE**" in Bold Red Letters.
[CALEA 61.1.2]

4. Citations for Traffic Offenses - A traffic citation should be issued to all violators who jeopardize the safe and efficient flow of vehicular and pedestrian traffic, including hazardous moving violations, parking violations, and operating unsafe and/or improperly equipped vehicles. [CALEA 61.1.2]

5. Written Warnings for Traffic Offenses - A written warning is a proper alternative by Deputies in response to a minor traffic infraction committed in those areas where traffic accident experience is minimal. Written warnings are also appropriate for those violations which occur within tolerance generally allowed by the Office and endorsed by the Courts. These tolerances would include speeds in excess of the legal limit but less than a speed for which a citation would result. It is also applicable to running a stop sign at a speed slower than walking at intersections where traffic accident experience is slight. [CALEA 61.1.2]

6. Verbal Warnings for Traffic Offenses - A verbal warning is appropriate when the violator commits an act which may be due to ignorance of a local ordinance which may be unique or a violation of which the driver may not be aware.

Examples of violations which warrant verbal warnings are equipment failures, such as, license plates not illuminated when the driver is unaware.

7. Uniform Enforcement of private, public carrier, and commercial vehicles is a critical element of an effective traffic law enforcement program. The following uniform enforcement guidelines are established. Tolerances, listed in the following, are to be followed whenever possible. However, attendant circumstances may change the seriousness of the violation. Therefore, the provisions of this procedure will not preclude the use of good judgment by the Deputy in evaluating the seriousness of the violation in relation to the circumstances and conditions existing at the time of the violation.

- a. Multiple Hazardous Violations - A Deputy should not refrain from issuing a citation for a second hazardous violation when the violation is serious enough to merit a citation. Exceptions to this, are those situations where two violations are similar and the law exists for the purpose of compliance with the other law. When a driver has failed to stop as required and his/her actions result in a right-of-way violation, the right-of-way citation would be issued and no action would be taken for failing to stop as required. On the other hand, if a

motorist fails to stop where required and pursuit reveals a speeding violation, both charges should be considered and appropriate action taken based on the seriousness of each violation.

b. Multiple Non-Hazardous Violations - Generally, one citation will be issued in the case of related, multiple, non-hazardous violations stemming from the same operation. Examples of related violations are:

1) Failure to transfer title and non-registration.

2) Operating unregistered vehicle and failure to transfer title.

In cases such as this, where the elements of one offense are closely related to the element of the second offense, one citation will insure compliance and the second should not be written.

c. Multiple Hazardous And Non-Hazardous - In all instances, multiple violations found which can be classified separately as hazardous and non-hazardous will be dealt with independently. A motorist stopped for following too closely and subsequently found to be operating without a drivers license will be issued separate citations. This does not mean that the Deputy cannot issue a warning and citation if in his/her opinion, the case merits such.

d. Equipment Violation - When a vehicle is found to be in violation of several (four or more) equipment requirements, a citation should usually be issued for the one most serious violation. This action should be taken even when each violation independently is worthy of only a warning. Only one citation will be issued for such multiple equipment violations unless each warrants a separate citation. Lighting violations during daylight hours, except stoplights and directional signals, will not be included in determining whether four violations requiring a citation are present. Whenever a fixture is missing and it is obvious that the owner is aware of the defective equipment, a citation should be issued even though this may be the only violation on the vehicle. Examples of this are: horn removal, parking brake disconnected, light fixture removed, etc.

e. Speed Enforcement - It will be the practice to issue warnings for speed violations up to and including seven (7) miles over the posted limit. Any person exceeding the limit by eight (8) to twelve (12) miles per hour over the speed limit may be cited or warned. However, nothing contained herein shall prohibit any Deputy from issuing a speeding citation for a violation of the speed limit, regardless of speed, if the situation so merits. **Enforcement action should always be taken without regard to factors such as quantitative enforcement activities, attitude, intent or excuse. Both qualitative and quantitative emphasis are integral to the Office's Traffic Enforcement Program.**

f. Hours of Darkness - For the purpose of enforcing any statute in which "hours of darkness" is an element, a tolerance of fifteen (15) minutes shall be granted.

g. Newly Created Statutes and/or Ordinances - It shall be the policy of the Sheriff to issue warnings for a period of ninety (90) days after the date a law or ordinance becomes effective in lieu of special orders to the contrary.

h. Unless otherwise stated in the directive, all persons found to be driving under the influence of alcohol and/or drugs shall be arrested.

8. Exemption from Traffic Arrest / Special Processing Requirements

a. Offenses Involving Foreign Diplomats and Consular Officials

Diplomatic and consular officers should be accorded their respective privileges, rights, and immunities as directed by international law and federal statute. These officials should be treated with the courtesy and respect that befit their distinguished positions. At the same time, it is a well-established principle of

international law that-without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect local laws and regulations.

- 1) Diplomatic immunity**, a principal of international law, is broadly defined as the freedom from local jurisdiction accorded to duly accredited diplomatic officers, their families and servants. Diplomatic officers should not be arrested or detained except for the commission of a grave crime. Family members of diplomatic officers, their servants and employees of a diplomatic mission are entitled to the same immunities under current US law (22 USC 252) if they are not nationals of, or permanently reside in, the receiving state. Associated with this personal immunity is the inviolability enjoyed by the premises of the mission of the sending state and the private residence of a diplomatic agent, his property, papers and correspondence.
- 2) Diplomatic Officers** - Ambassadors and ministers are the highest ranking diplomatic representatives of a foreign government. Other diplomatic titles are Minister Counselor, Counselor, First Secretary, Second Secretary, Third Secretary and Attache. These officials are located either in Washington, D.C., or in New York City. Diplomatic officers, their families, of official staff and servants who are not nationals of, or permanently reside in, the receiving state, are protected by unlimited immunity from arrest, detention, or prosecution with respect to any civil or criminal offense.
- 3) Consular Officers** are Consuls-General, Deputy Consuls-General, Consuls and Vice Consuls - They are also official representatives of foreign governments Consular officers are required to be treated with due respect, and all appropriate steps are to be taken to prevent any attack on their person, freedom, or dignity. They are entitled to the following limited immunities.
 - a) Immunities** - Under prevailing international law and agreement, a foreign career Consular Officer is not liable to arrest or detention pending trial, except in the case of a grave crime (felony offense that would endanger the public safety) and pursuant to a decision by the competent judicial authority. His immunity from criminal jurisdiction is limited to acts performed in the exercise of consular functions and is subject to Court determination.
 - b) Identification** - Career Consular Officers can be identified by credentials issued by the State Department and by other locally issued official identification papers. The State Department credential bears its seal, the name of the officer, his title, and the signatures of State Department officials.
- 4) Honorary Consuls** - Often nationals or permanent residents of the receiving state are appointed and received as honorary Consular Officers to perform the functions generally performed by career Consular Officers. Such officers do not receive identification cards from the State Department of the type issued to career Consular Officers, though they may exhibit reduced-size copies of the executive or diplomatic note evidencing recognition by the United States Government. These individuals are not immune from arrest or detention. They are also not entitled to personal immunity from the civil and criminal jurisdiction of the receiving state, except as to official acts performed in the exercise of their consular functions. However, appropriate steps must be provided to accord such officers the protection required by virtue of their official position. In addition, the consular archives and documents of a consular post headed by an honorary consul are inviolable at all times and wherever they may be, provided they are kept separate from other papers and documents of a private or commercial nature relating to the other activities of an honorary consul and persons working with him.
- 5) Family Members of Consular Officers** do not enjoy the same privileges and immunities with respect to the civil and criminal jurisdiction of the receiving state as do Consular Officers. However, they should be accorded appropriate courtesy and respect.
- 6) Consular premises** used exclusively for the work of the consular post cannot be entered without explicit permission of the head of the consular post or his designee or by the head of the diplomatic mission. This permission may be assumed in the case of fire or other disaster requiring prompt protective action.

7) Consular archives, documents, records and correspondence are inviolable at all times and wherever they may be. The official correspondence of the consular posts, which means all correspondence relating to the consular post and its functions, is likewise inviolable.

b. Procedures for handling selected incidents, violations, or minor offenses by Consular Officers.

1) Moving Traffic Violations - When a Consular Officer is stopped for a moving traffic violation, the Deputy on the scene, upon being advised by the driver that he is a Consular Officer and ascertaining that he possesses the proper credentials, should exercise discretion based on the nature of the violation and either let him go with a warning of the danger of his actions or proceed with the issuance of the appropriate citation. Mere issuance of a traffic citation does not constitute arrest or detention in the sense referred to under Consular Immunities.

2) Driving Under the Influence - The primary consideration in this type of incident should be to insure that the Consular Officer is not a danger to himself or the public. Based upon a determination of the circumstances, the following options are available.

a) Take him to the appropriate Sector Station where he can sufficiently recover.

b) Take him to a telephone so he can call someone to respond for him.

c) Call a taxi for him.

d) Take him home.

The Official should not be handcuffed, subjected to any sobriety test, or mistreated in any way. At best, this is sensitive situation. The Official should be treated with respect and courtesy. It should be impressed upon him that the Deputy's primary responsibility is to care for his safety and the safety of others.

3) Offenses involving family members of a Consular Officer - Family members of a Consular Officer cannot claim immunity. However, consideration should be given to the special nature of this type of case. A violation should be handled, when possible, through the seeking of a complaint. The individual should be released once positive identification is made and relationship with the Consular Official is verified. If the relative is a juvenile, as in all juvenile cases, the subject should be released to the parent Consular Officer.

4) Reporting Incidents to Office of the Governor - In the event that a Consular Officer or member of his family or personal staff should become involved in any action(s) taken by members of this Office, the Office of the Governor shall be immediately furnished with all pertinent information through the Office of Sheriff.

c. Nonresidents, State Legislators, and Military Personnel committing violations of Florida traffic laws shall not be afforded special consideration and shall be warned, cited, or arrested as appropriate. As in all cases, discretion is advised. [calea 61.1.3]

1) Physical arrest of Military Personnel - When a physical arrest is made, the investigating Deputy's supervisor shall cause the liaison officer of the nearest Armed Forces Investigative Headquarters Division to be notified. This does not apply to the issuance of a traffic citation when an actual physical arrest is not made.

2) Traffic accident involving Military Personnel - Whenever armed forces personnel are involved in a traffic accident, and are either killed or injured to the extent that they require hospitalization, the supervisor shall

cause the liaison officer of the nearest Armed Forces Investigative Headquarters Division to be notified. This section shall also apply to civilian employees of the armed forces while acting within the scope of their employ.

- d. United States Senators and Representatives - Members of the United States Congress shall in all cases, except treason, felony and breach of the peace, be immune from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.
- e. Juvenile - Juveniles who have committed a traffic violation will not be placed in custody, but will be issued a traffic citation with the following exceptions:
 - 1) Driving while impaired by alcohol or drugs;
 - 2) Manslaughter by automobile; and
 - 3) Driving after revocation or suspension of license.

As in all cases where a juvenile is taken into custody, the Deputy is responsible for notifying the juvenile's parents as soon as possible as to the circumstances. Should the Deputy deem further custody is required pending a hearing, he must contact HRS Juvenile Intake for authorization. The intake section will make the determination to detain or release the juvenile. [CALEA 61.1.3]

- f. Traffic Violations Committed by Physicians En Route to an Emergency – In the event a Deputy observes a traffic violation committed by a physician en route to an alleged emergency, the following procedures shall be taken:
 - 1) Upon determining that the driver is a physician, the Deputy will obtain the identity and intended destination of the physician.
 - 2) If the emergency is extreme, the physician will secure his vehicle and be provided transportation by the Deputy, if approved by the supervisor.
 - 3) In the event the emergency is not extreme, but is urgent, the physician will not be detained.
 - 4) In the event the traffic violation committed was of a serious and dangerous nature, the Deputy will verify the nature of the emergency and the physician's identity. At the Deputy's discretion, and discretion is advised, he/she shall release the physician and may take appropriate enforcement action later. (Note section 316.072(5) (a)2 Florida Statutes
 - 5) If, in the Deputy's judgment, the violation was of a minor, non-hazardous nature, a verbal warning may suffice.

9. Traffic Law Enforcement Practices

- a. Based on the principle that the most effective deterrent to traffic law violations is visible patrol in a marked vehicle, and in the interest of maintaining a posture of prevention as opposed to apprehension, traffic law enforcement activities will be conducted accordingly.
 - 1) Deputies shall drive patrol vehicles in accordance with existing laws and in such a manner as to demonstrate exemplary driving behavior. Extreme emergency conditions will be the only exceptions to the practice.
 - 2) In those areas where fixed-post observation is necessary to maximize the effectiveness of a selective enforcement effort, Deputies shall park in a conspicuous location and in such a manner that traffic flow is not impeded.

3) Off-street observation is expressly prohibited except in extremely unusual circumstances and only upon the direction and approval of the supervisor. Every effort shall be made to not suggest the appearance of a "speed trap" situation.

b. Unmarked Cars / Unconventional Vehicles

1) Unmarked cars / unconventional vehicles may be used for traffic patrol only with the express approval of the Undersheriff.

2) Unmarked cars may be used for routine patrol in the same manner as marked cars if special enforcement needs exist.

3) Speed timing devices may be used in unmarked cars.

4) All unmarked cars used for traffic patrol shall be equipped with both emergency lights and siren.

10. Use of Authorized Emergency Equipment

a. The proper use of emergency equipment is essential to the safety of the Deputy and other motorists when unusual conditions exist. Basically, the emergency equipment is used to call attention to an unusual act or condition which presents a hazard to the safe operation and flow of vehicular and pedestrian traffic. Deputies have broad individual discretion in the use of this equipment, and the following procedures, directed to traffic law enforcement needs, shall be followed unless unusual conditions exist.

b. Florida Law requires a motorist, when being approached by an authorized emergency vehicle from any direction, to pull as far to the right as is practicable and to stop his vehicle for the purpose of yielding to the emergency vehicle.

c. Florida Law does not exempt a Police Officer, Deputy Sheriff, or any other driver of an authorized emergency vehicle from liability should he fail to drive with due regard for the safety of all persons, even though the emergency equipment (red / blue and/or siren) may be in operation at the time.

d. Emergency equipment shall include the following:

- 1) Red and/or Blue light;
- 2) Siren;
- 3) Spotlight;
- 4) Public Address system and
- 5) Hazard Warning Lights

e. Deputies shall utilize emergency equipment only when authorized directly by a supervisor, or by the nature of the dispatched assignment, or when situations confront him that, in his best judgment, indicate the need for the use of emergency equipment. (NOTE: The use of emergency equipment requires citizens to yield right-of-way, you do not always get it - Use Caution)

f. Emergency Red / Blue Lights and Hazard Warning Lights

1) This equipment is used to signal other users of the traffic-way that emergency conditions exist and the right-of-way should be relinquished to the patrol vehicle. The light should be used in all situations in which the Deputy is to take unusual liberties in his/her driving and to expedite his/her free movement in order to reach his destination more quickly.

- 2) The light is also used to signal violators to drive to the extreme right of the roadway and stop. It cannot be safely assumed by the Deputy that the light will be sufficient to assure the right-of-way, even though laws exist, giving the right-of-way to emergency vehicles when emergency conditions exist.
- 3) Emergency lights shall be utilized in the following circumstances:
 - a) When stopping traffic violators. Note: It may be necessary to utilize emergency lights/hazard lights and siren to effect the stop.
 - b) When assisting motorists parked / stopped in hazardous locations.
 - c) When patrol vehicle is parked / stop on the roadway.
 - d) When responding to an emergency situation.
- 4) If both the patrol vehicle and the violator's vehicle are parked off the roadway and the Deputy and/or violator can stand or walk between the traffic side of their vehicles and the roadway. Any emergency signal which exhibits light to the rear of the patrol vehicle may be turned off in order to reduce the accident potential created by the distracting effect on approaching drivers and to minimize attracting curiosity seekers to the scene. (Studies have shown significant accident involvement between patrol vehicles, which were exhibiting emergency lights to the rear while parked off the roadway, and sleepy and/or intoxicated drivers who were attracted to the emergency light.)

g. Siren

- 1) The siren is frequently used simultaneously with the red / blue light. The siren may have a startling effect on other users of the traffic way, resulting in erratic and unpredictable driving behaviors. The Deputy should be discreet in his/her use of the siren as it frequently complicates traffic problems. Under extreme conditions, such as pursuit at high speeds, the siren should be actuated continuously.
- 2) The siren should also be used to signal violators to drive to the right of the road when other means of attracting the violator's attention have failed.
- 3) Deputies should use the siren based on existing traffic, roadway conditions, and the urgency of early arrival. For instance, in traveling to the scene of an emergency, the siren should be used at intersections to alert traffic, but is sometimes not essential in areas where access to the traffic way is limited and other traffic is minimal.

h. Emergency lights and siren in combination shall be utilized in the following circumstances:

- 1) During pursuit situations.
- 2) When responding to an emergency.
- 3) When responding to a crime in progress, if necessary to violate traffic regulations. Generally, both the emergency lights and siren must be in simultaneous operation and the Deputy remains responsible for any injuries or damage sustained as a result of his/her driving behavior which reflects a disregard for the safety of others. All emergency equipment should be used on an emergency call for liability reasons.

i. Spotlight

- 1) The spotlight should be used as a protection to the Deputy when hazardous conditions exist in dealing with known or suspected felons. For example, following a traffic stop of a known felon, the spotlight shall be used to illuminate the interior of the violator's vehicle so that all occupants are kept within view and at

a distinct disadvantage when looking back toward the patrol vehicle and the Deputy. In this situation, the Deputy should exercise care in remaining behind the spotlight so he/she is not at the same disadvantage and silhouetted by the light.

- 2) The spotlight should not be used to signal violators to stop due to the possibility of temporary blindness of the violator and other drivers due to the glare created by the spotlight.

j. Public Address System

- 1) The public address system is particularly valuable when stopping a traffic violator. The desired actions of the violator can be directed from a safe distance, minimizing the hazard to the Deputy.
- 2) The public address system is also valuable in directing persons when unusual conditions exist, such as the traffic artery temporarily obstructed, alerting pedestrians to hazardous conditions or elements and communicating with other persons concerned with relieving the emergency conditions.

11. Official Forms, Reports and Correspondence for Traffic Enforcement.

- a. Accurate, timely and complete traffic citations, arrest reports and other supplemental reports that form the basis for prosecution and ultimate adjudication of traffic offenses, are essential and fundamental to this Office's efficient and effective operation. Office personnel shall therefore, make every effort to complete all forms to the best of their ability and submit them through proper channels as quickly as possible.
- b. Traffic citations shall be turned into the supervisor at the end of each shift. The supervisor shall review the citations for completeness and forward all copies of the citation to the Records Section of each respective Station within twenty- four (24) hours. Records shall maintain the blue copy and forward the top two white copies of the citation to the Clerk of the Court within five (5) days from the time the citation was written.
- c. The local records clerk shall then enter all traffic citations and traffic warnings in the office computer system under the "citation" module.
 - 1) Once the signed, receipted transmittal is received back from the Clerk's Office, the blue copies of the citations are attached and mailed to DHSMV in Tallahassee by the office records clerk. Copies of completed transmittal forms need to be forwarded to Special Operation Office for the purpose of an annual audit by DHSMV.
 - 2) Traffic warning citations are forwarded to the central records division for filing for the length of time specified by the State of Florida archive laws.
- d. It shall be the duty of each respective Sector Commander to ensure the entry of the citations and warnings into the office computer system and the transmittal to the Clerk's Office are accomplished in the specified time frame.

e. Issuance and Accountability of Paper Florida Uniform Traffic Citation Books

- 1) Procurement from the Department of Highway Safety and Motor Vehicles
 - a) Citations are ordered from the DHSMV by the Traffic Unit Supervisor on an as need basis.
 - b) The Traffic Unit Supervisor shall sign a receipt for the DHSMV accepting accountability for all citation books delivered and accepted. The Traffic Unit Supervisor shall store them in a secure area.
- 2) Issuing to Sectors
 - a) Station Commander shall advise the Traffic Unit Supervisor of their need for citations.

- b) Each Station Commander shall sign a receipt for all citation books delivered and accepted from the Traffic Unit Supervisor. The Station Commander shall store them in a secure area.
- 3) Issuing to Deputies
- a) Upon being issued a citation book, the Deputy shall complete the first two pages of that book (accountability record) and submit them to the Station Commander
 - b) The Citation Book ticket number range, receiving deputies name, four digit ID number, and date of issue will be also entered into a Citation Issue Log Book.
 - (1) Sector clerical staff shall enter the issued citation book information into the office computer system.
 - (2) The Station Commander will forward the citation books accountability record sheets to the Traffic Supervisor. Who shall retain them on file for a period of three (3) years.
- 4) Submission of Completed Citations
- a) Once a citation has been issued to a motorist the appropriate copies shall be submitted to shift supervisor for review.
 - b) If the citation is found not to be complete it will be returned to the deputy for correction.
 - c) If the citation is found to be complete it will be submitted sector clerical staff for entry into the office computer system.
 - (1) Such entry shall include all "Voided" citations.
- 5) Voided Citations
- a) In the case of damaged or incomplete citations, all five copies shall be marked "void", and sent with a memorandum on why the citation was voided.
 - b) It will then be entered into the computer as a voided citation.
 - c) The blue copy will be sent to the Department of Highway Safety and Motor Vehicles on a transmittal.
- f. Issuance and Accountability of Electronic Florida Uniform Traffic Citation Books
- 1) Procurement from the Department of Highway safety and Motor Vehicles.
 - a) Electronic Traffic Citation Numbers (ETCN) are requested as needed by the Traffic Unit supervisor.
 - 2) Issuing to Sectors - Each Station Commander or designee shall acknowledge receipt of assigned ETCNs as assigned by the Traffic Unit Supervisor.
 - 3) Issuing to Deputies
 - a) Each Deputy issued a bank of ETCNs will acknowledge such issuance.

b) Sector clerical staff shall enter the issued ETCNs in to SMARTCOP as being assigned to that deputy.

4) Paper citation book numbers may be assigned to the deputy for electronic issuance to violators. The procedure for the issuance of paper citation books shall be followed, except once the numbers have been issued the paper citation book shall be retained by the issuing supervisor to be physically destroyed and so noted on the issuing record book.

g. Periodic Audit

1) The Station Commander, Traffic Unit Supervisor for traffic units, shall run a computer report for each issued traffic citation book as listed in the Citation Issue Log Book.

2) Citation books where all the citations are accounted for the Station Commander shall so note in the appropriate space for that book.

3) Missing citations – books where a citation number is missing from the sequential number the Station Commander will verify that the citation is still un-issued or have the deputy submit a memorandum explaining the reason the citation is missing

4) The Station Commander shall take appropriate corrective or disciplinary action based on the deputy's response.

[34.08M f]

h. Submission of un-issued citations upon separation from the Office.

1) Deputies are required to submit to their Station Commander all un-issued traffic citations

2) The Station Commander shall take the necessary steps to re-issue the un-issued citations to another deputy or if not practical,

3) The Station Commander shall "Void" all the remaining un-issued citations and have them entered into the office computer system as "Void".

4) The Citation Issue Log Book will reflect the action taken and appropriate information recorded as necessary.

12. Deputy / Violator Contact

a. Traffic violation enforcement is one of the many routine tasks performed by Deputies but for violators it frequently is an emotionally traumatic experience. Deputies should be aware of these conditions and should strive to make each contact educational and to leave the violator with the impression that the Deputy has performed a necessary task in a professional and friendly manner.

b. Once the Deputy has stopped the violator and approached to a point where communications begin, the Deputy / violator relations are activated. The Deputy shall:

2) Be alert at all times for the unexpected, but not be obviously apprehensive.

3) Be absolutely certain that the observations of the traffic violation were accurate-without reservation.

4) Present a professional image in dress, grooming, language, bearing and emotional stability.

- 5) Be prepared for the contact by having the necessary equipment and forms, if they are to be used, immediately available.
- 6) Decide on appropriate enforcement action based upon the violator's driving behavior, not attitude.
- 7) Greet the violator with an appropriate title and in a courteous manner.
- 8) Inform the violator what traffic law he has violated and the intended enforcement action; the violator should not be kept in suspense.
- 9) Ask for the violator's driver's license and vehicle registration and accept only those forms.
- 10) Obtain another document of identification if the driver has no drivers license.
- 11) Allow the driver to discuss the violation. (Do not argue, berate, belittle, or otherwise verbally abuse the violator.)
- 12) Complete the forms required for the enforcement action taken or exercise a verbal warning, if this is the decision.
- 13) Explain to the violator exactly what he is supposed to do in response to the action taken and how this action will affect him.
- 14) Make certain the violator knows where and when to appear if the enforcement action requires a Court appearance. Explain any alternatives to the violator. Never predict the actions of the Court.
- 15) Be alert to any emotional stress exhibited by the driver. If stress is present, the instructions may have to be repeated or the violator may need to calm down before resuming driving.
- 16) Return the violator's driver's license, registration and a copy of the warning or citation.
- 17) Assist the violator in safely re-entering the traffic flow.
- 18) Do not follow the violator.

13. Stopping and Approaching the Traffic Violator / Unknown Risk Stops

[CALEA 41.2.1]

- a. Upon stopping violators for any reason, the Deputy's safety is paramount. Deputies will, therefore, take all steps and precautions necessary during traffic stops to assure their safety and well being.
- b. The traffic stop information shall be provided to Communications on all stops, preferably before the actual stop is made. When possible the Deputy should wait for returned vehicle information before approaching the violator.
- c. The following steps in stopping and approaching a traffic violator are intended to provide maximum safety for the Deputy, the violator, and other users of the roadway. Varying conditions regarding the engineering of the particular traffic artery, the urgency to stop the violator (drinking driver), and the existing volume of traffic may dictate adjusting or altering the recommended procedure. These procedures are to be followed when possible and are presented from the perspective that ideal conditions exist.
 - 1) When the Deputy has positioned him/herself behind the violator, to begin the stopping procedure, he/she should notify communications of the intended location of their traffic stop, the license number, the number of occupants in the vehicle, vehicle type, color and any other distinguishing characteristics (i.e., dents, lights out, etc.)

- 2) The Deputy should note the license number of the vehicle on a note pad, to be left inside the patrol vehicle.
- 3) The Deputy should be thoroughly familiar with the area and anticipate the appropriate location to stop the violator. Consideration should be given to a location with ample space and appropriate lighting. Every effort should be made to avoid stops on hills, curves, intersections, private drives, business locations and bridges which have limited parking.
- 4) The Deputy should signal the violator to stop. Such signal should be with the blue / red emergency lights, hand signals, sounding the horn, and if necessary, the siren. These signals also alert other drivers of the intent of the Deputy, and will usually facilitate securing the right of way for the stopping maneuver.
- 5) The violator should be signaled and directed to the right side of the roadway as close to the curb or on the shoulder as engineering design permits.
- 6) On multi-lane roadways, the Deputy should insure the safety of the violator during lane changes by gradually changing from lane to lane with the violator until the right side of the roadway is reached.
- 7) Should the violator stop abruptly in the wrong lane or in another undesirable location, he should be promptly directed to move to a safer location. Deputies should use the public address system to instruct violators to move to a safer location, if this equipment is available. If the patrol vehicle is not so equipped and gestures are insufficient to bring understanding, the Deputy should quickly exit from the patrol vehicle and give verbal instructions to the violator.
- 8) The violator should not be permitted to move his vehicle once it has stopped if it is suspected the driver is under the influence to the extent that his driving ability is impaired.
- 9) Once the violator has stopped in an appropriate location, the Deputy should position the patrol vehicle approximately one-half to one car length behind the violator's vehicle. The patrol vehicle should be positioned at a slight angle so the left front is offset approximately two feet to the left of the violator's vehicle, the right rear is near the curb and the wheel should be turned. This position provides maximum safety to the violator, the Deputy, and all other traffic.
- 10) The Deputy may exit from the patrol vehicle or use the PA system and be continuously alert for any suspicious movement or actions on the part of the violator or other occupants in the violator's vehicle.
- 11) The Deputy may approach from the rear of the violator's car, looking into the rear seat area, and stop at a point to the rear of the trailing edge of the left front door. This position should be maintained if there are only occupants in the front seat of the vehicle. From this position, the Deputy can communicate with the violator, keeping him in a slightly awkward position, and at the same time keep all occupants of the vehicle in view. (A right-hand side approach is an acceptable option in those cases where passing traffic is so close to constitute a danger to the Deputy.)
- 12) In those cases where the violator's car has occupants in both the front and rear seats, the Deputy shall approach to a point near the leading edge of the left front door, being especially alert for any unusual actions on the part of the occupants and choosing a path so the door cannot be used as a weapon against the Deputy. From this position, the Deputy can communicate with the violator and keep all occupants in view.
- 13) In those traffic stops made by two-man patrol vehicles, the passenger Deputy will be responsible for all radio communications and writing all notes and messages relayed from communications. During the traffic stop, the passenger Deputy should exit from the vehicle and act as an observer and cover for his fellow officer. At no time shall the two Deputies approach the violator together.

- 14)** At night, the procedure is the same with the additional necessity of exercising caution in selecting an appropriate place for the traffic stop, signaling the violator (the spotlight should not be used) and positioning the patrol vehicle. After the stop, the lights should be on low beam for the safety of oncoming traffic. The spotlight may be used to illuminate the interior of the violator's vehicle, if warranted.
- d.** Stopping an Approaching Violator - In the event a Deputy observes a traffic violation occur in oncoming traffic, the Deputy will take the following actions:
- 1)** Drive the patrol vehicle safely to the extreme right portion of the roadway.
 - 2)** As the violator approaches, signal for the violator to stop.
 - 3)** Do not leave the patrol vehicle in an attempt to stop the violator by hand signals, as this places the Deputy in an extremely hazardous position.
 - 4)** If the violator observes the signal and stops, the Deputy shall turn the patrol vehicle around and position it appropriately to the rear of the violator's vehicle.
 - 5)** Should the violator fail to recognize the Deputy's signals, the Deputy shall turn around when safe and pursue the violator, stopping and approaching as usual.
- e.** Stopping a Following Violator - In the event a Deputy observes a traffic violation to the rear of the patrol vehicle, the following procedures shall be utilized:
- 1)** The Deputy will drive on the right shoulder of the road.
 - 2)** As the violator approaches, the Deputy will remain in the patrol vehicle while he signals the violator to stop.
 - 3)** If the violator fails to stop, the Deputy will initiate pursuit and stop the violator in the usual manner.
- f.** Stopping a Known or Suspected Felon - When a vehicle driven by a known or suspected felon is located by a Deputy, he/she will notify communications immediately. The Deputy shall inform communications of the location, thorough description of the vehicle and a description of the occupants. The Deputy shall keep the suspect vehicle in view and request sufficient assistance in making the stop. The Deputy will keep support units informed of the location and direction of travel to facilitate their approach with minimal use of emergency equipment. The suspect vehicle will not be stopped, unless absolutely necessary, until adequate support is available and in position. The following procedures will be used in effecting the stop:
- 1)** The Deputy will plan to stop the suspect vehicle in a location which presents minimal danger to other citizens.
 - 2)** When conditions are appropriate and support units available, the Deputy will move into position to the rear of the suspect vehicle.
 - 3)** The Deputy will signal the violator to stop, utilizing all emergency equipment to warn other traffic.
 - 4)** The violator will be stopped on the extreme right side of the road.
 - 5)** If the violator is known to be armed and dangerous, the Deputy shall have his weapon drawn and out of its holster, and ready for immediate use.

- 6) When the suspect begins to stop, the Deputy will turn off the siren and activate the public address system - officer should order driver out of vehicle with P.A. system.
 - 7) The Deputy shall park the patrol vehicle so that it provides maximum protection and cover for him.
 - 8) At night, all lights, including spotlights, will be focused on the interior of the suspect vehicle to the disadvantage of the violator.
 - 9) The Deputy will exit the patrol vehicle quickly, but remain behind the door and accessible to the public address system microphone.
 - 10) The Deputy in command will direct each occupant, utilizing the public address system, to remove himself from the vehicle individually, according to specific directions, and into the appropriate search position, after which the approach may be made.
 - 11) If a public address system is not available, the Deputy in command will give voice commands. If they are not heard, or ignored by the suspect, the Deputy will wait for a backup unit prior to approaching the vehicle. The Deputy shall not leave a position of cover to approach a felons vehicle until assistance has arrived at the scene.
 - 12) The Deputy in command will give instructions to the support Deputy, even if not needed, to assure the suspects that additional support is available.
 - 13) The support Deputy will cover the arresting Deputy and remain on the curbside of the vehicle until all occupants have dismounted and are in the search position.
 - 14) The support Deputy will not give additional commands as this would tend to confuse the suspects, but will make his presence known by commands given by the arresting Deputy.
 - 15) Extreme caution shall be exercised by Deputies not to get within each other's line of fire.
 - 16) When all occupants have been removed from the vehicle, the support Deputy should move to a position to cover the arresting Deputy while the persons are searched.
 - 17) The occupants should be ordered into a prone position face down, with their hands in the air.
 - 18) If terrain or room does not permit the prone position, the occupants should be ordered into a kneeling position with their legs crossed and their hands behind their heads, fingers interlaced.
 - 19) If the subjects are in the prone position, handcuffs should be used immediately, and then the subjects should be searched thoroughly.
 - 20) If the subjects are in the kneeling position, a cursory search should be performed prior to handcuffing.
- g. Stopping Oversize / Overweight Vehicles - In the event deputies observe a traffic violation committed by an unusually large or heavy vehicle, the following procedures will be followed:**
- 1) Pursue the vehicle from the rear in the usual manner.
 - 2) Position the patrol vehicle so the violator's attention can be gained, and signal that he is to follow the patrol vehicle to a stop.
 - 3) Pull the patrol vehicle in front of the violator and lead the violator to a position, which is safe, or has sufficient space to contain and is capable of supporting the weight of the special vehicle.

4) In this situation, the approach will be from the front.

[CALEA 41.2.1]

14. Suspended or Revoked Driver's License

- a. If the Deputy has probable cause to believe the violator's license has been suspended or revoked, he/she should effect a physical arrest of the subject and assume custodial responsibility for the subject and his property.
- b. If the Deputy is unsure of the actual status of the violator's license, he/she should issue a citation for the cause of the stop. If, at a later time, it is determined that the license was suspended or revoked, he/she should issue the appropriate citation and obtain an arrest warrant, Notice to Appear or Summons for the subject.

15. Use of Speed Measuring Devices in Traffic Enforcement

a. Pace Detection

- 1) Deputies using speedometers to establish probable cause to issue speed violation citations must pace the violator for an adequate distance to insure an accurate reading prior to making a traffic stop. (An adequate distance is determined when the patrol vehicle is neither gaining distance or losing distance on the suspect vehicle.)
- 2) Deputies shall have the speedometers of their assigned vehicles calibrated every six (6) months, and a copy of the calibration certificate shall be maintained in the vehicle. This certificate must be available for presentation in Court. The Traffic Unit Supervisor shall maintain a calibration schedule for all Office vehicles used by certified personnel.
- 3) Deputies certified to operate RADAR shall have their speedometers calibrated in accordance with this procedure.

b. Radar Detection

- 1) Deputies using RADAR must be certified to do so by the Florida Criminal Justice Standards and Training Commission.
- 2) Deputies not certified in RADAR operations may support certified operators. Support Deputies shall issue the citation to the violator and list the Deputy that operated the RADAR as a witness.
- 3) Deputies certified to operate RADAR speed measuring equipment shall maintain a detailed log containing daily certification checks.
- 4) Training guidelines shall be based on specifications of RADAR equipment maintained by the Sheriff's Office.
- 5) RADAR units assigned to Sectors, may be individually assigned by the Station Commander. A copy of the calibration record shall be maintained by the Deputy to whom the radar unit is assigned. The original of the calibration record shall be maintained by the Station Commander. It shall be the responsibility of the Station Commander to check the expiration date on the RADAR units and return RADAR units for proper programmed maintenance. If calibration is expired, the RADAR unit shall be removed from service and sent for calibration.
- 6) RADAR units assigned to the Traffic Unit shall be individually assigned by the Traffic Unit Supervisor. The original of the calibration record shall be maintained by the Traffic Unit Deputy. It shall be the

responsibility of the Traffic Unit Deputy to check the expiration date on the RADAR units and return RADAR units for proper programmed maintenance. If calibration is expired, the RADAR unit shall be removed from service and sent for calibration.

- 7)** RADAR units that are not assigned to individual Deputies shall be stored in a secure location at each Sector Station. RADAR units may be drawn from the storage area by Deputies who are certified in RADAR use. The Supervisor on duty shall record the usage on the RADAR Log.
- 8)** It shall be the responsibility of the supervisor to examine each RADAR unit, prior to issuance and upon return, to insure that components of the RADAR unit, including tuning forks, calibration record and the carrying case are present and in good condition. If deficiencies are noted, the RADAR unit shall be removed from service until the deficiencies are corrected.
- 9)** Deputies shall operate hand held or stationary RADAR as follows:
 - a)** Verify that the RADAR unit is turned off before connecting it to a power source.
 - b)** Conduct light segment check.
 - c)** Conduct tuned circuit check.
 - d)** Conduct tuning fork verification by striking the fork against a flat surface, holding the vibrating fork in the central portion of the RADAR beam, and verifying that the reading displayed on the RADAR unit is within plus or minus one (1) MPH of the speed stamped on the tuning fork.
 - e)** If deficiencies are found during the aforementioned tests, the RADAR unit shall not be placed in service. A memorandum describing the nature of the malfunction, along with the RADAR unit, shall be returned to the Deputy's supervisor.
- 10)** Deputies shall operate moving RADAR as follows:
 - a)** Attach antenna to the counting unit before connecting it to a power source.
 - b)** Attach the antenna and counting unit in the desired location, insuring that the counting unit is not in the path of the RADAR beam.
 - c)** Adjust the antenna to point forward.
 - d)** Turn the unit on and conduct a light segment check (marked on counting unit).
 - e)** Conduct an internal circuit test (refer to manual for procedures, as make and model may differ).
 - f)** Conduct a external tuning fork test (refer to manual for procedures, as make and model may differ).
 - g)** Conduct a patrol speed verification test by placing the RADAR unit in the moving mode and accelerating to a steady speed. Compare the speed displayed on the counting unit with the speed on the speedometer. The two readings should correspond.
 - h)** If the RADAR unit fails any of the prescribed tests, the unit shall not be used but shall be returned to the Deputy's supervisor with a memorandum describing the malfunction.

c. LASER Detection

- 1)** Deputies using LASER must be certified to operate LASER by the Florida Criminal Justice Standards and Training Commission and additionally be certified to operate LASER.

- 2) Deputies not certified in LASER operations may support certified operators. Support Deputies shall issue the citation to the violator and list the Deputy that operated the LASER as a witness.
- 3) Deputies certified to operate LASER speed measuring equipment shall maintain a detailed log containing daily certification checks.
- 4) Training guidelines shall be based on specifications of LASER equipment maintained by the Sheriff's Office.
- 5) Deputies shall operate hand held LASER as follows:
 - a) Verify that the LASER unit is turned off before connecting it to a power source.
 - b) Conduct internal calibration test.
 - c) Conduct light test.
 - d) Conduct two required fixed point measurement checks.
 - e) **Conduct vertical and horizontal sight alignment checks.**
 - f) If deficiencies are found during the aforementioned tests, the RADAR unit shall not be placed in service. A memorandum describing the nature of the malfunction, along with the LASER unit, shall be returned to the Deputy's supervisor.

16. Procedures for Identification and Referral of Drivers for Re-examination

- a. Traffic Accident Related - If a driver's ability to operate a motor vehicle is questionable, the appropriate block on the accident report form shall be checked and an explanation shall be given in the report narrative.
- b. Non-Traffic Accident Related - When a Deputy believes that a licensed operator is incompetent to drive a motor vehicle and the operator presents a danger to the public, a request for re-examination shall be initiated. If the operator's license was issued by the State of Florida, the request for re-examination shall be initiated by completing a "Re-examination Investigation" form which shall be mailed to the Florida Department of Highway Safety and Motor Vehicles, Division of Drivers License. If the operator's license was issued by another jurisdiction, the appropriate licensing agency can be contacted via teletype or by written correspondence and notified of the request for re-examination.

17. Pedestrian and Bicycle Traffic Law Enforcement

- a. Traditionally, pedestrian and bicycle traffic law violations have been looked upon lightly by law enforcement for the dual reasons of not being "popular" with the public to enforce. However, studies have indicated that the pedestrian and bicycle problem is far more serious than was initially thought, with many deaths and injuries resulting from pedestrian and bicycle traffic law violations. Therefore:
 - 1) Deputies will take appropriate enforcement action when and where pedestrian violations are observed.
 - 2) Deputies will take appropriate enforcement action when and where bicycle traffic law violations are observed.
 - 3) The enforcement actions will be commensurate with the pedestrian and bicycle accident experience, with specific emphasis being placed on these particular violations, and at times and places as determined

through the review of accident reports. Such information shall be passed to the sector Commanders and Traffic Unit Supervisor who shall require enforcement of the identified problem areas.

b. Pedestrian Enforcement - The enforcement of traffic laws pertaining to pedestrians necessitates broad discretion from individual Deputies. To provide guidance in the discretion the following procedures are established, which will result in more uniform and consistent application of the law.

1) Prior to any substantial increase in the enforcement effort directed toward pedestrian traffic, sufficient publicity and community awareness campaigns will be conducted by the Office. This is particularly true in those areas where pedestrian laws have previously received minimal attention.

2) Deputies shall concentrate their efforts on pedestrian violations in those areas where pedestrian accidents have been frequent and severe.

3) With regard to pedestrian traffic laws, the "spirit" of the law shall supersede the "letter" of the law and application be made accordingly.

c. Bicycle Enforcement - The use of bicycles as a major means of transportation, both for business and recreation, has resulted in an increase in fatal and personal injury accidents. It is inherent in the role of law enforcement to enforce those laws relating to the safe operation of bicycles. In this regard, Deputies have a unique challenge with regard to their discretion in applying those laws. The following procedures are guidelines to discretion which should result in a more uniform and consistent application of the law:

1) In those areas where congestion and the frequency of traffic accident experience involving bicycles has been predominant, those laws pertaining to the proper operation of bicycles shall be strictly enforced.

2) On those arteries with a substantial flow of vehicular traffic, and where hazardous moving violations are observed involving persons operating bicycles, the applicable laws shall be enforced.

3) In those areas where traffic flow is minimal, visibility is unobstructed and traffic accident experience low, Deputies should exercise discretion in the application of those laws regarding the safe operation of bicycles.

4) Deputies should be less tolerant with older offenders who should be aware of the hazards inherent in the unsafe operation of bicycles. Deputies should be more lenient in the enforcement of the law and more instructive in their response to youthful offenders, who may not be fully aware of their responsibility in the safe operations of bicycles.

18. Off-Road Recreational Vehicles

a. Off-road Recreational Vehicles (minibikes, dirtbikes, etc.) are used extensively in Monroe County. In many cases they are being used on streets and highways illegally. Their use has resulted in citizen complaints of excessive noise, trespassing, and property damage.

b. Deputies shall take appropriate enforcement action for violations committed by operators of off-road recreational vehicles that are observed and/or reported.

c. Deputies will take appropriate enforcement action, particularly in the following circumstances:

1) Removal of unlicensed vehicles from streets and highways;

2) Violation of off-road vehicle registration laws;

3) Misuse of public trails;

4) Improper use of street and highway crossings;

5) Citizens complaints of excessive noise, trespass and/or property damage; and

6) Juvenile offenders.

19. Enforcement of Parking Regulations

- a. All existing parking regulations will be enforced with reasonableness and impartiality in all areas of this jurisdiction.
- b. Deputies shall make a concentrated effort to enforce illegal parking by maintaining general surveillance for parking violations while on patrol.
- c. The parking laws to be enforced by Deputies of this Office are found in:
 - 1) Chapters 316.194; 316.1945; 316.195; 316.1955; 316.1956; 316.1957; 316.1958; 316.1959; 316.1965; and 316.1967, Florida Statutes
 - 2) County Ordinances as passed.
- d. Deputies who discover vehicles parked in violation of the law may:
 - 1) Issue a ticket form as is prescribed by Monroe County; or
 - 2) If the vehicle is unattended, attach such ticket to the vehicle in a conspicuous place, except that the "Florida Uniform Traffic Citation" shall not be issued by being attached to an unattended vehicle; or
 - 3) The "Florida Uniform Traffic Citation" shall not be issued for violations of county parking ordinances.
- e. Wheel lock devices are not used by this Office.
- f. Sections 316.194 and 316.1955, Florida Statutes specifically state the conditions under which a Deputy could legally have a vehicle towed from the public highways or publicly owned property.

20. DUI Enforcement

The enforcement of the DUI statute and the investigation of DUI related traffic accidents has become increasingly more sophisticated. The heightened concern of the public and the need for more precise enforcement and investigative techniques requires a set of concise operational guidelines.

a. Enforcement

- 1) Detection - The visual clues listed below are indicators that the operator of a motor vehicle may be intoxicated.
 - a) Turning with wide radius;
 - b) Straddling center or lane marker;
 - c) Appearing to be drunk;
 - d) Nearly causing an accident;
 - e) Vehicle weaving;
 - f) Driving off the roadway;
 - g) Abnormally slow speed;
 - h) Vehicle stopping without cause, in traffic lane;
 - i) Following too closely;
 - j) Drifting from traffic lanes;
 - k) Braking erratically;
 - l) Driving in opposing traffic lanes;

- m)** Signaling inconsistent with driving actions;
 - n)** Slow response to traffic signals;
 - o)** Turning vehicle abruptly or illegally;
 - p)** Accelerating or decelerating rapidly; and
 - q)** Headlights off in rain or darkness.
- 2)** When a Deputy suspects that a motor vehicle operator may be intoxicated, the Deputy should note the actions of the driver, and initiates a traffic stop. The Deputy should note the following:
- a)** Clothing description, including the condition.
 - b)** The presence of alcohol or drug odors on the driver's breath.
 - c)** Demeanor of the driver.
 - d)** Whether the driver's face is flushed, pale, or normal.
 - e)** Whether the driver's eyes are bloodshot, watery, or normal.
 - f)** Whether the pupils of the eyes are constricted, dilated, or normal.
 - g)** Whether the driver is hiccupping, belching, vomiting or any other unusual action.
 - h)** Whether the driver's speech is mumbled, slurred, understandable, thick tongued or stuttered.
- 3)** The driver shall be asked to move to an area a safe distance from the traffic way and onto a firm level surface.
- 4)** The field sobriety exercises or task may include, but is not limited to, the following:
- a)** Horizontal gaze nystagmus.
 - b)** Walking – listens too instructions, stays in instruction stance, touches heel to toe, loses balance, steps off line, improper counting of nine steps, uses arms for balance, or sways.
 - c)** Standing on one leg.
 - d)** Balance – uses arms for balance, puts foot down before 30 seconds, hops, sways, or is unsure.
 - e)** Turning - whether the driver is falling, staggering, hesitant, swaying, or unsure.
 - f)** Finger-to-nose - Note if driver completely missed his/her nose, is hesitant or fails to listen to instructions.
- 5) Effecting the Arrest**
- a)** In accordance with the Office's preferred arrest policy for such offenses, when the Deputy is satisfied that probable cause exists to charge the suspect with DUI, the suspect should be arrested.
 - b)** The arresting Officer shall video record the arrestee's performance of the Field Sobriety Exercise, either roadside or at an Office facility, unless exigent circumstances exist. Exigent circumstances include, but not limited to, the following:
 - (1)** Inoperable video equipment
 - (2)** Arrestee illness or injury requiring priority medical attention
 - (3)** Higher priority call-for-service requiring arresting officer's immediate response.
 - c)** The arresting officer shall describe, in detail, in the arrest report, any exigent circumstances preventing video recording of the suspect.
 - d)** On breath test results or refusal, the proper citation should be used.

- (1) .000 to .079 - Uniform Traffic Citation
- (2) .080 or higher, or refusal - Uniform DUI Citation
- (3) On breath results below .080, the Deputy will not confiscate the driver's license of the suspect, and the Uniform Traffic Citation is used as the charging instrument.

b) The following forms must be completed by the arresting Deputy for DUI offenses:

- (1) Uniform DUI Citation
- (2) Arrest Affidavit
- (3) DUI and Field Sobriety Work Sheets
- (4) Intoxilizer Print Card
- (5) Proper refusal form, if required

c) Prior to completing the questionnaire on the DUI worksheet, the subject will be advised of his/her Miranda Rights.

d) Breath Alcohol Content (BAC) Test

- (1) The following implied consent warning must be given to the arrested: "I am now requesting that you submit to an approved test of your breath for the purpose of determining the alcohol content of your blood. If you refuse to take this test, your privilege of operating a motor vehicle will be suspended for a period of one year or 18 months, if your license has been previously suspended for refusing to submit to a required test. Your refusals to submit to this test can be used against you in court." then you must ask if the arrestee understands the implied consent and if he/she will take the breath test. If refusal, enter refusal in the Intoxilyzer. after the breath test or refusal, you must now advise the arrestee of his/her Miranda Rights.
- (2) The arrestee's vehicle shall be released or impounded as specified in Sheriff's Office towing and impounding section, 40:83.

e) Juvenile DUI taking into custody procedure - The same procedure shall be followed for a juvenile as for an adult, with the following exceptions:

- (1) The Deputy shall notify the juvenile's parents or legal guardian of the juvenile's custody and request that they meet the Deputy at the appropriate Sector Station, where the juvenile will be released to them once the approval test has been administered.
- (2) If the parents or legal guardian cannot be located or do not respond, the juvenile, after the administration of the test, shall be held until a determination can be made by HRS.

b. Urine Test

- 1) **When a subject provides a breath sample into the intoxilyzer resulting in a breath alcohol reading of 0.079 or less, the Deputy shall ask the subject for a urine sample. Refusal to provide a urine sample after being requested to do so (under circumstances of the breath alcohol test reading being 0.079 or less) constitutes a violation of the Implied Consent Law and is considered a "refusal".**
- 2) **In the event a Deputy must obtain a urine sample from the subject, the following procedures will be followed:**
 - a) **Obtain a Urine Kit from either DUI Traffic Deputies, Jail Intake or on-duty Supervisor.**
 - b) **Use latex gloves to eliminate health hazard.**

- c) Give subject collection cup for sample
- d) A deputy of the same sex must observe the subject at the time of collection. If a same sex deputy is not available then obtain sample at the jail utilizing same sex deputy (of the subject) at the jail.
- e) Upon collection of the sample, seal and label the container, on the top of the container with the observing deputy's initials. (Indicate in the report who observed the subject upon collection) Write on the container itself:
 - (1) Subjects name
 - (2) Date and time of collection
 - (3) Arresting Deputy's initials
- f) If the sample becomes contaminated prior to sealing, a second sample will be requested from the subject. Refusal to resubmit shall NOT constitute a violation of the Implied Consent Law, **unless the subject purposely contaminated the sample.**
- g) Seal the container in an Evidence bag with both ends of the bag sealed with Evidence Tape and the sealing deputies initials across the tape and package on both sides. The following information must be written on the Evidence bag:
 - (1) Offense Number (Do not put MCSO in front of the offense number)
 - (2) Property Receipt Number
 - (3) Subjects name
 - (4) Date and time of collection
 - (5) Deputy's name, who is submitting the sample. Item number must also be on package.
 - (6) A biohazard sticker should be placed on both sides of the bag prior to submission.
- h) Complete a Monroe County Sheriff's Office Property Receipt, list the type of analysis that is being requested in the comment section of the property receipt.
- i) Place the property receipt in the drop slot of the evidence lockers for the property/evidence technician.
- j) **Place the sample in the Property refrigerator** in one of the evidence slots and secure it there with the lock provided on the slot inside the refrigerator.
- k) The Property clerk will then sign out for the transportation of the urine sample to the appropriate lab for analysis.

(Effective 5-20-2008)

c. Traffic Accident Investigation (DUI)

- 1) Once the investigation of a traffic accident has been completed and the Deputy suspects the driver is DUI, the Deputy shall inform the driver that the investigation of the traffic accident is complete and that a criminal investigation is now being conducted.
- 2) If the traffic accident involves serious injury or death, blood samples shall be obtained from the DUI suspect in accordance with Florida law.
- 3) Suspended or Revoked Driver's License / Habitual Offender.
 - a) Florida Law states that it is a felony offense if a DUI driver causes serious bodily injury or death, and at the time of the offense, the driver Section 316 1931(1) Florida Statutes.

- (1) Had a suspended or revoked driver's license.
 - (2) Was a habitual traffic offender as defined by Florida law.
 - (3) Had been previously convicted of a DUI offense as defined by Florida law.
 - b) The legislature has defined serious bodily injury to mean the same type of injury, which would allow a Deputy to use reasonable force if necessary to require a driver to submit to a blood alcohol test.
 - c) Examples of serious bodily injury include, but are not limited to, a victim being listed in critical or guarded condition, prolonged unconsciousness, paralysis resulting from an injury sustained in the accident, coughing up blood, any fracture of the skull, neck, back, hip, arms or legs, any injury which substantially impairs breathing, or any severe bleeding that is difficult to stop. The Deputy should request an opinion of serious bodily injury from a paramedic or physician who has examined or treated the patient.
 - d) Prior to charging a person, a driver's license check shall be conducted. If the driver's license check verifies a valid license, but convictions are recorded, a copy of the defendant's driving record shall be obtained to verify previous DUI convictions.
- 4) When a Deputy investigates a fatal, or potentially fatal traffic accident, the Deputy shall not file criminal charges until consulting with the State Attorney's Office. However, citations for civil infractions may be filed.
 - a) Once probable cause for a criminal offense is determined by the State Attorney's Office, the originating Deputy shall re-contact the driver involved to issue the appropriate criminal offense citation.
 - b) If the driver to be cited resides in Monroe County, the originating Deputy shall re-contact the driver and have him/her sign the citation. The citation shall be attached to a completed criminal affidavit and delivered to the State Attorney's Office.
 - c) If the driver to be cited resides outside Monroe County, the completed citation and criminal affidavit shall be delivered to the State Attorney's Office.
 - d) If a blood sample was taken, the individual actually taking the sample shall be listed as a witness on the criminal affidavit.
- 5) When a blood collection kit is used in DUI cases, the following procedure shall be utilized.
 - a) The Deputy shall give the blood collection kit to a person authorized under Florida law to draw blood. Authorized personnel include:
 - (1) Paramedics at the scene of an accident to render emergency medical treatment;
 - (2) A licensed practical nurse;
 - (3) A physician;
 - (4) A registered nurse; or,
 - (5) A licensed clinical laboratory technologist or technician.
 - b) Prior to use of the blood collection kit, the Deputy shall verify that the expiration date on the vials has not passed.
 - c) The Deputy requesting the blood sample shall witness the actual withdrawal.

- d) Included in the blood collection kit is a two-part form which shall be completed by the person withdrawing the blood and the requesting Deputy.
- e) The person who withdrew the blood shall sign the chain of custody that is included, and initial the seals.
- f) The Deputy shall complete the chain of custody form and initial the seals.
- g) The Deputy shall seal each blood vial across the top to prohibit access.
- h) The Deputy shall then turn the vials several times to mix the blood with the anti-coagulant.
DO NOT SHAKE THE VIALS!
- i) The vials and contents of the blood collection kits shall be returned to the kit box.
- j) The Deputy may remove the consent form from the blood collection report to retain a record for use in Court.
- k) The remaining two (2) seals shall be placed on the outside of the kit to secure the lid to the box.
- l) The Deputy shall complete a property receipt for the blood collection kit, which shall be turned into the Property Room. THIS KIT REQUIRES REFRIGERATION.
- m) Case Preparation - Deputies shall make accurate and concise chronological notes of events leading up to and including the arrest.

21. Countermeasures

- a. This Office fully supports a comprehensive cooperative DUI countermeasures program and has established DUI enforcement as one of its highest priorities. Deputies shall be alert for signs of alcohol and/or drug impairment in all contacts with motorists and make every effort to detect and apprehend them. Deputies shall not release a DUI suspect or arrange for alternate transportation in lieu of arrest unless specifically directed otherwise.
- b. The Office shall utilize the following countermeasures in various combinations in its DUI enforcement program:
 - 1) Selective assignment of personnel at the time of and to the locations where analyzes have shown a significant number of violations and/or accidents have occurred involving impaired drivers;
 - 2) Selection surveillance techniques applied to roadways experiencing an unusual incidence of drinking-driving accidents to ascertain the profile of the problem drinker who drives;
 - 3) Selected alcohol related accident investigations and analyses of findings;
 - 4) Selected roadway checks for deterrent purposes; and
 - 5) Selective enforcement of drinking-driving laws through concentration on existing laws and the expeditious processing of violators.

22. Zero Tolerance Law

In 1996, the Florida Legislature enacted Florida Statute 322.2616, which pertains to subjects who are under the age of 21 and found to be driving or in physical control of a vehicle if he/she has a blood alcohol content of .02% or greater, providing for the suspension of such a subject's driver's licence.

a. Lawful Contact - A lawful contact must be made before an underage driver can be checked for a violation of Florida Statute 322.2616. Lawful contact includes but is not limited to:

- 1) a traffic stop related to a violation of Florida law
- 2) contact at a sobriety checkpoint
- 3) contact at the site of a traffic crash
- 4) a consensual encounter with an underage driver.

b. Rule out a possible violation of Florida Statute 316.193 - Before checking the driver for a violation of Florida Statute 322.2616, the officer must rule out the possibility that the driver is legally impaired under Florida Statute 316.193.

- 1) Interview the driver, verifying his/her age, and checking for signs of impairment.
- 2) Check the driver for any "medic-alert" jewelry.
- 3) Have the driver perform standard field sobriety tests if reasonable cause exists.
- 4) Rule out probable cause to make an arrest for DUI.

c. Check for violation of Florida Statute 322.2616 – If cause does not exist to arrest the driver for DUI but there are indications that the driver has been drinking alcoholic beverages, the officer will determine whether the driver is in violation of Florida Statute 322.2616.

- 1) After being with the driver for at least fifteen (15) minutes, if the officer is in possession of a portable breath tester (PBT) and is trained in its use, the officer will request the driver to perform a breath test consisting of at least two breath samples on the PBT.
- 2) If the officer is not a trained PBT operator the officer will request the assistance of a trained PBT operator if one is available. The trained PBT operator will conduct the test after at least fifteen (15) minutes have elapsed since the initial officer's contact with the driver.
- 3) If there is no trained PBT operator available, the officer will take the driver to the DUI room for the breath test if the driver consents to being transported. If the driver refuses to be transported, the officer must advise the driver of the Implied Consent PBT Warning.
- 4) If the driver is under the age of 18, the officer will ensure there are no adults in the DUI room at the time of testing. The breath test log will be filled in as a breath test. In the area of the log for the name, the officer will enter the case number, since the name of the juvenile must be protected.
- 5) If the driver is age 18 to 20, the officer will fill in the log as for any DUI.
- 6) If the two breath samples reveal alcohol levels of .02 or higher, the officer will confiscate the driver's license and issue a suspension using forms provided by the Florida Department of Highway Safety and Motor Vehicles.
- 7) If the driver refuses to give a breath sample, the officer will read the Implied Consent warning to the driver. If the driver continues to refuse, the officer will confiscate the driver's license and issue a suspension using forms provided by the Florida Department of Highway Safety and Motor Vehicles.
- 8) If the driver gives one breath sample and then refuses to give a second sample, the officer will read the Implied Consent warning to the driver; if the driver continues to refuse to provide a second sample, it is to be considered a refusal.

- 9) If there is no arrest for another violation and the driver is age 18-20, the driver will be released, the vehicle will be towed, and the officer will take reasonable steps to ensure the safety of the driver and any passengers.
- 10) If there is no arrest and the driver is younger than age 18, the officer will attempt to contact a parent or guardian to respond to the scene and take responsibility for the juvenile driver. If a parent or guardian cannot be reached or cannot respond to the scene, the Deputy is to:
 - a) advise an on-duty supervisor of the situation;
 - b) offer any juveniles in the vehicle (driver or passenger[s]) a ride to a reasonable location;
 - c) document the offer, the response, and any further actions taken, in an offense report if appropriate; otherwise the Deputy is to advise Dispatch, who will note the information in the remarks field of the Calls for Service record.
- 11) If there is a person in the vehicle who has a valid driver's license and is, in the Deputy's opinion, capable of driving the vehicle safely, the vehicle may be turned over to that person, if the parent or guardian gives his/her consent to the officer.
- 12) Since probable cause has been eliminated as in section 22., a., above, if the two breath samples reveal a breath alcohol level in excess of 0.08%, an arrest should not be made under Florida Statute 316.193; a suspension under Florida Statute 322.2616 should be issued.

d. Documenting Suspension under Florida Statute 322.2616

- 1) Fill out and issue NOTICE OF SUSPENSION form provided by the Florida Department of Highway Safety and Motor Vehicles.
- 2) Complete PROBABLE CAUSE AFFIDAVIT.
- 3) Complete AFFIDAVIT OF REFUSAL TO SUBMIT TO BREATH TEST, if applicable.
- 4) Complete PBT BREATH TEST RESULT AFFIDAVIT, if applicable.
- 5) Send all required forms to the Florida Department of Highway Safety and Motor Vehicles, as required by Florida Statute 322.2616.

e. Operation of the PBT

- 1) Only officers who are trained in PBT operation are permitted to administer breath tests with the Agency's PBTs.
- 2) PBT operators will follow the manufacturer's procedures for conducting all breath tests.
- 3) A copy of the manufacturer's procedure shall be included in each PBT's carrying / storage case.
- 4) PBT operators will maintain a personal log of all breath tests they conduct on the PBT.
- 5) If the Intoxilizer 8000 is used for a breath test, all relevant rules of the Florida Department of Law Enforcement will be followed.

f. Routine Care and Service of PBT

- 1) Only trained PBT service technicians shall perform service on the Agency's PBTs.
 - 2) All PBTs will be calibrated according to the manufacturer's recommendations.
 - 3) All PBTs shall be checked for accuracy according to the manufacturer's recommendations.
 - 4) All PBT service technicians will keep a service log of all service performed on the Agency's PBTs.
- g. Procedure for Use of Blood Test Results for Florida Statute 322.2616 - In the event that blood test results are used to suspend driving privileges under Florida Statute 322.2616, the officer shall follow the Agency's procedures established for implementing Florida Statute 322.2615.

C. Traffic Accident Investigation

It is the policy of the Sheriff that traffic accidents occurring in the unincorporated areas of Monroe County be investigated by the Florida Highway Patrol whenever possible. However, when the Highway Patrol is not available, this section of this directive shall apply to Office members. In an effort to assist FHP in minor accident investigations, the Monroe County Sheriff's Office will investigate minor accidents using the Short Form Accident Report, when FHP is not available. FS 316.066(3)(a)3

These are accidents where the vehicles involved are still driveable, there is no personal injury and FHP does not have an officer readily available within approximately twenty (20) minutes.

The intent is to save time for both FHP and Monroe County Sheriff's Office. There is no need for a Deputy to waste time waiting at an accident scene for a FHP Trooper to arrive when it would take less time to process and investigate immediately.

FHP will continue to investigate all accidents as requested, and also continue to investigate all personal injury accidents. However, this statement should in no way be construed to mean the Office will not respond to traffic accidents and stabilize the scene until the Florida Highway Patrol arrives.

Accidents will be responded to in the normal course of priority, depending upon the severity of the accident and the nature of the other pending calls. The Division Commanders are to make arrangements with the Traffic Sergeant to attend Roll Calls for all squads in order to clear up any questions on the use of forms or the types of accidents to be investigated.

1. The responsibility of Law Enforcement in investigating and reporting known motor vehicle accidents involving death, personal injury, or property damage is well established by both law and custom. Information gathered as a result of traffic accident investigations is used as a basis for developing traffic laws and traffic safety programs.

2. Within the unincorporated limits of Monroe County, Deputies shall investigate accidents if Florida Highway Patrol is not available. A Florida Traffic Accident Report will be completed when:

- a) Death or injury
- b) Hit and Run
- c) Damage to Public Vehicles or Property
- d) Impairment of an Operator Due to Alcohol and/or Drugs
- e) Disturbances Between Principals
- f) Major Traffic Congestion Result from an Accident
- g) Damage to Vehicles to the Extent that Towing is Required
- h) Hazardous Materials

3. Within the limits of Monroe County, Deputies discovering or witnessing a traffic accident shall:

- a.** Care for the injured;
- b.** Investigate the accident and originate necessary reports;
- c.** Exceptions to this procedure shall be:

- 1) If a call of an emergency nature is holding, there are no life threatening injuries at the scene, and the deputy must respond to the call.
- 2) When the Sheriff's Office does not have a Traffic Homicide Investigator available and the accident involves a fatality.

4. Within the unincorporated limits of Monroe County, Deputies shall investigate accidents if Florida Highway Patrol is not available. A Florida Traffic Accident Report will be completed when:

- a.** There are injuries and/or any vehicles cannot be removed from the scene without a tow truck. This includes:

- 1) Death
- 2) Personal Injury
- 3) Hit and Run
- 4) Impairment of an Operator Due to Alcohol and/or Drugs
- 5) Hazardous Materials
- 6) Damage to Public Vehicles or Property

5. If the accident does not involved injuries and all vehicles involved can be removed from the scene without a tow truck, the Deputy will:

- a.** Complete the Short Form Accident Report – Refer paragraph (6b) and:

- 1) Provide each driver with a copy of the Short Form Accident Report.
- 2) Forward the original copy of the Short Form Accident Report to the Records Section as a report of the accident.

6. Forms

- a.** Forms shall be completed as specified in the Florida Department of Highway Safety and Motor Vehicles publication:

Instructions for Completion of Florida Traffic Accident Report Forms (Copies are available from the Division Commanders.)

- b.** Law Enforcement Short Form Accident Report shall be completed by the investigating Deputy using the instructions on the form. The report will be completed by filling in all applicable information blocks including those not shaded.

1) A narrative is required and a diagram of the accident is optional at the discretion of the Deputy.

2) The reporting grid number of the accident will be written in the right hand margin near the accident report number printed on the form.

- 3) The investigating Deputy will PRINT his/her name, payroll ID number and radio number at the bottom of the report.
- c. When the Report is complete, copies of the report will be given to each driver by the Deputy and the original white copy will be turned into a supervisor for review and forwarded to the reports section. A photocopy (both front and back) of the report will be maintained by records and the original will be mailed to Traffic Accidents Record, Department of Highway Safety and Motor Vehicles, Tallahassee, Florida.
- d. It is the Policy of the Sheriff in the interest of better serving the motorists, that the short form accident report will be completed by the Deputy and NOT given to the parties involved for completion.

7. Responding to and stabilizing traffic accident scenes

a. Dispatch of Deputies to the scenes of traffic accidents reported to the Office.

- 1) When directed to respond to a traffic accident, the Deputy will be informed of the exact location, the severity of the accident, whether traffic is blocked and other units assigned (including ambulance, wrecker, and fire apparatus), to the extent that this information is available to the Office.
- 2) Deputies directed to respond to an accident scene should choose the best possible approach route, considering traffic flow and congestion problems, based on their knowledge of conditions normally existing in the vicinity. Deputies shall drive safely to the scene, consistent with the need for prompt response.
- 3) While en route to the scene, Deputies shall be alert for vehicles which give an indication of involvement in the accident.

b. Notification by deputies of traffic accidents they encounter.

- 1) As soon as possible upon encountering an unreported traffic accident, Deputies will notify Communications of:
 - a) The accident location;
 - b) Probable severity; and
 - c) Any other pertinent circumstances.

2) Appropriate assistance shall be dispatched.

c. Approach to and arrival at traffic accident scenes.

- 1) While approaching traffic accident scenes, Deputies shall be alert for, and avoid obliterating or destroying short-lived evidence as tire marks, etc,
- 2) During the approach to the scene, and upon arrival, deputies shall be alert for specific conditions or factors that may have contributed to the accident (such as visibility / view obstruction, inoperative traffic control device, hazards, etc).
- 3) Upon arrival at the scene, Deputies shall park patrol vehicles in such a way as to provide maximum protection to the scene, but without endangering the public. Deputies shall not jeopardize their patrol vehicles by placing them on the roadway or at other hazardous locations, unless the terrain makes this necessary.

- 4) Deputies shall assess the scene to determine needs for assistance in protecting the scene and/or establishing a safe traffic pattern around the scene, and shall summon appropriate assistance.
- 5) Deputies will also assess the scene to determine if additional investigative skill is required. (Should the need arise for expert or technical assistance in the investigation of a traffic accident involving serious injury or death or unusual circumstances, the required specialist (i.e., Traffic Homicide Investigator, Medical Examiner, State Attorney, Animal Control, Wildlife Officer, physician, mechanic, etc.) may be summoned to the scene after approval by the supervisor.

d. Dealing with Personal Injuries

- 1) Deputies must keep current in their skills of emergency medical care. The Office shall provide and Deputies shall participate in basic and refresher training in emergency medical techniques.
- 2) In the event that injuries are present at the scene, deputies shall check injured persons to identify those most seriously injured and fatalities.
- 3) Deputies shall administer appropriate emergency medical aid to injured persons. Deputies will not attempt to administer medical aid or treatment beyond their capabilities. Deputies shall not allow incompetent volunteer's to treat injured persons.
- 4) Deputies shall summon appropriate medical assistance to the scene, and assist in getting persons seriously injured removed to medical facilities as soon as possible. If there is any question as to whether a person is dead, that person shall be removed to a medical facility.
- 5) At accident scenes where there is personal injury or the imminent threat of injury, actions to deal - with the injury / threat will take precedence over investigative or reporting activities.
- 6) In the event professional ambulance service is not available and will not be available for an extended period, and in the Deputies opinion the life of the injured person depends upon immediate professional medical aid, the injured person may be transported in a patrol vehicle.
- 7) Deputies shall obtain approval of supervisory personnel before transporting injured persons in police vehicles.
- 8) When injured persons are to be transported in patrol vehicles, preliminary emergency medical aid shall be administered at the scene. Additional law enforcement personnel shall be summoned to the scene to assist in the emergency and in protecting the scene.
- 9) Deputies transporting injured persons shall, to the best of their ability, insure that the injured persons are properly attended to and shall exercise due care and caution in driving.

e. Protecting the Scene and Clearing the Roadway

- 1) Deputies shall use the patrol vehicle's overhead lights, flares, barricades, traffic cones and other appropriate warning devices, as necessary, to protect the scene and to alert approaching traffic. Scene protection and warning are especially important if victims of the accident, their vehicles, or hazardous debris are in the roadway.
- 2) Since failure to expedite removal from the roadway of vehicles involved in accidents results in unnecessary congestion and contributes to additional serious collisions, the Office will recommend that drivers remove their vehicles immediately from the traffic lanes when involved in property damage only accidents, provided the vehicle is capable of being moved under its own power.

- 3) If it is evident that the accident involves property damage only, Deputies shall direct all motorists involved in the accident to immediately remove their vehicles from the roadway, unless it is impossible or impractical to remove those vehicles.
 - 4) Consistent with the need to preserve evidence, if the roadway is blocked by debris and/or vehicles only, and if there are no injuries requiring immediate attention, Deputies will clear the roadway as rapidly as possible.
 - 5) To prevent congestion, and to permit emergency vehicles to move freely and safely, Deputies shall direct vehicles at the scene (emergency and otherwise) to be parked safely off the roadway as soon as practical.
 - 6) Deputies shall direct passersby (except witnesses) to leave the scene.
 - 7) Deputies shall be alert to actual and potential dangers at accident scenes, including, but not limited to, fire hazards (i.e., spilled gasoline and other flammable substances) and other hazardous materials. Deputies will initiate appropriate remedial / preventive actions, in conformance with applicable Office directives, when such actual or potential dangers are noted.
 - 8) Deputies will conduct accident scene traffic direction and control activities, as necessary, to protect the scene, clear the roadway, promote the safe and efficient movement of traffic in the vicinity and prevent additional collisions. Accident scene traffic direction and control activities carried out by Deputies will conform to all applicable Sheriff's Office directives.
- f. Carrying Out Investigative, Reporting and Enforcement Services
- 1) Deputies shall locate witnesses and conduct such on-scene traffic accident investigative and reporting activities as are necessary and appropriate, given the nature and circumstances of the accident. Collection of relevant accident information will be in conformance with all applicable Office directives.
 - 2) Deputies shall take enforcement action, when and as appropriate, based on the evidence obtained from their investigative and reporting activities. Any such enforcement action shall be in conformance with all applicable Office directives.
 - 3) Hit-and-Run Traffic Accident Investigations
 - a) The Deputy who conducts the initial investigation of a hit-and-run traffic accident shall within the constraints of duty assignments, time, distance, and jurisdiction, investigate the hit-and-run accident to the fullest extent possible.
 - b) The Deputy investigating a hit and run traffic accident shall collect and preserve latent and physical evidence. A copy of the evidence property receipt shall be attached to the original accident report but shall not be numbered as a page of that report.
 - c) The Deputy shall conduct interviews of witnesses, drivers, passengers, and suspects.
 - d) Hit and run investigation requiring lengthy follow-up, contacts in other jurisdictions, or which cannot be completed by the originating Deputy are to be referred to the Traffic Unit. This procedure does not relieve the originating Deputy from the responsibility of following up leads within the Deputy's assigned Sector.

- e) When a Deputy refers a report for follow-up investigation, the originating Deputy shall complete a Hit and Run Accident Information Sheet (confidential) which shall be attached to the original or supplement report.
 - f) A traffic Homicide Investigator shall be called to the scene of an accident involving a fatality or possible fatality to assume the investigation of the criminal aspect of the case.
- 4) Traffic Accident Investigation (DUI). (Refer to Section B-20-b of this directive, entitled Traffic Accident Investigation (DUI).)
- 5) Fatalities
- a) A fatal accident investigation is a two-part investigation. Traffic fatalities shall be investigated by a patrol Deputy and a Traffic Homicide Investigator.
 - (1) The original of the Florida Traffic Accident Report shall be completed by the originating Deputy and shall be typed.
 - (2) The originating Deputy shall note on the original accident report the name, rank, and unit number of the Traffic Homicide Investigator assigned to the accident and the name and unit number of the Duty Crime Scene Detective who took photographs.
 - (3) The Traffic Homicide Investigator Report shall be completed by the Traffic Homicide Investigator.
 - b) It is the Traffic Homicide Investigator's duty to insure that the deceased is properly identified, next of kin is notified, the fatality teletype is sent, a press release is prepared, the medical examiner's fatality form is completed and autopsies relative to the fatality are attended.
 - c) Supervisors shall allow Traffic Homicide Investigators sufficient time to conduct a latent investigation following the date of the traffic fatality.
 - d) A Traffic Homicide Investigator Trainee shall not be assigned to a fatal traffic accident without his/her training officer being present.
 - e) Photographs shall be taken of the accident scene. Care shall be taken to insure that sufficient data and evidence is collected for purposes of accident reconstruction, if needed.
 - f) A Sheriff's Office report number shall be assigned to the Traffic Homicide Report.
 - g) When a Traffic Homicide Investigator conducts a fatality or preliminary fatality investigation, the investigator shall forward the following information to the appropriate Sector personnel in charge of the traffic homicide log. This information shall be recorded in the log within twenty-four (24) hours of the accident investigation.
 - (1) Report number;
 - (2) Victim's name;
 - (3) Whether the accident was alcohol or drug related;
 - (4) Date and time of the accident;
 - (5) Date and time of death;
 - (6) Whether the next of kin were notified;
 - (7) Investigator assigned; and
 - (8) Copy of fatality teletype and copy of press release.
- g. Clearing the Scene and Terminating On-Scene Activities

- 1) Consistent with the need to deal appropriately with injuries and actual or potential hazards, and with the need to obtain and preserve evidence, Deputies will arrange for the prompt and safe removal from the scene of all involved vehicles and debris.
- 2) When vehicles are to be driven from the scene (accident involved vehicles, emergency vehicles, or others), Deputies will assist the drivers, as necessary in entering the traffic stream safely.
- 3) Once the scene has been cleared of vehicles, debris, etc., Deputies will arrange for the prompt removal (and proper disposal, if applicable) of all flares and other warning devices that may have been employed to protect the scene.

8. Collection of At-the-Scene Information in Support of Accident Investigation of Reporting.

- a. When, due to the nature and circumstances of the accident, a traffic accident investigation is to be conducted, it may be appropriate to obtain the following types of information / evidence.
 - 1) Photographs (of the final positions of the vehicles; damage to vehicles; and results of the accident on the roadway, such as tire marks, debris and damaged objects).
 - 2) Preliminary field examinations of specific vehicle components (for failures or damage).
 - 3) Preliminary matching of vehicle damage (to the damage of other vehicles and other objects, and to marks on the road).
 - 4) Skid tests.
 - 5) Observations of visibility and view obstructions.
 - 6) Trip plans of each driver or pedestrian involved.
 - 7) Events, maneuvers and anticipated actions just prior to collision.
 - 8) Accurate descriptions and measurements of all vehicle damage, marks on roadway, final positions of vehicles, and debris.
 - 9) Identification and preliminary statements from drivers and witnesses.
 - 10) Any other information related to the accident that may be necessary to insure the completeness of the investigation.
- b. Accidents that are not investigated but that do warrant reporting, require less information, typically including:
 - 1) Events, maneuvers and anticipated actions just prior to collision.
 - 2) Accurate descriptions of all vehicle damage, marks on road-way, final positions of vehicles and debris.
 - 3) Identification and preliminary statements from drivers and witnesses.
 - 4) Any other information related to the accident that may be necessary to insure the completeness of the report.
- c. All such information must be collected in a fashion that insures accuracy and admissibility. Further, the information must be obtained in a fashion that permits tabulation according to standard classifications, to

support planning and coordinated accident prevention programs both within the Office and in cooperation with other agencies / jurisdictions.

d. Major activities associated with the collection of information at traffic accident scenes typically include:

- 1) Interviewing witnesses and principals;
- 2) Examining / recording vehicle damage;
- 3) Examining / recording effects of accident on the roadway;
- 4) Taking measurements as appropriate;
- 5) Taking photographs as appropriate;
- 6) Collecting / preserving evidence; and
- 7) Exchanging information among principals.

e. Questioning Drivers and Witnesses

- 1) Deputies shall question drivers and witnesses separately and individually concerning the traffic accident. Tape recording devices, if available, may be used during questioning. Deputies will discourage drivers and witnesses from discussing the accident among themselves.
- 2) If the questioning is directed toward determining the driver's involvement as a violator, or if the driver is likely to make an incriminating statement, he/she will be advised of his/her constitutional rights as prescribed by the Miranda decision prior to questioning.
- 3) In minor traffic accidents, which are reported, the questioning of drivers and witnesses is usually conducted at the scene. In accidents of a serious nature requiring an investigation, a brief account will be obtained at the scene, and subsequently a formal and comprehensive statement should be taken at a more suitable location, preferably Office facilities. Deputies will question drivers and witnesses as soon as practical following the accident. However, the questioning may be delayed until the person has received medical attention, regained emotional stability, or attended to other urgent personal business.
- 4) When questioning drivers and witnesses, Deputies will be objective and exhibit emotional stability, diplomacy and understanding. They will reflect a professional attitude and demeanor and avoid conflict, profanity and sarcasm.
- 5) When questioning drivers, Deputies shall be alert to any physical or emotional impairment (temporary or permanent) which may have affected the person's driving ability. This will include, in particular, being alert to evidence of alcohol and/or drug impairment.
- 6) Deputies should question drivers relative to trip plan, emotional experience (i.e., aggravation with traffic during rush hour), point at which danger was first perceived, what driver was doing at that point, evasive action taken, and condition of vehicle prior to the accident.
- 7) Witnesses will be questioned, when available, as to their exact location when they witnessed the accident, what they were doing at the time, what called their attention to the accident and what they saw, heard or performed in response.

f. Examining Vehicle Condition

- 1) The tires shall be checked for proper inflation, tread, and any indication of blow out. Side walls will be checked for recent scrapes, cuts, or marks which indicate breaking or a sideward sliding action of the vehicle. Wheels will be checked for recent damage, marks, and dents.

- 2) The lights of the vehicle will be checked to determine if they were on or off during the accident, if they are functional, and the position of the switches.
- 3) The vehicle will be checked for proper visibility, including windshield and all windows, for evidence of any impairment to the driver. The glass will be checked immediately (short-lived evidence) for obscurity due to fogging. The glass will also be checked for old cracks, discoloration, and stickers which may have created view obstruction.
- 4) The interior of the vehicle will be checked for any loose materials that may have interfered with the driving ability of the driver.
- 5) Rear view mirrors will be checked for their presence and condition.
- 6) The frame and body will be checked for any indication of alterations in the frame, suspension and steering mechanism.
- 7) The mechanical controls will be checked and their condition noted relative to the position of the gear shift level, position of accessory switches, light switches, position of speedometer, proper operation of pedals, operation of horn, the presence and condition of seat belts and the presence and condition of sun visors.
- 8) Deputies who note faulty equipment that warrants a more thorough and in-depth examination will place an investigative hold on the vehicle as evidence and arrange for qualified personnel to examine the vehicle, particularly if defects are suspected in the braking and steering mechanisms of the vehicle.
- 9) A significant challenge to the investigating Deputy is to determine whether deficiencies noted in the vehicle existed prior to the accident, contributed to the accident, were a result of the accident, or merely a circumstance which was present but not a contributing factor.
- 10) Investigators will also check the damage obviously sustained in the collision of each vehicle. A thorough examination and evaluation of the damaged area may coincide with other evidence and statements as to how the accident occurred.

g. Examining Road and Weather Conditions

- 1) Deputies shall note all conditions of the road, during the investigation at the scene, for inclusion in the investigative report. In checking these conditions, Deputies will approach the scene from the same direction as each driver and from the same position in the roadway as the driver, if possible.
- 2) In examining the condition of the road, Deputies shall be alert for any foreign substance on the surface, (sand, loose gravel, oil, etc.). Note the condition of the surface, (dry, slippery, wet, etc.), note the markings for clarity or obscurity, note the grade and super elevation, width of each lane, alignment (offset, narrowing), and the condition of the edge (rough, drop-off, cracks).
- 3) Deputies will check the road for any obstructions which existed at the time of the collision, if possible. This includes parked vehicles, glare, background lighting, foliage, and structures (permanent and temporary).
- 4) Deputies shall check the control devices present, to include speed limit signs preceding the accident scene; present conditions, size, and conspicuousness of other control signs; and the proper functioning of traffic signal lights.
- 5) Deputies will record any unusual weather conditions existing at the time of the collision to include rain, fog, etc.

6) When it is necessary and appropriate to conduct skid tests, officers will exercise due caution in so doing.

h. Taking Photographs

- 1) Deputies taking photographs at accident scenes will be thoroughly familiar with the rules of evidence as they apply to photographic evidence and insure the photographs taken meet approved standards. (Note Chapter 35)
- 2) Deputies shall record the type of camera, "F" stop, shutter speed, film, film ASA rating, and the position from which the photograph was taken.
- 3) The location from which the photographs are taken will be marked for later inclusion in the traffic accident scene sketch.
- 4) Photographs will be taken of an overview of the accident scene with permanent fixed objects included to establish location.
- 5) Deputies will take photographs from all angles establishing a 360 degree photographic coverage of the accident scene.
- 6) When large distances are involved, sequence photographs should be taken.
- 7) Photographs will be taken of short-lived and temporary evidence (tire marks, skid mark shadow, spillage from the vehicle, etc.).
- 8) Photographs will include close-up shots of physical evidence including marks on the roadway, impact damage to vehicles, view obstructions, traffic control signs and signals (from the view point of the driver), and skid marks.
- 9) A strict chain of custody must be maintained over photographs, negatives, and Polaroid prints.

i. Sketches And Measurements

- 1) Sketches are useful in assisting the investigating Deputy and explaining the accident. They also enable the investigator to reveal facts, to locate again any given point at the scene, and to prepare subsequently an accurate scene drawing. When investigating accidents, Deputies should prepare such sketches as may be necessary and appropriate for these and other investigative purposes.
- 2) The sketch shall contain a legend including the case number, location, date and time of the accident, Deputy preparing the sketch and compass points.
- 3) Deputies shall begin the sketch by preparing a map containing the physical characteristics of the scene, pertinent contributing factors (view obstructions, control devices) and fixed points to be used as a base from which measurements will be taken.
- 4) The sketch shall contain the final position of the vehicles, position of persons not in the vehicle, damage to property other than the vehicles, debris and skid and scuff marks.
- 5) Measurements shall be taken, by the triangulation and/or coordinate system, for locating each item in the sketch.
- 6) When necessary and appropriate for a particular investigation, the information on the sketch will be used to prepare a diagram to approximate scale.
- 7) Deputies will use the template symbols in the accident diagrams they prepare.

8) The completed diagram shall include a legend stating the case number, location, date and time of the accident, name of the Deputy preparing the diagram, scale of the diagram and compass points.

9) All field notes and sketches shall be maintained by Deputies.

9. On-Scene Command

When more than one Deputy responds to the scene of a traffic accident, the first arriving Deputy shall be responsible for the scene and ensure all required tasks are completed.

10. Follow-up Accident Investigation

a. Development of follow-up information regarding serious injury or fatal traffic accidents is undertaken in support of possible criminal prosecution. These criminal investigations include but are not limited to Driving Under the influence of alcohol or drugs where an accident results in the death or serious injury of any person and Hit and Run accidents where there are serious or fatal injuries to any person. When warranted, follow-ups should include:

1) Collecting "Off Scene" data.

2) Obtaining / recording formal statements from witnesses.

3) Reconstructing accidents.

4) Preparing formal reports to support criminal charges arising from the accident.

b. Traffic accident reconstruction, in particular, is required only at the request of the State Attorney.

c. The Office will perform follow-up traffic accident investigation services in support of on-going or anticipated criminal prosecution, as necessary and appropriate. The office does not perform such service in support of civil litigation.

d. The Office recognizes that, from time to time, follow-up accident investigations may require special skills and technical assistance beyond that available from its own personnel. When necessary and appropriate, the Office will approve the use of outside expert and technical assistance.

e. Requests to initiate follow-up traffic accident investigation services will be forwarded through the chain of command to the Undersheriff and will specify the particular charge(s) for which criminal prosecution is anticipated.

f. After review of the request for a follow-up investigation, the Undersheriff will make a determination as to whether an investigation is warranted. If an investigation is warranted, the supervisor of the Traffic Enforcement Unit will be directed to conduct the follow-up investigation and report the findings within thirty (30) days.

g. The Supervisor of the Traffic Unit will conduct a follow-up traffic accident investigation in compliance with Chapter 20 of the Operations Manual and Florida State Law. The supervisor of the Traffic Enforcement Unit will make a written report to the Bureau of Operations Commander within 30 days stating the findings of the investigation and any recommendations that seem pertinent.

- h.** Requests for expert and technical assistance in follow-up investigations will specify the precise assistance to be rendered, including the names and qualifications of the personnel proposed to provide the assistance and adequate justification of the need for that assistance.
- i.** All such requests must have supervisory approval before the expert assistance is authorized and before follow-up investigation services commence.

11. Traffic Accidents Occurring on Private Property

- a.** No written report will be required for an accident occurring on private property that is not normally open to the general public, such as a private residence, provided that no injury has occurred and no person involved in the accident requests that a report be taken.
- b.** On private property, which is not normally open to the general public, such as a private residence and where no injuries have occurred and when the involved parties request a report, the Deputy will assist in exchanging relative information between the drivers and complete an accident report.
- c.** Accidents occurring on private property which is not normally open to the general public, such as a private residence, involving injury or excessive property damage will require a complete accident report.
- d.** Accidents occurring on private property normally open to the general public and meeting the state reporting requirements, shall be processed as if they had occurred on the public street, with all necessary forms completed.

12. Fire Hazards and Hazardous Materials at Accident Scenes

An important responsibility of Deputies responding to any accident scene is to keep the situation from becoming worse. This responsibility may take on added importance and complexity when an actual or potential fire hazard or hazardous materials is present at the scene. Under such circumstances, Deputies may be called upon to perform certain special activities, and to coordinate their activities with those of personnel from various other agencies. Priorities for action are likely to be affected by the extent and nature of the hazards present.

- a.** The Office will continue to be cognizant of the responsibilities, practices, and procedures of other agencies that respond to and/or provide technical assistance relating to fire hazards and hazardous material incidents. Deputies will be kept informed of these responsibilities, practices, and procedures to insure the best possible coordination and delivery of services at traffic accident scenes involving such hazards.
- b.** The Office has allocated a copy of the current issue of the U.S. Department of Transportation's Emergency Response Guidebook for hazardous material incidents to each Deputy. The Office will continue to provide adequate training in the use of the Guidebook to each Deputy. Deputies will participate in the training and will refer to and follow the Guidebook's recommendations for taking emergency and other actions appropriate to specific hazardous material incidents.
- c.** Deputies shall continue to be cognizant of the fact that any traffic accident involving a cargo vehicle potentially is a hazardous material incident, and will be cautious and observant for any evidence / indication of hazardous material before approaching cargo vehicles involved in accidents.

d. Handling Fire Hazards

- 1)** Should there be a potential for fire, Deputies will take appropriate action to stabilize the conditions by providing adequate protection to the scene, isolating the immediate area, removing persons from the vicinity of the hazard (if possible) suppressing the hazard (if possible) and summoning technical resources from the fire department, when necessary.

- 2) Deputies shall attempt to eliminate the possibility of sparks or other ignition from smoking, flares, electricity, or any other source, to the maximum extent possible.
- 3) If the fire is existing, Deputies will rescue persons in the vicinity of the fire, (if possible), extinguish the fire, (if possible) and summon fire fighting assistance, when necessary.
- 4) Depending upon the extent of the fire, Deputies will evacuate the surrounding area, and maintain isolation of the area until the fire is suppressed.
- 5) Deputies should carefully control the movement of vehicles within the vicinity of the fire or potential fire hazard, detouring traffic if necessary.

e. Handling Hazardous Materials

- 1) Upon arrival at the scene of a traffic accident involving a cargo vehicle, Deputies will attempt to make a preliminary identification of the cargo on the basis of placards visible from a safe distance.
- 2) When there is any question whether spilled material at an accident scene may be hazardous, Deputies will avoid contacting the material and keep other persons from contacting the material, to the maximum possible extent.
- 3) Deputies shall follow the procedures specified in the Emergency Response Guidebook to complete the identification of hazardous materials, take appropriate emergency action and notify relevant agencies.
- 4) The Sheriff's Office complies with Occupational Safety and Health Administration ("OSHA") articles concerning response by and exposure of its members to the presence of bio-hazardous materials.

13. Accident Investigation Equipment / Emergency Medical Supplies To Be Carried

a. Deputies who investigate traffic accidents shall ensure that, their assigned vehicles are equipped with the following accident investigation and emergency medical equipment:

- 1) Fire extinguisher
- 2) First aid kit
- 3) A minimum of (12) flares
- 4) A 100 foot long steel measuring tape
- 5) A traffic template and calculator
- 6) Traffic crayons
- 7) Traffic Accident Report Forms

b. Traffic Homicide Investigators shall ensure that their assigned vehicles are equipped with the following:

- 1) Roller tape
- 2) 25 foot retractable measuring tape
- 3) Tire gauges
- 4) Tire tread depth
- 5) Camera and film
- 6) Paint for marking roadway
- 7) String

- 8) Crime scene tape
- 9) A minimum of one (1) case of flares
- 10) Blood collection kit(s) / vacutainer(s)

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14. Property Belonging to Accident Victims

Traffic accidents frequently generate extreme emotional states on the part of the persons involved. In turn, extreme emotions may breed distractions and rash judgments or actions that can easily cause valuables and other personal property to become lost, stolen, or damaged. Deputies responding to accident scenes have a responsibility to help safeguard victims' personal belongings, consistent with the priorities of other duties. This responsibility is heightened when the victim is dead or incapacitated by injury.

- a. Deputies shall be alert to pilferage and theft problems which frequently occur at scenes where emotions are extreme, such as traffic accidents.
- b. When Deputies are required to handle victims' personal property (such as for identification purposes), this should be done, whenever possible, in the presence of witnesses. Such witnesses will be identified in the report of the accident.
- c. When Deputies are required to safeguard personal property outside the presence of the owner, the said property will be inventoried and documented on:
 - 1) Vehicle Acquisition form, if the vehicle is being towed and stored.
 - 2) Property Receipt form, if the property is being removed from the vehicle and is to be taken into evidence either for prosecution or safekeeping.
- d. When it is necessary to release a victim's property to another person or agency, members will properly receipt the transfer of the property.

15. Classification of Motor Vehicle Accidents

The Sheriff's Office shall classify motor vehicle or traffic accidents in compliance with the statewide accident classification system, as specified by the Florida Department of Highway Safety and Motor Vehicles, which as far as is practical, corresponds to The Manual on Classification of Motor Vehicle Traffic Accidents as published by the National Safety Council.

16. Enforcement Action for Violations Resulting in Traffic Accidents

- a. Deputies are expected to take positive enforcement action whenever their traffic accident or reporting activities produce probable cause to believe that a violation of law or ordinance has occurred.
- b. Deputies' specific enforcement actions arising from traffic accident investigation or reporting, (i.e., physical arrest, citation, written warning, etc.), will be consistent with the nature of the alleged violation and with all of this Office's written directives concerning traffic law enforcement.
- c. In taking any positive enforcement action, the Deputy must establish all elements of the violation. Elements that the Deputy has not personally witnessed must be established through investigation. The investigation may include, but not be limited to:
 - 1) Statements or admissions made, by the alleged violator to the member;
 - 2) Statement of witnesses;
 - 3) Accident scene measurement;

- 4) Physical evidence.

17. Accidents Involving Sheriff's Office Vehicles

a. Notification Requirements

- 1) The Sheriff through the Chain of Command and the Bureau of Administration's designee shall be kept informed of all accidents, members' injuries, and incidents involving Sheriff's Office members and vehicles. All fatalities, serious injuries, and extensive property damage incidents shall be reported without delay.
- 2) The Sheriff's Legal Advisor shall be promptly informed by the Bureau of Administration's designee of all accidents and/or incidents for which the Sheriff and/or the County might be held liable, with immediate notification of accidents / incidents involving fatalities, serious injuries, and/or extensive property damage.

b. Communication Section's Responsibilities

- 1) The communications section shall IMMEDIATELY be notified of all accidents / incidents involving Sheriff's Office vehicles.
- 2) The supervisor shall be dispatched to the accident scene to assist and to ensure that the proper execution of all policies and procedures of the Sheriff's Office are adhered to, and to prepare a report of the accident.
- 3) The responding supervisor shall assist any injured persons. When a Sheriff's Office member(s) is killed or seriously injured, the supervisor shall coordinate notification of the next-of-kin with the Division commander of the member involved.
- 4) The responding supervisor shall ensure custody and safe disposition of the Sheriff's vehicle and contents when a Sheriff's vehicle officer is incapacitated.

c. Accident Investigation Procedures

- 1) All accidents / incidents involving personal injury, death and/or property damage resulting from the operation of a Sheriff's Office vehicle shall be investigated by the Florida Highway Patrol, the City of Key Colony Beach Police Department and/or the Key West Police Department (within the City of Key West). The only exception to this would be criminal mischief incident(s).
- 2) If the Florida Highway Patrol and/or local agency can not and/or refuses to respond to the scene, then the on-duty supervisor will be responsible for completing the Florida Traffic Accident Form Report.
- 3) The supervisor will also need to complete the standard Offense / Incident Report, ensuring that all witnesses and the member operating the vehicle complete a handwritten supplemental statement pertaining to their knowledge of the events.
- 4) The Motor Vehicle Accident review Board has developed the following chart to assist field personnel in determining exactly what information must be obtained and submitted to the Board, based on the category of the incident.

Category 1	Category 2	Category 3	Category 4	Category 5
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Criminal Mischief less than \$100 Damage with No Arrest	Criminal Mischief with an Arrest or More than \$100 Damage	Auto Accident Without Injury	Auto Accident with Injury	Auto Accident with Death
Incident Report	Incident Report	Incident Report	Incident Report	Incident Report
Written Estimates (Unless repairs are not necessary)	Written Estimates	Written Estimates	Written Estimates	Written Estimates
---	Photographs	Photographs	Photographs	Photographs
---	---	Florida Traffic Crash Report by Other Agency	Florida Traffic Crash Report by Other Agency	Florida Traffic Crash Report by Other Agency
---	---	---	Notice of Injury	Notice of Injury
---	---	---	Supervisor Report of Accident	Supervisor Report of Accident
---	---	---	---	Homicide Investigation by Other Agency

- 5) For Categories 2, 3, 4, and 5, two or more photographs will be taken of the damaged area(s) on all damaged vehicles or property. At least one photograph will be taken of the general scene.
- 6) The supervisor will also need to ensure that the Sheriff's Office vehicle is removed from the scene and properly stored as necessary.
- 7) In accidents with serious injuries or death, a crime scene technician shall be summoned to take photographs.

d. Report Routing

- 1) A State of Florida Worker's Compensation Notice of Injury (NOI) shall be completed whenever a member of the Sheriff's Office is injured in the line-of-duty or during duty hours. In the event the injured member is incapacitated and/or unable to execute a sign the (NOI), it shall be the responsibility of the responding supervisor of the injured person to ensure that the (NOI) is completed and forwarded to the Risk Management Specialist no later than the next business day.

e. Liability Statements

- 1) Pursuant to established rules and regulations, Sheriff's Office members who become involved in accidents / incidents resulting in injury or property damage are not to make any statements concerning accident damages or injuries. Members should refer calls to the Risk Management Specialist.
- 2) Accident Investigation Reports and/or memorandums originated by members of the Sheriff's Office shall provide factual information only, avoiding any expressions of personal opinion.

D. Traffic Direction and Control

- 1. Traffic Direction and Control, in broad terms, include all functions, procedures, apparatus, markings, etc., designed to promote and insure the safe and efficient movement of vehicles and pedestrians. The requirement for traffic direction and control exists at many locations within the traffic network, at many times and under many different circumstances. At some locations, the need for traffic direction and control is essentially continuous; at others, the need exists only at separate and predictable times. Examples of such times include scheduled special events, rush hours, school opening and closing times. At still other locations, the need for traffic direction and control services will arise unpredictably in response to special circumstances. Examples of this type would include the need to provide for traffic direction and control in the vicinity of traffic accidents, fires, and traffic hazards caused by adverse weather conditions. This Office has an important role

to play in carrying out traffic direction and control. However, neither this Office nor any law enforcement agency is solely responsible for the traffic direction and control function. Such responsibility is shared with traffic engineering and other government officials. This Office will carry out its responsibilities for traffic direction and control in concert with other authorities, by providing and managing appropriate personnel and other resources, in numbers and kinds adequate to deal with reasonable expectations concerning the need for traffic direction and control services.

- a. The Office will maintain a close working relationship with traffic engineering authorities and other cognizant officials to plan and implement traffic direction and control services for the community.
- b. Because any Deputy of this Office may be called upon to carry out traffic direction and control functions in response to unanticipated needs, the Office will provide training in the basic skills and knowledge required for those functions.
- c. In conjunction with traffic engineering authorities and other cognizant officials, the Office will carry out periodic analyses of traffic direction and control needs of the community, to identify and anticipate to the extent possible the number and kinds of resources required.
- d. In allocating resources to provide for identified traffic direction control and needs, the Office will strive to maximize the cost effectiveness of the choices made. Specifically, unmanned traffic control devices; signals and other apparatus will be used wherever they are capable of satisfying the identified service requirement. Non-sworn personnel will be assigned to carry out those traffic control functions judged to require human intervention to ensure safety and efficiency, but where a need for enforcement authority is not anticipated. Sworn personnel will be assigned to carry out identified traffic direction and control functions only at those times and places where law enforcement authority is deemed necessary.
 - 1) The Office will conduct a survey, at least annually, in cooperation with the traffic engineering authorities, to identify locations and times where point control is needed to ensure the safe and efficient movement of vehicles and pedestrians. Additional special surveys will be conducted, as needed, when traffic accident or enforcement data suggest unsafe conditions exist at certain locations, or when there are significant changes to the traffic network (such as, roadway construction.
 - 2) The Office will conduct a survey, at least annually, to identify locations and time where parking control is needed to ensure the safe and efficient movement of vehicles. The specific requirements associated with each such location and time will be analyzed on the basis of well-established principles of parking control and the member's own experience, to determine the most appropriate strategy / method of parking control. Examples include: no parking zone, restricted parking zone, peak-hour tow-away zone, overtime parking enforcement, etc. Additional special surveys will be conducted, as needed, when traffic accident or enforcement data or other information suggest that parking control problems exist at certain locations and times.
 - 3) The Office will conduct a survey at least annually, in cooperation with traffic engineering and school authorities, to identify locations requiring adult school crossing supervision. The survey data will form the basis, in part, for establishing school route plans and crossing points. Analysis of the survey data to identify school crossing guard points will include, but not necessarily limited to the following factors: traffic volume and speed; number of turning movements; width of intersection; physical terrain; presence and types of traffic control devices; applicable statutes and ordinances; the number and ages of children using the crossing; any special circumstances (i.e., handicapped school children); and any other pertinent factors. Additional special surveys will be conducted, as needed, when traffic accident or enforcement data or other information suggest unsafe conditions may exist at certain school locations, or when changes in school demographics indicate changes in route or crossing point.

- 4) Times and locations identified as requiring point traffic control will be analyzed to determine whether manual direction of traffic is necessary. Factors to be considered in this analysis will include but not necessarily be limited to: traffic volume and speed; number of pedestrians present; duration of congestion period; presence and types of traffic control devices; special circumstances of the location (i.e., handicapped, pedestrians); and other pertinent factors. The decision to assign personnel to carry out traffic direction and control will be made only if the analysis indicates that unmanned signals / devices cannot adequately ensure the safe and efficient movement of traffic.
- 5) The Office will work with school authorities to assist in organizing, instructing, and supervising student safety patrols. Student safety patrol activities are intended to complement the adult school crossing guard program. Student safety patrols will not be authorized to direct or control vehicular traffic in any way.

2. Manual Traffic Direction and Control

- a. The major objective of the person carrying out manual traffic direction and control is to maintain and/or restore the safe and efficient movement of vehicular and pedestrian traffic. In so doing, the member is responsible for:
 - 1) Regulating traffic flow;
 - 2) Controlling traffic movements;
 - 3) Coordinating vehicle movements with flow at adjunct inter-sections;
 - 4) Detouring traffic, as necessary;
 - 5) Controlling pedestrian movement;
 - 6) Arranging for removal of traffic obstructions; and
 - 7) Rendering aid and assistance to motorists and pedestrians.
- b. Members will at all times give due consideration to their own safety while carrying out manual traffic direction and control.
- c. Members will use uniform procedures (signals, gestures, etc.) to enhance driver and pedestrian recognition and response to their direction.
- d. High Visibility Clothing
 - 1) The Office provides high visibility outerwear to personnel assigned to perform scheduled manual traffic direction and control functions. Members will wear such high visibility outer wear, in addition to the full prescribed uniform, when- ever conducting scheduled manual traffic direction and control.
 - 2) Members conducting unscheduled manual traffic direction and control in response to unforeseen contingencies will wear high visibility outerwear before initiating manual traffic direction and control.
- e. Assuming and Maintaining a Traffic Direction and Control Position - Members carrying out manual traffic section and control will insure that their presence and purpose are well demonstrated to drivers and pedestrians, by:
 - 1) Positioning themselves so that they can clearly be seen by all, usually in the center of the intersection or street.
 - 2) Standing straight with weight equally distributed on both feet.
 - 3) Allowing hands and arms to hang easily at the sides except when gesturing.

4) Standing facing or with back to stopped traffic and with the side toward traffic being directed to move.

f. Signals and Commands

1) **Stop** - To stop traffic the member should first extend his arm and index finger toward and look directly at the person to be stopped until that person is aware or it can be reasonably assumed that he is aware of the member's gestures. Second, the pointing hand is raised at the wrist so that its palm is toward the person to be stopped, and the palm is held in this position until the person is observed to stop. To stop traffic from both directions on a two-way street the procedure is then repeated for traffic coming from the other direction while continuing to maintain the raised arm and palm toward the traffic previously stopped.

2) **Start** - To start traffic the member should first stand with shoulder and side toward the traffic to be started, extend his arm and index finger toward and look directly at the person to be started until that person is aware so it can be reasonably assumed that he is aware of the member's gesture. Second, with palm up, the pointing arm is swung from the elbow, only through a vertical semi-circle until the hand is adjacent to the chin. If necessary, this gesture is repeated until traffic begins to move. To start traffic from both directions on a two way street, the procedure is then repeated for traffic coming from the other direction.

3) **Right Turns** - Right turning drivers usually effect their turns without the necessity of being directed by the member. When directing a right turn becomes necessary, the member should proceed as follows:

a) If the driver is approaching from the member's right side his extended right arm, index finger and gaze are first directed toward the driver, followed by swinging the extended arm and index finger in the direction of the driver's intended turn.

b) If the driver is approaching from the member's left side, either the same procedure may be followed utilizing the left arm extended or the extended left forearm may be raised to a vertical position from the elbow while closing the fingers so that the remaining extended thumb points in the direction of the driver's intended turn.

4) **Left Turns** - Left turning drivers should not be directed to effect their movement while the member is also directing oncoming traffic to proceed. Therefore, the member should either direct opposing turning drivers, which will lead them to complete their turn only when there is a gap in the oncoming traffic, or to stop or hold oncoming drivers, after which the left turning driver can be directed into his turn. The member's right side and arm should be toward the oncoming traffic, and the left side and arm should be toward the left turning driver. After stopping oncoming traffic by using the right arm and hand, the right hand should remain in the halt gesture, then the extended left arm, index finger, and member's gaze is directed toward the driver who intends to effect a left turn. When the left turning driver's attention has been gained, the extended left arm and index finger are swung to point in the direction the driver intends to go.

5) **Intersections** - Traffic should be directed into an intern section by distinctly pointing to the spot where the member is desiring the driver to go.

g. Signaling Aids

1) Whistle - The whistle is used to get the attention of drivers and pedestrians. It is used as follows:

a) ONE (1) long blast with a STOP signal.

b) TWO (2) short blasts with the GO signal.

- c) Several short blasts to get the attention of a driver or pedestrian who does not respond to a given signal.
 - 2) The whistle should be used judiciously. It should not be used to indicate frustration, but the volume should be just that sufficient to be heard by those whose attention is required. Therefore, whistle blasts directed at pedestrians should be moderate in volume. The whistle should be used only to indicate stop, go, or to gain attention and when its purpose has been achieved the member should cease sounding the whistle. If the whistle is utilized continuously, it ceases to hold meaning for drivers and pedestrians.
 - 3) Voice - The voice is seldom used in directing traffic. Arm gestures and the whistle are usually sufficient. There are numerous reasons why verbal commands are not used. Verbal orders are not easy to give or understand and often lead to misinterpretations, which are dangerous. An order which is shouted can antagonize the motorist.
 - 4) Occasionally, a driver or pedestrian will not understand the member's directions. When this happens, the member should move reasonably close to the person and politely and briefly explain his/her directions. No member shall exhibit loss of temper by shouting or otherwise indicate antagonism toward those who do not understand or who do not wish to obey the member's directions.
 - 5) Flashlight - A flashlight can be used to halt traffic. To stop traffic, slowly swing the beam of the light across the path of oncoming traffic. The beam from the flashlight strikes the pavement as an elongated spot of light. After the driver has stopped, arm signals may be given in the usual manner, the vehicle's headlights providing illumination.
3. Use of Temporary Traffic Control Devices - Temporary traffic control devices include movable barriers, portable signs, and other apparatus intended for temporary deployment to assist the safe and efficient movement and control of vehicular and pedestrian traffic.
- a. Temporary Traffic Control Devices may be deployed in support of traffic direction and control activities only with specific prior approval of supervisory or command personnel.
 - b. As soon as practical following termination of the need for the temporary traffic control device, the supervisor or commander authorizing deployment of the device will see to its removal / deactivation.
 - c. Portable or part-time stop signs should not be used as temporary traffic control devices, except in an emergency.
4. Special Events - "Special events" are those at which a large volume of vehicular and/or pedestrian traffic is anticipated and hostile crowds are not anticipated. Special events may include parades, sporting events, highway construction and/or maintenance activities, picketing, etc.
- a. This Office will provide that degree of traffic direction and control service in support of special events as is absolutely necessary.
 - b. The primary task of Office personnel conducting traffic direction and control in support of a special event is to assist motorists and/or pedestrians in the vicinity of the event.
 - c. Procedure to follow:
 - 1) Upon learning of the special event, the Traffic Unit Supervisor will be assigned to participate in planning for the event.

- 2) The time, location, and anticipated attendance shall be determined.
- 3) If the event is a parade, the route will be determined and coordinated with other public service and transportation agencies, including mail and public works, to provide an opportunity in adjusting the normal schedules for their services.
- 4) The perimeter streets of the special event shall be used to maximum advantage by eliminating or increasing parking space, making temporary one-way streets, and assigning Deputies to key intersections for control.
- 5) Adequate emergency service access will be provided to the scene of the event, including fire and ambulance services.
- 6) The Office will provide for adequate crowd control. If the event is a parade, ropes or other appropriate barriers may be used along the parade route with Deputies stationed at intervals as needed.
- 7) The Office will insure adequate publicity for any changes or alterations in street utilization, parking availability, public transportation services, and the location of the event or parade route.
- 8) Provisions will be made for identifying those persons working directly with the event to assist them in crossing law enforcement lines. This includes promoters of the event, vendors, and press personnel.
- 9) Consistent with the scheduled or anticipation of the duration of the need for traffic direction and control services, provision will be made for scheduling adequate breaks for the Office personnel providing those services.
- 10) If traffic direction and control services are to be provided in support of the event by private sources, the Office will review those services and their duty assignment prior to the event to insure their adequacy.

5. Fire Scenes

- a. This Office will maintain a close working relationship with the fire departments and emergency services organizations serving the community and will work with them in developing and implementing plans and procedures for providing traffic direction and control support to fire ground operations.
- b. The fundamental task of this Office's personnel engaged in traffic direction and control services at fire scenes will be to maintain access to and egress from the scene by fire and other emergency vehicles. The Office will also ensure that traffic control protects emergency equipment, i.e. fire hoses, and does not hinder the emergency response efforts.
- c. The Office will work with the community's fire departments and other emergency services agencies to develop specific protocols to ensure that private and other non-essential vehicles used by their personnel to reach the scene do not block access to or egress from the scene by fire and other emergency vehicles.
- d. The Commanders of Division I, II and III will meet with the fire departments and other emergency service organizations at least once a month in their respective Sectors to carry out the intent of this procedure.

6. Adverse Road and Weather Conditions

- a. Adverse Road and Weather Conditions may include, but are not necessarily limited to:
 - 1) Accidental hazards, such as debris that has fallen onto the roadway from another vehicle, downed power lines, etc.

2) Acts of nature, such as fog, water on the road, etc.

3) Engineering hazards, such as exposed guardrail end or other object that might cause unnecessary additional damage or injury should a vehicle for any reason, impact with such object upon leaving the road.

b. The Commanders of Division I, II and III will closely work with those other agencies that share responsibility for coping with adverse road and weather conditions affecting traffic safety, and will assist in developing and carrying out mutual assistance policies, procedures, and programs to serve the public as effectively as possible.

c. Upon discovering an adverse road or weather condition, office personnel shall cause the appropriate agencies and persons to be notified for the purpose of correcting the condition.

d. Office personnel will provide traffic direction and control services and scene protection services in the vicinity of adverse road and weather conditions, as appropriate.

7. Roadblocks

a. The extreme danger inherent in the use of roadblocks mandates that they should be used only after lesser means of traffic control have either failed or have been determined to be ineffective or impractical. No fixed or moving roadblock shall be established by a Deputy unless and until such action has been approved by a supervisor.

b. When evaluating the necessity for a roadblock, the supervisor should consider the type of roadblock to be used, the nature of the act or circumstances which the roadblock intended to thwart and if alternate actions are available. Circumstances where roadblocks may be used include, but are not limited to, the apprehension of a fleeing felon, containment or isolation of crime scenes, riots, civil disorders, and prevention of entry or exit from restricted zones. A roadblock may also be used to limit or stop traffic flow during an emergency situation or adverse conditions. A roadblock may not be used to enforce minor traffic violations.

c. Criteria for establishing a roadblock shall require that hazards or risks to the general public would be greater in the absence of a roadblock.

d. When a roadblock is determined to be necessary, the following procedure shall be followed:

1) Obtain approval from the supervisor prior to establishing a roadblock (A supervisor should be present at the roadblock scene.)

2) Assemble the personnel and equipment necessary to establish the roadblock.

3) Brief all personnel assigned to the roadblock with the purpose of the roadblock, limitations imposed, and specific duties to be performed.

4) Establish the roadblock - The roadblock should provide an escape route for law enforcement officers and the public.

5) Advise the supervisor and Communications of the time the roadblock was initiated. Communications should also be advised of the location of the roadblock and which units are involved.

6) The supervisor shall continuously monitor the roadblock to insure that it is fulfilling its function, meeting criteria and is not presenting unnecessary safety risks.

7) The roadblock shall be immediately discontinued upon accomplishing its goal or when the risks involved outweigh public safety.

8) Advise the supervisor and Communications of the time the roadblock was discontinued.

8. Escort Services

a. Emergency Escorts (Refer to Chapter 32)

1) A Deputy confronting a vehicle containing sick or injured persons should offer to summon emergency medical assistance and should render first aid pending their arrival.

2) If the injured person can be moved to the police vehicle without further injury, the injured person may be transported in the patrol vehicle under extreme circumstances.

3) Members shall not escort civilian vehicles carrying injured or ill persons.

b. Escorts Of Dignitaries or Public Officials

Escorts will be provided for parades when a permit has been issued for said parade and/or when the parade may be considered a danger to the participants or to the general public.

Escort service will be provided to the Secret Service or F.B.I. when assistance is requested to ensure the safety of a dignitary.

c. Funeral Escorts

Funeral escorts must be requested by a representative of the firm or organization requesting the escort. Deputies escorting a funeral procession shall adhere to all statutory requirements as provided in Florida Statute 316.1974.

d. Oversize Vehicles

Escorts will be provided for wide or extended loads upon requests and approval of a supervisor. Consideration should be given to the time of day (traffic flow) and route to be taken. Escorts of houses will be coordinated through the Traffic Unit and Division Commander and must display the proper permit as required by law.

e. Money

The decision to escort a person or vehicle transporting monies will require supervisory approval or an individual need basis.

f. Hazardous or Unusual Cargo

Escorts for hazardous or unusual cargo's will be provided with the approval of the Division Commander.

9. Traffic Control at Accidents

a. Failure to control traffic and crowds at accident scenes can have serious consequences:

1) Additional accidents may occur at the scene or some distance away due to congestion and confusion.

- 2) Valuable evidence may be destroyed by traffic, thus making reconstruction of the accident more difficult or impossible.
- 3) Bystanders may destroy physical evidence, loot from damaged vehicles, or complicate the injuries of victims by well-meaning but ineffective rescue and first-aid attempt.

b. Procedure

- 1) Except for extreme emergencies where the number of law enforcement officers is too few to control the situation, citizen assistance should be discouraged.
 - a) When it becomes necessary to enlist the aid of "civilians," the member shall give such persons specific instructions that will not be misinterpreted. For example, if a citizen is requested to place flares along the highway, the member shall be very specific in describing the space between the flares and the pattern for placement. The member shall instruct the citizen how to light a flare.)
 - b) If possible, the names and addresses of those who assist in controlling the accident scene shall be taken in order that letters of appreciation can be sent.
- 2) Care shall be taken to keep pedestrian and vehicular traffic away from debris that denotes the points of collision, tire prints, skid marks, run off from radiators, blood stains, and broken accessories.

3) Road flares shall be used at an accident scene accordingly:

a) Lead Flare (MPH)

Distance From Scene	LEVEL ROAD		HILL
	Normal	Rain	
20	60 yards	120 yards	240 yards
30	90 yards	180 yards	360 yards
40	20 yards	240 yards	480 yards
50	200 yards	400 yards	800 yards
55	250 yards	500 yards	1000 yards

- b) A minimum of three flares shall be placed at the side of the road on the leading approach end of the accident.
- c) Other flares should be placed at intervals of approximately twenty-five (25) feet.
- d) Prior to lighting a flare the member shall inspect the area for flammable liquids.
- e) Should flammable liquids be found, flares shall not be placed closer than 1,500 feet from the area.
- f) When materials having low flash points, such as liquified gas, are involved in a spill, flares shall not be used.

4) Preventing Theft and Vandalism

- a) Personal belongings of those injured shall be gathered and either given to relatives or held in Property for appropriate disposition. If held in Property, the appropriate paperwork shall be completed.

b) If necessary, personal property can be protected at the accident scene by placing it in the patrol vehicle, preferably the trunk.

c) Bystanders shall be kept away from the vehicles.

E. Traffic Engineering

1. Close coordination and cooperation by this Office, traffic engineering authorities and the highway department is essential to the maintenance and improvement of a safe and efficient traffic system in Monroe County.

a. Although traffic engineering is not solely, or even directly a law enforcement function, law enforcement has a unique opportunity and responsibility to contribute to traffic engineering. The compilation and analysis of traffic law enforcement and traffic accident management data, as well as information obtained in providing basic traffic services to the public, provides an excellent base for identifying traffic engineering problems.

b. Elimination of traffic engineering problems also is very much in the best interest of law enforcement, and of Monroe County at large; for with improvements in traffic engineering comes reduction in traffic accidents, and often reduction in traffic law violations.

c. The Office fully recognizes its unique opportunity and responsibility to contribute to improving traffic engineering in Monroe County. To this end, the Office will continue to work in concert with other authorities to devote adequate personnel and other resources to:

1) Collect and compile traffic-related data relevant to identifying specific engineering problems and solutions;

2) Conduct special traffic surveys and studies, as appropriate, to investigate potential problems further;

3) Analyze accident and enforcement data to discern trends and relationships symptomatic of engineering problems;

4) Prepare special reports, and make recommendations concerning efficient use of traffic control devices, new or revised laws or ordinances, or other engineering solutions / improvements.

5) Participate actively in Monroe County's transportation system management planning.

d. The Office will employ the Federal Highway Administration's document entitled Manual On Uniform Control Devices For Streets And Highways as a guide for its activities relating to traffic engineering.

2. Compilation, Analysis, and Transmittal of Traffic Engineering Related Information

a. The Office will record, investigate and follow-up on all citizen's notifications of actual or potential traffic engineering problems and possible improvements.

1) Office personnel who have received basic traffic engineering familiarization training will be assigned such complaints. Members responding to such calls shall:

a) Verify the caller's information concerning the actual or potential condition being reported;

b) Evaluate the caller's suggestions for possible improvement;

c) To the extent possible, with respect to utility and feasibility, initiate appropriate remedial action;

d) If necessary, refer the complainant's information to the appropriate authority; and

e) Notify the complainant of the action taken.

2) The Office will collect and analyze engineering-relevant data as part of its regular studies of traffic accident locations. Accident-collision diagrams and condition diagrams will be prepared and maintained to provide a base for traffic engineering decisions or recommendations. When evidence of deficiencies is found, the Office will undertake or recommend to other cognizant authorities, sight distance and other appropriate engineering studies of the affected locations.

3) The Office will collect and analyze engineering-relevant data as part of its regular studies of traffic enforcement patterns. These studies specifically will examine the potential contribution of engineering deficiencies at locations exhibiting high incidence of particular types of violations. The studies also will examine the potential pay-off in traffic law compliance that might accrue from specific engineering modifications at the affected locations.

4) The Office will periodically transmit summaries of its accident and enforcement data to relevant traffic engineering authorities. The summaries shall highlight potential engineering problems emerging from the accident and violation records, as well as evidence of the impact of engineering modification implemented in response to previously identified problems.

3. Traffic Engineering Training for Office Personnel

a. The Office will maintain a basic training program in the fundamental principles and techniques of traffic engineering. The training program shall present current traffic survey methods and techniques, traffic control measures, traffic planning, and data analysis. The program shall address those issues in sufficient breadth and depth to provide a basic understanding of the subject area for those personnel assigned to carry out law enforcement functions relating to traffic engineering.

b. All members assigned to carry out law enforcement functions relating to traffic engineering shall have successfully completed the prescribed training program.

F. Traffic Ancillary Services

It shall be the responsibility of Sheriff's personnel to provide appropriate assistance to highway users when such assistance is required or requested.

1. Directions - Deputies shall provide directional assistance to highway users upon request. Deputies shall have sufficient maps or street indexes available to effectively carry out this function. Should requests for directions be of such nature that field resource material are insufficient, Deputies should request assistance from Communications.

2. Assistance in Obtaining Fuel - Assistance may be rendered to highway users by conveying them to a facility where fuel may be obtained or by contacting Communications to have fuel dispatched to them by a fuel facility.

3. Contacting Other Parties - Deputies shall render reasonable assistance in helping stranded motorists contact family, friends, or other concerned persons. Requests for assistance may be relayed through Communications.

4. Deputies shall provide reasonable assistance to highway users in obtaining technical assistance such as emergency medical assistance, fire fighting services, towing and/or repair service.

5. Deputies shall not render or be dispatched to render technical services such as jump-starting a highway user's vehicle or unlocking a vehicle unless a bona fide state of emergency exists (i.e., person, child, or pet locked

inside a vehicle). Citizens who have lost or locked their keys inside a vehicle shall be placed in contact with locksmith services.

6. Wrecker Service

a. Whenever a highway user requires a wrecker, roadside service, or repair, the Deputy shall first request that the person desiring such service state the name of the organization he/she wishes to provide that service.

1) Should the individual state no preference, the Deputy shall request Communications dispatch the appropriate type of service which is first on the rotation list.

b. Deputies who call for any such services on their own authority shall not request any organization which is not on the rotation list, nor direct that a specific establishment be called out of order unless he knows that the particular service required is only available through the organization which he/she specifies.

c. The citizen requesting service is the one who ultimately pays for these services, and poor quality services can not be tolerated. Deputies shall report to their supervisor the name of any service agency or individual who either renders poor service or is incapable of providing quality service because of inadequate equipment or personnel.

d. The Division Commander of each Sector shall be responsible for developing and implementing a rotary system for obtaining needed services in each Sector respectively.

e. The Division Commanders shall be responsible for conducting an annual review of the rotary system to ensure that it is functioning properly.

7. Highway User Safety - Sheriff's personnel shall insure the safety of stranded motorists and their vehicles prior to leaving the scene. Consideration should be given to time of day, location and traffic conditions. Should required help or assistance be unavailable in a timely fashion, the Deputy shall transport the individual(s) to a place of safety, preferably the Sector Station. Communications shall be advised of any transports of this nature. Deputies may, at their discretion, transport stranded motorists to the nearest convenient location where assistance may be obtained. Deputies will take all reasonable steps to ensure the safety of occupants of disabled vehicles. Deputies may, at their discretion, assist stranded motorist with minor repairs, such as changing tires; however, deputies will not become involved with lengthy or technical repairs.

8. Sheriff's personnel trained and certified in first aid shall render first aid when required during emergencies. As soon as practical, the responsibility for first aid shall be relinquished, if practical, to emergency medical personnel. On any vehicle fires, the Deputy shall use the fire extinguisher provided in the patrol vehicle. The fire department shall be notified to ensure safety of the vehicle.

9. Hazardous Highway Conditions - It shall be the responsibility of Deputies to recognize real and potentially dangerous / hazardous highway conditions and take immediate and appropriate actions to correct them.

a. Roadway and roadside hazards shall be reported immediately to Communications for proper information routing and corrective action.

1) Debris in roadway

2) Defects in roadway

3) Defects in highway safety features (i.e., traffic control devices, impact devices, roadway reflectors, etc.)

4) Visual obstructions

5) Roadway obstructions

b. If the officer cannot correct the hazard, they will request Communications contact Florida Department of Transportation or Monroe County Public Works requesting their assistance to correct the problem.

c. Recognition, control, and removal of hazardous materials from roadway and roadside - Deputies who become involved with hazardous materials on the roadway shall be able to:

- 1) Recognize real or potentially dangerous situations involving material and chemical roadway or roadside spills.
- 2) Ascertain the type and amount of material involved and its possible effects
- 3) Notify the appropriate supervisor about the hazardous spill and request additional units or assistance necessary to effect control of the area.
 - a) Evacuate the incident scene as necessary.
 - b) Avoid contact with or, inhalation of gases, fumes, and smoke.
- 4) Deputies shall follow the procedures specified in the Emergency Response Guidebook to complete the identification of hazardous material, take appropriate emergency action and notify relevant agencies.

10. Abandoned, Impounded, and Other Towed Vehicles Section 316.194(3)(b) FS - When involved in an incident that involves the authorized towing of a vehicle, the Deputy shall complete a Motor Vehicle Acquisition form. Specific attention shall be paid to the vehicle condition and noting any damage or missing items. An inventory search of every vehicle will be done by the impounding Deputy. The search shall include the trunk, glove compartment and any other luggage or locked / closed containers. The inventory shall be completed at the earliest convenience and when possible before the vehicle is removed by the towing agency. When the Deputy cannot complete the inventory prior to removal, the vehicle shall be secured and sealed by the Deputy to insure the integrity of the contents until the inventory is completed. Results of the inventory search shall be documented in the incident report and shall include any force used to open any locked area of the vehicle. Property removed from the vehicle will be listed on a property receipt and its number noted on the Motor Vehicle Acquisition form and the incident report.

a. Authority to remove abandoned vehicles / property from a roadway - Deputies are authorized by Florida law to remove vehicles and/or items of personal property from public property for the following reasons:

- 1) When any abandoned vehicle upon a bridge, causeway, viaduct, or roadway, constitutes a hazard or an obstruction to traffic.
- 2) When any vehicle, equipment, or property is abandoned, parked, or stored on the public right-of-way for a period exceeding forty-eight (48) hours, in other than designated parking areas, and within thirty (30) feet of the roadway or pavement edge. Care must be exercised to insure that vehicles are on a public right-of-way and not on private property.
- 3) When any vehicle, equipment, or property is abandoned, parked, or stored on the public right of way for a period exceeding ten days, in other than designated parking areas and more than thirty (30) feet from the roadway and pavement edge. Care shall be taken to insure that such vehicles are entirely on a public right-of-way and not on private property.

(revised on 11-15-01)

b. Authority to tow and impound vehicles / property - Deputies are authorized by Florida law to tow and impound vehicles and/or equipment and property when necessary to provide for the safety and/or security of such vehicles and/or equipment and property as follows:

- 1) When any vehicle upon the street or roadway is so disabled as to constitute an obstruction to traffic, or when the nature of damage or need for security requires removal of such vehicle from a right-of-way, and

the person in charge of the vehicle is incapacitated by reason of physical injury or unable to provide for the custody and removal of the vehicle.

- 2) When removal is necessary in the interest of public safety because of flood, fire, storm, or other emergency reasons.
 - 3) When the vehicle and/or property has been stolen or used in the commission of a crime, even though no one was arrested in the immediate vicinity.
 - 4) When a vehicle is found being operated upon public roads of the county in such condition as to create an immediate threat to the safety of other motorists or pedestrians contrary to Florida law.
 - 5) When a vehicle is used in the commission of a felony and seized in accordance with the Florida Contraband Forfeiture Act. Section 893.12(3) Florida Statute, Section 932.703(l) Florida Statute.
 - 6) When the driver of a vehicle is taken into custody and reasonable efforts have been made to provide the vehicle driver with alternatives to impound. The vehicle would otherwise be left unattended upon a public roadway, public parking lot, shopping center, etc., on the private property of a person other than the owner / operator of the vehicle.
- c. Removal of traffic hazards or obstructions - Vehicles which are unattended and left upon a highway or public roadway in a manner that obstructs traffic or creates a hazard may be towed and impounded after reasonable effort has been made to contact the vehicle owner and have the vehicle owner effect immediate removal.
- 1) When the vehicle owner or the person responsible for the vehicle cannot be located in the immediate vicinity or otherwise be contacted for disposition, or if the person responsible for the vehicle cannot effect immediate removal after being contacted, the vehicle may be towed to an impound lot by the next wrecker on rotation.
 - 2) A Motor Vehicle Acquisition Receipt and an offense report shall be completed by the impounding Deputy. One copy of the inventory receipt shall be given to the tow truck operator.
 - 3) The Deputy impounding a vehicle shall be responsible for: notifying the vehicle owner when a vehicle is impounded. Vehicle owners shall be advised to proceed to the nearest Sector Station to obtain a Vehicle Release Authorization.
 - a) In the event the impounding Deputy is unable to contact the owner of an impounded vehicle after a reasonable attempt has been made, "OWNER NOT CONTACTED" shall be noted in capital letters in the remarks section of the Motor Vehicle Acquisition Receipt with an explanation. The impounding Deputy shall continue to attempt to contact the vehicle owner.
 - b) When notification has been made by the impounding Deputy, the name of the person contacted, along with the date and time of the notification shall be entered in the remarks section of the Motor Vehicle Acquisition Receipt.
- d. Emergency towing and impounding of vehicles - Emergency towing of vehicles during fires, floods, civil disturbances, or disasters shall be governed by the same guidelines used for traffic hazards or obstructions.
- e. Removal of attended vehicles - Attended vehicles, which are inoperable and which are obstructing a highway or roadway, or otherwise creating a traffic hazard, shall be removed by the owner or person responsible for such vehicles. If the owner or person responsible for the vehicle is unable or unwilling to remove the hazard or obstruction within or reasonable time, the vehicle may be impounded.

- 1) The vehicle owner or person responsible for the vehicle may remove the vehicle from the roadway and temporarily park the vehicle upon a public right-of-way when land adjacent to the roadway is public property. The vehicle owner shall then retain full responsibility for timely removal and for security of the parked vehicle.
- 2) The vehicle owner may request that a service or tow truck be called and such request will be complied with by the Sheriff's Office when response and abatement of the obstruction or hazard can be made within a reasonable time. If a specific wrecker service is not designated by the vehicle owner / operator, the next wrecker on rotation shall be called, advising that the call is at the owner's request.
- 3) The vehicle owner or operator should be advised that operators of service trucks or tow trucks generally require an immediate cash payment for their services, unless service is authorized by an automobile club with which the service or tow truck is affiliated or the vehicle is to be towed to the premises of the service or towing company, where it can be held under mechanics lien until payment is made.
- 4) When vehicles are repaired or towed at the owner's request, the Motor Vehicle Acquisition Receipt shall not be filled out.

f. Removal of Abandoned Vehicles

1) Abandoned on Private Property

- a) Vehicles which are abandoned on private property, including shopping centers, shall not be impounded by the Sheriff's Office unless ordered by a Court of competent jurisdiction.
- b) A registration check shall be made to determine the identity of the vehicle owner and if the vehicle has been stolen or used in the commission of a crime.
- c) Removal of vehicles from private property shall be the responsibility of the property owner. When requested, the Sheriff's Office shall assist property owners by providing the name and address of the vehicle owner, when such information is available.
- d) Unless a Court Order exists, or other extenuating circumstance (as outlined in I., 2., a.-f.) Deputies shall not cause to be removed a vehicle parked on private property. Rather Deputies shall advise the complainant of the provisions and give a copy of Section 715.07 Florida Statute which states, in brief:

(1) As used in this section, the term "vehicle" means any mobile item which normally uses wheels, whether motorized or not.

(2) The owner or lessor of real property, or any person authorized by the owner or lessor, which person may be the designated representative of the condominium association if the real property is a condominium, may cause any vehicle parked on such property without his permission to be removed by a person regularly engaged in the business of towing vehicles, without liability for the costs of removal, transportation, or storage or damages caused by such removal, transportation, or storage, under the following circumstances:

(a) The towing or removal of any vehicle from private property without the consent of the registered owner or other legally authorized person in control of that vehicle is subject to strict compliance with the following conditions and restrictions:

1.a. Any towed or removed vehicle must be stored at a site within fifteen (15) miles of the point of removal. That site must be open for the purpose of redemption of vehicles on any day that the

person or firm towing such vehicle is open for towing purposes, from 8:00 a.m. to 6:00 p.m., and, when closed, shall have prominently posted a sign indicating a telephone number where the operator of the site can be reached at all times. Upon receipt of a telephoned request to open the site to redeem a vehicle, the operator shall return to the site within 1 hour or he will be in violation of this section.

b. If no towing business is located within the area of towing limitations set forth in subparagraph a., the following limitations apply: any towed or removed vehicle must be stored at a site within thirty (30) miles of the point of removal.

2. The person towing or removing the vehicle shall, within 30 minutes of completion of such towing or removal, notify the Sheriff of such towing or removal, the storage site, the time the vehicle was towed or removed, and the make, model, color, and license plate number of the vehicle and shall obtain the name of the person at that department to whom such information was reported and note that name on the trip record.

3. If the registered owner, or other legally authorized person in control of the vehicle arrives at the scene, prior to removal or towing of the vehicle, the vehicle shall be disconnected from the towing or removal apparatus, and that person shall be allowed to remove the vehicle without interference, upon the payment of a reasonable service fee of not more than one-half of the posted rate for such towing service as provided in subparagraph 6., for which a receipt shall be given, unless that person refuses to remove the vehicle, which is otherwise unlawfully parked.

4. The rebate or payment of money or any other valuable consideration from the individual or firm towing or removing vehicles to the owners or operators of the premises from which the vehicles are towed or removed for the privilege of removing or towing those vehicles, is prohibited.

5. Except for property appurtenant to and obviously a part of a single-family residence, and except for instances when notice is personally given to the owner or other legally authorized person in control of the vehicle that the area in which that a vehicle is parked is reserved or otherwise unavailable for unauthorized vehicles and subject to being removed at the owner's or operator's expense, any property owner or lessor, or person authorized by the property owner or lessor, prior to towing or removing any vehicle from private property without the consent of the owner or other legally authorized person in control of that vehicle, must, post a notice meeting the following requirements:

a. The notice must be prominently placed at each driveway access or curb cut allowing vehicular access to the property, within 5 feet from the public right-of-way line. If there are no curbs or access barriers, the signs must be posted not less than one sign for each 25 feet of lot frontage.

b. The notice must clearly indicate, in not less than 2-inch high, light-reflective letters on a contrasting background, that unauthorized vehicles will be towed away at the owner's expense. The words "Tow-Away Zone" must be included on the sign in not less than 4-inch letters.

c. The notice must also provide the name and current telephone number of the person a firm towing or removing the vehicles, if the property owner, lessor, or person in control of the property has a written contract with the towing company.

d. The sign structure containing the required notices must be permanently installed with the words "Tow-Away-Zone" not less than 3 feet and not more than 6 feet above ground level and

must be continuously maintained on the property for not less than 24 hours prior to the towing or removal of any vehicles.

e. The local government may require permitting and inspection of these signs prior to any towing or removal of vehicles being authorized.

f. A business with 20 or fewer parking spaces satisfies the notice requirements of the subparagraph by prominently displaying a sign stating "Reserved Parking for Customers Only Unauthorized Vehicles Will Be Towed Away at the Owner's Expense" in not less than 4-inch-high, light-reflective letters on a contrasting background.

A business owner or lessee may authorize the removal of a vehicle by a towing company when the vehicle is parked in such a manner that restricts the normal operation of business; and if a vehicle parked on a public right-of-way obstructs access to a private driveway the owner, lessee, or agent may have the vehicle removed by a towing company upon signing an order that the vehicle be removed without a posted tow away sign.

6. Any person or firm that tows or removes vehicles and proposes to require an owner, operator, a person in control of a vehicle to pay the costs of towing and storage prior to redemption of the vehicle, must file and kept on record with the local law enforcement agency, a complete copy of current rates to be charged for such service and post at the storage site an identical rate schedule and any written contracts with property owners, lessors, or persons in control of property which authorize such persons or firm to remove vehicles as provided in this section.

7. Any person or firm towing or removing any vehicles from private property without the consent of the owner or other legally authorized person in control of the vehicles shall, on any trucks or other vehicles used in the towing or removal, have clearly indicated, in at least 2-inch letters, such persons or firm's name, address, and telephone number on the driver and passenger side doors.

8. Vehicle entry for the purpose of removing the vehicle shall be allowed with reasonable care on the part of the person or firm towing the vehicle. Such persons or firm shall be liable for any damage occasioned to the vehicle if such entry is not in accordance with the standard of reasonable care.

9. When a vehicle has been towed or removed pursuant to this section, it must be released to its owner or custodian within one-half hour after requested. Any vehicle owner, custodian, or agent shall have the right to inspect the vehicle before accepting its return, and to release or waiver of any kind which would release the person or firm towing the vehicle from liability for damages noted by the owner or other legally authorized person at the time of redemption may be required from any vehicle owner, custodian, or agent as a condition of release of the vehicle to its owner. A detailed, signed receipt showing the legal name of the company or person towing or removing the vehicle must be given to the person paying towing or storage charges at the time of payment whether requested or not.

(b) These requirements shall be the minimum standards and shall not preclude enactment of additional regulations by any municipality or county including the right to regulate rates when vehicles are towed from private property.

(3) This section does not apply to law enforcement, fire-fighting, rescue squad, ambulance, or other emergency vehicles which are marked as such, or to property owned by any governmental entity.

(4) When a person improperly causes a vehicle to be removed, such person shall be liable to the owner or lessee of the vehicle for the cost of removal, transportation, and storage; any damages resulting from the removal, transportation, and storage of the vehicle; attorney's fees; and Court costs.

2) Abandoned on public property or public right-of-way-vehicles which are abandoned, parked or store-upon public property or public right-of-way shall be handled as follows:

- a) A registration check shall be made to determine the identity of the vehicle owner and of the vehicle has been stolen or used in the commission of a crime.
- b) If the vehicle is determined not to have been stolen or used in the commission of a crime, a reasonable effort shall be made to identify and contact the owner of the vehicle.
- c) If the owner can be contacted, the owner shall be advised that the vehicle will be towed if not removed within applicable time constraints, as provided herein and by statute.
- d) The odometer reading shall be recorded, if possible, or tires chalked or marked to reveal any vehicle movement. If the owner cannot be contacted, a Tow-Away Notice shall be affixed to the vehicle.
- e) If the vehicle is within thirty (30) feet of a roadway or highway, the vehicle shall be checked at the expiration of a forty-eight (48) hour period.
- f) If the vehicle is not within thirty (30) feet of a highway or roadway, the vehicle shall be checked at the expiration of a ten (10) day period and towed, if not already moved.
- g) If there are indications that the vehicle is being stripped or vandalized and the owner cannot be contacted, the vehicle shall be immediately impounded for safekeeping.
- h) A Motor Vehicle Acquisition and an offense report shall be completed when the vehicle is impounded. If available, the Tow-Away Notice shall be attached to the offense report. **Communications will note, in the Computer Assisted Dispatch (CAD) system the name of the wrecker company towing the vehicle so the impounded vehicle can be located at the respective storage / impound lot.**
 - Revised 08/26/09
 - (1) The Deputy impounding a vehicle shall be responsible for notifying the vehicle owner when a vehicle is impounded. Vehicle owners shall be advised to proceed to the nearest Sector Station for a Vehicle Release Authorization.
 - (2) In the event the impounding Deputy is unable to contact the owner of an impounded vehicle after a reasonable attempt has been made, "OWNER NOT CONTACTED" shall be noted in capital letters in the remarks section of the Motor Vehicle Inventory Receipt with an explanation. The impounding Deputy shall continue to attempt to contact the vehicle owner.
 - (3) When notification has been made by the impounding Deputy, the name of the person contacted and the date and time of notification shall be entered in the remarks section of the Motor Vehicle Acquisition Receipt.

11. Stolen Vehicle Impound

- a. If possible and practicable, the vehicle should be processed at the recovery site and released to the owner without towing.

- b.** When the vehicle owner cannot be contacted to take custody of the vehicle Within a reasonable time, or when the vehicle cannot be processed on site, the vehicle may be removed to an impound lot by a wrecker on call.
- 1)** An motor Vehicle Acquisition Receipt shall be completed by the impounding Deputy and a copy given to the tow truck operator.
 - 2)** If the vehicle has been reported stolen to the Monroe County Sheriff's Office and a Stolen Vehicle Report is on file, a supplemental report shall be initiated.
 - 3)** If the vehicle has been reported stolen to another law enforcement agency, an original report shall be prepared with information related to the vehicle recovery.
 - 4)** Communications shall be notified of the vehicle information for the Tow-Truck Call Log and for updating the computerized stolen vehicle file.
 - 5)** Communications shall remove both copies of the Stolen Vehicle Record from the file and make appropriate entries.
 - 6)** If the vehicle is reported "stolen" to another law enforcement agency, Communications shall place a "LOCATE" on the vehicle and advise the originating agency of the find.
 - 7)** Towing and Impounding of Vehicles Following Arrest - When the operator of a vehicle is arrested in a vehicle, or in the immediate vicinity of a vehicle, and it is determined that the vehicle is to be impounded for safekeeping:
 - a)** Information related to the impounded vehicle shall be recorded on the offense report for the arrest and
a Motor Vehicle Acquisition Receipt shall be completed.

- b)** Communications shall be provided with information necessary for calling a tow-truck and for making entries into the impounded vehicles file.
- c)** When the operator of a vehicle is arrested in a vehicle, or in the immediate vicinity of a vehicle, and it is practicable and feasible to release the vehicle to a person designated by the arrested person responsible for the vehicle:
 - (1)** The arresting Deputy must be satisfied that the person responsible for the vehicle is mentally alert and capable of making a rational decision as to whom the vehicle may be released. In alcohol related cases, vehicles may be released only to the immediate family members of the owner.
 - (2)** The arresting Deputy must be satisfied that the owner's designee or person last responsible for the vehicle is physically and mentally capable of assuming responsibility for the vehicle.
 - (3)** A release or Waiver of Responsibility shall be signed by the owner or person responsible for the vehicle.
 - (4)** The arresting Deputy must record the identity of the person to whom the vehicle is released on the Waiver form. The Waiver form shall indicate the traffic citation number and/or the incident number.

12. DUI Vehicle Impoundment

- a.** DUI Vehicle Impoundment Information Sheet - Upon any member effecting a DUI arrest, the "DUI Vehicle Impoundment Information Sheet", will be completely filled out and become part of the court folder. Should the arrest be made by an agency other than the Monroe County Sheriff's Office, the correction facility receiving the arrestee, will direct the arresting officer to complete the form which will be placed in the court folder.
- b.** Court Order for Impoundment or Immobilization Issued - Upon a Magistrate issuing an order of impoundment or immobilization, the order will be sent to the Clerk's office.
 - 1)** The Clerk's Office will send the statutory notification.
 - 2)** The clerk's Office will send the completed order and the DUI Vehicle Impoundment Information Sheet to the Sheriff's Office Civil Officer.
- c.** Receipt of Order by the Civil Officer - Upon the Civil Officer receiving the court order, he/she will log the order containing the following information:
 - 1)** Date the order was received.
 - 2)** Court case number
 - 3)** Defendant's name
 - 4)** The number of days the vehicle is ordered to be impounded or immobilized.
- d.** Execution of Order - The Civil Officer will attempt to locate the vehicle and impound or immobilize the vehicle. If the vehicle cannot be located during the Civil Officer's shift, the order will be given to the duty Sergeant for attempted service.
- e.** Process for Executing Order
 - 1)** Once the vehicle has been located, the officer will attempt to gain entry to the vehicle.

- 2) If entry is gained, the officer will place a club on the vehicle.
 - a) The DUI Impoundment Information Sheet will reflect the date the order was executed and the officer so executing.
 - b) The court order and DUI Impoundment Information Sheet will be returned to the Civil Officer.
- 3) If entry to the vehicle is denied, the officer will impound the vehicle by having it towed by a rotation wrecker.
 - a) The officer will complete a vehicle acquisition form and place a hold on the vehicle for the duration of the order.
 - b) The executed order, DUI Impoundment Information Sheet, and vehicle acquisition will be returned to the Civil Officer
- 4) If the vehicle had a club placed on it, the Civil Officer will make certain that the club is removed at the conclusion of the court order.
 - a) This may be accomplished by the Civil Officer removing the club or giving it to the on-duty Sergeant for assignment of removal.
- 5) In all above circumstances, a case number will be assigned to the execution of the order. This case number will be cross-referenced to the original DUI arrest case number.
- 6) This case number will be entered into calls-for-service with a disposition of handled, no report and will be coded ?- (DP to created code for the execution of these orders) for tracking purposes.

f. Completion of Order

- 1) Once the order has been completely executed, by having the vehicle impounded or immobilized for the duration of the order and the club removed, the Civil Officer will:
 - a) Log the execution dates of the order
 - b) Log weather the vehicle was impounded or immobilized
 - c) Log the vehicle acquisition number
 - d) Log the order as completed

13. Security of Monroe County Sheriff's Office Equipment / Vehicles in Impound Yard Adjacent to Headquarters,
This applies to all Sheriff's office personnel in regard to the availability, access, and security of the impound yard. The impound yard is designed to accommodate impounded vehicles and equipment, as well as Sheriff's Office vehicles.

a. Accessibility

It is the policy of the Sheriff's office to maintain seized or recovered property in accordance with Federal, State, Local statutes and court decisions relating to seized or recovered property. During normal business hours, access to the impound yard can be accomplished by contacting the Fleet Technician in the Finance Office (8:00 a.m. – 5:00 p.m. – Monday through Friday, excluding holidays). After hours access will be controlled by the Dispatch office, located in the Headquarters facility.

b. Authorized Use

Authorization for use of the impound yard can be granted by the Fleet Technician in the Finance Office, Sector Commanders, and/or General Counsel. The impound yard is designated for the storage of vehicles / equipment in the custody of the courts and Sheriff's Office vehicles awaiting disposal. This area is not intended, nor will it be used for, long term storage of vehicles or equipment which do not meet the above criteria.

All vehicles which are stored in the impound yard, must display a Monroe County Sheriff's Office Impound yard Inventory form. these forms can be obtained from the Fleet Technician in the Finance Office or from Dispatch in the Headquarters facility.

c. Administration

The care and custody of the impound yard shall be the responsibility of the Fleet Technician. This responsibility shall include the organization of the yard, as well as maintenance of an inventory of the vehicles.

- 1) All vehicles stored in the impound yard must have a completed Monroe County Sheriff's Office Inventory Form upon being placed in the impound yard. This form should be left on the dashboard of the vehicle when it is left in the yard.
- 2) Keys for all vehicles must be provided to the Fleet Technician in the Finance Office or the Dispatch office in the Headquarters facility immediately after the vehicle is placed in the impound yard.
- 3) When a vehicle is placed in the yard after hours, care must be taken not to block the entrances and/or exits.
- 4) The impound yard must remain locked at all times.

14. Vehicles Used in the Commission of a Crime

- a. Pursuant to the Carroll Doctrine, when there is probable cause to believe a vehicle contains contraband or fruits of a crime and there is clear and present danger that evidence or contraband contained in the vehicle maybe removed or destroyed if the vehicle is not seized, the vehicle may be searched.
- b. When a vehicle has been used in the commission of a crime and the owner or person last responsible for the vehicle has not been arrested in the vicinity of the vehicle; when warrantless impound and inventory of the vehicle is likely to obstruct criminal prosecution; and the vehicle is not reported stolen, is not abandoned on private property following hot pursuit, and is not parked or abandoned in a manner that constitutes a traffic hazard or obstruction, then the vehicle shall be impounded and sealed without inventory.

**MONROE COUNTY SHERIFF'S OFFICE
IMPOUND YARD INVENTORY FORM**

Impounding Agency: _____

Case Number: _____

Contact Person: _____

Phone Number: _____

Condition of Vehicle / Mechanical Problems:

Requirements for Use of Impound Yard:

- 1) Sealed vehicles shall be towed to Evidence Storage and brought to the attention of the Evidence Custodian.
 - 2) The vehicle shall be searched upon receipt of a search warrant.
 - 3) The assigned investigating Deputy shall be responsible for the completing an incident report.
 - 4) Communications shall be provided with vehicle information to be entered into the impounded vehicles file.
 - 5) A copy of the incident report or supplemental, which contains the vehicle impound information, shall be forwarded to Criminal Investigations.
 - 6) The impounding Deputy shall be responsible for obtaining final disposition of the impounded vehicle, unless the investigation has been released to another Deputy, in which case the assigned Deputy shall assume responsibility for the vehicle disposition which shall include notification of the owner and release of the vehicle.
- c. Vehicles and small boats impounded as evidence and which are to be held in the Sheriff's custody, shall be towed or transported to the Sector's Evidence Storage area.
- 1) A Motor Vehicle Acquisition Receipt must be completed and must indicate that the property has been stored as evidence.
 - 2) Vehicles and boats must be properly secured and the keys must be placed in evidence.

15. Holds on Towed Vehicles

- a) Placing a Hold - A Deputy may place a hold on a vehicle that is towed for various reasons.
 - b) Hold types are, but not limited to:
 - 1) Proof of Ownership
 - 2) Till Completion of Court Order
 - 3) Evidence
 - 4) Forfeiture
 - c) The Hold shall be noted on the Vehicle Acquisition Form and in the narrative of the report and communicated to the towing agent.
 - d) The Hold shall be communicated to the appropriate person who will subsequently handle the case.
 - e) Removal of Hold – The original case deputy or subsequent person of authority may remove a previously placed vehicle hold.
 - f) The towing / storage agent shall be notified as soon as is possible. A report supplement shall be completed noting the hold removal and notifications. The owner shall be notified as soon as is possible.
 - g) Prompt notifications of a vehicle hold removal is essential to reduce the Office's financial responsibility and that of the owner for storage fees.
16. Traffic safety and education materials are made available to the public and are available from the Community Relations Office. **Traffic safety materials can also be found at the different Sectors.**

17. Transportation of hazardous material(s) in or through Monroe County will, when requested, be handled by the Traffic Enforcement unit, with a minimum of two (2) marked vehicles, one in front of the transporting vehicle and one to its rear, with both marked vehicles having their emergency lights in operation.

(revised on 11-15-01)

CHAPTER FORTY-ONE

INTELLIGENCE UNIT

I. PURPOSE

The purpose of this directive is to establish guidelines and define the responsibilities of the Intelligence Unit.

II. DISCUSSION

The purpose of law enforcement intelligence is to gather, collate, analyze, and disseminate information concerning known or suspected criminal activity, or threats to the community. This information can be tactical or strategic in nature. Tactical intelligence reference to information concerning known, on going criminal activity, which is developed and intended for immediate use. Intelligence of this type would be developed prior to the service of a search warrant for the purpose of identifying and planning for potential problems. Strategic intelligence is that information which is collected from a wide variety of sources, which identifies on-going or potential criminal activity, subjects, groups, trends and relationships. These files are not related to the records kept by the records section and are used as an aid in combating criminal conduct that presents a threat to the community. These files are maintained under the control of the intelligence unit. The intelligence unit is manned by an intelligence officer and is directly responsible to the Special Operations Supervisor. This centralized position permits the continuous flow of raw intelligence data into a central point from all sources, provides a secure records system where evaluated data are properly cross-referenced to reflect relationships and to ensure complete and rapid retrieval, establishes a system for dissemination of information to appropriate sources. It is a necessity that certain confidential information on criminal activities and persons involved, not obtainable through regular law enforcement channels, be maintained.

CALEA 42.1.6 A

III. POLICY AND PROCEDURE

A. Collection and Reporting

1. The collection and reporting of intelligence information is the responsibility of each member of the Department. Information coming to the attention of Department member concerning on-going or suspected criminal activity, which has not been documented in a Department incident report, shall be reported to the intelligence unit in a timely manner on an MOIR (Memo of Information Received) memo.
2. The intelligence unit shall be responsible for, but not limited to, the monitoring of the following types of criminal activity;
 - a. Organized Crime: Monitors the activities organized crime, investments, land purchases, or any businesses made by them or their associates.
 - b. Unions
 - c. Foreign investments
 - d. MC gangs/traveling criminals
 - e. Gypsies, carnies
 - f. Terrorists
 - g. Extremist groups
 - h. Dignitaries
 - i. Narcotics
 - j. Gangs
 - k. Vice
 - l. Hate groups
 - m. Matters of special concern, if any.

3. Intelligence data will not be collected on persons merely on the basis of ethnicity or race.
4. Intelligence data will not be collected on any individual merely on the basis of the individual's religious and/or political affiliations.
5. No employee, or their agent, shall gather information by unlawful means.
6. No member of the Department will use data for political and/or economic purposes.
7. The collection of raw data is the primary step in the intelligence process. The information that may be included in the file system will be collected from a variety of sources including;
 - a. Media publications;
 - b. Official police reports;
 - c. MOIR's;
 - d. Other law enforcement agencies;
 - e. Confidential informants;
 - f. Public records;
 - g. Other records gathered via legal methods
8. Once the raw data has been collected, it will be subjected to collation, analysis and evaluation to determine the accuracy of the information, identification of subjects involved, determination of criminal activity and then possible dissemination to operational units for enforcement action.

[CALEA 42.1.6 B, E, G]

B. Terrorism Related Intelligence

[CALEA 46.3.2]

1. Any employee of the Sheriff's Office has a duty to gather and relay information / intelligence on possible terrorist activities within Monroe County, State of Florida, US or internationally.
2. Employees should keep in mind that terrorist activity may be local individuals or groups as well as regionally, nation or internationally based groups, targeting within Monroe County or elsewhere.
3. Such information may be documented in the MOIR form and submitted to the Intelligence Unit. It should be conspicuously noted on the MOIR that the information is Terrorist related.
4. Employees may contact the Intelligence Unit directly if they feel the information is of an urgent nature and requires immediate attention.

C. In support of its mission, the Intelligence Unit is further charged with the following related responsibilities;

1. Insure the legality and integrity of the intelligence effort by avoiding indiscriminate collection or distribution of information, to include periodic purging of out-of-date information. After a five (5) year period, if the intelligence information is not placed back on active status, the information will be purged from the intelligence system and disposed of in an appropriate manner, as regulated in Florida State Statute 119.041. (This audit will not include informant information.) Safeguard, analyze, collate and control intelligence records in a secure area separate and apart from the records section. Security of the intelligence unit and data will be of the utmost concern and the following guidelines will be strictly adhered to;

[CALEA 42.1.6H]

- a. Access to the intelligence files and work area will be limited to those persons from duly constituted law enforcement agencies authorized to review intelligence files.
- b. Persons seeking information from intelligence files shall do so only when accompanied by the Intelligence Officer or Unit Supervisor.

- c. The Intelligence Officer's work area and files will be locked at all times when unit personnel are not in the area.
- d. Intelligence Unit waste shall be shredded or burned at the end of each workday.
- e. Unit personnel are subject to call to respond to urgent information requests.
- f. Intelligence files stored on a computer system will be secured and accessible only with a password assigned to the Intelligence Officer and Special Operations Division Supervisor(s).

[CALEA 46.1.6 D, F]

D. Provide liaison, on behalf of the Sheriff's Office, on intelligence / terrorism information matter with other agencies including, but not limited to;

- 1. Regional Organized Crime Information Center (ROCIC)
- 2. Florida Intelligence Unit (FIU)
- 3. Department of Homeland Security Task Force
- 4. Florida Department of Law Enforcement
- 5. US Coast Guard
- 6. US Border Patrol
- 7. Federal Bureau of Investigation

[CALEA 46.3.1]

(Revised 8/25/10)

E. Review of Intelligence Information

- 1. The Special Operations Division Supervisor will review all reports to be recorded and filed.
- 2. The Intelligence Officer will review narcotics related reports or any reports of special concern and/or suspicious activity and notify appropriate personnel.
- 3. All Intelligence Files will be mark in the management soft wear for a review within five (5) years of its creation. The Intelligence Officer will evaluate the information to determine if it is out of date and of no value or incorrect. Files should be continually monitored for incorrect information. All files found to be out-of-date and having no further value or containing incorrect information shall be purged. Electronic date should be deleted and paper files should be shredded.
- 4. A recommendation to destroy the intelligence will be based upon the following:
 - a. How often the information has been used?
 - b. How valid is the information?
 - c. Has the information been confirmed by other sources or is it unsubstantiated?
 - d. Can the information be obtained from another source?
 - e. Could the data be useful in the future?
- 5. Surveillance photographs will be maintained with the intelligence reports. In the event a file is purged all photographs relative to that particular file will also be destroyed in accordance with law.
- 6. Electronic surveillance tapes will be maintained with the intelligence reports, or as evidence in the property room.
- 7. On an annual basis all Intelligence recommended for destruction pursuant to guidelines set forth herein and upon approval of the Division of Archives, History and Records Management of the State, will be destroyed.
[CALEA 46.1.6 D, H]
- 8. On an annual basis the Commander of Special Operations or is designee will review by memo form, the procedures and processes used by the Intelligence Unit. Special attention will be paid to the effectiveness and efficiency of the processes being used.

[CALEA 46.1.6 I]

F. Dissemination

[CALEA 46.3.2]

1. Dissemination of intelligence information to other criminal justice agencies and office members only on a need-to-know basis.
2. Terrorist related intelligence shall be disseminated to the appropriate agency / organization based on the nature and timeliness of the information.
3. Transmission of such information should be documented as to the date, time, agency and person transmitted to

G. Informants

1. A confidential file will be compiled for each informant to include:
 - a. Biographical and background information
 - b. Criminal history record, if any
 - c. Payments made to the informant, (refer to Chapter 34)
 - d. Information received from the informant
 - e. Informant's involvement in operations, and
 - f. Code name or number of each informant
2. Procedures established in (Chapter 34) shall be further followed for informants and any payments made accordingly.
3. Secured, restricted, and controlled access shall be maintained on all informant's files to insure their anonymity. Access shall be available to the following personnel only;
 - a. Sheriff
 - b. Undersheriff
 - c. Inspector General
 - d. Commander Division IV
 - e. Special Operations Division Supervisor
 - f. Intelligence Officer

[CALEA 46.1.6 D]

H. Utilization of the Intelligence Information Unit

All requests for the utilization of Intelligence personnel, equipment, and/or techniques shall be coordinated and requested through the Intelligence Officer and/or the Division IV Commander. The intelligence officer's position shall allow for the training and development of individuals assigned to that role.

[CALEA 42.1.6 C]

1. Unit personnel are subject to call to respond to urgent information requests.
2. Assist with department investigations in the intelligence support role, which will include the preparation of informational bolo's, background information and intelligence bulletin. The intelligence officer shall collect and receive, on an on-going basis, information concerning investigations being conducted by their unit. This information will include, but should not be limited to names, addresses, license plate numbers and telephone numbers.
3. Emphasize the collection of intelligence information by the unit through the use of informants, prisoner debriefings, and by attending roll call briefings.

4. Act as the contact between the unit, Patrol, and the Special Operations Division on a routine basis.
5. Establish and maintain membership in state and regional intelligence groups.
6. Maintain the department's intelligence files.
7. Maintain the convicted felon registrations program.
8. No intelligence files will be kept at any office other than the Intelligence Unit Office.

CHAPTER FORTY-TWO
VICE, DRUGS AND ORGANIZED CRIME

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CHAPTER FORTY-TWO

VICE, DRUGS AND ORGANIZED CRIME

I. PURPOSE

The purpose of this directive is to establish guidelines for the operation of the Vice, **Drugs** and Organized Crime component and other affected components.

II. DISCUSSION

This directive shall apply to all Sheriff's personnel. The Monroe County Sheriff's Office is committed to the suppression of vice, **drugs** and organized crime. It is also the responsibility of every member to suppress, and support the enforcement of vice, **drugs** and organized crime activities. The Vice, **Drugs** and Organized Crime component falls under the Special Investigations Division. The Unit is supervised by a **Captain**. The Unit is responsible for coordinating and overseeing vice, **drugs** and organized crime control and enforcement. The Vice, **Drugs** and Organized Crime component is responsible for controlling the following activities:

1. loan sharking
2. labor racketeering
3. corruption
4. extortion and/or bribery
5. theft / fencing rings
6. illegal sale and distribution of liquor and tobacco
7. illegal sale and distribution of controlled substances
8. illegal gambling operations
9. illegal prostitution and pornography
10. firearms
11. related criminal activity

III. POLICY AND PROCEDURE

A. Goals and Objectives of the Vice, **Drugs** and Organized Crime Unit - Proper goals and objectives will ultimately lead to increased productivity and greater overall proficiency of the Vice, **Drugs** and Organized Crime Unit.

1. Each Detective of the Vice, **Drugs** and Organized Crime Unit will:

- a. Assess his/her own capabilities and resources.
- b. Determine a reasonable, attainable, quantifiable and measurable goal. (Goals will be based on past performance.)
- c. Work toward this goal and attempt to exceed these goals on a year-to-year basis.
- d. Submit the proposal to the Unit **Sergeant** before the first of December of each year.

(REVISED ON 12-27-00)

2. Each Detective shall formalize his/her goals and objectives on a written memorandum and submit it to the Unit **Sergeant**.

3. The Unit **Sergeant** will review the memorandum and discuss it with the Detective. The goals and objective will either be accepted or rejected.
4. The Unit **Sergeant** will then forward their proposals through the chain of command for review.
5. A file shall be maintained of all approved goals and objectives.

B. Information "Conveyed to" and "Received by" the Vice, **Drugs and Organized Crime Unit**

1. The Intelligence Officer assigned to the Vice, **Drugs** and Organized Crime Unit shall maintain a log of information received from outside agencies or other components within the Office.
2. The Intelligence Officer assigned to the Vice, **Drugs** and Organized Crime Unit shall maintain a log of information sent to outside agencies or other components within the Office.
3. The proper person to which information is to be sent will be determined by the Unit **Sergeant**.
4. A log will be maintained of all information received and sent by the Intelligence Officer.

CALEA 41.1.1 C

C. Criteria for an Organized Crime Unit Investigation - It is the Sheriff's policy that all information concerning possible violations of Vice, **Drugs and Organized Crime laws, no matter how insignificant, shall be examined and brought to a logical conclusion. Investigations into Vice, **Drugs** and Organized Crime offenses can involve a tremendous expenditure of time, money and effort. By evaluating the accuracy and credibility of initial information, determining the scope and relative importance of the problem and establishing a solid data base, the criteria will determine what information or which offenses are investigated. All official investigations must be authorized and coordinated by the Unit **Lieutenant**. The following items shall be taken into consideration**

1. When first receiving information, definite steps must be taken in order to establish the validity of such intelligence.
2. It must be established that the information concerns a criminal problem and, if so, what laws are being violated.
3. A decision must be made as to the importance of the problem For example: Information is received concerning an illegal poker game. Further inquiries confirm only pennies and elderly persons are involved. At this point, it would be wise to contact the individuals involved and advise them that their actions are a violation and request they stop gambling. Hopefully, the problem is solved at a minimum of expense without undue enforcement. On the other hand, if the original information uncovered a high stakes poker game run by members of Organized Crime, a full-scale investigation would be in order.
4. The lead information is very important in determining what the Vice, **Drugs** and Organized Crime Unit will examine.
5. The Detective and Unit **Sergeant** shall discuss and agree on what investigative techniques should be used.

(REVISED ON 12-27-00)

6. A determination must be made if the Vice, **Drugs** and Organized Crime Unit has sufficient resources to investigate the problem. It might be determined that a state or federal agency should be brought into the investigation.

7. All possible operational problems should be discussed and steps taken to counter all such problems.
8. A record of all vice, **drugs** and organized crime complaints made by citizens that are substantiated by investigation shall be maintained.

D. Receiving and Processing Vice, **Drugs and Organized Crime Complaints**

1. Vice, **Drugs** and Organized Crime complaints may be received by the following:
 - a. Review of an original report
 - b. Receiving a citizen's complaint
 - c. Receiving citizen's information
 - d. Directed by a supervisor
 - e. Developed by a detective or deputy
 - f. Received by other law enforcement agencies
 - g. An on scene situation, (i.e., a "buy")
2. Regardless of the reporting source, all information concerning Vice, **Drugs** and Organized Crime complaints shall be reduced to a written memo and forwarded to the Unit **Sergeant**. The Unit **Sergeant** shall determine whether the case requires initial investigation or follow-up investigation.
 - a. In cases of initial investigation the Unit **Sergeant** shall:
 - 1) Insure the proper case assignments are made.
 - 2) Require an initial investigation to be completed on the Monroe County Sheriff's Office Standard investigation report form / offense form.
 - 3) Maintain a good accounting of all investigations.
 - 4) Determine after initial investigation whether the case is unfounded or needs further investigation.
 - 5) Insure a case number has been assigned.
 - 6) Maintain the Vice, **Drugs** and Organized Crime Unit's assignment log, which will contain:
 - a) Case number;
 - b) Date of assignment;
 - c) Address;
 - d) Suspect's name;
 - e) Complainant's name; and
 - f) Disposition of the case.

(REVISED ON 12-27-00)

- b. In cases of initial investigations, Detectives shall:
 - 1) Insure that all appropriate forms as well as Vice, **Drugs** and Organized Crime forms are completed on the day of the offense.

- 2) Each report shall furnish a complete and accurate description of the initial investigation in a form useful to Vice, **Drugs** and Organized Crime personnel and prosecutors.
- 3) All offense reports that result in an arrest are to be handled as a priority and supplemented within twenty-four (24) hours of an arrest.
- 4) All non-priority supplements are to be completed no later than three (3) working days after the offense.
- 5) Each report shall conform to the Florida Public Information and Confidentiality Statutes. (Reference Chapter 119 Florida Statutes)
- 6) Each report should aid Detectives in giving testimony in Court.
- 7) All offense reports shall conform to the directive on offense reports of the Monroe County Sheriff's Office.

c. In cases of follow-up investigation the detective shall:

- 1) Read the original report and review the preliminary investigation.
- 2) Determine whether any leads or suspects exist.
- 3) Determine if there is any additional information via the originating Deputy, other Deputies, informants, witnesses, and neighborhood interviews.
- 4) Disseminate information relative to crimes and suspect(s) (if any) throughout the Monroe County Sheriff's Office and other concerned agencies in the form of written alerts.
- 5) If necessary, conduct search for witnesses, evidence, victims, or suspects.
- 6) If necessary, use surveillance to apprehend the suspect or gain additional information.
- 7) Utilize Monroe County Sheriff's Office records, laboratories, crime analysis, pawn files, and field interrogation reports to develop and identify suspects.
- 8) Utilize outside support facilities (i.e., utility checks, drivers license checks, vehicle registration checks, criminal history checks, and probation and parole checks).
- 9) Examine any physical evidence located, and:
 - a) Conduct the proper collection, preservation, and submission of evidence.
 - b) Maintain the proper chain of evidence.
 - c) Review all results of lab exams.
- 10) When a suspect is established, the detective shall abide by the guidelines, restrictions, and requirements of the following:
 - a) Constitution of the United States
 - b) Bill of Rights
 - c) Florida State Laws

(REVISED ON 12-27-00)

d) Monroe County Sheriff's Office Directives

- 11)** If a suspect is established, attempt to secure a documented confession through a thorough interrogation, also determine the existence of and identify any co-defendants.
- 12)** If an accomplice or co-defendant is developed then the Detective should proceed with the other investigative steps outlined herein regarding this subject.
- 13)** Notify the proper law enforcement agency if a suspect indicates involvement in their respective jurisdictions.
- 14)** Conduct background investigations on suspects via criminal records, criminal history files, and any other established sources.
- 15)** The Detective should determine if the suspect / defendant can be utilized as a confidential informant:
 - a)** Follow directive relating to informants.
 - b)** The use of juvenile informants is prohibited unless the juvenile's custodian, parents, Courts, DCF, or foster parents grant permission and this must be approved by the Special Operations Commander.
 - c)** If permission is granted extreme caution should be used to avoid exposing the juvenile to dangerous situations. See Chapter 34 Juvenile Informant for Guidelines.
[CALEA 42.2.7 G]
- 16)** If necessary, use a search warrant or in approved instances the consent to search form to legally recover items of evidentiary value or stolen property.
- 17)** If necessary, the victim should be contacted for additional interviews.
- 18)** The Detective's supplement report should indicate the disposition and status of any property or evidence in Monroe County Sheriff's Office custody:
 - a)** The victim should be advised of final disposition of the case or any change in the case status.
 - b)** Supplement the case regarding final disposition.
- 19)** Organize in an orderly fashion, all notes, evidence, photographs, supplements, lab findings for Court presentation and make the prosecutor aware of all pertinent facts of the case and of the criminal history background of the defendant including any history of the defendant being a habitual or serious offender.

d. The Unit Sergeant shall be responsible for the following:

- 1)** Daily review of all incoming offense reports.
(REVISED ON 12-27-00)
- 2)** Assigning investigations to the appropriate Detective.
- 3)** Maintaining a case assignment log for each Detective.
- 4)** Preparing a monthly activity report of the Unit.

5) The Case Assignment Log shall contain the following:

- a) Detective assigned
- b) The date the case is assigned
- c) Grid of the offense
- d) Report case number
- e) Victim's name
- f) Location of offense
- g) Type of offense
- h) Final disposition of investigation
- i) Date of the final disposition of the investigation

6) Monthly Activity Report

a) Shall contain, by the type of offenses, the number of investigations:

- (1) Assigned
- (2) Cleared by arrest
- (3) Exceptionally cleared
- (4) Unfounded
- (5) Total cases cleared

b) Shall contain, the total:

- (1) Cases assigned
- (2) Cases cleared
- (3) Percentage of cases cleared
- (4) Warrants issued
- (5) Juvenile arrests
- (6) Adult arrests

CALEA 43.1.1 A, B

E. Records

All records relating to active Vice, Drugs and Organized Crime investigations shall be maintained separately from central records **at the Special Investigations Office in Marathon.**

CALEA 43.1.2

F. Informant File

The Intelligence Officer shall maintain a confidential file on each informant, which shall conform to the standards established in Chapter 41, and include:

- 1. Biographical and background information
- 2. Criminal history record, if any

(REVISED ON 10-31-01)

- 3. Payments made to informants (Chapter 41)
- 4. Information received from informant
- 5. Informant's involvement in operations
- 6. Code name or number of each informant; and
- 7. Secured, restricted and controlled access

CALEA 42.2.7 A, B, C, E

G. Coordination / Communication

Once a month the District Commanders and Special Crimes and **Investigations** Commander will hold a meeting to discuss and coordinate efforts between the intelligence, patrol, criminal investigation and vice, **drugs** and organized crime functions. Open lines of cooperation and coordination shall be maintained between all components. **With vice, undercover, surveillance and decoy operations, and raids the case agent shall notify the Patrol Commander of the affected District of the pending action.** [CFA 18:13 D]

Revised 08/26/09

H. Surveillance Operations

CALEA 43.1.5

Surveillance is the secretive watching of persons, vehicles, places, or objects to obtain information concerning the activities of individual.

1. It will be the Unit **Sergeant's** responsibility to cause an analysis of the various crimes and their victims in order to identify probable offenders, habits, associates, vehicles, methods of operation, and any other pertinent information.
2. After a thorough review of all the circumstances of the investigation, the proper method of surveillance will be decided. **The unit Detective Sergeant has the authority to approve or disapprove a surveillance operation. In the absence of the Detective Sergeant, the case agent is the designated person to command the operation.** [CFA 18:13 A & B]

Revised 08/17/09

3. When the proper method of surveillance has been decided, the Unit **Sergeant** will:
 - a. Ensure that the necessary funds are available.
 - b. Verify that all communications equipment is working properly.
 - c. That the necessary equipment has been issued to the proper Detectives.
 - d. Ensure that all Detectives have the proper equipment and vehicles.
 - e. After a reasonable time the Unit **Sergeant** shall provide for relief.
 - f. Provide direction.
 - g. If, at any time during the surveillance, a situation arises that has possible legal ramifications, the State Attorney's Office will be contacted.
 - h. **The detective sergeant shall confirm the target/location of the surveillance with all team members prior to conducting the surveillance.**

Revised 08/26/09

4. Surveillance files

- a. Subjects
 - 1) Names and addresses
 - 2) Description, including known characteristics and mannerisms

3) Associates

b. Neighborhood

- 1) Type
- 2) Dress

c. Specific locations known or suspected frequented by subject:

- 1) Meeting places
- 2) Restaurants and taverns

d. Vehicle(s) used by subject:

- 1) Description
- 2) License and registration number
- 3) Routes frequented

5. The Deputies performing the surveillance shall make a survey of the area to determine:

- a. Traffic conditions
- b. Suitable vantage points
- c. Names and locations of streets in area, including locations of dead end streets, etc.
- d. Supplemental information not in files

6. Appearance of Deputies performing surveillance

- a. Dress should match demeanor of local people
- b. Avoid conspicuous jewelry and other distinctive articles

7. Methods

- a. If several Deputies are engaged in surveillance, a system of tactics and communication will be devised and thoroughly understood by all participants.
- b. If surveillance is likely to be lengthy, arrangements will be made for suitable relief.

c. The case agent shall communicate with all other involved personnel on the Special Investigations Division Encrypted channel (SID-ENC). In case of emergency, including medical emergencies, the Detectives shall switch to the primary channel which is monitored by the Communications Division.

[CFA 18:13 C]

Revised 08/17/09

d. Documentation

- 1) Careful notes of observations, including descriptions of all individuals involved shall be taken.
- 2) **A chronological surveillance log shall be maintained by the case agent and submitted to the Detective Sergeant monthly.** [CFA 18:13 G]

Revised 08/17/09

8. Contact with suspect

1. Every effort shall be made, within reason, to avoid overt contact with the suspect during a surveillance operation.
2. If the unit sergeant determines that contact will be made with the suspect, the following factors shall be taken into consideration:
 - a. Deputies' safety is of utmost importance
 - b. Two deputies, whenever possible, shall make contact with the suspect
 - c. The deputies shall identify themselves as law enforcement officers
 - d. The necessary/appropriate enforcement action will be taken.

Revised 08/26/09

I. Vice and Undercover Operations

CALEA 43.1.5

1. Detectives shall identify and analyze possible suspects of crimes investigated by the Vice, **Drugs** and Organized Crime Unit.
2. The Unit **Sergeant** will have primary responsibility for analyzing the neighborhood or target areas where Detectives will work. **The unit sergeant will confirm the target/location of the undercover/vice operation with all team members prior to conducting the vice/undercover operation.**

Revised 08/26/09

3. **The unit Detective Sergeant has the authority to approve or disapprove a vice or undercover operation. In the absence of the Detective Sergeant, the case agent is the designated person to command the operation.** [CFA 18:13 A & B]

Revised 08/17/09

4. Detectives requiring false identity and necessary credentials shall:
 - a. Submit a written request, via the Chain of Command, to the Undersheriff, who, upon approval, shall cause to have a request sent to the Florida Highway Patrol for a fictitious driver's license.
 - b. Other forms of fictitious identification will be approved on a case per case basis.
 - c. The fictitious identifications are kept confidential.
 - d. The Undersheriff shall initiate an investigation of any violation of the confidentiality of such identities.
 - e. Any member found in violation of the confidentiality policy will be subject to disciplinary action.
5. Detectives will be provided with expense funds as provided for in the Sheriff's Office procedures.
6. Detectives will have equipment supplied to them as required when necessary
7. Detectives shall conduct investigations and contact suspects.

8. **Contact with suspect**

Revised 08/26/09

- a. Deputies' safety is of utmost importance
- b. Two deputies, whenever possible, shall work undercover together
- c. A deputy not directly contacting the suspect shall serve as a cover deputy.

- d. If the undercover/vice operation involves purchasing drugs that are not considered street level quantities, it is preferable that undercover deputies play the role of “middlemen” or secondary advisors in the drug deal. This basic “rule of negotiations” allows you more options in convincing the suspect to do the deal the way it was planned by law enforcement
- e. During undercover meetings, deputies shall position themselves and/or their vehicles in the “open” where it will be easier for cover deputies to see what is occurring.
- f. When “flashing” money, do not allow the suspect to handle the money unless absolutely necessary
- g. If the suspect robs or attempts to rob the undercover deputy during the operation, the undercover deputy shall freely give up the money or drugs. The undercover deputy shall try to calm the robbery suspect as much as possible and wait for the cover team to assist. The undercover deputy shall raise his/her hands during the robbery.
- h. If the contact with a suspect during an undercover/vice operation occurs inside of a building, the undercover deputy shall not remain inside of the building longer than the maximum time decided upon the unit sergeant prior to entering the building. If additional time is needed with the suspect, the undercover deputy will phone the cover team.

8. Vice and undercover Detectives shall maintain both routine and emergency contact with Communications via radio during all active operations. Such operations shall be handled and monitored over a specified radio channel. [CFA 18:13C]

In case of emergency, including medical emergencies, the detectives shall switch to the primary channel which is monitored by the Communications Division.

Revised 08/26/09

9. Detectives will utilize a body transmitter when the need arises.

10. The State Attorney's Office will be contacted as to the legal ramifications of an operation.

11. When applicable, the Sheriff's legal counsel will be contacted for possible civil litigation.

12. The Unit Sergeant shall be in charge of Undercover Operations.

13. The Unit Sergeant shall ensure back-up security for Detectives.

14. The Unit Sergeant will provide the proper guidelines for arrest.

15. All vice and undercover operations shall be documented on an offense report. [CFA 18:13 G]

Revised 08/17/09

J. Decoy Operations

CALEA 43.1.5

1. The unit Detective Sergeant has the authority to approve or disapprove a decoy operation. In the absence of the Detective Sergeant, the case agent is the designated person to command the operation. [CFA 18:13 A & B]

Revised 08/17/09

2. A determination will be made for the target of operation. The detective sergeant will confirm the target/location of the decoy operation with all team members prior to conducting the decoy operation.

Revised 08/26/09

3. Decoy operations shall be conducted only after an analysis has been made of:

- a. Victims
- b. Crimes

c. Crime locations

4. Detectives assigned to the operation will make provisions for disguising themselves to resemble potential victims of crimes.

5. The Unit **Sergeant** shall evaluate the situation.

6. Contact with suspect

a. **Proper back up for the security and protection of the under- cover Deputy will be provided by the Unit Sergeant.**

b. **Deputies' safety is of utmost importance**

c. **Two deputies, whenever possible, shall make contact with the suspect**

d. **The deputies shall identify themselves as law enforcement officers**

e. **The necessary/appropriate enforcement action will be taken.**

Revised 08/26/09

7. Procedures for the arrest and identification of the suspect by designation will be discussed and planned in advance.

8. The State Attorney's Office shall be contacted in advance in order to determine the legal ramifications of the operation.

9. The Sheriff's General Counsel shall be contacted when items of a civil nature are a factor.

10. The Unit Sergeant shall ensure that all participants of the decoy operations have adequate communications. Decoy Operation Detectives shall maintain both routine and emergency contact with Communications via radio during all active operations. Such operations shall be handled and monitored over a specified radio channel. [CFA 18:13 C]

In case of emergency, including medical emergencies, the detectives shall switch to the primary channel which is monitored by the Communications Division.

Revised 08/17/09

11. The division Commander will be notified of the decoy operations in his/her Division.

12. During a decoy operation, a supervisor will be present.

13. All decoy operations shall be documented on an offense report. [CFA 18:13 G]

Revised 08/17/09

K. Raids

CALEA 43.1.5

1. All raids must be planned and co-authorized by the Lieutenant of the Special Crimes and Operations Division. [CFA 18:13 A]

2. The coordinator of the raid will be the case detective with supervision by the Unit Sergeant. [CFA 18:13 B]

3. Raid Operation Detectives shall maintain both routine and emergency contact with Communications via radio during all active operations. Such operations shall be handled and monitored over a specified radio channel. [CFA 18:13 C]

In case of emergency, including medical emergencies, the detectives shall switch to the primary channel which is monitored by the Communications Division.

Revised 08/26/09

4. The following points must be taken into consideration when coordinating a raid:

a. The development of strategies and tactics for approaching, entering, securing, and leaving the target area.

b. When possible, the strategies shall be in writing so that each detective is aware of his/her assigned task.

c. The Sheriff's Special Operations team shall participate in all raids that are of a high-risk nature.

d. Selection of equipment (raid hat and jacket, video equipment, bullet proof vests, monitors, etc.) for the safety of all members.

[CALEA 41.3.6]

e. When possible, notify EMS prior to the raid for availability.

f. The respective Division Commander will be contacted prior to any raids in his/her Division.

g. When a raid is conducted in any other law enforcement jurisdiction, the appropriate agency will be notified.

h. In each case, the Unit Sergeant will brief the detectives and deputies involved in the raid of the legality regarding the use of force.

i. Prior to the raid, proper arrest charges filed on persons to be arrested and arrest packets with criminal affidavit as well as suspect photo should be prepared when possible.

1) All contact with known or potential suspects during a raid will be handled with the deputies' safety as the primary importance

2) All persons will be ordered to the floor/ground

3) All persons will remain, face down, on the floor/ground

4) All persons will be handcuffed and searched

5) The unit sergeant and/or case agent will determine if each person will be arrested or released

Revised 08/26/09

j. The Unit Sergeant will assign detectives to the search and seizure of evidence and/or contraband in designated areas.

4. Either the District or the Unit Lieutenant shall confirm that the location of the raid and the location named in the warrant are one and the same prior to entry. [CFA 18:13 E]

Revised 08/17/09

5 . All raids shall be documented on an offense report. [CFA 18:13 G]

Revised 08/17/09

6. A press release of the raid shall be prepared by the Community Relations Officer after the raid is complete.

L. Surveillance and Undercover Equipment

1. All Vice, **Drugs** and Organized Crime Unit surveillance and undercover equipment will be maintained within a locked cabinet or a secured room **at the Special Investigations Division.**
2. The Unit **Sergeant** must authorize in writing the use of such equipment.
3. Only supervisors shall have access to the secured areas.
4. When equipment is checked out by a Detective, he/she must sign an equipment control log that will be posted within the secured areas.
5. Upon return, the Detective must "sign in" the equipment and list the date and time.
6. The Detective using the equipment is directly responsible for its use and care.

CALEA 43.1.4

M. Confidential Funds

CALEA 43.1.3

Confidential funds to support the operations of vice and organized crime control functions are budgeted in the Office budget. The Special Investigations Division will maintain a working account. Additional funds shall be requested through the chain of command to the Finance Director and approved by the Sheriff or his designee. These funds will be subject to continuous audit.

N. Covert Operations

Vice, **drugs** and organized crime offenses, by their nature, often require members to learn of and develop evidence of crime by infiltration an operation or associating with persons suspected of criminal activity. Therefore, covert operations for the control of vice and/or organized crime violations are authorized. Prior to any covert operation taking place, the Undersheriff shall be notified and give approval.

(REVISED ON 12-27-00)

- O. The Special Crimes and Operations Supervisor shall submit a written **report on the status of the section to the Sheriff, through chain of command, at least on a quarterly basis. This report shall include, but not limited to, information concerning current narcotics, vice and organized crime problems and actions taken to control those problems, investigations initiated, arrest made, and any other significant data available.**

(REVISED ON 10-31-01)

CALEA 41.1.1 D

CHAPTER FORTY-THREE

JUVENILE OPERATIONS

I. PURPOSE

The purpose of this directive is to establish guidelines for a uniform method of action in all matters brought to the attention of the Sheriff's Office pertaining to juveniles.

II. DISCUSSION

This directive shall apply to all Sheriff's personnel. It is the policy of the Sheriff that the Office is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency. This goes beyond enforcing the law. The responsibility for participating in a /or supporting the Juvenile Operations functions shall be shared by all Office components and personnel. When dealing with juveniles, members should always make use of the last coercive reasonable alternative as long as it is consistent with preserving public safety, order, and individual liberty. Therefore, the functions of the Juvenile Operations Unit shall include: designing and implementing programs intended to prevent and control delinquent and criminal behavior by youths; follow-up processing of youth arrests; coordinating or preparing Court cases in which a juvenile offender is involved; and diverting juvenile offenders out of the juvenile justice system and adjusting cases. [CALEA 44.1.1]

The Juvenile Operations component falls within the under the Special Investigations Division. The Members of this component are directly responsible to the Supervisor in charge of the Special Investigations Division.

Florida Law provides exclusive original jurisdiction of proceedings in which a child is alleged to be dependent or delinquent. It further provides that the judge, after a Waiver Hearing, may enter an Order Waiving Jurisdiction, certifying the case for trial as though the child were an adult, proving the child in question is fourteen (14) years of age or older.

The Circuit Court has jurisdiction of juvenile traffic offenses providing the Monroe County Traffic Court waives jurisdiction and certifies the case to the Circuit Court.

Any child under eighteen (18) years of age, charged with a violation of Florida Law punishable by death or life imprisonment, is subject to the jurisdiction of the Juvenile Court unless and until an indictment or such charge is returned by the Grand Jury. In that event, the Juvenile Court is divested of jurisdiction under Florida Law and the charge is made in the Circuit Court, Criminal Division. The child shall then be processed in every respect as an adult.

III. DEFINITIONS

1. Juvenile (Child) - Any unmarried person under the age of eighteen (18) alleged to be dependent, in need of services or from a family in need of services, or any married or unmarried person who is charged with a violation of law occurring prior to the time that person reached the age of eighteen (18) years old.
2. Delinquent Child - A child who is found by a Court to have committed a felony, a misdemeanor, contempt of Court, or a violation of a local ordinance and whose case has not been prosecuted as an adult case.
3. Dependant Child - A child who: [CALEA 44.2.2]
 - a. Has been abandoned, abused or neglected by his/her parents or other custodians.

- b. Has been surrendered to the Department of DCF or a licensed child placing agency for purposes of adoption.
 - c. Has been voluntarily placed with a licensed child-caring agency, or a licensed child placing agency, or the Department, whereupon, pursuant to the requirements of Section 409.168, FSS, a performance agreement has expired and the parent or parents have failed to substantially comply with the requirements of the agreement.
4. "Child in Need of Services" means a child for whom there is no allegation or suspicion of abuse, neglect, or abandonment and who, pursuant to this Chapter, is found by the Court: [CALEA 44.2.2]
- a. To have persistently run away from his parents or legal custodians despite reasonable efforts of the child, the parents or legal custodians, and appropriate agencies to remedy the conditions contributing to the behavior. Reasonable efforts shall include voluntary participation by the child's parents or legal custodians and the child in family mediation, services, and treatment offered by the Department of DCF; [CALEA 44.2.2]
 - b. To be habitually truant from school, while subject to compulsory school attendance, despite reasonable efforts to remedy the situation pursuant to Florida Statute 232.19, FSS, and through voluntary participation by the child's parents or legal custodians and by the child in family mediation, service, and treatment offered by the Department of DCF; or [CALEA 44.2.2]
 - c. To have persistently disobeyed the reasonable and lawful demands of his parents or legal custodians, and to be beyond their control despite efforts by the child's parents or legal custodians and appropriate agencies to remedy the conditions contributing to the behavior. Reasonable efforts may include such things as good faith participation in family or individual counseling. [CALEA 44.2.2]
5. Juvenile Court - The Juvenile and Domestic Relations Division of the Circuit Court of the 16th Judicial Circuit of the State of Florida. [CALEA 44.2.2]
6. Violation of Law - A violation of any law of the United States, or the State of Florida which is a misdemeanor or felony. Violation of law also means a violation of a county or municipal ordinance which would be punishable by incarceration if the violation were committed by an adult. [CALEA 44.2.2]

IV. POLICY AND PROCEDURE

A. Dependant Children

1. Florida Law authorizes deputies to take a child into custody when the criteria established for dependent children has been met and the child's welfare requires that appropriate action be taken.
2. Taking custody of a child without an order from a circuit Court Judge, except "the taking into custody" for a delinquent act, is to be effected only in those instances where the circumstances are of an emergency and immediate action is necessary for the child's welfare.
3. When a child is not in immediate danger (taking into consideration the age of the child, physical and mental condition, and other source of danger) and the parents or other responsible adults are present, the child need not be taken into custody.

(REVISED ON 8-24-00)

4. When circumstances require, a dependent child shall be taken into custody by the investigating Deputy (or intake officer) and then transported to the appropriate receiving facility or directed by personnel of the Department of Children and Family Services.

- a. The juvenile's parents must be notified at the earliest possible time.
 - b. The name and location of the designated receiving home shall not be given to any person except those who are acting in an official capacity with a duly recognized governmental agency.
 - c. Inquiries pertaining to the child's whereabouts should be handled by advising that the child is in official custody and that further information is available only through Children and Family Services.
 - d. If arrest and prosecution is under consideration for those persons responsible for the existing condition of the child, care shall be taken in obtaining the evidence to support the charge.
5. The child's welfare empowers entry into the premises. The gathering of evidence, physical or photographic, shall be undertaken in accordance with legal and Office procedures.

B. Delinquent Children

- 1. Florida Laws of arrest and interrogation do not distinguish between adults and juveniles. Juveniles are entitled to the same constitutional protections regarding criminal matters as are adults and must be warned of their Constitutional Rights prior to an interrogation when suspected of violating the law. [CALEA 44.2.2] [44.2.3]
- 2. The Deputy taking a child into custody shall promptly attempt to notify the parent, guardian, or legal custodian of the child. When contact is made with the parent or legal guardian the interrogating officer shall confer with them concerning the circumstances of the interrogation to include the need for, nature of and information sought/learned. [CALEA 44.2.2] [44.2.3]
- 3. Appellate Courts hold that admissibility of statements made by a juvenile during interrogation depends on whether a Miranda Warning was given properly, whether the child understood the warning, and whether the juvenile waived his/her rights and made such statements freely, voluntarily, knowingly, and intelligently. [44.2.3]
 - a. Juveniles may be interrogated at a Sheriff's facility but they must not be detained for an unreasonable length of time. [44.2.3]
 - b. Juveniles shall not be interrogated for an unreasonable length of time not to exceed 6 (six) hours. The nature and severity of the crime under investigation, age, intelligence, education and condition of the juvenile shall govern the length of an interrogation session. The juvenile shall be given a ten-minute break after each hour of interrogation. [44.2.3]
 - c. During a juvenile interrogation, the number of officers present should be limited to two. [44.2.3]
 - d. The interrogating Deputy shall inform the suspect and any parent or guardian present of the Sheriff's Office procedure regarding interrogation and the juvenile justice system as it relates to their particular case. [44.2.3]
 - e. The Deputy taking the child into custody shall continue such attempt until the parent, guardian, or legal custodian of the child is notified or the child is delivered to, DJJ. At that time, the responsibility to notify the parent, guardian, or legal custodian of the child transfers to that intake counselor. [CALEA 44.2.2] [44.2.3]
 - f. Juveniles shall be transported to the DJJ facility without delay, unless the juvenile is in need of emergency medical treatment. [CALEA 44.2.2] [44.2.3]

C. Detention of Children

1. A Deputy shall request detention of a juvenile charged with a violation of the law when:
 - a. The charge is for a violent or major offense.
 - b. The child has a history of repeated criminal offenses.
 - c. There are reasonable grounds to believe that the child will fail to appear at a hearing.
 - d. There are reasonable grounds to believe that the child may physically harm witnesses, victims, other persons, or property.
 - e. In cases where detention has been requested by a Member, yet referred by DCF, such information shall be included in the case report.
2. In all other cases, the Deputy Sheriff shall make an effort to release the child to a parent, legal guardian, or responsible adult relative. In those cases in which a responsible person will not accept the child or is unavailable, the child shall be held as a dependent child. Prior to release, following criteria should be followed in making this determination:
 - a. There is proper supervision in the home.
 - b. The juvenile is not ungovernable and will not run away prior to a Court hearing.
 - c. The juvenile is not a danger to society or himself. (Consideration should be given to the type of crime involved, seriousness, etc.)
3. Unless otherwise ordered, the arresting Deputy may, when a juvenile is arrested during school hours, release the juvenile to a school dean or principal. The parents or legal guardians of the child must be notified of the disposition as soon as possible.

D. Transporting Juveniles

1. Juveniles shall not be transported in a Sheriff's vehicle which contains an adult prisoner.
2. When a female juvenile is transported, the Deputy transporting shall advise Communications of the juvenile's presence in the vehicle, the expected duration, and starting mileage. Upon arriving at the destination, the transporting Deputy shall advise Communications and give the ending mileage.

E. Interviewing Juveniles: [CALEA 44.2.3]

(Revised 01/25/10)

Deputies shall afford juveniles the same respect and rights as are afforded adults, whether the juvenile is a suspect, a victim, or a witness.

There is no legal requirement to notify the juvenile's parent or guardian prior to the Deputy's interview or interrogation of the juvenile.

All custodial interrogations of juveniles shall meet constitutional requirements.

All custodial interrogations of juveniles shall be limited to two hours, with sufficient break time to allow for personal necessities and/or rest periods. No more than two law enforcement officers shall be present during the custodial interrogation of a juvenile.

In the event a juvenile must be interviewed or interrogated at school, the law enforcement officer shall notify the school authorities of the law enforcement presence on the campus. The LEO is not required to inform the school authorities of the reason for their presence on the campus. Should there be any question of this policy by the school authorities or parents, the Deputy shall immediately contact his/her supervisor for support and advice.

Consistent with the necessities and timing of the investigation, the law enforcement officer shall notify a juvenile suspect or victim's parent or guardian of the interview or interrogation. The Deputy shall use good judgment as to the timing of the parental notification. If notifying the parent or guardian will jeopardize the investigation in the Deputy's judgment, the Deputy may proceed with the interrogation or interview.

(Revised 3/23/11)

F. Fingerprints and Photographs

Upon the taking into custody of a juvenile for a violation of the law, either misdemeanor or felony, the arresting Deputy shall adhere to the following guidelines regarding fingerprinting and photographing of the alleged juvenile offender:

1. The arresting Deputy shall transport the juvenile to the Monroe County Jail or respective District Station, where the juvenile will be fingerprinted and photographed. In cases in which the juvenile is to be released to the custody of a parent / guardian, the arresting Deputy shall have the discretion of allowing the parent / guardian to bring the juvenile to the Jail or respective District Station at the earliest opportunity for processing.
 - a. The booking section shall make the necessary disposition of the fingerprints and photographs; the arresting Deputy shall be responsible for the proper disposition of the child.
 - b. This procedure shall be followed regardless of the Deputy's decision to recommend release or detention of the child.
 - c. Two (2) fingerprint cards, (one for the Sheriff's Office and one for the Florida Department of Law Enforcement) are to be made along with the photograph of the juvenile.
2. Traffic violations - Nothing in this procedure shall prohibit the fingerprinting and photographing of child traffic violators as prescribed in Florida Law.
3. Fingerprint records and photographs of juveniles taken into custody must be marked "Juvenile Confidential" and kept in a separate file so that they are not accidentally disclosed to the public.

G. Diversion

Juvenile offenders may be dealt with along a continuum of programmatic responses. The least aggressive intervention: the officer may detain, admonish, counsel and release a child with no further action. The most aggressive intervention: the youth may be referred to an extended program of supervision, and treatment requiring participation in intervention services appropriate to identified needs. Formal diversion after processing is determined by the Assistant State Attorney, in concert with Department of Juvenile Justice, and the Court. The Sheriff's Office shall cooperate with the victim, the State Attorney, social service agencies, and department of juvenile justice in the collection and recording of all available information in order to ensure an effective diversion program is maintained. [CALEA 1.1.3] [CALEA 44.2.1]

(revised on 6-27-01)

1. Juvenile Civil Citation: The Juvenile Civil Citation program was designed for use as a form of diversion. Florida Statute 985.301 allows for a civil citation to be issued to a juvenile who commits a non-serious delinquent act, a misdemeanor or violation of a city or county ordinance. The juvenile can then be issued a citation and referred for enrollment into the program. Failure to comply with the program will result in the youth's referral to the Assistant State Attorney with a recommendation for prosecution in Juvenile Court using the citation as the charging document. [CALEA 1.1.3] [CALEA 44.2.1]

a. Procedures for filling out the form - Filling out the form is self-explanatory and fill-in-the-blank. On the reverse side of the Agency copy is victim information. This victim information is needed for UCR and must be carboned or otherwise copied onto the Juvenile Civil Citation copy so they will have the information. [CALEA 44.2.1]

1) Send a copy of the citation to the victim

2) A copy of the citation is for prosecution purposes

b. The Juvenile Civil Citation may be issued in lieu of taking a juvenile into custody if the Deputy can determine to his/her satisfaction that the juvenile: [CALEA 1.1.3] [CALEA 44.2.1]

1) Has committed a criminal misdemeanor or a violation of a County ordinance [CALEA 1.1.3] [CALEA 44.2.1]

2) Note that when both the above circumstances exist, the Deputy may use his/her discretion in determining whether the child should be issued a Juvenile Civil Citation, thereby diverting the juvenile from the criminal justice process, or should be taken into custody and booked at a Monroe County Detention Facility. The Deputy retains the authority to take a juvenile into custody, even if both the above conditions exist. [CALEA 1.1.3] [CALEA 44.2.1]

c. The Deputy must take the juvenile into custody and is not authorized to issue a Juvenile Civil Citation if any of the following circumstances exist: [CALEA 44.2.1]

1) The charge is any felony

2) The charge is any criminal traffic offense

3) If the juvenile has already received prior citations (**IF** the Deputy has personal knowledge or is able to get reliable information that this is the case)

4) The charge is a misdemeanor that involves a malicious act of violence, or is a hate crime

d. Policy for use of the form:

1) Upon observing a juvenile committing a crime that falls within the guidelines for issuing the form, a citation will be completed and a copy given to the juvenile. The Deputy shall explain the procedure the juvenile must follow. These instructions are on the back of the juvenile's copy of the citation. [CALEA 44.2.1]

(revised on 6-27-01)

2) For offenses not witnessed by the officer, but arrestable (i.e., shoplifting), a citation may be issued. The officer shall ensure that the case is prepared for possible criminal prosecution, which involves photographing returned items and/or completing property receipts for seized property. Property receipt number(s) should be noted on the citation. When a citation is issued for consumption of alcohol or drugs, it shall be the policy of the Sheriff that before the juvenile is released, the officer make contact with the parent or legal guardian of the juvenile(s). The parent

or guardian will be asked for authorization to release the juvenile or the officer will detain the juvenile until the adult can respond to take custody. In cases of possession without consumption, a citation may be issued and the juvenile released without parental consent. [CALEA 44.2.1]

2. Deputies investigating a non-felony offense committed by a juvenile may elect to, release the child without charges after evaluating all the circumstances involved in the offense. [CALEA 44.2.1]
3. A Deputy's Supervisor may approve diversion of a juvenile who has committed a violation of law, provided the following criteria are met: [CALEA 44.2.1]
 - a. The offense must be a violation of law in which the Deputy could effect an immediate arrest
 - b. The juvenile has no record of previous delinquency
 - c. The juvenile admits to committing the offense
 - d. The juvenile has an attitude favorable for rehabilitation
 - e. The extent of the juvenile's involvement in the offense, and
 - f. The attitude of the parents or legal guardian is positive and supportive
 - g. The age of the juvenile offender should be considered
4. The Deputy shall complete an incident report detailing the facts of the investigation. The Deputy shall complete a juvenile affidavit form in the same manner as if the juvenile had been taken into custody. [CALEA 44.2.1]
5. The Deputy's immediate Supervisor shall review the incident report for accuracy and determine if all criteria for diversion are present. [CALEA 44.2.1]

H. Juvenile Case Management

Juvenile Case Management shall be under the command of the Special Crimes and Operations Division Commander, Juvenile Unit and shall be responsible for:

1. The review of all incident reports which involve juvenile suspects and or victims, to insure that:
 - a. The report has been properly completed, all information required to complete the report is present, and the incident has been properly classified.
 - b. The preliminary investigation is complete with respect to interviews of witnesses, victims and suspects, and that each lead has been followed as far as practicable by the originating Deputy.
2. Maintenance of a suspense file to insure that all incident reports are returned for correction, and incident reports which require follow-up investigations by the originating Deputy.
3. The review of any supplements to existing incident reports for completion and accuracy.
4. Receiving and logging DCF letters of disposition, and forwarding same to arresting Deputy's Supervisor.
5. Receiving and distributing correspondence from DCF counselors to arresting deputies.

6. Routing of incident reports

- a. The investigating Deputy shall, in addition to the normal routing procedure, prepare one (1) additional copy of all incident reports which involve juvenile suspects and/or victims. This copy shall be forwarded to Juvenile Special Crimes and Operations Unit.
- b. Incomplete and/or inaccurate incident reports shall be returned to the originating Deputy through his/her Supervisor. An action slip detailing the necessary corrections and a suspense date indicating the date by which corrections must be made shall be attached to the report copy.
- c. The originating Deputy shall make all necessary changes and/or additions to the original report at the Records Section.

7. Case assignment

- a. Active cases shall be assigned follow-up status at the originating District.
- b. In the event a determination is made that a victim / suspect is in actuality an adult and not a juvenile, or a juvenile and not an adult, the follow-up investigator shall:
 - 1) If a juvenile, supplement the original incident report and forward a copy of the supplement to the Juvenile Officer, who shall obtain a copy of the original report for review.

I. Juvenile Medical Attention

- 1. Deputies coming in contact with juveniles who are in need of medical attention due to drug ingestion, intoxication, mental disorder, or physical injury, and whose parents, spouse, or legal guardians cannot be contacted, shall arrange for the juvenile to be transported to an appropriate treatment facility.
- 2. Deputies taking into custody a juvenile who is experiencing an emotional disorder, and who is a danger to himself/herself or others, shall transport him/her to the County Jail or respective District Station where Monroe County Mental Health will be contacted to respond.
- 3. Deputies taking into custody a juvenile who is under the influence of drugs or intoxicating liquors, or is suffering from physical injuries to the extent that his/her health or safety is in jeopardy, shall arrange for transportation of the juvenile to Florida Keys Memorial Hospital in District I, the nearest hospital in Districts II and III, respectively.
 - a. After arrival at the treatment facility, and if the juvenile is unmarried, the Deputy shall contact the Florida Department of Children and Family Services (DCF) and advise the intake officer of the surrounding circumstances. A joint decision shall be made as to the disposition of the juvenile.
 - b. If DCF decides to respond, the Deputy shall remain at the facility with the juvenile until arrival of the intake officer, completion of an initial evaluation, and immediate disposition of the child is determined. The Deputy's presence during the intake officer's evaluation interview with the juvenile shall be determined by the intake officer, unless the legal status of the juvenile makes this inadvisable.
 - c. If admission to the treatment facility is required, the Deputy shall remain until the admission procedure has been completed.
 - 1) Non-criminal Incidents - Custody situations which do not require that criminal charges be brought against the juvenile shall be referred to DCF by completing the appropriate report. Unless

otherwise instructed by DCF, the Deputy shall advise the treatment facility to contact DCF when the child is to be discharged.

- 2) Criminal Incidents (Non-Felony)** - In addition to contacting DCF and making a dependent child referral, the Deputy shall document in the appropriate report the criminal charge and facts surrounding the charge. The treatment facility shall be instructed to contact DCF for further disposition of the juvenile when he/she is to be discharged.
- 3) Criminal Incidents (Felony)** - The Deputy shall confer with the DCF intake officer to determine arrangements for secure detention.
 - a)** The Deputy shall complete the appropriate report indicating that the subject is a dependent child and documenting supporting facts for the criminal charge.
 - b)** If the juvenile is not under Sheriff's Office guard, the Deputy shall instruct the receiving treatment facility to notify the Sheriff's Office Communications Section when the subject is to be discharged. He/she shall also initiate a memo to the Juvenile Officer advising that the subject is being committed and the circumstances involved in the detention.
 - (1)** A Deputy shall be dispatched to the facility and shall determine the proper disposition of the juvenile, as dictated by circumstances and Sheriff's Office procedures.
 - (2)** The assigned Deputy shall transport the juvenile to the Sheriff's Office Booking Section for fingerprinting and photographing.
 - (3)** Upon completion of the assignment, the Deputy shall supplement necessary offense reports pertaining to the criminal violations involved.
- d.** If admission to the treatment facility is not necessary, the juvenile shall be released to the Deputy for disposition, as indicated by the circumstances. The evaluating treatment facility shall provide the Deputy with a release statement indicating that the condition of the child is such that he or she may be confined in a detention facility.
- e.** Incidents involving juveniles who require medical treatment for conditions which are not life-threatening and in which the parents or guardian refuse to provide or give consent for such care shall be evaluated on a case by case basis. The Deputy shall contact the DCF on-duty intake officer to determine the course of action to be followed. Nothing in this procedure shall prevent a Deputy from initiating an investigation into the surrounding circumstances and, if warranted, bringing criminal charges against the parents or guardian, in accordance with Florida Law.

J. Juvenile Records

- 1.** Fingerprint cards and records relating to juvenile offenders and delinquent children shall not be open for public inspection except as authorized by Chapter 39, Florida Statute, and shall not be combined with fingerprints cards and records relating to adult offenders.
- 2.** Regardless of the gravity of an alleged offense, fingerprints of minors shall not be used to create an adult criminal history or arrest record unless and until the minor is transferred for prosecution as an adult in accordance with Section 39.09, Florida Statute.
- 3.** All records pertaining to juveniles shall be considered confidential and shall only be available to personnel after written approval from a Division Head. Such written approval shall state the reason(s)

for requesting review and shall in no wise conflict with any law pertaining to such records. The approval memo shall be presented to the Juvenile Officer or Director of CJIS.

4. Disposition of records when reaching adult age - Such records shall remain on file until an Order from the Court allows their removal. Chapter 39.12(2) Florida Statute.
5. Record expunction for juveniles - Upon the receipt of a Court Order to expunge or seal a criminal history record, the Records Supervisor shall initiate the following procedural steps to insure that the requirements of law are met (All Court Orders must be certified).
 - a. Identify the subject of the Court Order or document requesting expunction or correction with the subject's arrest record, case number, and date of arrest.
 - b. Prepare a letter of transmittal, citing specific identification of the subject and arrest information to be expunged or corrected. The letter shall have the signature of the Sheriff or his designee.
 - c. Attach a copy of the Court Order or document requesting expunction or correction to the letter of transmittal and forward to:

Florida Department of Law Enforcement
Crime Information Bureau-Records Control Unit
Post Office Box 1489
Tallahassee, Florida 32302
 - d. Notify all agencies to which the subject's affected record has been disseminated.
 - e. All expunged / sealed records shall be held in a pending status until a reply letter has been received from the Florida Department of Law Enforcement. Upon receipt of the reply letter, complete the expunge / seal or any other action cited in the Court Order or document requesting expunction or correction.
6. The identity or address of a juvenile must be treated as confidential unless the child is sixteen (16) years of age or older and has been taken into custody for a violation of law, which if committed by an adult would be a felony, or the name and address of any child sixteen (16) years of age or older who has been found by a Court to have committed at least three or more violations of law which, if committed by an adult, would be misdemeanors.
7. The records section, Information Management Director, and the Juvenile Officer shall be responsible for the collection, dissemination, and retention of juvenile records.

K. Evaluations

Annually, the Media Relations Director will evaluate all juvenile enforcement and prevention programs to determine if a program should be continued, modified, or eliminated. A report shall be completed and sent to the Undersheriff, via the chain of command.

CALEA 44.1.3

L. Establishment of Policies

In the establishment of juvenile policies and procedures by the Office, Sheriff's Office, especially the Juvenile Operations component will maintain liaison with Department of Children and Families and Department of Juvenile Justice to solicit their input.

[CALEA 44.1.2]

M. Services Listing

An updated listing of social service agencies in Monroe County, that provides services to youths, shall be maintained by Dispatch. Such a list should prove an invaluable aid to those who must choose among available social service agencies when the decision to divert a juvenile must be made.

N. Juvenile School Attendance Violation Notice

1. The Monroe County Sheriff's Office will exercise options included in the Florida State Procedural Laws Chapter 39.421, (taking into custody a child alleged to be from a family in need of services or to be a child in need of services), and Florida School Laws Chapter 232 (Compulsory School Attendance; Child Welfare), in regard to on-view truancy violators. [CALEA 1.1.3]
2. All sworn members of the Office shall be governed by this policy in their contact with truant juveniles. [CALEA 1.1.3]
3. All sworn members of the Office shall familiarize themselves with and utilize the School Attendance Violation Notice described within this order and follow the state procedural laws for truancy violators. [CALEA 1.1.3]
 - a. When a Deputy encounters a juvenile away from school during school hours, he/she shall first determine if the juvenile is truant or is an approved home-study or homebound student by one of the following procedures:
 - 1) Personal interview with juvenile
 - a) Sector 1
 - (1) If the juvenile is in the home-study program, contact Glynn Archer elementary School to confirm, regardless of where the juvenile is enrolled.
 - (2) If the juvenile is a homebound student, contact the school of enrollment to confirm.
 - b) Sectors 4/5
 - (1) The Deputy should contact the attendance office (through the communications Center) of either the Marathon High School or Stanley Switlik School to confirm that the student should be in or out of school. If excused, no form will be completed. (NOTE: The home study program does not apply in the Marathon area).
(revised on 6-27-01)
 - c) Sectors 6/7
 - (1) A truant juvenile should be returned to the school facility which the juvenile is registered to attend.
 - (2) If a juvenile is untruthful as to the school that he/she attends, the juvenile's identify or other information which obstructs the Deputy's performance regarding the disposition of the juvenile, additional action would be indicated.
 - 2) Request dispatch to phone the school attendance office where the juvenile is enrolled and check for permission of the juvenile to be away from school or if the juvenile is an approved homebound student.

- 3)** Request dispatch to phone the juvenile's parent(s) and/or legal guardian to check for permission of the juvenile to be away from school.
- a)** This option should be exercised only if dispatch is unable to make contact with the school.
- b)** Once the Deputy determines that the juvenile is a truancy violator, he/she shall then fill out the School Attendance Violation Notice.
- (1)** The Deputy will obtain a case number and place the number in the top right hand corner of the violation notice.
- (2)** The Deputy will complete the form by filling in the blanks as instructed.
- (3)** If the juvenile is between the ages of 6 through 15, the Deputy will:
- (a)** Check the box - "Regular School Attendance Required, ages 6 through 15."
- (b)** Briefly describe the circumstances of the encounter with the violator including the location of the juvenile at the time of the stop.
- (c)** Instruct the violator(s) that they must have their parents sign their copy of the School Attendance violation Notice and return the notice to the school where they are enrolled within four days.
- (d)** Have the violator sign the School Attendance Violation Notice as indicated on the form (if the violator refuses to sign, write "REFUSES TO SIGN" in the Violator Signature space).
- (e)** Transport the juvenile to the school where the juvenile is enrolled. Record the mileage in the appropriate space.
- (f)** Once at the school, deliver the violator to the attendance office and leave the school personnel the original or white copy of the School Attendance violation Notice.
- (4)** If the juvenile is between the ages of 16 through 17, the Deputy will do the following:
- (a)** Check the box – "Student Non-Enrollment and Non-Attendance; Non-Issuance or Suspension of Driver's License."
- (b)** Briefly describe the circumstances of the encounter with the violator including the location of the juvenile at the time of the stop.
- (c)** Explain to the violator(s) that the school will initiate action towards suspension of their driver's license or the non-issuance of the driver's license due to their non-attendance at school.
- (d)** Have the violator sign the School Attendance Violation Notice as indicated on the form (if the violator refuses to sign, write "REFUSES TO SIGN" in the violator signature space).
- (e)** Give the violator his/her copy of the School Attendance Violation Notice.

- (f)** It is not mandatory for a truancy violator in this age category to be transported back to school. The Deputy should offer the transport and if accepted, record the mileage in the appropriate space. The Deputy should deliver the violator and the original or white copy of the School Attendance violation Notice to the school office. If the violator refuses the transport, the school should be notified by phone indicating the location of the violator and that a School Attendance Violation Notice was issued.
- (g)** If the Deputy does not transport the violator to the school, he/she should do one of the following with the school's copy (white) of the School Attendance Violation Notice:

 - (i)** Personally deliver the copy to the school where the violator is currently enrolled.
 - (ii)** Leave the school's copy of the Attendance violation Notice in the School Resource Officer's mailbox, if the juvenile attends that School Resource Officer's school.
- c)** In cases where the violator refuses to provide the information necessary for the Deputy to investigate a truancy violation, the Deputy may initiate an arrest for "Resisting officer Without Violence" as outlined in 843.02 Florida Statute.
- d)** This procedure does not require an offense report be written by the Deputy, unless the Deputy makes an arrest for resisting. If an arrest is made, the Deputy will be required to prepare all necessary paperwork for a juvenile misdemeanor arrest and follow the standard juvenile arrest procedure.
- e)** The Deputy should forward copies of the documentation through the Supervisor / Shift Commander for review and forward to the Records Unit.

 - (1)** White - school's copy
 - (2)** Green - office's copy
 - (3)** Goldenrod - officer's copy
 - (4)** Yellow - violator's copy

CHAPTER FORTY-FOUR

Major Crimes Team

I. PURPOSE

The purpose of the Major Crimes Team is to ensure the welfare of the children, women and men of Monroe County.

II. DISCUSSION

This directive shall apply to all Sheriff's personnel. One of the goals of the Monroe County Sheriff's Office is to investigate into reported cases of possible child abuse or sexual battery; to aid in the location and return of run-away and missing juveniles from Monroe County and to build and maintain a good professional relationship with other agencies involved with the protection of children to ensure a thorough investigation of all allegations of abuse, abandonment or neglect. Major Crimes Team is headed by a Sergeant who reports to Special Investigations Division.

III. POLICY AND PROCEDURE

A. The Team will be notified on the following cases and will take the lead in the investigation:

1. Child Abuse
2. Sexual Performance by a Child
3. Contributing to the Delinquency or Dependency of a Child
4. Sexual Battery
5. Lewd, Lascivious or Indecent Assault or Act upon a Child
6. Exposure of Sexual Organs

B. The guidelines to assist with the criminal investigation are as follows:

1. Custodial Child Abuse (Physical, Neglect, Abandonment, Sexual) – Major Crimes Team will take the investigative lead with the case and will work in conjunction with Department of Children & Families (DCF).
 - a. Obtain the original information (Monroe County Sheriff's Office report or Abuse registry report).
 - b. Obtain information about all parties involved (locals, FCIC/NCIC, deputies, DCF prior history). Share the locals information and FCIC with DCF.
 - c. Contact reporter for information about the case.
 - d. Determine an appropriate time to interview the child victim either at school, home, or another location best suited for the child. The interview time will also be suited for the child, determined by the safety needs of the child.
 - e. When possible, the interview will be tape-recorded, video taped or both.
 - f. The juvenile activity practice will be used to help qualify the child for court purposes.

- g.** A Child Protection Team medical exam will be scheduled by DCF, as soon as possible, to document the injuries. A psycho-social will also be requested when applicable. A copy of the CPT evaluation will be attached to the report.
 - h.** The detective will photograph the residence (inside and outside for DCF records) and the victim's injuries. The injuries will be documented by using a ruler in the photo. The photographs will be property marked for court purposes and then placed into evidence.
 - i.** The suspect(s) will be interviewed. The detective will comply with Miranda guidelines.
 - j.** The victim's advocate will be notified for the non-offending parent or guardian.
 - k.** If probable cause is found and a suspect is known, then a warrant will be applied for. The SAO may be consulted if the detective feels there is a need for review of the probable cause affidavit or if there are any case law problems.
 - l.** The child will be taken to a shelter if there are any indications of imminent danger to the child. The detective will follow Florida State Statute for the removal of a child (39:401b).
 - m.** Case Closure - If the case is closed by arrest, the detective will prepare the report for court presentation. When there is no arrest, the detective will close the case with the appropriate UCR closure.
- 2. Non-custodial Child Sexual Abuse - Will be handled similar to the custodial without the involvement of DCF.**
- a.** The Child protection Team or the SANE (Sexual Assault Nurse Examiners) nurse practitioner will conduct physical exam. The detective is responsible to schedule this exam.
 - b.** A Child Protection Team psycho-social may also be requested, if applicable.
 - c.** The victim's advocate and/or the SANE (Sexual Assault Nurse Examiners) advocate will be notified.
 - d.** BOLO will be issued, if appropriate.

(Revised 9-23-04)

- 3. Sexual Battery - The Unit will investigate all adult sexual battery reports regardless of their gender. Road Patrol will be the first responder to the report and when the officer receives information of the sexual battery from the victim, the Major Crimes Team will be notified.**
- a.** The victim / SANE (Sexual Assault Nurse Examiners) advocate will be notified.
 - b.** The SANE (Sexual Assault Nurse Examiners) nurse practitioner will be requested if the victim agrees, and respond to the hospital for the exam.
 - c.** A sworn statement will be obtained from the victim and it will be tape-recorded, if possible.
 - d.** Photographs of any injury will be taken. A ruler will be placed along the injury to help measure the area. The photographs will be marked for court purposes and then placed into evidence. If the photographs needed are in a sensitive area, all attempts will be made to have the same sex as the victim photograph the area of injury.

- e. The crime scene will be secured and a search warrant will be obtained if needed.
 - f. The crime scene technician will process the scene.
 - g. A BOLO will be issued if appropriate.
 - h. The suspect(s) will be interviewed in compliance with Miranda guidelines.
 - i. The suspect(s) will be asked if they would consent to a sexual assault kit being completed on them. This would be done for any possible trace of evidence. This cost will come from investigative expenses.
 - j. The crimes compensation form will be completed at the hospital for the cost of the victim's exam.
 - k. The victim will be shown photo line-up of possible suspects. If the line-up is not possible, then all attempts should be made to complete a composite.
 - l. The probable cause affidavit will be completed if the detective feels there is enough evidence. If the detective does not feel they have probable cause, or there are extenuating circumstances, then the SAO may be requested to review the case.
 - m. Case closure will be in accordance with UCR guidelines.
4. Training for the Major Crimes Team- The detective assigned to the Unit will receive training in all areas covered by the Team and will receive updated training, when possible. Training in the areas of child victims is essential to a successful closure for both the victim and the detective. Improper or lack of training may result in an improper investigation and could lead to a possible child predator being released into the community or an innocent person being wrongfully arrested.

(Reviewed/Revised 03/6/13)

CHAPTER FORTY-SIX

SEIZURE AND FORFEITURE OF PROPERTY

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CHAPTER FORTY-SIX

SEIZURE AND FORFEITURE OF PROPERTY

I. PURPOSE

The purpose of this chapter is to establish policies and procedures with specific provisions relating to the seizure and forfeiture of real and personal property.

II. DISCUSSION

The Monroe County Sheriff's Office is authorized to seize and forfeit real and personal property pursuant to Sections 932.701-705, Florida Statutes, and Section 893.12, Florida Statutes. It is the policy of the Monroe County Sheriff's Office to utilize these forfeiture provisions to the fullest extent possible in order to make an impact upon crime, yet protect innocent owners, while providing the maximum amount of economic benefit available under these provisions.

III. POLICY AND PROCEDURE

A. Goals

1. To impose an economic penalty thereby rendering illegal behavior unprofitable.
2. To deter criminal activity by taking away items used in criminal activity.
3. To deter criminal activity by taking away the proceeds of criminal activity.

B. Authority

Florida Contraband Forfeiture Act, Florida Statute 932.701-704 This Act provides for the seizure and forfeiture of:

1. Any motor vehicle, aircraft, vessel, currency, or other personal property, as well as non-homestead real property, which was used or attempted to be used in the commission of any felony, or to aid or abet in the commission of any felony.
2. Any property acquired by proceeds obtained in violation of the Act.
3. Any controlled substance as defined in Chapter 893.
4. Any substance, device, paraphernalia, or currency or other means of exchange that was used, attempted to be used, or was intended to be used in violation of any provision of Chapter 893 if a nexus can be clearly demonstrated between the article(s) seized and the narcotics activity, whether or not the use of the contraband article(s) can be traced to a specific narcotics transaction.
5. Any gambling paraphernalia, lottery tickets, money, currency, or other means of exchange, which was used or attempted to be used in violation of the gambling laws of the state.
6. Any equipment, liquid, or solid, which was being used, is being used, was attempted to be used, or intended to be used in violation of the beverage or tobacco laws of the state.
7. Property in possession of any person who takes aquaculture products in violation of 812.014(2).
8. Any motor vehicle offered for sale in violation of s.320.28.
9. Any motor vehicle driven by a person under the influence of alcohol or drugs in violation of s. 316.193 if at the time of the offense the person's driver's license is suspended, revoked, or cancelled as a result of a prior conviction for driving under the influence.

Florida Statute 893.12(2) This statute authorizes forfeiture of any non-homestead property and any improvements on real estate which is used or intended to be used in any manner or part to commit or to facilitate the commission of a violation of Florida Statute 893.03(1) or (2), or acquired with proceeds obtained in violation of that section. This type of forfeiture is different from the forfeiture described under Florida Statute 932.701, which is limited to forfeiture of property which has been or is being used to facilitate the commission of a felony.

Under Florida Statute 893.12(2), non-homestead real property may be forfeited if it was used or intended to be used in violation of any drug law involving a Schedule I or II drug. **NOTE: Homesteaded real property may not be forfeited in Florida.**

Florida Statute 329.10 and Florida Statute 329.11 authorize the forfeiture of any aircraft which have improper registration or tail identification numbers. Such aircraft need not have been used to facilitate the commission of any crime nor acquired with proceeds from criminal activity.

Florida Statute 812.16 authorizes forfeiture of any motor vehicles, components, wreckers, tools, or machinery used or discovered at the site of a "chop shop" operated for the purpose of concealing, altering, or dismantling stolen vehicles.

Florida Statute 843.18 authorizes forfeiture of a boat used to flee or attempt to elude a law enforcement officer.

Florida Statute 316.80 (3) All conveyances or vehicles, fuel tanks, related fuel, and other equipment described in subsection (1) shall be subject to seizure and forfeiture as provided by the Florida Contraband Forfeiture Act.

C. Burden of Proof

Probable Cause is required for the seizure of contraband. Clear and convincing evidence is required to sustain the forfeiture in Court.

D. Exceptions

1. Property may not be forfeited unless the agency can establish by a preponderance of the evidence that the owner knew or should have known after a reasonable inquiry that the property was being employed or was likely to be employed in criminal activity.
2. Bona fide lien holder's interests are protected under the Act.
3. Property titled or registered between husband and/or wife jointly may not be forfeited unless the agency can establish by a preponderance of the evidence that the co owner knew or should have known after a reasonable inquiry that the property was being employed or was likely to be employed in criminal activity.
4. Property owned jointly by non-married persons may only be forfeited to the extent of the culpable owner's interest in the property, unless the agency can establish by a preponderance of the evidence that the co owner knew or should have known after a reasonable inquiry that the property was being employed or was likely to be employed in criminal activity.
5. A vehicle that is rented or leased from a rental or leasing company may not be forfeited unless the agency can establish by a preponderance of the evidence that the rentor or lessor had actual knowledge at the time the vehicle was rented or leased that the vehicle was being employed or was likely to be employed in criminal activity.

IV. Procedure for Implementing Seizure and Forfeiture of Vessels, Vehicles, Aircraft, Currency, or other Personal Property

1. The case officer, upon determining that an item of personal property is subject to seizure should seize personal property by physically taking the property into custody. Personal property may be seized for forfeiture without a warrant if it is located in a public area or an area not protected by the Fourth Amendment. If it is necessary to enter private property to seize the item, a warrant is generally necessary. Once a vehicle is seized for forfeiture, its contents may be searched without obtaining a warrant. The officer shall then follow the guidelines listed below:
 - a. The officer will complete a Notice of Seizure of Property Form (NSPF) This will be signed by the subject and, if refused, witnessed by another officer. A separate NSPF will be completed for the arrestee and any other parties on the scene who hold an interest in the property (co owners or lien holders).

- b. Complete the Seizure Report.
- c. Complete any other Monroe County Sheriff's Office reports required.
- d. Fax a copy of the NSPF and Seizure Report to the Special Investigation Division's Forfeiture Unit at the time of the seizure.
- e. Send a complete copy of the case report via courier by the next business day.
- f. Make arrangements to have the items stored. The property must be maintained in time of seizure conditions. If the property requires special maintenance, such as a vessel or aircraft, arrangements must be made with a vendor or property manager for maintenance. All property shall be inventoried and any contents which are not subject to forfeiture should be released to the owner or otherwise appropriately disposed of.
- g. The property shall be maintained in a secure area, such as:
 - evidence room
 - safe deposit box
 - department impound or storage facility
 - with private vendor under contract.

2. The Forfeiture Unit/Legal Counsel

- a. The Forfeiture Unit will research the case to determine any owners or lien holders of the item.
- b. Forfeiture Unit Legal Counsel will review the case and determine whether the case is sufficient to proceed with the forfeiture action.
- c. The reasonable value and equity in seized property must be determined. For personal property, blue book value, loan value, or evidence of similar market price may be used. For specialty items such as jewelry, coins, art, or antiques, an expert appraisal may be required.
- d. A NSPF will be sent, via certified mail (return receipt requested) to any subject or company holding a financial interest in the item. This will be postmarked no later than five (5) calendar days after the date of the seizure.
- e. Attempt to contact the owner of the property and negotiate an early settlement, if appropriate.
- f. If forfeiture action is determined, the Forfeiture Unit Legal Counsel will file the civil case within guidelines established in civil proceedings.

V. Procedures for the Seizure of Real Property

- 1. Prior to seizing any real property the case officer, in conjunction with the Monroe County Sheriff's Office General Counsel, must determine whether there is probable cause to believe that the real property was used in violation of, or acquired with proceeds obtained in violation of, Sections 932.701-705 of the Florida Statutes, known as the Florida Contraband Forfeiture Act, or Section 893.12, Florida Statutes. Once probable cause has been determined, the following factors should be considered prior to any final decision to seize real property:
 - a. the potential for successful forfeiture action

- b. the cost of pre-seizure planning and maintenance of property pending final disposition
- c. the impact of forfeiture on targets of a criminal investigation
- d. the impact of forfeiture on innocent owners, lien holders, or other persons not involved in criminal activity
- e. the impact of forfeiture on the public health, safety, and welfare, particularly environmentally sensitive land
- f. whether the seizure / forfeiture is cost-effective or, if not, serves other law enforcement objectives.

2. The Forfeiture Unit / Case Officer shall:

- a. Provide information to and consult with the Monroe County Sheriff's Office General Counsel regarding the investigation, seizure, and management of real property under consideration for seizure
- b. Determine, in conjunction with the Monroe County Sheriff's Office General Counsel, whether probable cause exists to support a real estate forfeiture and assess potential case difficulties
- c. Assess likely impact(s) of successful vs. unsuccessful real estate forfeiture on:
 - 1) the criminal case
 - 2) the subject(s) of the investigation
 - 3) the property owner(s)
 - 4) party(ies) with legal interest in the real estate
 - 5) possible innocent individuals associated with the real estate
 - 6) any underlying crime problem
 - 7) the community
 - 8) the Monroe County Sheriff's Office
 - 9) other agencies / organizations
 - 10) environmentally sensitive or protected lands
- d. determine whether proposed real estate forfeiture is financially feasible based on pre-seizure investigation and consideration factors such as:
 - 1) strength of the case
 - 2) property value and equity
 - 3) percentage of forfeiture proceeds due to Monroe County Sheriff's Office
 - 4) percentage of forfeiture proceeds due to other agencies
 - 5) status of the deed
 - 6) mortgage(s)
 - 7) lien(s)
 - 8) property's condition
 - 9) local real estate market
 - 10) hazards
 - 11) property's location
 - 12) necessary repairs
 - 13) cost of security
 - 14) cost of maintenance
 - 15) cost of insurance
 - 16) cost of litigation
 - 17) cost of property appraisals
 - 18) cost of business operation, if appropriate, taking into account whether illicit funds have been utilized in supporting the operation.
- e. Accomplish necessary forfeiture investigation and research regarding the subject real estate or assist in compiling such information if information is developed by other sources

- f.** Complete necessary departmental, court-related, and other paperwork relative to forfeiture, including a legal description of the property. If applicable, identification numbers must be listed.
- g.** Forward paperwork and recommendation for forfeiture to the Forfeiture Unit and Monroe County Sheriff's Office General Counsel
- h.** Effect constructive "seizure" of real estate and other enforcement duties with respect to the subject real estate.
- i.** Upon recommendation of the Case Officer, Forfeiture Unit, and Monroe County Sheriff's Office General Counsel, the Sheriff or his/her designee shall make the final decision as to whether proceed with the seizure and forfeiture.

CHAPTER FORTY-FIVE
SCHOOL CROSSING GUARDS

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CHAPTER FORTY-FIVE
SCHOOL CROSSING GUARDS

I. PURPOSE

The purpose of this directive is to establish guidelines for School-Crossing Guards.

II. DISCUSSION

This directive shall apply to all Sheriff's Office personnel. The School-Crossing Guards are highly visible representatives of the Sheriff's Office who are responsible for the safety of children at street crossings near schools. School-crossing guards should not direct traffic in the usual regulatory sense. Their role is to expedite the movement of children to and from school by creating gaps in traffic.

III. POLICY AND PROCEDURE

A. School-Crossing Guards

1. Assignment - A school-crossing guard shall be present at his/her duty post at the specified time outlined in the employment assignment. School-crossing guard locations are established by the Sheriff's Office following requests by school officials and a traffic study, which is conducted by the Sheriff's Office Traffic Unit.
2. Training - **The Training Division is responsible for all initial newly hired school-crossing guards and any required continual education.**
3. Familiarity With Area of Post - A school-crossing guard shall familiarize himself/herself with the location and purpose of street and traffic signs (such as school signs and speed limit signs) within his/her assigned area. He/she shall make a report to the Traffic Unit Sergeant, if such signs are missing or damaged.

B. Law Enforcement

1. School-crossing guards are not law enforcement officers. They are part-time, employees for the performance of specific duties. School-crossing guards are not permitted to carry weapons of any kind.
2. School-crossing guards shall not attempt to apprehend law violators. School-crossing guards have no arrest powers. (The State of Florida recognizes the right of a private citizen to make an arrest when a felony is committed in his/her presence. Private citizens have no right to arrest for misdemeanors, including traffic offenses, other than by warrant.)
3. Upon request, a school-crossing guard shall give his/her name in a respectful manner.
4. A school-crossing guard who experiences any difficulty with the public shall file a written report of the incident with his/her supervisor as soon as he/she is relieved from the post.
5. School-crossing guards shall be alert for emergency vehicles (fire trucks, ambulance, police cars) and shall clear the road of children, keeping them off the shoulder of the road until such vehicles have passed.

C. Crossing Procedure

1. The school-crossing shall cross school children only when traffic is clear, taking advantage of lapses in the flow of traffic, unless such traffic is so congested that crossing of children is impossible without stopping traffic.
2. School-crossing guards shall, when the school zone becomes blocked with traffic, use their best effort to aid the drivers of vehicles to proceed.
3. School-crossing guards shall stop vehicular traffic for school children wishing to cross the zone.
4. Children wishing to cross shall assemble on the sidewalk or shoulder of the road.
5. School-crossing guards shall wait for a sufficient break in moving traffic and then walk briskly to the center of the road and hold arms up in the "STOP" position.
6. School-crossing guards shall give a clear and definite signal, with the hands well above the shoulder. Children shall not be permitted to cross without the school-crossing guard in the roadway.
7. The whistle should be used only as a means of attracting attention of motorists.
8. When all traffic is stopped or when the road is clear of vehicles, signal the children to cross. Instruct the children to walk, not run, when they cross the street. Bicycles shall be walked across intersections.
9. When children are safely across, signal the vehicles to proceed while resuming the original position on the sidewalk or shoulder of the road. (this does not apply to the designated crossings where traffic control is the assigned post.)

D. It is the responsibility of the School Guard Supervisor to review annually the school-crossing guard procedure for updates in any duty or responsibility.

E. Locations Requiring School-Crossing Guards

1. **School crossing guard locations shall be established by the Sheriff's Office, following a request from:**
 - a. **Monroe County School Board**
 - b. **Private School**
 - c. **Parents or Citizen groups – The principal of the school the guard is requested for will be contacted for their need assessment.**
2. **The School Guard Supervisor will conduct a needs assessment considering the traffic flow and volume, student foot traffic, school specific vehicle traffic and staffing requirements.**
3. **Approval of such request will be made based on the needs assessment and available funding.**

F. Selecting School-Crossing Guards

1. Private citizens who wish to be employed by the Sheriff's Office as school-crossing guards shall be required to complete the following testing. This shall include, but is not limited to;
 - a. Fingerprint check
 - b. Criminal History
 - c. Drug screen
2. The Sheriff shall consider the applicant's knowledge, skills and abilities to perform the duties of the school-crossing guard position, then make his decision.

G.School-Crossing Guard Uniforms

1. All school-crossing guards shall be issued uniforms and equipment.
2. The school-crossing guards shall be required to wear the uniforms **and traffic vest** in an effort to assist motorists in recognizing them in time to respond to their signals.

(revised on 11-21-01)

MONROE COUNTY SHERIFF'S OFFICE

CHAPTER: 47 - 1		TITLE: Missing Adult	
EFFECTIVE DATE: December 15, 2008	NO.:	NO. PAGES: 4	AMENDED:
REFERENCE:		RESCINDS:	

PURPOSE: The purpose of this order is to establish policy and procedures that govern the response to and investigation of missing adults.

POLICY: It is the Sheriff's policy that reports of missing adults are immediately and properly responded to and thoroughly investigated according to professional standards.

DEFINITIONS:

Missing Adult: Means a person

- 18 years of age or older;
- Whose temporary or permanent residence is in, or is believed to be, in Florida;
- Whose location has not been determined: and
- Who has been reported as missing to a law enforcement agency.

Disabled: A person of any age who is missing and under proven physical/mental disability or is senile, thereby subjecting himself/herself or others to personal and immediate danger.

Endangered: A person of any age who is missing and in the company of another person under circumstances indicating that his/her physical safety is in danger

Missing Endangered Person: Means

- A missing child
- A missing adult younger than 26 years of age;
- A missing adult 26 years of age or older who by a law enforcement agency is believed of being endangered or the victim of criminal activity.

CALEA 41.2.5 FJ

Involuntary: A person of any age who is missing under circumstances indicating that the disappearance was not voluntary, i.e. abduction or kidnapping.

Catastrophe Victim: A person of any age who is missing after a catastrophe.

Missing Endangered Person Report: A report prepared on a form prescribed by FDLE for use by the public and law enforcement agencies in reporting information to the Missing Endangered Persons Information Clearinghouse about a missing endangered person. There is two different report forms: one for missing endangered adults and one for a missing child.

PROCEDURE:

THERE IS NO WAITING PERIOD FOR REPORTING A MISSING PERSON. ALL REPORTS OF MISSING PERSONS SHALL BE ACCEPTED AND DOCUMENTED.

Communications Responsibilities

Communications personnel receiving the report of a missing adult shall:

Immediately dispatch a deputy to the scene of the report.

Obtain sufficient information from the reporting party to broadcast a BOLO to other officers and appropriate agencies. The BOLO should contain the following information if available:

- Missing person description
 - Height
 - Weight
 - Eye and hair color
 - Clothing last seen wearing
 - Location last seen
 - Person last seen with (if other than suspect)
 - Any medical and/or disabilities
- Suspect
 - Description
 - Emphasis on vehicle used and direction of travel
 - Time delay

A supervisor should be notified of every reported incident in which "unusual circumstances" are determined to exist.

Immediately inform all on duty law enforcement officers of the existence of the missing adult report, communicate the report to every law enforcement agency having jurisdiction in the county, and within two hours after receipt of the report, enter the report for inclusion within the FCIC and NCIS databases.

Upon locating the missing adult, immediately purge information about the case from the FCIC and NCIC databases and notify the Missing Endangered Persons Information Clearinghouse.
[CALEA 41.2.5 A, B, C]

Patrol Responsibilities

When a patrol deputy is dispatched to a Missing Adult call, the deputy will:

- Make personal contact with the complainant. If the complainant is out of county, phone contact shall be made as soon as possible.
- Conduct a preliminary investigation
- Initiate a search as dictated by the case circumstances.
- Provide updated information to communications for an updated BOLO.
- Confer with a supervisor regarding notifying a Crimes Against persons Unit detective.
- Write the initial report, including but not limited to:

Full description

Associates, places frequented, threats of violence, etc.

Full details of the circumstances surrounding the event.

If a BOLO was issued.

Investigator notification

A signed statement by the reporting party will accompany the report as required by NCIC.

A statement regarding whether or not an NCIC entry was made.

An NCIC entry made if the missing person falls into one or more of the following categories - Disabled, Endangered, Involuntary and Catastrophe.

If the missing person does not fit into any of the entry categories, no NCIC entry will be made. A statement in the report will indicate that no entry was made. For example - "The subject does not meet the entry criteria for NCIC, therefore, no computer entry was made."

If the case information indicates that the victim was abducted a supervisor will be immediately contacted and will coordinate inter and intra-agency response.

If the case information indicates that the victim is a "Missing Endangered Person" as defined above, a Missing Endangered Person Report shall be completed by the officer and signed by the complainant.

If any of the requested information is unknown or unavailable document that on the form. Do not leave any blank spaces. Submit this form with the offense report.
[CALEA 41.2.5 A, B, F]

Records Responsibilities

The Missing Endangered Person/Child form will be forwarded to the Records Section who will mail a copy to the Florida Department of Law Enforcement (address on back of form).

Supervisor Responsibilities

Supervisor will be contacted in all cases and will, review the circumstances of each missing person report and direct further action as deem appropriate for the individual case.
CALEA 41.2.5 F]

Detective Responsibilities

If requested will respond to the scene to begin an immediate investigation as the circumstances dictate

Normal investigation protocols will be followed in all other cases not requiring an immediate response.

If NCIC entry criteria can be met by the detective subsequent to the investigation an entry shall be made.

Detectives are responsible for all case follow-ups.

[CALEA 41.2.5 C, D, E]

NCIC/FCIC Databases

At a minimum, the detective must make a monthly review of each case with a determination of whether the case should be maintained in the databases.

- An entry concerning a missing child or a missing adult MAY NOT be removed from the FCIC or NCIC database based solely on the age of the missing child or missing adult.
- The lead investigator shall ensure that dental and DNA information is updated and current within F/NCIC.

Dental Records / DNA

The Crimes Against Person Investigator shall obtain or attempt to obtain dental records for the missing child or missing adult within 30 days of the initial report and that information will be entered into F/NCIC.

If a missing child or adult is not located within 90 days after the missing child or missing adult report is filed, the Crimes Against Persons Unit shall attempt to obtain a biological specimen for DNA analysis or from appropriate family members in addition to obtaining necessary documentation.

This section does not preclude the detective from attempting to obtain information or approved biological specimens for DNA analysis before the expiration of the 90-day period. This information will be entered into F/NCIC.

CALEA 41.2.5 E]

Case Closure/Cancellation

The deputy closing the case will:

Verify the return and identity of the missing person. (If the missing person is found in another jurisdiction, the deputy can have the law enforcement agency in that jurisdiction make the verification.)

Write a supplement report including, but not limited to the following:

- Location where the subject was found
- Subject's physical and mental condition
- How identity was verified.
- Account of subject whereabouts during time unaccounted for.

- Synopsis of any criminal charges contemplated.

Cancel any teletypes, BOLO or NCIC/FCIC entries and attached proof with supplement.

Notify assigned detective.

Advise original complainant of the relevant details of the case and the subject's location. Deputies are cautioned in this regard that every case presents different problems and that discretion will be exercised where appropriate in furnishing information.

If it develops that the missing person has been the subject of foul play or has been located either deceased or in severely deteriorated physical or mental condition, personal contact will be made with the complainant.

In all other cases phone contact will suffice.

Return any photographs in Sheriff's Office custody to the owner.

[CALEA 41.2.5 C]

SILVER ALERT

The Silver Alert System has been developed to broadcast vehicle information of a missing elderly person who suffers from irreversible deterioration of intellectual faculties (dementia) in a timely manner, to the general public via F.D.O.T.'s highway dynamic message signs and other highway advisory methods.

The Silver Alert System may be activated if all of the following criteria are met:

- The investigating deputy has initiated a regional media alert.
- The missing person is 60 years of age or older.
- There must be a clear indication that the individual has a diagnosed cognitive impairment, such as Dementia or;
- Under extraordinary circumstances when a person age 18 to 59 has irreversible deterioration of intellectual faculties and the Crimes Against Person Supervisor has determined the missing person lacks the capacity to consent, and that the use of dynamic message signs may be the only possible way to rescue the missing person.
- The missing person is believed to be in danger and driving a vehicle.
- Silver Alert activation must be authorized by a supervisor.

Activation Procedures

The Silver Alert System should be activated as soon as possible after it is determined that all of the above criteria have been met.

Contact the FDLE Missing Endangered Persons Information Clearinghouse (MEPIC) toll-free at 1-888-356-4774

Advise the person answering that activation of the Silver Alert System is requested and provide the following information:

- Vehicle description to include verified vehicle description and tag number.
- Information that a statewide BOLO to other law enforcement/911 centers has been initiated.
- Information that a regional media alert has been initiated.

Notify the Crimes Against Persons Unit supervisor.

Additional Resources

The following additional resources are available to aid in the recovery of cognitively impaired missing persons.

Florida Department of Elderly Affairs (850) 414-2000 - can provide an email Alert notification to the senior network. Local law enforcement can provide the Department of Elderly Affairs with the missing persons' flyer via SilverAlert@elderaffairs.org

Project Lifesaver

(<http://www.projectlifesaver.org>) - A program aiding the victims and families suffering Alzheimer's Disease and related disorders such as Down's Syndrome and Autism. Project Lifesaver uses state-of-the-art technology employing wristband transmitters to locate wandering and lost adults and children.

MONROE COUNTY SHERIFF'S OFFICE

CHAPTER: 47 - 2		TITLE: Missing Children	
EFFECTIVE DATE: December 15, 2008	NO.:	NO. PAGES: 5	AMENDED:
REFERENCE:		RESCINDS:	

PURPOSE: The purpose of this order is to establish policy and procedures response to and investigation of missing children

POLICY: It is the Sheriff's policy reports of missing children are immediately and properly responded to and thoroughly investigated according to profession standards. '

Florida Department of Children and Families (DCF) reporting missing Children - In compliance with FSS 937 f a child under the care or supervision of the DCF, or under the care or supervision of a DCF contract provider is reported missing by an employee of DCF or its contract provider the report will be accepted and the case investigated as per this policy.

CALEA 41.2.6 A

DEFINITIONS:

Missing Child/Juvenile: A person younger than 18 years of age; whose temporary or permanent residence is in, or is believed to be, in Florida; whose location has not been determined; and has been reported as missing to a law enforcement agency.

CALEA 41.2.6 A

Disabled: A person of any age who is missing and under proven physical/mental disability or is senile, thereby subjecting himself/herself or others to personal and immediate danger.

Endangered: A person of any age who is missing and in the company of another person under circumstances indicating that his/her physical safety is in danger.

Missing Endangered Person: Means

- A missing child
- A missing adult younger than 26 years of age;
- A missing adult 26years of age or older who by a law enforcement agency of being endangered or the victim of criminal activity.

Involuntary: A person of any age who is missing under circumstances indicating that the disappearance was not voluntary, i.e. abduction or kidnapping. A juvenile is entered as involuntary under circumstances indicating that the disappearance was not voluntary, such as a child in the company of a family member other than a parent or a non-family member such as a friend, and where the child does not appear endangered.

CALEA 41.2.6 A

Catastrophe Victim: A person of any age who is missing after a catastrophe.

Missing Endangered Person Report: A report prepared on a form prescribed by FDLE for use by the public and law enforcement agencies in reporting information to the Missing Endangered Persons Information Clearinghouse about a missing endangered person. There are two different report forms: one for missing endangered adults and one for a missing child.

PROCEDURE:

THERE IS NO WAITING PERIOD FOR REPORTING A MISSING PERSON. ALL REPORTS OF MISSING PERSONS SHALL BE ACCEPTED AND DOCUMENTED.

CALEA 41.2.6 A

Communications Responsibilities

Communications personnel receiving the report of a missing child shall:

Immediately dispatch a deputy to the scene of the report.

Obtain sufficient information from the reporting party to broadcast a BOLO to other officers and appropriate agencies. The BOLO should contain the following information if available;

- Missing person description

Height

Weight
Eye and hair color
Clothing last seen wearing
Location last seen
Person last seen with (if other than suspect)
Any medical and/or disabilities

- Suspect

Description
Emphasis on vehicle used and direction of travel
Time delay

A supervisor should be notified of every reported incident in which "unusual circumstances" are determined to exist.

Immediately inform all on duty law enforcement officers of the existence of the missing child report, communicate the report to every other law enforcement agency having jurisdiction in the county, and within two hours after receipt of the report enter the report for inclusion within the FCIS and NCIC databases.

Upon the filing of a credible report that a child is missing, within two hours after receipt of the report, transmit the report for inclusion within the FCIC and NCIC databases.

CALEA 41.2.6 E

Upon locating the missing adult, immediately purge information about the case from the FCIC and NCIC databases and notify the Missing Endangered Persons Information Clearinghouse.

Patrol Responsibilities

The patrol deputy will make immediate personal contact with the complainant and determine if:

- The missing child is under age 18.
- The missing child has not been the subject of a prior missing person (runaway) report.
- Determine if unusual circumstances are involved.
- The person filing the report of a missing child has a reason to believe that the missing child may have been abducted either by a family member or non-family member.

- The missing child has had access to a computer and possibly met someone online.

Upon conclusion by the deputy that any of the above conditions exists, the deputy shall immediately:

- Notify a supervisor. The supervisor is responsible for inter and intra-agency coordination.
- Initiate appropriate intensive search procedures with the assistance of additional personnel. Search procedures shall include but not be limited to:
 - Through check of the home, with consent of the appropriate party.
 - Search of immediate area
 - Check youth congregating locations
 - Contact friends and/or relatives
- Notify the duty Crimes Against Persons detective. When the detective assumes responsibility for the case he/she also then assumes responsibility for inter and intra-agency coordination.

CALEA 41.2.6 B, C

- Enlist the aid of other law enforcement agencies, as determined by the supervisor.

Provide detailed descriptive information to Communications for broadcast updates. As information becomes available regarding the missing child's physical appearance, circumstances of the case, or description of potential abductor.

The initial deputy should ensure that the other officers and agencies are provided with up-to-date facts via the Office Communications Division.

CALEA 41.2.6 C

Advise the complainant that:

The case will be assigned to a Crimes Against Persons Unit, who is responsible for all case follow-ups.

Sheriff's Office Communications should be contacted if the child should return home before the detective contacts them.

Obtain a photograph of the child, if available.

Obtain a written statement from the parent, guardian, or responsible party and have them sign the Missing Child form.

CALEA 41.2.6 C

Before shift end:

- Within two hours of receiving the report provide Communications NCIC computer information

CALEA 41.2.6 C

- Complete all reports and initiate appropriate Teletype for missing child believed to be in a specific location outside Monroe County.

CALEA 41.2.6 E

If no unusual circumstances exist the deputy shall attempt to determine the circumstances surrounding the disappearance of the missing child and forward the case to the Crimes Against Persons Unit.

Detectives Responsibilities

If requested will respond to the scene to begin an immediate investigation as the circumstances dictate.

Normal investigation protocols will be followed in all other cases not requiring an immediate response.

If NCIC entry criteria can be met by the detective subsequent to the investigation an entry shall be made.

Detectives are responsible for all case follow-ups.

CALEA 41.2.6 E, F

Supervisor Responsibilities

Obtain a briefing from the first responder(s) and other agency personnel on the scene. This briefing allows the supervisor to determine the scope and complexity of the case and develop an appropriate response. The briefing should be conducted away from family, friends, or any other individual who may be present.

Determine if additional personnel and resources are needed to assist in the search or investigation.

Notify the Crimes Against Persons duty detective.

Consider activation of the Florida AMBER Alert System. If circumstances meet the Amber Plan criteria (see below), the supervisor should promptly implement such efforts.

Ensure that a copy, if not the original, signed Missing Endangered Person/Child form is promptly forwarded to the Records Section.

CALEA 41.2.6 E

Records Responsibilities

The Missing Endangered Person/Child form will be forwarded to the Records Section who will

mail a copy to the Florida Department of Law Enforcement (address on back of form)

Unidentified Children Procedures

If a child is located and cannot be identified the child shall be taken into custody for their safety and well-being.

The responding deputy shall start an investigation to ascertain the identity of the child to properly return the child to a parent or guardian.

A Crimes Against Persons detective shall be notified and may respond to assist or to assume the investigation.

Florida Department of Children and Families will be notified (1-800-ABUSE) and take custody of any unidentified child whose parent or guardian cannot be located.

CALEA 41.2.6 A

NCIC/FCIC Databases

At a minimum, a monthly review of each case with a determination of whether the case should be maintained in the databases must be made by the detective.

- An entry concerning a missing child or a missing adult MAY NOT be removed from the FCIC or NCIC database based solely on the age of the missing child or missing adult.
- The lead investigator shall ensure that dental and DNA information is updated and current within F/NCIC.

Dental Records / DNA

The Crimes Against Person Investigator shall obtain or attempt to obtain dental records for the missing child or missing adult within 30 days of the initial report and that information will be entered into F/NCIC.

If a missing child or adult is not located within 90 days after the missing child or missing adult report is filed, the Crimes Against Persons Unit shall attempt to obtain a biological specimen for DNA analysis or from appropriate family members in addition to obtaining necessary documentation.

This section does not preclude the detective from attempting to obtain information or approved biological specimens for DNA analysis

before the expiration of the 90-day period. This information will be entered into F/NCIC.

AMBER ALERT

The Florida AMBER Alert plan will be set in motion Statewide by the Florida Department of Law Enforcement only upon the request made by law enforcement. It must be determined that the following criteria exist:

- The child in under age 18.
- There must be a clear indication of abduction.
- The law enforcement agency's investigation must conclude that the child life is in danger.
- There must be a detailed description of child or abductor /vehicle to broadcast to the public (photo when available)
- The activation must be recommended by the local law enforcement agency of jurisdiction.

CALEA 41.2.6 D
Steps for Activation

The Amber Alert can only be activated by law enforcement.

Communications will call the FDLE Missing Endangered Persons Information Clearinghouse at 1-888-356-4774.

FDLE working in conjunction with the case officer to determine if information is to be broadcast on a regional or statewide basis.

FDLE working in conjunction with the case officer will prepare information (i.e., child, suspect and/or vehicle, contact information) for public distribution.

FDLE will ensure that the information is broadcast through the Emergency Alert System, Dynamic Message Signs, Lottery machines, <http://www.missingchildrenaler.com>, and other sources.

Investigating deputies should make use of ALL available resources, including but not limited to:

- Local media
- Local Crime Stoppers
- National Center for Missing and Exploited Children 1-800-843-5678 (Florida Branch 1-561-848-1900)
- Jimmy Rice Center for Victim's of Predatory Violent Crime 1-800-634-4097
- Child Watch 1800-928-2445
- A Child is Missing, Inc. 1-800-875-2246
- FBI National Center for Analysis of Violent Crime 1-800-634-4097

Child abduction by non-custodial parent is not a case that would routinely meet Florida Amber plan criteria, unless the investigating agency can articulate a reasonable suspicion that the parent intends to physically harm the child.

Upon confirmation of the above criteria, deputies should contact Communications and request that the Florida Amber Alert plan be activated.

Case Closure/Cancellation

The deputy closing the case will:

Verify the return and identity of the missing child. (If the missing child is found in another jurisdiction, the deputy can have the law enforcement agency in that jurisdiction make the verification.)

Write a supplement report including, but not limited the following:

- Location where the child was found
- Subject's physical and mental condition
- How identity was verified.
- Account of subject whereabouts during time unaccounted for.
- Synopsis of any criminal charges contemplated.

Cancel any teletypes, BOLOs or NCIS/FCIC entries.

Notify assigned detective.

Advise original complainant of the relevant details of the case and the child's location. Deputies are cautioned in this regard that every case presents different problems and that discretion will be exercised where appropriate in furnishing information.

If it develops that the missing child has been the subject of foul play or has been located either deceased or in severely deteriorated physical or mental condition, personal contact will be made with the complainant.

In all other cases phone contact will suffice.

Return any photographs in Sheriff's Office custody to the owner.

If a missing child returns home and no foul play is suspected, the missing child NCIC/FCIC entry can be canceled as stated above and only the appropriate supplemental report is required.

In the event the missing child is determined to be a runaway, the deputy recovering the runaway will write the appropriate supplement.

MONROE COUNTY SHERIFF'S OFFICE

GENERAL ORDER

CHAPTER: 50		TITLE: PLANNING AND RESEARCH	
EFFECTIVE DATE: August 21, 2007	NO.:	NO. PAGES: 1	AMENDED: N/A
REFERENCE: CALEA 15.1		RESCINDS	

PURPOSE

The purpose of this Order is to define the scope of the planning and research function, assign areas of responsibility, and utilizing information available to assist in establishing Office needs, goals and objectives as well as setting operational priorities.

POLICY It is the policy of the Sheriff to establish planning and research functions in order to use data obtained to assist in identifying needs of and setting Office goals and objectives.

PLANNING AND RESEARCH FUNCTIONS

Planning and research functions are established to forecast needs in areas relating to the mission and goals of the Monroe County Sheriff's Office. Planning and research functions may be assigned to a specific unit within a division, to specific individuals, or may be assigned on an ad-hoc basis.

PROCEDURES

Standing Assignments - Planning and research functions are listed below along with the individual responsible:

Strategic Planning / Multi Year Plan	Grants Management
Anticipated workload allocations, Population trends and personnel Levels	Grants Management
Budget planning	Finance Director
Policy Review and Development	Professional Standards
Resource acquisition	Finance Director
Training	Training Advisory Board Chair
Evaluations of current programs and development of new ones	Professional Standards
Anticipated Capital Improvements and equipment needs	Finance Director
Provisions for review and revision as needed	Division Commanders, Directors, Supervisors

Ad-Hoc Assignments The Sheriff or his designee may assign planning and research functions to any employee or Unit on an as-needed basis.


Reporting

An employee or the person in charge of a Unit assigned a planning and research function on an ad-hoc basis by the Sheriff may report directly to the Sheriff regarding that matter.

The person responsible for preparing any report that is generated as a result of the planning and research function, will distribute copies to the Commander or supervisor of any other organizational component that are affected.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 52		TITLE: Information Management/Records
EFFECTIVE DATE: December 13, 2012	NO. PAGES: 19	AMENDED: December 6, 2012
REFERENCE: CALEA: 42.1.3, 74.1.3 CFA: 28.05, 28.06, 34.06, 34.08		RESCINDS:
 _____ Sheriff of Monroe County		

I. PURPOSE

The purpose of this directive is to establish guidelines for the security of Sheriff's Office records and files consistent with public record laws and for the overall operations of the Smart Cop System and Records Section.

II. DISCUSSION

It is the policy of the Sheriff that the Office has a central records section to meet the management, operational, and information needs of the Office and to place accountability for the records function in a specific specialized component. This component is more specifically concerned with field reporting and central records activities and is not intended to address the records functions attendant to specialized entities within the Office. The Records Supervisor, who is directly responsible to the Director of Court Services/Central Records, supervises the Records Section.

A. The main function of the Records Section is to:

1. Review reports for compliance with directives
2. Control the storage and flow of reports
3. Maintain Office records as specified by law and the Sheriff
4. Retrieve records when necessary or requested

B. Ensure a record is made for each request for service to include:

1. Citizen reports of crime
2. Citizens complaints
3. Citizen request for services when:
 - a. A deputy is dispatched
 - b. A member is assigned to investigate
 - c. A member is assigned to take action now or at a latter time
4. Criminal and non-criminal cases initiated by law enforcement officers.
5. Incidents involving arrest, citations, or summonses.

C. All reporting carried out as a result of the above shall include:

1. The date and time of initial reporting
2. The name (if available) of the citizen(s) requesting the service, or victim's, or complainants name;
3. The nature of the incident; and
4. The nature, date, and time of action taken (if not) by law enforcement personnel.

III. POLICY AND PROCEDURES

A. Confidential Records

The Sheriff's Office recognizes that there are types of information contained within various reports generated by the Agency, which are legally confidential. The Office further recognizes and accepts its responsibility to respond to request from the public for information contained in these reports, releasing any information that is legal to release and protecting any confidential information from inappropriate, untimely, or illegal release. The following includes, but is not limited to, information that is confidential and exempt from public inspection and examination as defined by Florida law.

1. Active criminal intelligence information and active criminal investigative information.
2. Information revealing the identity of confidential informants or sources.
3. Information revealing undercover personnel of any criminal justice agency.
4. Criminal intelligence or criminal investigative information that could reveal the identity of the victim of a sexual battery or child abuse as defined by Florida law.
5. Information revealing surveillance techniques, procedures, or undercover personnel.
6. Criminal intelligence or information that reveals the personal assets of the victim of a crime, other than property stolen or destroyed during the commission of a crime.
7. Criminal intelligence and investigative information received by a criminal justice agency prior to January 1979.
8. The home address, telephone numbers, and photographs of law enforcement personnel; the home addresses, telephone numbers, photographs, and places of employment of the spouses and children of law enforcement personnel; and the names and locations of schools attended by the children of law enforcement personnel, as well as several other positions please refer to Florida State Statute 119.071. **Please refer to the statute as there are several different occupations covered**
9. The identity or address of a juvenile unless the child is 16 years of age or older and has been taken into custody for a violation of law, which if committed by an adult would be felony, or the name and address of any child 16 years of age or older who has been found by a court to have committed at least three or more violations of law which, if committed by an adult, would be misdemeanor this is in effect only for arrest prior October 1, 1994.
10. In order to protect the rights of the child and the child's parents or other persons responsible for the child's welfare, all records received by Department of Children and Families concerning reports of child abandonment, abuse or neglect, including reports made to the central abuse hotline and all records generated as a result of such reports, shall be confidential and exempt from the provisions of Florida Statute 119.02 (1) and in accordance with Florida Statute 39.202.

B. Responding to requests for information in Police Reports

1. When a member of the public request information or access to police reports from any member of the Sheriff's Office, that person is to be directed to the Records Division in each respective sector with

the exception of the Cudjoe Sub-Station, which is responsible for releasing to the public or making available for public review any information from any police report in any form.

2. In order to serve the public in a timelier manner, any request from the public to review the daily reports that are not case specific and have been processed by the Sector Records Section, shall be referred to the Public Information Office in the Community Relations Division, which is responsible for releasing any information from any police report. This paragraph does not preclude, however, the Records Division giving every effort to the releasing of such requested records to the public
3. Questions concerning the release ability of a record shall be directed to the Central Records Section Supervisor, and if not available to the Director of Records.

C. Direct Access

The following shall serve as guidelines for direct access to Sheriff's Office records and files.

1. Only authorized personnel shall have direct access to Record Section files. All other personnel of the Sheriff's Office shall be able to access records through the SmartCop system without the help or permission of the Records Section. Access to these records is assigned by the Director of Records and is dependent on the employees job function
2. Only designated Sector and Central Records personnel are authorized to release records duplicates.

D. Duplication of Office Records

1. Office records may only be duplicated for official purposes.
2. Official Sheriff's Office records shall not be used in conjunction with educational study projects, surveys, academic research, unless approved by the Sheriff.
3. Official records or duplications thereof shall not be retained in personnel files or maintained outside of the Office.

E. Juvenile Records

1. Electronic juvenile records shall be tagged as juvenile records and are confidential.
2. Paper juvenile files, fingerprint cards and photographs shall be marked "Juvenile Confidential".
3. Fingerprint cards and records relating to juvenile offenders and delinquent children shall not be open for public inspection except as authorized by 985.11 Florida Statute, and paper format files shall not be commingled with fingerprint cards and records relating to adult offenders.
4. Records of juvenile offenses once reaching adult age shall remain on file until an Order from the Court allows their removal, per 39.12 (2) Florida Statute.

F. Record Expungement

1. Upon receipt of a Court Order to expunge or seal a criminal history record, the Records Supervisor or his/her designee shall initiate the following procedural steps to insure that the requirements of law are met. **ALL COURT ORDERS MUST BE CERTIFIED**
 - a. All court orders must be accompanied by a Florida Department of Law Enforcement certificate of eligibility.
 - b. A request for a certificate of eligibility for an expunction or sealing of a criminal history record will be denied if the defendant was found guilty or pled guilty or nolo contendere, even if the

adjudication of guilt was withheld, on any violation of the following: **Please refer to Florida State Statute 907.041 for a list of all charges for denial as there are several:

- 1) Florida Statute 794 Sexual Battery
 - 2) Florida Statute 800.04 Lewdness / Indecent Exposure involving a child
 - 3) Florida Statute 817.034 Florida Communication Fraud Act
 - 4) Florida Statute 827.071 Child Abuse / Sexual Performance by a child
 - 5) Florida Statute 839 Offenses by Public Official / Member
 - 6) Florida Statute 907.041 Pretrial Detention and Release
2. Any request for a criminal history that has been sealed or expunged shall be handled directly by the Records Section Supervisor.
 3. Expunction or sealing
 - a. Identify the subject of the court order with the subject's arrest record, case number, and date of arrest.
 - b. Prepare a letter of transmittal citing specific identification of the subject and arrest information to be expunged or sealed. The Sheriff or his designee will sign the letter.
 - c. Attach a copy of the Court Order to the letter of transmittal and forward to:

Expungecourtorder@fdle.state.fl.us
 - d. Include in the mailing a copy of the motion and affidavit if obtainable.
 - e. Notify all agencies to which the subjects affected records has been disseminated.
 4. Juvenile
 - a. Identify the subject of the court order or document requesting expungement with the subject's arrest record, case number, and date of arrest.
 - b. Prepare a letter of transmittal citing specific identification of the subject and arrest information to be expunged or sealed. Such letter shall have the signature of the Sheriff or his designee.
 - c. Attach a copy of the Court Order to the letter of transmittal and forward to:

Expungecourtorder@fdle.state.fl.us
 - d. Notify all Office divisions to which the subject's affected record has been disseminated.
 5. Administrative Expunction

See F.S.S. 943.0581 for the requirements.

How to Complete Administrative Expunction:

The following information must be on Agency letterhead:

 1. State the reason for the administrative expunction
 2. The request must include the following identifying information:
 - a. Name and Alias(es)
 - b. Sex and Race
 - c. Date of Birth
 - d. Social Security Number (if available; used for identification- not mandatory)

- e. Date and time of the Arrest
- f. Original Charges
- g. DLE number (also known as State I.D. #)
- h. OBTS number
- i. Must be signed by the Sheriff or designee

Email application to : Qualitycontrol@fdle.state.fl.us

6. All expunged / sealed information shall be taken out of all systems as soon as certified copy of a Court Order has been received.

7. Scanning Expungements

a. Once you have received proper paperwork to expunge and record has been expunged (in the computer), Central Records will do the following:

- 1) Collect all records pertaining to the file
- 2) Scan F.D.L.E. letter, certificate of eligibility & Court Order in the Fortis Imaging System.
- 3) Verify all paperwork has been scanned, is legible, and then destroy the paper documents and or delete computer documents/files.

8. Scanning Sealed Records

a. Once you have received proper paperwork to seal and record has been sealed (in the computer), Central Records will do the following:

- 1) Collect all records pertaining to the file.
- 2) Scan all documents along with F.D.L.E. letter, certificate of eligibility and court order in the Fortis Imaging System.
- 3) Verify all paperwork has been scanned and is legible, then destroy the paper documents and or delete computer documents/files.

9. Scanning Records with Special Circumstances

If there several suspects listed, but only one person's records are being sealed or expunged Central Records will do the following:

a. Sealed Records:

- 1) Once you have received a certified copy of Order to Seal and Certificate of Eligibility from F.D.L.E.; Central Records will do the following:
 - a) Collect all records pertaining to the file
 - b) Redact all required information
 - c) Re-scan; replace the paperwork already scanned, as well as the letter from F.D.L.E., Court Order & Certificate of Eligibility
 - d) Destroy all paperwork and or delete computer documents/files.

b. Expunged Records

- 1) Once you have received a certified copy of Court Order and Certificate of Eligibility from F.D.L.E.; Central Records will do the following:
 - a) Collect all records pertaining to the file
 - b) Redact all required information

- c) Re-scan; replace the paperwork already scanned, as well as the letter from F.D.L.E., Court Order and Certificate of Eligibility.
- d) Destroy all paperwork and or delete computer documents/files.

10. The file within the Fortis Imaging system will be restricted to the following personnel.

a. View Only

- 1) Sheriff
- 2) IT personnel
- 3) Sheriff's Administrative Assistant

b. View and edit

- 1) Central Records Supervisor
- 2) Central Records Assistants

G. Field Reporting

Refer to General Operations Manual, Chapter 90 - Report Writing Manual and Case Numbering System.

H. Supervisory Review of Reports

1. It is the responsibility of every supervisor to ensure that incident and traffic reports submitted by subordinates are thorough, accurate, and comply with all policies and procedures by reviewing them prior to final submission.

2. Approving Reports

a. Each report will be thoroughly read by the reviewing supervisor. The editing supervisor shall insure that:

- 1) All appropriate sections, lines or other entry items are correctly completed.
- 2) The crime classification is correct.
- 3) The body of the report is written in a correct format.
- 4) Spelling, grammar, and phraseology is correct and appropriate.
- 5) All written items in the report are clear and legible.
- 6) Insure that all pertinent information is documented.
- 7) Insure that to the fullest extent practical, all leads, clues, or any suspect information is pursued to a satisfactory conclusion.
- 8) Insure that a "good-faith" effort to solve any reported crime is made,

b. When the supervisor determines that an incident report meets each of the investigative and report writing standards set forth herein, the supervisor shall approve such report along with his/her ID number and Sector number.

c. When a supervisor determines that a traffic report meets each of the investigative and report writing standards set forth herein, he/she shall approve report in Smart Cop.

3. Rejecting and Corrections of Reports

a. Supervisors shall reject any incident or traffic report not meeting the above listed report writing or investigative standards, and shall:

- 1) E-mail the member. It is the employee's responsibility to correct the report and e-mail the supervisor of such correction.

- 2) Corrections of reports shall be accomplished with in twenty-four (24) hours.
- b. Supervisors, other than the member's supervisor, who rejects an incident report shall:
 - 1) E-mail the members supervisor that the report has been rejected. The member's supervisor will then forward to the originating member.
 - 2) Members shall follow previously outlined procedures for correcting and advise the supervisor of corrections.
- c. Uniform Crime Report (UCR) classification personnel who believe an incident report would be rejected shall forward the report to the appropriate District Commander for review and appropriate action.
4. Routine Reports - Once the supervisor has reviewed the reports, the supervisor will approve all narrative, supplements and then the entire report electronically. Copies of reports may be maintained at the District Stations in an appropriate filing system
5. Routing Reports
 - a. Law enforcement supervisors are authorized to review, approve, and or refer reports.
 - b. Supervisor will also make copies of any support documents and route the documents to the referred unit.
 - c. Original support documents will be sent to the Records Section, unless otherwise indicated in the narrative. Supervisors will rout referred reports to the State Attorney's Office.
6. Case Status - Case status shall be determined by the following criteria:
 - a. All cleared cases shall adhere to the Uniform Crime Report guidelines for case clearance.
 - b. The judgment of reviewing supervisor shall determine active or inactive status of other cases based upon the fulfillment of the investigative criteria.
 - c. Correct case status shall be indicated by the U.C.R. clerk by marking the Offense Status field.
 - 1) Cleared by arrest
 - 2) Exceptionally cleared
 - 3) Unfounded
 - 4) Active
 - 5) Inactive
- I. Report Distribution
 1. Investigative reports - will be distributed by the reviewing patrol supervisor or investigative supervisor. Most reports are in electronic format and may be distributed as such.
 2. Supplemental reports - same procedures will be followed as with initial reports.
 3. Insurance reports - Approved copies of reports requested by insurance companies will be forwarded within forty-eight (48) hours after the request is received.
 4. Media reports - all reports for media purposes shall be released through the appropriate Community Relations Officer, unless requested by an individual through the Records Section.

5. Reports involving domestic violence or juveniles shall be forwarded to the appropriate agency or organization within 24 hours after receipt (Domestic Abuse Shelter, FL Dept. Of Juvenile Justice, FL Dept. of Family and Children). The station Commander shall ensure compliance with this policy.

(Revised 08/26/09)

6. Criminal Citations / Notice to Appear, DUI Arrest and other appropriate reports will be forwarded to the State Attorney's Office and Clerk of the Court.

7. Fees will be assessed according to the established schedule.

J. Control of Reports

1. Daily Reports

- a. Central Records shall account for all reports by incident number assigned by the Computer Aided Dispatch (C.A.D) System
- b. Supervisors shall ensure all reports are forwarded to Central Records for master control and filing.
- c. Whenever incident reports are received in Central Records, incident numbers are matched to the appropriate report utilizing the C.A.D. report. The Central Records Administrator shall notify the appropriate Sector Commander of reports not accounted for after three (3) business working days.

2. Follow-up Reports

As follow-up reports on active cases are completed they shall be forwarded through the chain-of-command to Central Records for placement with the original report. The Sector Records Unit shall maintain all follow-up reports and forward them to Central Records every ten (10) days.

K. Audits

- a. Daily- Central Records shall conduct a daily audit of all case numbers drawn each day. This is to insure that all reports and follow up reports are received and accounted for in the Smart Cop system.
- b. Monthly- Every record listed in F/NCIC hot files will be validated for accuracy.

L. Scanning Offense paperwork

- a. When any documentation related to an offense is received, it will be scanned in to the Fortis Imaging System.

M. Privacy and Security Precautions for the Central Records Function

No member of the Office or public, except assigned to the Records Section, or those authorized by the Director of /Records, shall be allowed beyond the point so designated.

N. Records Retention Schedule

All records are retained according to the GS1-SL and GS2 which is distributed by the Florida Division of Archives Historical Records Management, which dictates the length of time and the media by which records shall be maintained. No records shall be disposed until written approval has been granted by the agency designated Records Management Liaison Officer.

(CALEA 42.1.3 E)

- O. Central Records information shall be available to operational personnel, twenty-four (24) hours a day, seven days a week, in the form of on-line data.

P. Master Name Index.

The Records Section shall manage an electronic alphabetical master name index. The criteria for inclusion of names in the index shall be the name of victims, complainants, suspects, persons arrested, witnesses, those receiving a traffic citation or warning, and those whom a Field Interview Report (FI) was completed.

Q. The Law Enforcement Records Section shall maintain electronically:

1. An index of incident by location
2. An index of incident by type
3. An index of stolen, found, recovered, and evidentiary property
4. A modus operandi file

R. The Corrections Record Section shall maintain:

1. A booking file on each person arrested to include;
 - a. Updated information obtained from State and Federal rap sheets (i.e. FDLE, FBI and fingerprint classification number)
 - b. Photograph
 - c. Copy of Arrest Report

S. All records to be maintained by the Monroe County Sheriff's Office shall be controlled by the Records Section, except as otherwise provided by Office directives.

T. Case Disposition Records

Central Records will be responsible to maintain all disposition forms that were forwarded from the State Attorney's Office.

U. Warrants Section

Main functions of the Warrants Department are:

1. Enter and maintain accurate wanted persons records.
 2. Control the storage of wanted persons records,
 3. Audit the wanted persons records according to FDLE
 4. Make attempts to locate wanted persons.
 5. Answer Hit confirmation requests within 10 minutes
 6. Prepare documents for extradition of our wanted persons.
- .
1. All warrants and writs directed to be served by the Sheriff of Monroe County, Florida, shall be logged by the Warrants Section in to the Master "Warrants Log", which maybe computerized.
 2. FCIC / NCIC Entry
 - a. All such warrants shall then be entered into the national NCIC (National Crime Information Center) computer system.
 - b. Felonies - In the extradition limitation section for Felonies with a bond amount less that \$5,000.00 it will be noted "Florida Pick-up Only", unless there is a warrant information sheet from the State Attorney's Office or notation on the warrant from the Judge stating otherwise.
 - c. Misdemeanors- In the extradition limitation section it will be noted "Florida Pick-up Only", unless there is a warrant information sheet from the State Attorney's Office or notation on the warrant from the Judge stating otherwise.

- d. Writs-
 - Child support writs are eligible to be entered in FCIC only.
 - Other types of writs are not eligible to be entered in F/NCIC.
- 3. Juvenile Warrants
 - a. Juvenile felony and misdemeanor warrants, orders to take into custody and dependency warrants will be entered into the NCIC system.
- 4. Scanning Warrants and writs
 - a. Once warrants and writs are entered in the Smart Cop System they will be scanned into the Fortis imaging system.
 - b. All warrants are available to the operational personnel 24 hours a day, 7 days a week in the form of online data.
- 5. Extradition
 - a. Out of State – After a subject is located in another state a copy of the original warrant and the hit confirmation request will be forwarded to the Extradition Coordinator to confirm extradition with the State Attorney Office.
 - If extradition was confirmed by the SAO the Extradition Coordinator will arrange a pick up.
 - If extradition was reduced by the SAO the warrant will be updated with new extradition information in all systems.
 - b. Out of County – After a subject is located in another county within the State you will verify whether or not subject is going to post bond on our warrant. If subject does not post bond you will forward all information to the Extradition Coordinator to take care of pick up arrangements
 - If extradition was reduced by the SAO the warrant will be updated with new extradition information in all systems.
- 6. Warrants or writs from others Agencies
 - a. If you receive a warrant from an Agency from another County or State asking us to locate subject because they have information that they are residing in our County. The information is entered into a computerized log. The warrant will be forwarded to the appropriate Substation for service. After an attempt to serve is made the warrant is returned to the Warrants Department with an appropriate notation. The warrant will be returned to the originating Agency.
- 7. Warrants shall be cancelled for service and recall only - Should a warrant be canceled, notice shall be given to all personnel involved.
- 8. Prior to service of any warrant, verification will be made.
 - a. Local Warrant - As entry in the computer must be verified and must have a physical warrant in file or the scanned document in the Fortis System.
 - b. Out-of-State and County - Verification must be made with the originating agency by teletype.
- 9. Canceled warrants/writs will be sent to the Clerk of Courts via courier.
- 10. Injunctions:
 - a. All active Injunctions/Protection Orders will be entered/updated in the Smart Cop system within 24 business hours of receiving.

- b. All active injunctions will be entered in NCIC
- c. Permanent injunctions will be updated in Smart Cop, NCIC, scanned into the Fortis imaging system and shredded.
- d. Dismissed injunctions will be recalled from Smart Cop, canceled from NCIC, scanned into the Fortis imaging system and shredded.

11. FDLE audit will be conducted every month on warrants, writs and injunctions entered in NCIC to make sure every record is still valid and the entry is accurate.

12. Accurint search is done to locate and arrest people with active warrants or to find deceased people with active warrants

- a. If a person with active warrant is located an attempt to locate and arrest will be sent via teletype.
- b. If a person with active warrant is deceased the warrant(s) will be recalled and sent back to the Clerk of Court.
- c. All attempts to locate will be entered in the computerized log.
- d. The log is posted on the Outlook every month.

13. Warrant Recalls will be done in a timely manner. A recall log book will be maintained by the warrants section. A computerized recall log will be posted in Outlook every business day.

[CALEA 74.1.3 A, B, C, D, E]

V. Traffic Citation Records & Crash Reports

1. Records retention of citations

- a. All citations and warnings shall be entered into the SmartCOP Mobile Forms
- b. All citations and transmittal slips shall be forwarded to the Clerk's Office, by each appropriate District, within five (5) days after being written.
- c. Copies of citations may be kept by District Records Section.
- d. It shall be the duty of each respective District Commander to ensure the entry of the Citations and Warning into the Smart Cop system and the transmittals to the Clerk's Office are accomplished in the specified time.
- e. It shall be the duty of District Records Section, under the direction of the District Commander to audit the information, sending back requested changes, to the originating Deputy.

2. Citation Accounting

- a. Citations are ordered from the DHSMV, Tallahassee, by the Traffic Unit Supervisor on an as need basis.
- b. District Commanders shall advise the Traffic Unit Supervisor of their need for citations.
- c. Citations shall be receipted to DHSMV when so received and stored in a secure area by the Traffic Unit Supervisor.
- d. The citations shall be distributed to each Station Commander or his designee by the Traffic Unit Supervisor and receipted by the same who shall be responsible for their safe storage.
- e. The Station Commander or his designee shall enter each citation book into the log book by citation books numbers and later depict to whom the citation book was issued.

- f. Members needing a new citation book shall present their depleted citation book with all copies of citations from that book to the Station Commander or his designee for accounting. A check against Smart Cop Mobile Forms shall be performed to ensure that all citations in the book have been correctly issued and entered into the system.
 - 1) Once all citations are accounted for from that book the Station Commander shall so note it in the original citation issue form for that particular book.
 - 2) This shall be done prior to issuing a new citation book.
 - 3) Unaccounted for citations shall be resolved and the resolution noted on the original citation issue form.
- g. Once issued to the employee, the member shall examine the citation book ensuring all citations are present. After such, the employee shall sign the cover receipt of the citation book and forward the receipt through the chain-of-command to the Station Commander. The Station Commander shall forward all citation book receipts to the Traffic Unit Supervisor after ensuring entry in the citation log.
- h. Should the examination of the citation book show missing citations, the member shall return the book for issuance of another. If the citation is lost or stolen from the member, they will contact the Traffic Unit Supervisor by the respective Station Commander immediately.
 - [34.08M d]
 - i. Books with missing citations shall be returned to the Traffic Unit Supervisor by the respective Station Commander. The Traffic Unit Supervisor shall send the entire book back to the DHSMV with a cover letter depicting the problem. A copy of the letter shall be kept on file with all other citation accountability records.
 - [34.08M d]
 - j. In the case of damaged citations, due to error, only voiding of the citation is necessary. All five copies of the citation shall be marked "VOID". The officers "pink" copy shall be retained by the employee for accounting purposes. Entry is to be made for each voided citation into the - Smart Cop Mobile Forms system.
 - [34.08M e]
 - k. Transmittal sheets shall be maintained by each District Records Unit. At the close of each calendar year these transmittal sheets will be forwarded to the Traffic Unit Supervisor for proper maintenance awaiting an audit form DHSMV.
 - l. Citations that are returned upon a member leaving this agency shall not be issued, instead they shall be marked "VOID", and forwarded to the Traffic Unit Supervisor for submission on transmittal to DHSMV.
 - m. Defendant shall receive the yellow copy, pink maintained by the issuing officer, white copy shall be forwarded to the Clerk's Office, if an electronic citation is issued, defendant shall be issued the printed "defendant" copy and the "court" copy shall be forwarded to the Clerk Office.
 - n. Periodic Audit of Citations - refer to Chapter 40 - traffic, page 16 for requirements and procedures for an annual audit of all issued traffic citations.
 - [34.08M e]

3. Long form Crash reports:

All original long form crash reports shall be completed in Smart Cop Mobile Forms module, and will be forwarded to Tallahassee electronically

Short form Crash reports:

All original short form crash reports shall be completed in Smart Cop Mobile Forms module, and will be forwarded to Tallahassee electronically.

W. Recording of Arrest Information

1. Whenever any adult is arrested and brought into any Monroe County Sheriff's Office correctional facility, such individual shall be fingerprinted and photographed. In addition, an arrest report shall be completed. [CALEA 1.2.5 a,b]
2. Juvenile arrest - refer to Chapter 43.
3. Whenever a person is arrested who has been previously arrested in Monroe County, the Jail Records Section shall insure that any previous addresses of old files are updated and that they most current photograph is on file.
4. The Identification Section shall verify the identities of persons arrested in Monroe County. The Corrections Division shall send one ten-print fingerprint cards or electronic version thereof, one card for other agencies on all Monroe County Sheriff's Office arrest to the Identification Section within one working day after a person has been arrested. The Corrections Division will use cards provided by FDLE. Once the fingerprint card is received, they will be checked for completeness and the quality of the fingerprints. One card will be classified according to the Henry System. A local name check and fingerprint file search will be completed. One card will be sent to FDLE Crime Information Bureau. Only the best fingerprint card will be maintained in the Master System. [CALEA 1.2.5 b]

X. Identification Numbers for Persons Arrested

Each person who has been arrested will have only one identification, although the individual may have been arrested on a number of different occasions and thus have been issued different case and arrest numbers relating to them. Identification numbers are not to be duplicated or skipped.

Y. The Jail Records Section shall maintain a file of all registered convicted felons in Monroe County in compliance with Chapter 775.13 Florida Statute.

Z. Registration of Sexual Predators and Sexual Offenders

[CFA 28.05M CFA 28.06M]

This policy is issued with the express intention of outlining, and specifying the Monroe County Sheriff's Office's response to sexual offender and sexual predator registration as mandated by Florida Statute 775.21, and Florida Statute 943.0435, wherein the Sheriff is required to publicly identify certain persons as sexual predators and/or sexual offenders and also community notification.

1. Definitions

- a. Sexual Predator - A person so named on record by the Florida Department of Law Enforcement, or by the Judge of any Circuit in the United States.
- b. Sexual Offender - Any person sanctioned by any Court in Florida for an offense outlined in Florida Statute 943.0435 (1)(a), and who has been released on or after October 01, 1997, from such sanction.
- c. Booking facility - The Monroe County Sheriff's Office Correctional Facilities.
- d. Access (as a verb) - To approach, instruct, communicate with, store data in, retrieve data from, or otherwise make use of, any resources of a computer, computer system, or computer network.
- e. Criminal History Information - Information collected by criminal justice agencies on persons, consisting of identifiable descriptions and notations of arrest, detentions, indictments, information, or other formal criminal charge and the disposition thereof.
- f. Offender Registry Information - Any Information collected regarding the identity, employment location, residential information, and/or criminal history of a sexual offender and/or sexual predator.

2. The Sheriff is required to publicly identify sexual predators, and elects to publicly identify sexual offenders according to law. The following procedures are to be used for those purposes.
 - a. Persons required to register are to be directed to the nearest booking facility. Since there are time limits imposed on registration deadlines for affected offenders, registration must be possible 24 hours a day, seven days per week.
 - b. Initial Registration consists of the following: Offender Based Tracking Number "OBTS" and fingerprints using the "live scan system." The offense shall be entered as "Sexual Predator or Offender" as described in FSS 923.01. An online registration form will be completed using the FORTS System.
 - c. Re- registration is, for all intents and purposes, a booking without issue of Offender-Based Tracking Number -"OBTS" or bond. The offense shall be entered as "SEXUAL PREDATOR" if the individual is a sexual predator or as "SEXUAL OFFENDER" All other fees required for Florida Statute 923.01 shall be collected and an online registration completed. No written instruments need to be filled out, with the exception of a fingerprint card and, upon that card, the offenses as aforementioned. Information will be updated in the Smart Cop System.
 - d. It is required by law that the registering person be photographed; digital mug shots, therefore, shall be taken of each person at the time he/she registers. It is vitally important that these mug shot photographs be of useful quality, since they will be furnished to the news media and to the Florida Department of Law Enforcement in satisfaction of the requirement.
 - e. Sexual offenders and sexual predators are required to provide verbatim summaries of their arrests according to specifications in Florida Statute 775.21 and Florida Statute 943.0435. All persons being so registered should be questioned in regard to their criminal histories and any other identities or monikers/ nicknames they may have used or are using. Thereafter, a check through NCIC/FCIC must be run, with paper copy of the responses and all pertinent queries forwarded to the Director of Central Records along with the fingerprint card.
 - f. The Jail Commander shall:
 - 1) Promptly forward the fingerprint card (or digital equivalent) and digital photo mug shot to the Florida Department of Law Enforcement, and
 - 2) Notify the Public Information Officer of the registration, furnishing the computerized criminal history and other criminal justice information to the Public Information Officer for use by the media. Notify the Major Crimes Unit upon release from jail, if the subject does not provide a residential address (if subject puts a shelter down as residence).
 - g. Sexual Predator / Offender Records as Public Information - The whereabouts and identity of sexual predators and sexual offenders are public record, as is their criminal histories. While FCIC/NCIC computerized criminal history may NOT be distributed, the contents of same as they relate to sexual predators and sexual offenders are public record as specified in Florida Statute 775.21. Furthermore, the Public Information Officer, or any other member of the Sheriff's Office, shall divulge this information on demand. If the victim of any sexual predator or sexual offender was a minor at the time of the offense(s) that fact should be part of the public record, even allowing for the exact age of the victim to be divulged. Under NO circumstances, however, is the identity of ANY victim of ANY sexual offense to be a public record, regardless of the victim's age at the time of the offense.
 - h. The Major Crimes Unit will be responsible for community notification and compliance.

The Major Crimes Unit will notify the Public Information Officer of the registration of a sexual predator, furnishing the computerized criminal history and other criminal justice information to the Public Information Officer for use by the media

- i. The Major Crimes Unit will prepare a flyer on all sexual predators and selected offenders for distribution.
- j. Copies of sexual predators and sexual offenders flyers are made available, upon request, by the Major Crimes Unit. These copies shall be provided at no cost to individual citizens or organizations demonstrating a mission that requires contact with children as a focal point of said mission.
- k. The flyer shall contain the information regarding the sexual predator/offender and photograph. A short explanation of the public notification law and instructions on where to find further information will also be provided.
- l. In addition to the above notification, Florida law requires that within 48 hours after receiving notification of the presence of a sexual predator, the Sheriff of the county where the sexual predator establishes or maintains a permanent or temporary residence shall notify each licensed day care center, elementary school, middle school, and high school within one mile radius of the temporary or permanent residence of the sexual predator or the presence of the sexual predator.
- m. The Major Crimes Unit will make these notifications as required. Notification shall be made to a person of authority at each location (Principal, Director, Owner, etc...) If the school is closed for holiday, vacation, etc... in person notification shall be made upon reopening.
- n. The Major Crimes Unit will also, at least quarterly, ensure that contact is made with all identified predators and offenders. Once verification of address is made, entry into FDLE Sexual Predator and Offender databases will be made a written report will be on file.

AA. Criminal History

1. The Sheriff's Office accesses computerized criminal history information through the following computer system:
 - a. Sheriff's Office main frame computer system,
 - b. Florida Criminal Information Computer (FCIC),
 - c. National Crime Information Computer (NCIC)
2. Only designated terminals in Central Records, Warrants, Communications, and Jail Records (including satellite jail facilities) will be enabled to function as full access F/NCIC terminals
3. Only persons who have passed the Criminal Justice Information Services certification test will be allowed to access criminal histories from a F/NCIC terminal.
4. User profiles and passwords shall be required to access the mainframe, FCIC/NCIC computer systems.
[CFA 34.06M]
5. The release of criminal history information from the FCIC/NCIC systems is governed by the Florida Department of Law Enforcement (FDLE) and is only released for law enforcement purposes to authorized personnel
 - a. Dissemination - Receipt of Criminal Histories
 - 1) Criminal histories can only be disseminated by personnel assigned to Central Records, Warrants, Communications and Jail Records (including satellite jail facilities) and shall only be disseminated to law enforcement (local, state and federal) for law enforcement purposes

- 2) It is recommended that law enforcement officers needing a criminal history obtain it through Central Records or Communications.
- 3) If a member of the public requests a criminal history from the Office they should be referred to the Florida Department of Law Enforcement.
[CFA 34.06M A]

b. Dissemination Log

- 1) Authorized personnel disseminating criminal histories shall maintain a log will be kept for all criminal histories disseminated, to include Office personnel for a period of four years
- 2) The log shall note the date, name of requesting officer, ID number, if applicable, officer's agency, name of subject person and subject's FBI and /or SID number.
[CFA 34.06M B]

6. Terminal Security

- a. FCIC/NCIC designated terminals shall be accessed with user names and passwords.
- b. When a terminal is to be left unattended for any period of time it should be locked or the user shall log off the system.
- c. The terminal monitor should be positioned where unauthorized people cannot view it.
[CFA 34.06M C]

7. Destruction of FCIC/NCIC Documents

- a. All FCIC/NCIC documents shall be secured by the Office personnel receiving them to prevent access by non-authorized persons.
- b. If the documents become part of a case report it shall be included in the submitted paperwork or placed into evidence.
- c. If the document has lost its law enforcement usefulness it shall be destroyed and disposed of at a Sheriff's Office facility, preferably by shredding the document.

8. Violation of these rules may result in termination of computer access and discipline or employment termination. Termination of access may occur without notice and is not a disciplinary action.

AB. Computers and Data Network

1. Definitions

- a. Sheriff Office Computer - Any computer purchased with funds from or administered by the Monroe County Sheriff's Office, regardless of where the computer is physically located. This includes computers assigned to members for use at home or in their vehicles. Such computers are usually, but may not, be identified by an inventory sticker.
- b. Data Network - Any medium used to inter-connect the computers of the Monroe County Sheriff's Office. This includes wireless, dial-up and other temporary connections. For the purpose of this definition, the term "network" also includes all the equipment and software used to operate, manage and maintain these connections.

2. Members of the Monroe County Sheriff's Office shall observe the following guidelines:

- a. Users of the network should log off the network when they have completed their work (i.e. the end of the day) to conserve on this resource.

- b. No member should allow any other person to use his or her login name and password.
- c. No member may connect personal (i.e. owned by the member) computers to the Monroe County Sheriff's Office network without the express permission of Information Systems.
- d. Members may use e-mail and internet services. Such services are intended for the member to use in the performance of work duties. Personal use should be limited and not interfere with work duties. Nor shall it be used to access illegal or pornographic material. E-mails shall not be derogatory to fellow members or about any particular social group, based on race, religion, ethnic background or other defining factor.

(Effective 6-11-2008)

- e. No member may download or otherwise copy any material from the Internet or any other computer that is illegal or pornographic in nature, other than in the course of a criminal investigation.
- f. No member may use the Monroe County Sheriff's Office computer or network to produce or distributing any material that is illegal or pornographic.
- g. No member may in any way attempt to gain unauthorized entry to computer data, or network of other agencies that the Monroe County Sheriff's Office is connected to. This is also known as browsing.
- h. No member may attempt to breach the security of, hack or crack computers, networks and systems of the Monroe County Sheriff's Office and agencies that the Sheriff's Office is connected to. This does not apply to Information System personnel in the performance of their assigned duties.
- i. No member may attempt to alter or reconfigure any computer or network without the express permission of Information Management.
- j. The use of software without an approved license agreement is prohibited.
- k. No member may install or use any software on the Monroe County Sheriff's Office owned or operated computer system unless approved by the Director of Information Systems Management.
- l. No member may bypass or modify any installed security or menu systems without the expressed permission of the Director of Information Systems Management
- m. No member may install accessory hardware on any MCSO owned or operated computer system unless approved by the Director of Information Management Systems. However, members may use removable memory devices to access or transfer data files only in the performance of their assigned work duties. Removable devices include, but are not limited to, memory sticks, memory cards, floppy and removable external hard drives.
- n. Violations of these rules may result in the termination of computer access and discipline or termination of employment. Termination of access may occur without notice and is not a disciplinary action subject to appeal.

3. Reading Agency E-Mails

Each member shall open beyond the preview window and read their e-mails a minimum of one time per shift. Further, when an e-mail has a receipt request tag the member shall not disable a return receipt being returned to the sender for tracking and accounting purposes.

(Revised 01/19/10)

4. Virus Infection Control

- a. As all internet functions are through the network Information Management is responsible to implement measures to prevent infection of the network by computer viruses, worms, or other program intended to disrupt, seal or cause a failure in the network and hardware.
 - b. Every member who has access to any Office owned computer or other device interconnected with the Office network/hardware is responsible to make every effort to prevent infection of the network by computer viruses, worms, or other program intended to disrupt, seal or cause a failure in the network and hardware
- (Effective 6-11-2008)**

5. Verification of Passwords Security Controls

- a. Every Sheriff's Office network user can only access the network through a user name and password. The password is changeable and the user is encouraged to periodically change the password.
- b. Data modules are further password protected, access limited and read/write/delete options will be determined by position and job requirements.
- c. Information Systems will monitor computer network system activity at a minimum weekly for possible access and improper use violations, as well as attempts by outside sources at system security breaches.
 - 1) Violations or attempts at security breaches will be addressed immediately
 - 2) Internal violations will be reported to the appropriate commander for investigation and possible disciplinary action.
 - 3) An audit of passwords done continually, but at a minimum bi-monthly, to include removal of former employees from network access.

6. Access Restrictions / Usage

- a. Members must be given access privileges to the Office's computer network via Information Management.
 - b. Specific programs may require specific access based on use certification or necessity due to job function. In these instances only those employees that meet the access criteria shall be given such access. Access can be withdrawn when an employee no longer needs such access, no longer meets certification requirements or has been found to violate access restrictions and use.
 - c. All programs of a specific criminal justice nature, which provides otherwise non-public record information used in the performance of job duties shall not be used for any personal reasons.
 - d. Generic programs i.e. WORD, PowerPoint, etc... members may access them for personal use as long as it does not interfere with the performance of their work duties.
- (Effective 6-11-2008)**

7. Network Back-up / Electronic Format Records Retention

- a. Network/data back up will be accomplished in two ways.
 - 1) Running a redundant server in two or more locations. One or two of which will be physically located at other than the Sheriff's Office headquarters building, Information Systems Management office area.

- 2) Daily back-up tapes will be stored in a secure room at the main corrections facility or removed off site and physically kept by the Assistant Information Management Director.
 - 3) In the event of an anticipated Hurricane landfall backup media will be shipped outside of Monroe County for safe keeping.
- b. Data/Records stored electronically will be retained in compliance with the Florida Records Retention Schedule GS1-L & GS2.

AC. Uniform Crime Reports

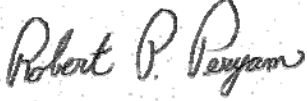
The following procedure shall be used for collecting and submitting crime data to the Uniform Crime Reporting program.

1. Records division personnel will review each report to ensure appropriate UCR information has been collected. Applicable reports will be coded for UCR purposes and entered into the UCR statistics computer program in accordance with the Florida Department of Law Enforcement UCR manual.
2. The Records division enters the appropriate code in the UCR program for each reportable offense committed within the county of Monroe. The statistics are generated via computer, and all required crime information is reported to the Florida Department of Law Enforcement. UCR information is reported semi-annually and annually, according to their established guidelines and by their established deadlines.
3. The Florida Department of Law Enforcement then forwards the appropriate information to the National system for Uniform Crime Reporting.

(Chapter Revised 12/6/12)

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 52-A		TITLE: Social Security Numbers
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 2	AMENDED:
REFERENCE: FSS 119.071 (5)		RESCINDS: Special Order: Social Security Numbers, 01.29.2008
 Sheriff of Monroe County		

PURPOSE: The purpose of this order is to establish policy and procedures in compliance with Florida State Statute 119.071(5) concerning the collection of Social Security Numbers.

POLICY: It is the Sheriff's policy that the Office complies with Florida State Statute 119.071(5) and only collects Social Security Numbers from individuals as authorized by law, or in the performance of the duties and responsibilities of the Sheriff's Office.

PROCEDURE:

CONFIDENTIALITY / PUBLIC RECORD REQUEST

All Social Security Numbers collected from individuals as part of the applicant process, criminal investigation, arrest booking process, inmate intake process, field contact records are CONFIDENTIAL and are exempt from section 119.07, Florida Statutes, and section 24(a), Art. I of the State Constitution.

REQUESTING SOCIAL SECURITY NUMBERS

Social Security Numbers are a unique identifier issued to one individual by the US Federal Government. Several individuals, however, may have the same name, date of birth and/or physical characteristics. A Social Security Number is one unique identifier that can distinguish between such individuals.

It is essential to make every effort to positively identify the correct individual before depriving an individual of the right to liberty.

Further, it is essential to the safety of the community that persons applying for employment with the Office are fully investigated to ensure persons with criminal backgrounds or untrustworthiness are not employed.

Therefore, employees, agents and deputies of the Office may request the Social Security Number of an individual for the following purposes:

- Applicant process
- Inmate intake process
- Arrest affidavit completion
- Arrest booking process
- Criminal investigation
- Field Contact Cards
- Background checks

Requesting or recording of Social Security Numbers from any other individuals is not permitted.

WRITTEN NOTICE

When a Social Security Number is requested of an individual and is recorded by including it into a document or file, either paper or electronic, a written statement as to the purpose for the request will be provided to the individual.


Human Resources personnel shall provide applicants with an Applicant/Employee Notice form. The person receiving the form shall sign acknowledging they understand and have received the notice.

Corrections personnel shall provide individuals processed into any Sheriff's Office correctional facility a written notice of collection and use of Social Security Number.

Law Enforcement personnel shall provide a written notice of collection of Social Security Number to any person they request a Social Security Number from when they record that number on a Field Contact Card, Incident/Offense Report or other permanent document or for inclusion in a data base or file, either paper or electronic.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 52- B		TITLE: Duplication and Research Service Fees
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 2	AMENDED:
REFERENCE:		RESCINDS: Special Order: Duplication and Research Service Fees, 01.09.2007
 Sheriff of Monroe County		

PURPOSE: The purpose of this order is to establish policy and procedures for charging of fees for duplication and research as requested by the public.

POLICY: It is the Sheriff's policy that minimal fees be charged the requesting public for duplication of documents, video/audio recordings and for research requested by the public and that the fees are consistent throughout the agency.

DISCUSSION: Individuals routinely request copies of reports, documents, video/audio recordings, as well as, research to be done on subject matter the Office may have data on. The Sheriff is authorized by Florida State Statute to collect fees for such duplication or research. Such duplication and research incurs additional cost to the Office in material and employees time.

PROCEDURE:

FEE SCHEDULE

An Office wide standardized fee shall be charged for all document or medium duplication as well as research as listed below.

Medium	Fee
Offense Reports / Other Documents	
Up to 10 pages	No charge
10+ pages	\$0.15 @ page above 10 pages
Recordings	
CD, DVD, VHS or Audio tape not mailed	\$1.00
Mailing Cost	\$5.00
Film	
Develop not developed	Actual Cost
Duplicate prints	Actual Cost
Mailing	\$5.00
Crime Analysis Report	
Initial Report	\$25.00 (advance for 1st hour)
Additional Hour	\$25.00 @ hour
Report over 25 pages	\$0.15 @ page above 25 pages
Supervisor additional Staff involvement	\$25.00 @ hour
Hourly Rate	
Employee Time	First 15 minutes No Charge
	\$13.00 @ hour after 1st 15 minutes

REQUESTS:

- Requests for crime analysis reports shall be made to the Special Operations Division.


- Requests for copies of offense reports shall be made to the Central Records Division.
- Requests for copies of personnel records shall be made to the Human Resources Division.
- Requests for copies of disciplinary records shall be made to the Internal Affairs Division.
- Requests for copies of evidentiary recordings shall be made to the Property Division.

COLLECTION PROCEDURE:

All Fees collected pursuant to this General Order shall be collected in compliance with Chapter 80, Part O, of the General Orders.

MONROE COUNTY SHERIFF'S OFFICE

GENERAL ORDER

CHAPTER: 52 - C		TITLE: Domestic Violence Reports – Distribution to Domestic Abuse Shelter
EFFECTIVE DATE: January 5, 2010	NO. PAGES: 2	AMENDED:
REFERENCE: CFA: 18.11M (F) F.S. 741.29; 784.046 (11)		RESCINDS:
 <hr style="width: 20%; margin: auto;"/> Sheriff of Monroe County		

PURPOSE:

To establish guidelines for the distribution of Domestic Violence Reports to the Domestic Abuse Shelter.

DEFINITIONS:

DOMESTIC VIOLENCE REPORTS: means initial and closed supplemental reports of

- Assault (SmartCop 5-1)
- Aggravated Assault (SC 5-0)
- Disturbance – Domestic (SC 25-1)
- Battery (SC 7-1, 7-2, 7-3)
- Aggravated Battery (SC 7-0)
- Sexual Assault (SC 56-0)
- Sexual Battery (SC 56-0)
- Stalking (SC 57-0)
- Aggravated stalking (SC 57-0)
- Kidnapping (SC 41-0)
- False Imprisonment (SC 41-0)
- Manslaughter (SC 21-0, 21-2)
- Homicide (SC 21-0, 21-2)

... If in F4 under Offense Detail the box "Domestic Involved" is checked.

DOMESTIC VIOLENCE CRYSTAL REPORT: means a refreshable report created by the Director of Information Management that pulls the following information from all Domestic Violence Reports as defined above:

Names/addresses/phone numbers of victim & suspect. (Omitting Social Security Numbers.)

Narrative

Offense type

DV Supplements (Alt F3)

PROCEDURES:

On a daily basis, 7 days per week, between the hours of 0200 and 0400, the Jail Records Division shall access the Domestic Violence Crystal Report from \\mcso-ts03\Documents and Settings\All Users\Start Menu\SmartCOP\Jail Crystal Reports\offense report domestic vio.rpt.

The Jail Records Division shall refresh the Domestic Violence Crystal Report and shall send it as an attachment to the Domestic Abuse Shelter at <mailto:dvpr2das@aol.com> with a CC email to <mailto:tdavis@keyssso.net> via email on a daily basis, 7 days per week, between the hours of 0200 and 0400.

Should there be any problems with the transmission of this email the Jail Records Division shall print a copy of the Domestic Violence Crystal Report and fax it to the Domestic Abuse Shelter at 305-451-0809 and to the Professional Standards Division at 305-292-7123.


The daily email that Jail Records sends to the Domestic Abuse Shelter shall include the following message:

"The attached information is sent to the Domestic Abuse Shelter by the Monroe County Sheriff's Office to fulfill its statutory obligation as found in Florida Statutes 741.29. This attachment may include confidential information. All recipients of this email shall respect the confidential nature of the information and shall only use this information for the official business of the Domestic Abuse Shelter. Should the recipient have any questions about the confidentiality of the attached information please contact the Monroe County Sheriff's Office, Records Division Supervisor, at 305-292-7050."

Should there be no activity reflected in the refreshed report an email shall be sent to the Domestic Abuse Shelter stating, "There were no domestic violence reports generated by the MCSO within the last 24 hours."

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 52-D		TITLE: D.A.V.I.D. System
EFFECTIVE DATE: January 16, 2012	NO. PAGES: 2	AMENDED/REVIEWED: November 13, 2012
REFERENCE:		RESCINDS:
 _____ Sheriff of Monroe County		

PURPOSE:

The purpose of this order is to establish policy and procedures for use the of DHSMV's Driver And Vehicle Information Database (D.A.V.I.D.).

POLICY:

It is the Sheriff's policy that members having access to the D.A.V.I.D. system will follow the Memorandum of Understanding (MOU) between MCSO and the Department of Highway Safety and Motor Vehicles.

PROCEDURE:

User is a MCSO member who has access to use D.A.V.I.D.

POC (Point of Contact) works in the Information Systems Management Division that has been appointed by the Director to manage D.A.V.I.D.

An **Auditor** is a MCSO member appointed by the POC to manage the auditing process.

It is MCSO's responsibility to ensure the use of D.A.V.I.D is for legitimate business purposes. This will be done by having a quarterly audit of randomly selected individuals.

Access to D.A.V.I.D.:

Members who require access to D.A.V.I.D to complete their request access from the POC. It is the responsibility of the POC to determine that the individuals job responsibilities require them to have access to this database.

Audits:

The POC will run a list of all users each quarter for the auditor.

The Auditor will ensure all members listed are currently employed by the MCSO.

The POC will randomly select 10 users and run an audit report for a randomly selected week each quarter to audit.

The member's supervisor will be notified by the Auditor and will be provided a copy of the persons D.A.V.I.D use log.

The supervisor will:

- Audit the log to the best of their ability to determine that the member used DAVID for agency use only or establish the fact(s) that D.A.V.I.D was misused.
- The supervisor will complete the audit and provide their finding to the Auditor within two weeks after receipt of the log.
- The supervisor will sign a generated form stating their results. The form will be sent to the Auditor.

If the member is suspected of misusing D.A.V.I.D. a Preliminary Review/ or Supervisory Review is required, as policy dictates.
(Revised 11/13/12)

The supervisor will then notify the Auditor regarding the outcome of any investigation and any discipline rendered via email. A copy of this email will be included in the Preliminary Review/Supervisory Review file.

(Revised 11/13/12)

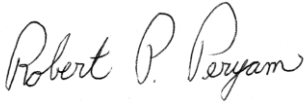
Upon conclusion of the investigation the auditor will notify the Department of Highway Safety and Motor Vehicles and the victims.

Auditors Responsibility:

On an annual basis the auditor will prepare a yearly report, which outlines the results of each of the quarterly audits that were performed. A copy of this report will be sent to the Department of Highway Safety and Motor Vehicles to document that a yearly audit was completed.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 53		TITLE: Victim/Witness Assistance
EFFECTIVE DATE: December 22, 2008	NO. PAGES: 4	AMENDED: November 18, 2010
REFERENCE: CALEA 55.1.1, 55.1.2, 55.2.1, 55.2.2, 55.2.3, 55.2.4, 55.2.5, 55.2.6		RESCINDS:
 <hr/> Sheriff of Monroe County		

PURPOSE: The Purpose of this policy is to establish guidelines and procedures for all employees in assisting victims and witnesses of crimes.

POLICY: It is the policy of the Sheriff to comply with the laws of the State of Florida governing victims and witnesses of crime, it shall be the policy of the Sheriff to inform all victims and witnesses of their rights as enumerated in Florida Statute. The victims and witness will be made aware of their rights by the use of Victim/Witness Rights Brochures.

DEFINITIONS:

Victim - A person who suffers physical, financial, or emotional harm as the direct result of a specified crime committed upon his/her person or property. Also referred to as a "victim" is a victim's parent or guardian if the victim is a minor, and the next of kin of homicide victim.

Witness - A person, as determined by law enforcement, who has information or evidence relevant to a specific crime.

PROCEDURE:

Coordination of the Sheriff's Office Victim/Witness efforts will be the responsibility of the Sergeant in Crimes Against Persons Unit.

Rights of Victims and Witnesses will be detailed in the Victim Rights Brochures (Available in Outlook Public folders and on the Sheriff's office website Keysso.net). It shall be the responsibility of the Sergeant in Crimes Against Persons Unit to review and update as necessary the Victim Rights Brochures. The purpose of the review and update is to assure victims/witnesses the services they are offered are accurate and up to date. The review and/or update can be accomplished annually by a written memo to Professional Standards. [CALEA 55.1.3]

Each officer shall be responsible for informing all victims of the availability of victim/witness services through the distribution of the Victim/Witness Rights Brochure. [CALEA 55.1.1, 55.1.3]

The officer shall provide victims and witnesses with information on steps available to law enforcement and the State Attorney to protect the victims or witness from intimidation. The information will be provided in the same manner as that relating to services of victims. The notification (contained in the Victim/Witness Rights Brochures) will include the advisement that it is a felony to tamper with or threaten a witness, and that the Sheriff's Office should be promptly contacted if a possible violation has occurred. [CALEA 55.2.2]

It shall be the responsibility of the arresting or investigating officer to advise the victim that an offender has been arrested. It is also the responsibility of the arresting or investigating officer to complete a victim notification form on

certain crimes. The notification will travel with the offender's paperwork to the booking facility for prompt notification by the facility upon release of the accused. The notification shall be made to the victim by the booking facility within four hours of the release of the accused. If such notice is not possible, the victim will receive notice via the U.S. Mail. Law enforcement officers of the Sheriff's Office will provide assistance as requested by other responsible agencies in attempting to notify the victim of the offender's release from confinement. [CALEA 55.2.5]

Property of crime victims shall be promptly returned unless there is a compelling law enforcement reason for not returning it. The evidence custodian shall promptly comply with court orders allowing photographs of the victim's property to be used as evidence at the trial and/or requiring the return of the victim's property. Members should consult with the State Attorney's Office before releasing any property. [CALEA 55.2.4 d]

When so requested, the Sheriff's Office shall assist victims and witnesses of crime in notifying employers and creditors of court appearances and financial hardship.

Sheriff's Office personnel are always ready to assist victims whenever possible. When so requested, employees will assist victims and witnesses in locating accessible parking and transportation, and will direct those persons to separate pretrial waiting areas where available. When necessary, employees will attempt to locate translators in appropriate cases.

*In the event of an escape, the correctional facility shall notify the State Attorney's Office of the escape and the State Attorney shall make effort to notify the victim or the victim's next of kin as well as the Sheriff and/or Chief of the affected jurisdiction(s). The Sheriff's Office shall render such assistance as requested by the State Attorney. [CALEA 55.2.5]

TRAINING AND EDUCATIONAL PROGRAMS

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. 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.

VICTIM ADVOCATES

Victim Advocates will respond, if necessary, and responsibilities are as follows:

Victim Advocates are limited by the Victims of Crime Act (VOCA) Grant in what they can respond to. The grant allows them to respond to Victims and or Witnesses of a violent crime. The grant allows them to respond to the following:

- Child Physical Abuse
- Child Sexual Abuse
- DUI/DWI Crashes
- Domestic Violence
- Adult Sexual Assault
- Elder Abuse
- Adults Molested as Children
- Survivors of Homicide Victims
- Robbery
- Assault/Battery
- Other Violent Crimes

For many persons being a victim or witness to a crime is their first experience with the criminal justice system. A Victim Advocate is available 24 hours a day to assist victims with the emotional, physical, and financial trauma often resulting from a crime. You may contact a Victim Advocate the next day for information and support if immediate assistance is not needed. A Victim Advocate can provide:

- Crisis Intervention Counseling
- Personal Advocacy Community Information and Referrals
- Emotional Support Coordination with Police Officers
- Court Accompaniment
- Follow Up Counseling
- Assistance With Property Return
- Assistance with Crimes Compensation
- Information on Your Role in the Justice System
- Assistance in Filing an Injunction for Protection
- Locating Transportation and Accessible Parking
- Attempt to Locate Translators as Needed
- If the impact of the crime on the victim/witness has been unusually severe and has triggered above-average victim/witness assistance, re-contacting the

victim/witness to determine whether needs are being met.

- Notification of next-of-kin of deceased, seriously injured or seriously ill persons.

[CALEA 55.2.1 a, b, 55.2.4 a, b, d, 55.2.6]

SERVICES DURING PRELIMINARY INVESTIGATIONS

The case Deputy shall have available the following information and provide it to the victim/witness:

Any applicable services to the case at hand (i.e., counseling, medical attention, compensation programs, emergency financial assistance and/or victim advocacy)

Advise the victim what to do if the suspect or suspect's companions or family threatens or otherwise intimidates him or her.

Provide the victim / witness with the case number and subsequent steps in the processing of the case.

Each officer shall be responsible for informing all victims of the availability of victim/witness services through the distribution of the Victims/Witness Rights Brochures.

Provide the telephone number that the victim / witness may call to report additional information about the case or to receive additional information about the status of the case.

[CALEA 55.2.3 a, b, c, d]

SERVICES DURING FOLLOW-UP INVESTIGATIONS

Services during the follow-up investigation - The investigating Deputy/detective will provide the following services:

If possible, scheduling line-ups, interviews, and other required appearances at the convenience of the victim / witness and, when possible arrange or provide transportation.

When possible, return promptly victim / witness property taken as evidence (except for contraband, disputed property, and weapons used in the course of a crime), in accordance with all applicable State Statutes.

Ensure in getting the victim / witness in contact with the MCSO Victim's Advocate.

CALEA 55.2.4 C E

Services upon the arrest of a suspect - The Office will notify the victim / witness in writing, in person or by telephone of the arrest of a suspect in their case the custody status and charges.

In cases involving a violent attack on the victim or potential for such on a victim / witness every effort will be made to notify the victim / witness if any custody changes by phone or in person.

All attempts and contacts with the victim / witness will be documented in a supplemental report to the original case report.

SERVICES FOR OFFICE PERSONNEL AND FAMILIES

Services for Office Personnel and Families - The Office will, in cases involving the line-of-duty death or serious injury to Office personnel;

Notify the family of the death or injured member in a timely, personal manner,

The Sector Commander or his designee shall be the single contact point for the Member and/or family. This person shall:
Assist the family at the hospital.

Coordinate support for the family at the funeral and burial,

Coordinate help for the family with legal and benefits matters, counseling the family regarding finances and other possible problems,

Provide support for the family during criminal proceedings (if any), and maintain long-term contact with the family and keeping the Office informed of needs relating to the death or injury.

Records - Confidentiality of all records involving victim / witness assistance will be governed by applicable State Statutes.

Upon receipt of a Victim Notification Form from the arresting officer, the jail records assistant will verify for accuracy and enter Victim Notification Form into the victim data field of the booking computer screen.

The following procedures will be adhered to for notifying the victim(s):

Upon receipt of the court minutes, bond, inmate release, death of inmate, escape of inmate, etc., the jail records assistant will enter such change into the defendant data field. This change will

prompt the VINE automated system to notify the victim via telephone.

The jail records supervisor shall, on a daily basis, print out all names and addresses of victims not notified via telephone. A letter will be sent to each of these victims informing them of the status of the inmate.

[CALEA 55.2.4 c, d, e, 55.2.5 55.2.6]

ANALYSIS

An analysis will be conducted every three years, by the Sergeant in Crimes Against persons Unit, to determine the needs and availability of services within Monroe County to victims and witnesses of crimes. (See also Chapter 18-Time Sensitive Reports) This analysis will include, but not limited to;

- The extent and major types of victimization within Monroe County.
- An inventory of information and service needs of victims/witnesses in general (including homicide or suicide survivors and special victims), such as those victimized by domestic violence, abuse and neglect (especially children and the elderly, sexual crimes)
- Victim assistance and related community services available within Monroe County, and
- Identification of all unfulfilled needs and selection of those that are appropriate for the Office to meet.

[CALEA 55.1.2]

CHAPTER FIFTY-FOUR

EVIDENCE AND FOUND / RECOVERED PROPERTY

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CHAPTER FIFTY-FOUR

EVIDENCE AND FOUND / RECOVERED PROPERTY

I. PURPOSE

The purpose of this directive is to establish procedures for the collection, storage, disposition of evidence and property, and guidelines for the Evidence and Found Property component.

II. DISCUSSION

This directive shall apply to all Sheriff's personnel. It is the policy of the Sheriff of Monroe County to maintain evidence and seized or recovered property in accordance with Federal, State, and Local Statutes and court decisions relating to evidence and seized or recovered property; and to return such property to its rightful owner(s) in a timely manner. In all criminal or civil cases where physical evidence is collected, that evidence or seized and recovered property is the responsibility of the seizing member. All evidence and seized or recovered property, once collected by a member, and is turned over to a District Property / Evidence Assistant or Headquarters Property / Evidence Assistant or Custodian, the responsibility for the evidence and seized or recovered property shall become that of the District Property / Evidence Assistant or Headquarters Property / Evidence custodian (Manager). Headquarters Property / Evidence Custodian (Manager) is responsible to the Major of the Bureau of Administration. The Monroe County Sheriff's Office follows guidelines set forth by the Florida Department of law enforcement for the collection and preservation of evidence.

III. DEFINITIONS

1. Evidence – Anything, which may be used during criminal prosecution to establish a case and to prove facts of a crime before a court of law.
2. Property - Money, valuables, and other objects of personal ownership, which may have been lost, stolen, or abandoned.
3. Handling - Used in the broad connotative sense to indicate one or more of the following general actions that may be performed in the course of processing evidence or property; collection, identification, preservation, receipt, analysis, storage, trial presentation, and eventual disposition.
4. Chain of Custody - The written record referring to the continuity of custody of material and items collected as physical evidence or found or recovered property. The connotation under the law is that the items or material introduced into Court, at the time of trial, is the exact same item as initially taken into custody.
 - a. The Chain of Custody assures continuous accountability. It begins when an item of evidence is collected or when any property is recovered or turned over to a member of the Monroe County Sheriff's Office. The Chain Of Custody is maintained until final disposition of the property. If the Chain of Custody is not maintained, an item of evidence may not be admissible into Courts of Law.
 - b. Each individual in the chain of custody is responsible for any item of property while it is in his/her custody, to include its final disposition.
 - c. When all lines for Chain of Custody are used up, a continuation sheet will be added to the back of the Property Report. The sheet has been designed with space on the top right corner for the case number, and Property Receipt number and approximately 12 additional lines for signatures.
 - d. Whenever a transfer of custody of physical evidence takes place, it will be documented on the property receipt to include the following:

- 1) The date, time and method of transfer;
 - 2) Receiving person's name and responsibility; and
 - 3) Reason for the transfer.
- 5. Evidence Vault** – A secure area to ensure the integrity of all stored evidence / property. Only authorized personnel shall have access to areas used by the Office for the storage of property and/or evidence. Any person(s), other than the Property / Evidence Custodian and Property / Evidence Assistants, who are granted access to the storage and vault areas will sign and date an Entry Log for the Property Custodian, or access will be denied.
- a.** Every person granted access shall sign and date an entry log maintained at the Evidence Room door, or he/she will be denied access.
 - b.** Persons granted access to a specific Property Room, shall be escorted at all times by an authorized member for that Property Room.
 - c.** Inspections of the evidence area by other supervisory personnel shall be conducted in the presence of an authorized member for that Property Room.
 - d.** Only authorized personnel shall have entry control devices (keys, security passwords, combinations, etc.) for unlimited access to the evidence and vault areas. This shall be strictly enforced by the Property Director. An emergency entry control device (key, combination, etc.) for the Headquarters Property area shall be maintained by the Property Director. An emergency entry control (key, combination, etc.) for the District property areas shall be maintained in a sealed container in the personal control of the Property Director.
- 6. Refrigerated Storage** - Perishable items, such as body fluids, must be stored immediately or as soon as possible so that their properties are as unchanged as possible prior to their being examined in a laboratory.
- 7. Controlled Substances** - Narcotics and other dangerous drugs must be maintained separately from other categories of property.
- 8. Weapon** - Any device designed, redesigned, used or intended to be used for offensive or defensive purposes, the destruction of life or the infliction of injury. To include, but not limited to any dirk, metallic knuckles, slingshot, spear gun, billie, tear gas, chemical weapon or device and/or other deadly weapon except a firearm or a common pocket knife. Weapons will be maintained separately from other categories of property and will be unloaded unless the integrity of the evidence dictates otherwise (and will be then noted on the Property Receipt – “Loaded” or “Unloaded”).
- 9. Money and Jewelry** - has to be stored separate from all other evidence / property. Currency and jewelry must be packaged separate from other items.
- a)** Currency must be broken down into denominations. Plastic bags specifically for money are provided at all sub-stations. The impounded officer shall fill out the information on the bag, especially the amounts and denominations of the currency in the bag.
 - b)** Jewelry shall be listed as each item by description, (i.e., yellow metal, white stones, red stones.)
- 10. Property / Evidence Custodian** - the member Appointed by the Sheriff to supervise and be responsible for all evidence and property physically within the Monroe County Sheriff's Office.
- 11. Property / Evidence Assistant** - a member Appointed by the Sheriff to Assist the Property / Evidence Custodian in the daily operation of the Property / Evidence function.

12. Sector property / Evidence Personnel – a member or members appointed by the Sheriff, under the Supervision of the Property / Evidence Director, to be responsible for all evidence and property physically within the district (to include, but not limited to, all evidence in criminal cases, found and abandoned property.) He/she will oversee the chain of custody procedures, and ensure that evidence-handling procedures are followed. He/she will notify Headquarters property / Evidence of all items received into or transferred out of the District property Room on a weekly basis (to include, but not limited to, all evidence in criminal cases, found and abandoned property). The Department maintains it's primary storage facility at 500 Whitehead Street, Key West, Florida 33040. Satellite property rooms are located at Marathon Substation and Spottswood Station (Plantation Key) All property stored with the MCSO is entered into an in-house computer system, which gives the exact location of property.
13. Firearms - means any weapon (including a starter gun) which will, is designed to, and/or may readily be converted to expel a projectile by the action of an explosive; the frame and/or receiver of any such weapon; any firearm muffler or firearm silencer; and destructive device (i.e., bang stick, etc.); and/or any machine gun. The term firearm does not include any antique firearm unless the antique firearm is used in the commission of a riot; the inciting or encouraging of a riot; or the commission of a murder, an armed robbery, an aggravated assault, an aggravated battery, a burglary, an aircraft piracy, a kidnapping, and/or a sexual battery.
14. Antique Firearms - means any firearm manufactured in or before 1918 (including any matchlock, flintlock, percussion cap, or similar early type of ignition system) or replica thereof, whether actually manufactured before or after the year 1918, and also any firearm using fixed ammunition manufactured in or before 1918, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.
15. Electronic Weapon or Device - is any device which through the application or use of electric current, is designed, redesigned, used, or intended to be used for offensive or defensive purposes, the destruction of life or the infliction of injury.

IV. POLICY AND PROCEDURE

A. Evidence Submission

1. All evidence submitted to the Evidence / Property Room shall be properly identified, marked, sealed, initialed, recorded, and a receipt made. All sections of the Property Receipt shall be filled out. The original Property Receipt shall be submitted with the evidence. All evidence must have an Agency case number and all evidence / property will be packaged. All evidence seized by Deputies of the Monroe County Sheriff's Office and other Law Enforcement Agencies shall be maintained in the personal custody of the seizing Deputy, or placed in the Division's Evidence lockers for Division's I, II, III and IV. Under no circumstances shall a Deputy or Investigator retain evidence or property beyond their tour of duty each day.
2. Each item of evidence shall be listed on a Property Receipt. For each case, no two items will have the same item number on the same Property Receipt. The Property Receipt shall have a complete listing and description of each item of evidence. Item description shall include a physical description, serial number(s), if available. No section of the Property Receipt will be left blank. The notation N/A will be used if applicable.
3. Each individual in the Chain of Custody shall sign the property receipt on the next available line, and shall affix the date and time property was received/released. All individuals handling evidence shall supplement the case as to their participation in the chain of custody. (This last sentence does not include the Property Custodians or Laboratory members.)
 - a. When an officer is placing evidence or property and receipt into a locker or collection receptacle he/she WILL on the next Chain-of-Custody line sign his/her name and under "Reason" write "Submitted to property Locker (# - if applicable), date and time

4. All physical evidence recovered at a crime scene shall be properly marked, sealed, initialed and labeled. This is the first step in the chain of custody. Refer to Chapter 34 for further information. Any surveillance video tapes generated during the course of any investigation shall stand alone on a separate property receipt and will be bagged into evidence separately.

5. Items that are wet must be packaged in paper bags. Use additional paper for absorbency if necessary.

CALEA 41.3.8 B

a. Bags must be sealed, initialed and labeled to correspond to items on the property receipt.

b. Items that require drying must be transported to Key West Property / Evidence Division, as the District property vaults are not equipped with drying facilities. When the items are dry, the investigating officer or property personnel will repackage, seal and label the items.

B. Property Submission

Under no circumstances will property / evidence leave the custody and control of the Property / Director / Assistant without the person gaining custody of the property / evidence, signing the property receipt with reason, date and time. All property must have a case number (Agency) and all property must be packaged.

1. Deputies obtaining possession or custody of lost, found, stolen, or, abandoned property shall prepare a Property Receipt. (This does not include vehicles, boats etc. These go on a Motor Vehicle Acquisition form.) All sections of the property receipt shall be properly filled out. The original Property Receipt shall be submitted to the Evidence Custodian along with the property. The Evidence Custodian or designee will sign the original and will provide a copy for the acquiring Deputy or Station.

2. A copy of the property receipt for all new items will be sent to Headquarters Property weekly basis. All property transactions will be entered into the Property / Evidence computer system within two (2) working days of the notification of the activity. A copy of all property receipts with a new change of custody will be sent to headquarters Property on a weekly basis. Headquarters Property will print reports of Property / Evidence activity for each District on a monthly basis, as well as on request. The District Commander has the authority to determine the property / evidence he/she wishes to have stored in that District's vault. As an administrative requirement, Headquarters property / Evidence must know what property, evidence, found and/or abandoned property, and sting drugs are in the custody of the Sheriff's Office, and where such property / evidence is stored. the Headquarters Property / Evidence van shall transport any property / evidence that requires laboratory analysis, or for other reasons, such as destruction or lack of storage space in the District Property Room as necessary. The original property receipt shall remain in the Property Room where the property evidence first came into the custody of the Sheriff's Office. Once all items on a property receipt have been released (returned to the owner or released to the courts), or are to be transferred to headquarters Property / Evidence, the original property receipt with all original documentation will be sent to headquarters Property. Every property receipt must be logged into the computer program and change of custody be updated according to the changes.

3. Property Release – Headquarters Property / Evidence is responsible for final destruction or disposition of all property / evidence. The property receipt shall indicate to headquarters Property / Evidence the authorization to dispose of the item(s).

4. Headquarters Property / Evidence shall transport any property / evidence to headquarters to the District property Rooms as necessary

5. Evidence needing any type of analysis is to be packaged separately from each other. Money, jewelry, photos, tapes and firearms may be on same receipt but must be packaged separate. Drugs must be on separate receipt and packaged separate.

C. Packaging

1. All evidence / property, however it is collected, shall be properly packaged, sealed and initialed. There are a variety of containers that can be used to package property / evidence but under most general circumstances unless otherwise stated use plastic heat-sealed bags that are provided. Packages must be no smaller than 5" x 7". Plastic bags are suitable for small dry objects. Do not put damp or biological evidence in plastic bags. In this case, use individual paper bags or cardboard boxes. Label each bag with the case number, property receipt number and the item number.
 - a. Firearms - All firearms will be unloaded. If for any reason a loaded firearm must be submitted, it must be clearly and boldly marked as being "**LOADED**". The firing mechanism must be protected to prevent an accidental discharge. Notify the Property Officer to have the firearm unloaded as soon as possible.
 - b. Arson Material - All arson material should be placed in a clean, unused, sealable metal or glass container to prevent any loss of fluid or vapor. Only one exhibit per container. Metal containers are available from the Crime Scene Technician in your area or the Property Section at Headquarters.
 - c. Knives – Sharp objects must have the blade or sharp area covered with a few sheets of paper or like material wrapped around the sharp area, in order to protect the seizing officer and all members of the chain of command from accidental injury or puncture of the package.
 - d. Drugs – marijuana plants should be placed in paper bags, not in plastic. Dried ground or crumbled leaves can be placed in plastic bags.
 - e. Liquids – Proper containers will be used for the collection and storage of liquid evidence. Vials and small glass collection bottles will be used to prevent spillage and contamination. Containers will be sealed with evidence tape, initialed and placed in a paper evidence bag. The evidence bag will be properly marked and identified with a biohazard warning, if applicable.
2. Garments and large items that are not heavy can be put in paper bags or boxes.
3. If the item is large and heavy like a Television or a Microwave it can be tagged. If the large, heavy item needs to be processed, the loss of adhering evidence can be prevented by placing a large plastic or paper wrapping over the evidence and sealing the bottom with tape. Always use clean, new containers to prevent contamination.
4. Do not over-seal and complicate opening the container. Never use staples to seal evidence, they do not make an acceptable seal. You can use brown paper bags or plastic bags. If submitting evidence for analysis, it must be sealed with evidence tape over all the openings. The tape must cover the opening of the bag. Initials must go on tape and to include the package.
5. If Property / Evidence is not packaged, marked and sealed properly it will not be accepted by the Evidence Custodians. It will be returned to the submitting officer's immediate supervisor for correction. This is to insure that the submitting officer is educated as to proper evidence handling and packaging.

D. Disposition of Property and Evidence

1. The Deputy shall make an attempt to locate and notify the owner of the property in custody. The status of the attempt shall be recorded on the property receipt form. If the Deputy is unable to notify the owner, the

Property Division shall then be responsible for notifying the owner once the property is received into the Property Division. If located, the owner shall be notified of the status of their property and the procedure for its return. If owner is not located, the property will be advertised and then forfeited to the department, donated or destroyed.

2. To ensure continuity and consistency within the agency the following procedures will be followed:

a. Each Deputy who has evidence or impounded property shall be responsible for the certain and final disposition of all property and evidence placed in the Evidence Room by the member's authority, unless the investigation has been referred to another investigator. In the event the other investigator has control, it shall become that member's responsibility for certain and final disposition of the property. In the event the Deputy or investigator is not available, the member's supervisor shall become responsible for release of said property.

b. Photographs - In cases where a photograph of evidence / property shall suffice for Court purposes, evidence / property shall be photographed and promptly returned to the owner. This shall be done in accordance with Florida State Procedural Law 90.91. This is located in the Florida Law Enforcement Handbook. All photographs must be packaged separately.

c. Video / Audio Tapes – All video / audio tapes must be packaged separate.

CALEA 41.3.8 C

d. Drugs – All drugs must be packaged separately.

3. Sign-out of Evidence - Evidence / Property Records shall indicate that evidence has been signed out and not returned. A copy of the Property Receipt is furnished with the evidence on sign-out and will be returned with the evidence after examination, or Court. If the evidence is retained by the Clerk of the Court or an Assistant State Attorney the Deputy will notify the Evidence Custodian, and will return the copy of the Property Receipt with this duly noted in the chain of custody section.

a. If final disposition is received to dispose of property / evidence, it will be transported to Property Headquarters for disposal.

4. Return of Property - Person(s) appearing at any the Monroe County Sheriff's Office requesting the release of property shall conform to the following:

a. Contact the Evidence Room and ascertain if there is a release on file. If it is properly completed and authorizes release to the specific person(s) requesting the property, the property may be released upon proper identification.

b. If there is "No Release" on file, person requesting the items must get release from SAO or seizing Deputy.

c. Establish that the property / evidence or money is of no evidentiary or forfeiture value.

E. Suspected Controlled Substances

1. All suspected controlled substances seized by Deputies of the Monroe County Sheriff's Office, shall be maintained in the personal custody of the seizing Deputy, until such time as it can be properly turned over to the evidence room or placed in the Division Evidence locker for Division's I, II, III and IV. See Evidence Submission paragraph of this section.

2. Controlled substances submitted to the evidence room shall be handled the same as any other laboratory submission (packaged and receipt separate from other items).

See Laboratory Submissions of this section, Paragraph H. (FDLE)

3. Packaging, Marking, Weighing, and Transmittal

a. Following seizure of suspected controlled substances, the seizing officer shall place the item in an evidence container.

b. Proper packaging for specific items:

1) Plants - whole plants will be folded and packaged in paper bags wrappings. Loose plant material will be packaged in paper bags or manila envelopes. Remove the soil, roots and foreign material first.

2) Powder, Capsule and "Rocks"- the suggested containers are plastic bags with evidence tape covering openings.

3) Drug Paraphernalia - package each item separately to prevent cross contamination.

a) Hypodermic Needles - whenever physically possible, remove the needle from the syringe but **NEVER** cut the needle as this will cause splashing. Place the syringe into a plastic syringe container supplied to the Division Offices.

(1) If a syringe container is not available and the syringe has the cap intact, package it in a sturdy, crush proof container such as a cardboard box. If the needle is exposed push it into a cork or eraser to cover the end, then package it as described above.

NOTE: Label the Container * * * **CAUTION** * * * **SYRINGE NEEDLE** * * *

c. Marking and Weighing

1) The container shall bear the case number, date and place seized, item number, property receipt (inventory) number, suspect's name (if applicable) and member's name and unit number.

2) The container shall be closed and sealed with evidence tape. The seizing Deputy shall affix his/her initials on the seal in such a manner as to include the tape and container under the initials.

3) The container shall be weighed, in the evidence room, by the Evidence Assistant and the gross weight (substance and its container) shall be entered on the property receipt, at the bottom of the description lines, or away from items listed. Property employee shall note weight of items, (i.e., "1 pkg. - 5gr."), and initial.

d. Suspected drug evidence shall be packaged and receipted separately from general evidence.

e. Multiple controlled substance items can go on the same Property Receipt as long as each item is individually packaged, to avoid contamination.

f. Several (no smaller than 5 x 7) sealed containers may be placed in one larger container (optional); however, the larger container shall not be sealed until the individual controlled substance containers are weighed and inventoried against the property receipt by the Evidence / Property Assistant or Director.

g. Each item of controlled substance shall be recorded on a Property receipt describing each item as completely as possible. In addition to a physical description, the quantity and weight (where applicable) shall be recorded on the Offense / Incident Report.

h. The evidence, the original and all copies of the Property Receipt shall then be placed in the evidence storage locker at the Division Offices or the Division Property / Evidence room. The Property Receipt shall not be

sealed inside the sealed package with the evidence, just placed with it. A member of the Headquarters Property / Evidence staff shall visit each Division Office on a periodic schedule to transfer Property / Evidence to and from the Headquarters Property facility.

4. Destruction of Controlled Substance Evidence

- a. When controlled substances are to be destroyed, a Court order shall be obtained authorizing the destruction of controlled substance evidence identified by case number and a description of the items to be destroyed. Narcotics for destruction shall have a final disposition from the SAO or officer, requesting case be disposed of.
- b. If at anytime during the preparation phase of an evidence destruction, the Evidence Custodian should find packaged evidence that appears to have been tampered with, that evidence shall be set aside and re-tested to insure its integrity.
- c. The Division IV Commander (or designee), shall be present to provide security and will verify all the items to be destroyed are listed on the court order. The Division IV Commander (or designee) shall accompany the controlled substance evidence to the destruction site, and shall witness the complete destruction of the controlled substance(s).
- d. If multiple defendants on case, the evidence will not be destroyed until disposition is received on all defendants.

F. Sexual Battery Evidence, Kits and Examination Forms

1. The sexual battery examination forms, which are completed by a nurse after a sexual battery examination, shall not be placed into evidence. The originating Deputy shall attach this form to the original incident report. The investigating officer must ensure that all forms in the kit are filled out and signed and that the kit is properly entered into evidence. This kit must be sealed with evidence tape and refrigerated. If the kit is too thick and the evidence tape breaks, place the entire kit into a paper bag and seal that container with evidence tape.
2. If liquid blood is taken, it must be refrigerated immediately, either in the evidence refrigerator at the District's Office or deliver it to the Headquarters Property / Evidence Room.
3. If biological fluids are collected, they must be refrigerated / frozen as required at the District's Office, or immediately delivered to the Headquarters Property / Evidence Room.
4. All clothing with biological fluids must be refrigerated after being packaged in paper bags. (IMPORTANT: Package each item of clothing separately AND label each item to correspond to items listed on the Property Receipt.)

G. Crime Scene Reporting / Processing (Refer: Chapter 35.)

H. Stolen Vehicles (Refer: Chapter 32 & 35.)

I. Crime Laboratory Submissions

1. All evidence will be submitted into the Property Division. (This includes evidence to be submitted to FDLE for analysis. It must be submitted to the Property Division first).
2. All evidence for analysis, should be accompanied by the FDLE Submission Form and property receipt. FDLE Submission form must have a synopsis of the offense and the examination requested. Packages shall be no smaller than 5 x 7 with evidence tape on all openings and initials on tape and package.

3. The Property Division employee shall drop off evidence weekly to the FDLE laboratory. A **case tracking form** will be obtained from the FDLE lab employee who receives the evidence into the laboratory. Information on the receipt form will include the date and time of receipt in the laboratory, and the name and signature of the person receiving the evidence.
4. After analysis, FDLE will return the evidence and a report of analysis to the Property Division.
5. It shall be the duty of the member assigned the case to ensure the proper examination has been requested.
6. It shall be the duty of the Property Division to send results to the District Sergeant.

J. Evidence Custody

1. The Evidence Custodian shall be responsible and accountable for the control of all evidence and found / recovered property accepted by or stored in the Office's evidence storage areas.
2. All evidence stored by any member of the office shall be within the designated secured areas.
3. At least **semi-annually**, the Evidence Custodian shall conduct an inspection for adherence to the procedures set forth for the control of evidence.
4. Whenever a new Evidence Custodian Supervisor is designated, an inventory of evidence, to ensure that records are correct and properly annotated, shall be jointly conducted by the newly designated Evidence Custodian Supervisor and the outgoing Evidence Custodian Supervisor.
5. Annually, an **audit** and inventory of evidence and evidence records held by the Office shall be conducted by Staff Inspections.
6. At least once annually, the Sheriff shall direct an unannounced inspection and/or inventory of all evidence storage areas to insure accountability and that security procedures are being maintained, as well as the other operational duties of the evidence / property unit. These inspections are in addition to and in support of other regularly scheduled inspections.
7. Items of property requiring added protection, include money, precious metals, jewelry, gemstones, weapons, narcotics, and dangerous drugs, shall be stored in separate, locked, secure areas located within the Office's property storage areas / vault.
8. The Evidence Custodian shall ensure that all members under his/her command maintain records, which reflect the status of all evidence held by the Office. This is done daily through computer data entry.
9. Missing Property – Whenever the Property Assistant is unable to locate an item of property / evidence, which is alleged to be stored, he/she will make a reasonable search for the item(s). If this search fails to locate the missing item, the Property Assistant will advise the Property Director. If the Director is also unsuccessful in locating the item, the Director will advise the Bureau of Administration Commander by memorandum, stating the fact of the matter. The memo will be submitted within 2 weeks of the incident.
10. Secured refrigerated storage shall be available for all perishable items of evidence and shall be used in accordance with proper evidentiary procedures.
11. During those periods the evidence room is closed, all found, recovered, or evidentiary property needing security shall be placed in the facilities provided in Division's I, II, III and IV.
12. Evidence lockers are equipped so items may be stored inside the locker and, once locked, cannot be reopened except by the Evidence Technicians who maintain the only key.

13. All paperwork associated with the property shall be placed inside of the locker with the property.
14. Property placed inside evidence lockers shall be picked up according to the following schedule:
 - a. Division I – Picked up at least once a week.
 - b. Division II – Evidence lockers are **emptied twice a week** by a property technician. **Once a week** pick up will be done for evidence needing analysis and/or disposal.
 - c. Division III – Evidence lockers are **emptied three times a week** by a property technician. **Once a week** pick up will be done for evidence needing analysis and/or disposal.
 - d. Division IV – Picked up at least once a week.

K. Handling Lost and Abandoned Property

1. Is it lost property or abandoned property?
 - a. It's "lost" if it:
 - 1) Is on public property or a place open to the public;
 - 2) Is in a substantially operable, functioning condition; or
 - 3) Has an apparent intrinsic value to the owner.
 - b. It's "abandoned" if it:
 - 1) Is on publicly owned property and;
 - 2) Is wrecked, inoperative or partially dismantled; or
 - 3) Has no apparent intrinsic value to the owner.
 - c. Member should bear in mind that there are some items, which, while technically fitting the definition for "abandoned" property are obviously useless and unfit for any purpose whatsoever. The Office will continue to follow the current policy regarding trash or garbage found on public property.
 - d. Vessels, determined derelict by the Department of Natural Resources are not to be considered abandoned. In cases of doubt, contact the Florida Department of Natural Resources.
2. If an individual turns in lost property to the Office:
 - a. It should be determined whether he/she wants to make a claim to it if the rightful owner cannot be found. If so, he/she must post a reasonable sum sufficient to cover the cost of transportation, storage, and notice of the property. If the rightful owner is found, he/she must reimburse this amount to the finder in order to reclaim the property.
 - b. After ninety (90) days have elapsed from the time of taking the property into custody, if no claim has been made by the rightful owner, the property can be given to the finder.
 - c. The finder's name, address and phone number shall be under "discovered by" on the Property Receipt.
3. Lost Property Procedure
 - a. For lost property, the Deputy shall take custody and the Agency shall retain custody for (90) days. (If too large or unwieldy, tagged - the language on the tag is the same as currently used with the exception that five (5) days, rather than ten (10), are allowed for removal.)

- b. A reasonable attempt should be made to locate the owner. If the owner's name and address are available and the property is tagged, a copy of the notice should be mailed to him/her the same day.
- c. If the property is a motor vehicle or boat, the Department of Motor Vehicles Office of Title / Lien Information or the Department of Natural Resources Office of Vessel Titling and Registration should be contacted to determine:
 - 1) The name and address of owner; and
 - 2) The name and address(es) of any lien holder(s).
- d. Once that information is received, a copy of the notice must be sent, via certified mail with return receipt requested, to the owner and any lienholder(s).
- e. Five (5) days after the notice is mailed:
 - 1) The property should be taken into custody, if this has not already happened.
 - 2) The Office must publish notice of the intended disposition of the property once a week, for two (2) weeks in a newspaper of general circulation in the county where the property was found, if the value of the property is believed to be greater than \$100. If the property receipt doesn't indicate the value of the item, the property personnel receiving the items will estimate the value. He/she will note it on the property receipt. At least once each week, the director of the Property / Evidence Division will compile a list of found items currently being held that are valued at \$100, or less. Item descriptions may be brief but must be reasonable adequate to allow the rightful owner to recognize his/her property. The weekly lists will be faxed to the substations at Cudjoe Key, Key Vaca, and Plantation Key, as well as being retained at the Property and Evidence Division's Key West location. At all four locations, the list must be displayed in an area to which the public has easy access, and must be posted for at least two consecutive weeks.

4. Abandoned Property Procedure

- a. The property should be taken into custody or, if it is too large or unwieldy, tagged. The language of the tag is the same as currently used with the exception that five (5) days, rather than ten (10), are allowed for removal
- b. A reasonable attempt should be made to find the owner. If his/her name and address are available and the property is tagged, a copy of the notice should be mailed to him/her the same day.
- c. If the property is a motor vehicle or boat, the Department of Motor Vehicles Title / Lien Information Office 904 / 488-3881), or Department of Natural Resources Vessel Titling and Registration Office (904 / 488-1195), should be contacted to determine:
 - 1) The name and address of owner,
 - 2) The name(s) and address(es) of any lien holders.
- d. Once that information is received, a copy of the notice is to be sent by certified mail, with return-receipt requested, to the owner and any lien holder(s).
- e. Five (5) days after the notice is mailed:
 - 1) The property should be taken into custody, if this has not already happened.
 - 2) There is no advertising requirement for abandoned property.
- f. After final disposition, notify the owner, if known, of the amount owed for transportation, storage, and/or destruction of the property.

g. If costs are not paid, notify DNR and DMV of the name and address of the owner. He will not be able to get a certificate for any boat, or motor vehicle until the costs are paid.

5. Lost, Abandoned, Found Property - if too large to transport will be tagged, and a Property Receipt will be initiated. The Lost, Abandoned, Found Property will be left at the location, and a photograph taken and attached to the Property Receipt to be placed in the Evidence files (The photograph may be reviewed by an owner or claimant without physically visiting the location).

L. Intake, Retention, Release, and Destruction of Weapons

1. Intake of Weapons

a. Seized Weapons - Every Deputy Sheriff making an arrest under the provisions of Florida Statute Chapter 790 or under any other law or county ordinance within the state shall take possession weapon(s), electric weapon(s) or device(s), and/or arm(s) mentioned in the preceding section, which are found upon the person arrested and the Monroe County Sheriff's Office which shall retain the same until after the trial of the arrested person. If the person is acquitted of the offenses mentioned above, the weapon(s), electric weapon(s), device(s), and/or arm(s) shall be returned to him/her. If he/she fails to call for or receive the same within 240 days from the date of his/her acquittal or the dismissal of the charge, the same shall be forfeited to the state without any court order being necessary. If the person is convicted of the offense, the weapon(s), electric weapon(s) or device(s), and/or arm(s) shall become forfeited to the state without any court order of forfeiture being necessary.

b. Abandoned Weapons - every Deputy Sheriff who takes into possession any weapon(s), electric weapon(s) or device(s), firearm(s) and/or knife(s) which have been found abandoned, discarded or otherwise left in their hands, shall be delivered to the Evidence / Property section of the Monroe County Sheriff's Office, which shall retain said item for a period of 180 days (not to include weapons surrendered for safekeeping). Unless claimed by the owner within the 180 days from the date of discovery or taken into custody, with proper proof of ownership (i.e., serial number, sales slip showing description and serial number, insurance documents that show serial number, copy of stolen weapon(s) report with serial number, or some similar documentation) the weapon shall be forfeited to the state and no other action or proceeding for their recovery shall be maintained in this state.

2. Retention, Transfer, and Disposal of Weapons

a. In accordance with the provisions established in FSS 790.08, the Monroe County Sheriff's Office (MCSO) Evidence / Property Section will become the official custodian of all weapon(s), electric weapon(s) or device(s), and/or arm(s) which have been lawfully forfeited in Monroe County, Florida and as such, will cause adequate inventory records to be maintained on the same.

b. Said weapons shall be disposed only by one of the approved methods:

1) All such weapon(s), electric weapon(s) or device(s), and/or firearms suitable for use by the Monroe County Sheriff's Office as determined by the Sheriff's Office Armorer and Property Director may be so used. In this respect, when practical, antique weapons and other period weapons will be retained for public display and posterity. These weapon(s), electric weapon(s) or device(s), and/or arms shall be RECEIPTED out of the Property / Evidence section by the Property Director of the Sheriff's Office for distribution.

- 2) All such weapon(s), electric weapon(s) or device(s), and/or firearm(s) not needed by the Monroe County Sheriff's Office may be loaned to any other law enforcement agency or department of the state or to any county or municipality law enforcement agency having need of them after proper receipting.
- 3) All weapon(s), electric weapon(s) or device(s), and/or firearm(s) as defined under L.,2.,a., which do not fall under paragraph L.,2.,b.,1) or L.,2.,b.,2) shall be destroyed. Proper documentation for the destruction shall consist of an affidavit with the following information:

Agency Case Number, Property Receipt Number, Serial Number and Description of the weapon(s), electric weapon(s) or device(s) and/or firearm(s), the date and method of destruction, the name and signature of the Property / Evidence Director and the witnessing deputy(s).

- c. Upon a request for the release of a weapon taken into custody during a Baker Act situation the claimant shall provide to the Property Division one of the follow:
 - 1) A legible letter from a physician, clinical psychologist, psychiatric nurse, mental health counselor, marriage and family therapist, or licensed clinical social worker, on official letterhead stating that the person requesting the weapon(s) is presently not a reasonable danger to him/herself or others; OR
 - 2) A court order directing MCSO to release the weapon(s) to the claimant; OR
 - 3) A notarized power of attorney signed by the claimant allowing the release of the weapon(s) to the designee.
- d. Upon a request for the release of a weapon taken into custody pursuant to a restraining order or injunction for protection, the claimant shall provide a court order authorizing the release of the weapon to the claimant.

Prior to the release of any weapon(s) the Property Division shall:

- 1) Review the report and any supplements detailing the circumstances under which the weapon was taken into custody;
- 2) Perform a complete background check on the party requesting the weapon(s) (FCIC/NCIC, domestic injunctions, warrants, etc);
- 3) Run the weapon serial number through NCIC/FCIC;

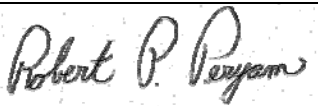
(Revised 8/9/10)

3. By following this no sale, trade or transfer policy regarding weapons which have been officially placed in the custody of the Monroe County Sheriff's Office, hopefully, the office will be able to ensure that at least these weapons will not be placed back into circulation and thus begin the process of reducing the risk our officers and community face daily.

M. The Director of the Evidence / Property is responsible for maintaining a record of all inspections, inventories, and audits, to contain the dates performed and the results of each event.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 54 - A		TITLE: DNA Evidence
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 3	AMENDED:
REFERENCE: CALEA 83.2.7		RESCINDS: Special Order: DNA Evidence; 08.08.2007
 _____ Sheriff of Monroe County		

PURPOSE

The Monroe County Sheriff's Office is committed to solving crime that occurs within its jurisdiction. DNA evidence is a possible key to solving crime. Due to the fragile nature of DNA evidence, its collection, handling, and preservation must be performed with adequate care and caution.

POLICY AND PROCEDURE

Biological evidence containing DNA include:

- Blood
- Semen
- Tissue / skin cells
- Bones
- Teeth
- Hair
- Nails
- Saliva

Possible locations of DNA Evidence / Source of DNA

LOCATION	SOURCE
Bite Mark or area licked	Saliva
Fingernail scrapings	Blood or skins cells
Inside or outside surfaces of used condom	Semen or skin cells
Blankets, sheets, pillows or other bed linens	semen, sweat, hair, saliva
Clothing, including undergarments worn during or after the assault	hair, semen, blood, or sweat
Hat, bandanna or mask	sweat, skin cells, hair or saliva
Cigarette butt; toothpick; or rim of bottle, can or glass	saliva
Tape or ligature	skin cells, saliva or hair

Contamination of DNA Evidence

Contamination of possible evidence can occur by, but is not limited to:

- Touching the suspected evidence or area with un-gloved hands.
- Sneezing or coughing over the evidence
- Touching bare skin with a gloved hand and then touching the evidence or site.
- Touching more than one suspected evidence area with the same gloved hand (not changing the glove)

First Responder Responsibilities and Precautions

First Responders need to recognize crime scenes where DNA evidence may become crucial to the solving of the case, identification of the perpetrator and successful prosecution.

First Responders must be mindful when entering any crime scene to avoid contaminating evidence. This is especially true of DNA Evidence.

First Responders should:

- Recognize possible sources of DNA evidence.
- Protect evidence or possible locations as much as possible.
- Record persons who have known to enter the scene for possible collection of DNA elimination samples.
- Take steps to preserve items that may be discarded by emergency medical personnel or the victim.

Avoid Contamination by:

- Wearing gloves. Change them often (this is critical for persons collecting DNA evidence)
- Avoid touching the area where you believe DNA may exist
- Avoid talking, sneezing, and coughing over evidence

Collection of DNA Evidence

Only individuals trained in such collection should collect DNA evidence.

All Crime Scene Detectives / Technicians shall receive specific training in the collection of DNA evidence.

Established, recognized, procedures will be followed for the collection of all evidence which may contain DNA evidence; i.e., blood, semen, saliva, hair, fingernails/scraping, etc..

Collecting personnel should take into consideration:

- A respiratory mask shall be worn to avoid contamination.
- Gloves should be changed between the collections of samples.
- Use disposable instruments or clean them thoroughly before and after handling each sample.
- Avoid touching one's face, nose, and mouth when collecting and packaging evidence.
- Air-dry evidence thoroughly before packaging
- Put evidence into new paper bags or envelopes, not into plastic bags. Do not use staples
- Practice common contamination avoidance practices as noted above.

Transportation and Storage

Blood and biological DNA samples shall be refrigerated. They shall have affixed a warning decal indicating "BIOHAZARDOUS" on the outside of the container.

Hair, fibers, and all other non-biological samples shall be kept clean and dry at room temperature.

Evidence, once sealed in paper bags or envelopes, shall be labeled and packaged with the required accompanying paper work and transported to the appropriate location for submission.

Biohazardous materials shall have "BIOHAZARDOUS" warning labels affixed.

DNA evidence shall never be stored where exposed to sunlight, high temperatures, or in any plastic bag or container.

Elimination Samples

DNA samples collected from individuals for elimination purposes shall be collected following the same standards of care to avoid contamination.

Required FDLE Consent Form

A FDLE consent form is required to be completed whenever a DNA sample is collected for the purpose of comparison or elimination.

Comparison and elimination samples should only be collected when there is sufficient evidence to warrant it.

No FDLE consent form is necessary when a sample is collected pursuant to a court order or subpoena.

Procedures for Lab Submission

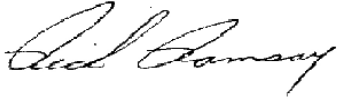
DNA evidence shall only be submitted to an accredited laboratory for analysis.

Florida Department of Law Enforcement Lab shall be the primary lab used by the Monroe County Sheriff's Office for all DNA testing.

The Procedures for lab submission as outlined in Chapter 54 - Evidence & Found/Recovered Property for Sexual Battery Evidence (III, F) and Lab Submission (III, I) shall be followed.

[CALEA 83.2.7,d]

Monroe County Sheriff's Office General Order

CHAPTER: 55		TITLE: Training
EFFECTIVE DATE: June 8, 2009	NO. PAGES: 17	AMENDED/REVIEWED: April 23, 2013
REFERENCE: CFA 14.05M		RESCINDS:
 <hr style="width: 20%; margin: auto;"/> Sheriff of Monroe County		

I. PURPOSE

The purpose of this directive is to establish guidelines for efficient and effective training for all members of the Monroe County Sheriff's Office.

II. DISCUSSION

This directive shall apply to all Sheriff's personnel. Proper training is one of the most important responsibilities of the Monroe County Sheriff's Office. Training serves three broad purposes. First, well-trained deputies are generally better prepared to act decisively and correctly in a broad spectrum of situations. Second, training results in greater productivity and effectiveness. Third, it fosters cooperation and unity of purpose.

III. POLICY AND PROCEDURE

A. Administration

The Training Division is a function of the Bureau of Law Enforcement and is supervised by a Captain who is responsible to the Bureau of Law Enforcement Commander. Members who are assigned full-time to the Division as instructors act as supervisors over their classes, with requisite responsibilities, and therefore hold the equivalent rank of sergeant or above.

1. Responsibilities - The function and responsibility of the Training Division is to ensure that the following activities are administered and conducted to meet the training goals of the Office.
 - a. Planning, developing, coordinating, evaluating, and implementing training programs;
 - b. Providing assistance with coordinating academy and in service training programs through the Institute of Criminal Justice;
 - c. Notifying personnel of training available;
 - d. Maintaining training records;
 - e. Notifying commanders of member's compliance with required training;

f. Selecting instructors

- 2. Training Advisory Committee** - The Training Advisory committee is established for the purpose of enhancing the training program by providing input to insure that programs are relevant, current, and effective by recommending additions, revisions, or deletions. Acting in the role of overseer, the committee evaluates the Training Division's performance in meeting the needs of the Office members. The Committee will consider Job Task Analysis and course critiques as a needs assessment in recommending training programs.
 - a. Training Advisory Committee Members** - The Training Advisory Committee is composed of Commanders and other representatives of the Office at various levels. The Training Advisory Committee Members make the selection and replacement of the members. The Training Advisory Committee Commander is appointed by and reports directly to the Undersheriff.
 - b. Committee Members** - Once each quarter the Director of Training will attend a regularly scheduled Training Advisory Committee Meeting. During this meeting, the commanders and other representatives comprising the Training Committee will discuss the training issues relevant to their needs.
 - c. Records** - The record of the items discussed by committee members will be maintained within the regular meeting minutes of the weekly Bureau meeting where they took place.
- 3. Attendance** - Members scheduled for training must successfully complete all content areas of the program. Members who successfully complete a course of instruction will receive a certificate of training and any additional certification cards as appropriate. Those members who fail to attend any block of instruction within a course will not be given credit for that course until they have returned to a later class (if available) and completed each section missed. Pre-planning such activities as vacations and non-emergency appointments by members and their supervisors will reduce the need for the student to disrupt scheduling and return for remedial training. In any event where the member cannot attend any part of a course they are scheduled for, they shall submit a memorandum through their supervisor to their Division Commander, or their designee, either approving or disapproving the member's absence. This memorandum will then be forwarded to the course coordinator for inclusion in the course folder.
 - a. Mandatory Training** - The Office will designate some training sessions as mandatory. Disciplinary action may result for members who fail to attend any mandatory course. Other sections of the General Orders Manual refer to specific training that is mandatory for a particular position held within the Office, technique applied, or device used.
 - b. Authorized Absences** - Members not attending scheduled training sessions due to illness, court appearances, and other authorized absences shall be rescheduled for the next available training session.
 - c. Unauthorized Absences** - Members scheduled to attend training sessions, who do not appear as scheduled, or who do not successfully complete training blocks due to unauthorized absences shall be rescheduled for the next available training session by their supervisor. Their respective Division Commander will initiate appropriate disciplinary action after notified of the absence by the Director of Training. The period involving unauthorized absences shall be documented as time without pay on the member's time sheet. Further, the member will be placed on a standby list for any additional course they sign up for during the next twelve (12) months. A member may only attend a course for which they are on a standby list if space is available in the class as determined two business days before the program is scheduled to begin.
 - d. Documentation** - All training programs conducted through the Training Division shall utilize an attendance sheet for each session. Each sheet will include the student's printed name and payroll

number. The student will note their arrival time and place their initials next to that time. At the end of each class session, the instructor will circulate the sign in sheet again and each student will note the time leaving and again initial next to this time. A student who needs to leave early must sign out and initial the sheet at that time or they will receive no credit for attendance on that date, as it will be considered an unexcused absence. The instructor of the course will then sign this sheet attesting that it is a true and accurate record of the student's attendance. It is the responsibility of the instructor that these attendance sheets are placed into the course folder. It is the responsibility of the student who attends any course, other than one provided through the Training Division of the Monroe County Sheriff's Office, to provide a certificate of completion for the training course they attended. Failure to do so may cause that time to be considered as an unexcused absence. Falsification of official training records may be cause for dismissal and decertification by the Florida Department of Law Enforcement.

4. Requests for Training and Reimbursement - Any member interested in a particular course must receive approval prior to attending that course.

a. Mandatory or In-Service Training - If the course is mandatory or in-service training provided by the Training Division, approval is obtained from the member's immediate supervisor for scheduling purposes and the Training Division is contacted to register the member.

b. Academy or Other Outside the Office Training - Training requests for courses not provided by the Training Division are to be submitted through the member's chain of command on the Office's Training Request Form and must include a completed Travel Voucher with the dates and cost of course, expected motel and per diem expenses, airfare charges, and course registration materials.

c. Reimbursement - Members attending a training function must document the actual time spent in training on the Office's Time Sheet, which is signed by the member's immediate supervisor.

1) 1) Within Monroe County - In compliance with the Fair Labor and Standards Act, the Office will not compensate members for time spent traveling from their primary place of residence to and from training functions occurring within the confines of Monroe County. An exception would be where the member responds to a call or takes any law enforcement action. The actual time spent performing the law enforcement function would be compensable and would end when travel resumed to the course. If classes are held within Monroe County and are less than the member's regular shift, the member is expected to return to complete their regularly scheduled work shift or to be paid only for the hours attended. The only exception is where the course extends over more than one day and then the member's immediate supervisor will ensure that the member is scheduled to work the appropriate number of hours for that pay period.

2) Outside Monroe County - Actual travel time to out-of-county courses will be counted as on-duty work hours. This training must have been pre-approved on a Training Request Form with an attached Travel Voucher.

(Revised 4/23/13)

5. Lesson Plans - A lesson plan, approved by the Director of Training, is required for all courses presented through the Training Division, whether by staff or guest instructors. The development of lesson plans ensures that a subject is addressed completely and accurately. It provides continuity and standardization. All lesson plans should contain an emphasis on the ethical perspective of the block of instruction as well as reinforce the mission and values of the Office.

a. Lesson Plan Cover Sheet - All lesson plans submitted for use will contain a cover sheet, which summarizes key points of the block of instruction. This cover sheet will include all of the following:

1) Title of training block

- 2) Name of lesson plan originator and date prepared / revised.
- 3) Name of the Training Director approving the plan (and initials) and date approved.
- 4) Date placed into service.
- 5) Target group / audience.
- 6) Number of hours the lesson requires
- 7) Primary instructor.
- 8) Listing of Authorized instructors.
- 9) Training aids required for the lesson.
- 10) Lesson goal.
- 11) Performance objectives.
- 12) References (APA style)
- 13) Identification of any tests used in the training process.

- b. Lesson Plan Body - The body of the lesson plan should detail the methods of instruction used, taking into account the importance of class participation as adults learn by doing. The timing of each section should be included to assist instructors other than the primary one.
- c. Tests, Training Aids and Handouts - All tests, student handouts, answer keys, and training aids to be used in the course are to be submitted to the Director of Training for approval with the lesson plan. All tests, when completed, will be placed in the course folder.
- d. Documentation - A copy of the approved lesson plan for each course will be distributed to each authorized instructor and included in the master lesson plan file.
- e. Remedial Training - The need for additional training may be identified for a member by their supervisor when the member's performance is observed to need improvement. Remedial training is also required when a member fails to demonstrate competency during skills testing or written evaluation in a course or when they did not complete attendance at some required course.

Remedial training will be provided to employees for the following reasons:

- At the request of the employee
- At the request of the employee's supervisor or commander
- The employee failed to acquire the minimum skills level in training programs
- The employee was identified for remedial training by the administrative and inspections process for disciplinary purposes [CALEA 26.1.4a]

Remedial training will be scheduled at the earliest possible date.

If the remedial training can be conducted within Monroe County, the remediation will occur within 90 days whenever possible. If the remedial training has to be conducted outside of Monroe County, the remediation will occur within 6 months whenever possible.

Employees assigned to remedial training will not be released from training until they have acquired the minimum skills level required by the Monroe County Sheriff's Office.

Failure to achieve the minimum skills levels in remedial training will be reported to the Training Division Director for administrative action. [CALEA 33.1.5] [CFA 14.05M]
[effective 6-8-2009]

- f. Recruit Training - Recruits enrolled in an academy course must successfully complete all blocks of instruction within the academy and pass a state examination for certification. Members who fail to do so must conform to the academy regulations for remedial training for certification purposes, which are determined by Florida Department of Law Enforcement Standards and Training Commission guidelines current at the time of failure. The member's Division Commander will recommend disciplinary status or withdrawal of probationary appointment, and determine if remedial training is to be made available to the member. If so recommended, that training will be scheduled in the next available academy.
- g. In-Service Training - There are many areas requiring remedial or recurrent training for members after initial training is received. These may be regulated by outside agencies such as FDLE or OSHA. They may be necessary based on court decisions, court mandated retraining, accreditation, or a member who does not demonstrate competence in a skill.
 - 1) Safety - A member's supervisor will conduct and document remedial training, which is forwarded to the Training Division and placed in the member's training file, immediately whenever the member's deficient performance is a safety concern to themselves or others. The Training Division will also be contacted for any additional remedial training the member may need in a skill or area concerning a safety issue. At any time during a training class, any instructor teaching that course shall immediately excuse any member from that course if a safety concern is observed that will require remediation beyond the scope of the course currently being presented. This will be documented on memorandum to the member's Division Commander and to the Director of Training along with a schedule for remedial training as soon as possible following the incident. Any disciplinary action for skills deficiency will be the responsibility of the affected member's Division Commander or their designee.
 - 2) Absence - Any member, who misses any portion of a course, whether for an excused or unexcused absence, is required to enroll in the next available course to remediate on any blocks of instruction missed.
 - 3) Testing or Skill Deficiency - Members who fail any written or skills testing within a block of instruction are required to remediate that block of instruction in the next available course. If the failure was in an area considered a critical skill, such as weapons qualifications, special arrangements will be made through the Director of Training for immediate remediation as soon as an instructor and a facility can be made available. The member's Division Commander, or their designee, will initiate any disciplinary action for a member requiring remediation.
- 6. Member's Training Records - Accurate training records are important to the Office to show compliance with existing laws and standards. A member's training record documents requirements needed to maintain certification and prove that training is current. Training Records are considered Public Records under Florida Law and will be made available upon request. If anyone other than someone in the member's chain of command requests to view a member's record, the effected member will be notified by interoffice e-mail or phone call. Training records on members are maintained in a separate file located in the office of the Training Division. As members complete training programs, the dates of the course, copies of any certificates received, type of training, and test scores (if applicable) are

placed in the member's file as soon as they are received by the Training Office and also updated on a database.

a. Course Records - A course folder will be completed for each class presented through the Training Division. A copy of the lesson plan for each course will be maintained in the master lesson plan file. The course folder will contain the following items:

- 1) Attendance roster
- 2) Course critiques

B. Academy

In accordance to the requirements of the Florida Criminal Justice Standards and Training Commission, all academies and specialty certification courses approved by the Commission will be taken through one of Florida's Criminal Justice Academies.

1. Florida Keys Institute of Criminal Justice - The primary provider for academy service to the Monroe County Sheriff's Office is the Florida Region XIV school, Florida Keys Community College, Institute of Criminal Justice.

a. Recruit Academies - The Sheriff's Office Training Division will advise the Institute of Criminal Justice on the needs of the agency for recruit academies throughout the year based on current and projected staffing levels for certified positions.

1) Costs - The Florida Keys Institute of Criminal Justice will provide the Sheriff's Office with a letter of intent specifying the projected dates and costs of the course. The approval for the course will be the responsibility of the MCSO Training Director who will complete a purchase requisition for any course approved.

2) Instructor Staff Support - The Sheriff's Office will provide instructor staff, facilities, and other resources in support of the Institute of Criminal Justice's training staff to keep costs at a minimum where the Sheriff's Office has requested the recruit academy.

a) The instructors from the Sheriff's Office will be considered to be teaching on-duty and therefore governed and covered legally by the Monroe County Sheriff's Office unless other arrangements have been made such as those outlined in the following section.

b) In certain situations, such as when the recruit academy is being shared by multiple agencies or when the academy was not requested and therefore not directly supported by the Sheriff's Office, a member may teach at the academy while off duty and all compensation and legal liability will be the responsibility of the Florida Keys Institute of Criminal Justice.

3) Course Coordination - In recruit academies requested by the Monroe County Sheriff's Office, in addition to a FKCC Institute of Criminal Justice staff class coordinator, a coordinator from the MCSO Training Division will be assigned to the class. Their responsibilities include:

a) Ensuring that each recruit is provided with training outlining both the Sheriff's Office and academy rules and regulations regarding testing, evaluation, fitness, and proficiency requirements.

b) Scheduling Sheriff's Office recruits to receive additional training on agency policies, rules, rights, and regulations.

c) Having daily contact with the class whenever possible for the purpose of:

- (1) Answering questions
- (2) Conducting inspections
- (3) Scheduling daily class training and work assignments
- (4) Completing payroll time sheets
- (5) Acting as a liaison between the class and the Sheriff's Office.

d) Specialty Courses - The Florida Criminal Justice Standards and Training Commission maintains a listing of salary incentive and other specialty courses approved. To receive certification in one of these specialty courses, a deputy must attend the course through an approved Criminal Justice Institute. The Sheriff's Office Training Division will advise the Florida Keys Institute of Criminal Justice on the general needs of the agency for specialized certification courses throughout the year and the same procedures for costs and support as outlined for recruit academies above will be followed.

2. Other Academies - Occasionally, other academies or training agencies will provide courses or seminars which meet a specific need not offered by the Florida Keys Institute of Criminal Justice for either recruit, in service, or specialty course. Whenever possible the primary provider of services, the Florida Keys Institute of Criminal Justice, will be used. If the local academy is unable to provide the services in the time frame required, the next attempt for service should be to locate a trust funded course in another Florida Region XIV academy to minimize the cost to the Sheriff's Office before enrolling in another area. In all cases, a copy of the certificate of completion for the course is to be forwarded to the Training Division for inclusion in the member's file by the student.

C. Instructor Staff

Properly qualified instructors are an essential element of any successful training effort. All staff and adjunct instructors of the Monroe County Sheriff's Office will obtain a Florida State Criminal Justice Standards and Training Commission 80 hour Instructor Techniques Workshop certification prior to instructing any academy or in-service course. This course includes instruction in lesson plan development, performance objective development, instructional techniques and adult learning theory, testing and evaluation techniques, and resource availability and use.

1. Staff Instructors - Personnel assigned to the Training Division as staff instructors must demonstrate the highest levels of proficiency in all of the fields that they may be assigned to instruct. As such, they must have demonstrated excellence in performance in the field, be able to learn and master many disciplines, have an exceptional level of physical fitness, and undergo a thorough selection process.
 - a. Selection - Members who apply with the Training Division for a full-time instructor's position must pre-qualify with the following conditions before being eligible to sit for the oral review board:
 - 1) Currently hold the rank of sergeant or equivalent, or be on the current eligibility list for sergeant.
 - 2) Performance Evaluation - average score 4.0 or greater within the last 12 months.
 - 3) Have completed, at a minimum, the Florida Criminal Justice Standards and Training Commission 80 course on Instructor Techniques Workshop (ITW).
 - 4) Passed the Florida Department of Law Enforcement Physical Agility Test within the last 12 months.

- 5) Take the Cooper Institute Physical Fitness test and pass at the 50% level or better of the population for the applicant's age and sex.
 - 6) Recommended: One or more Florida Criminal Justice Standards and Training Commission designated high-liability instructor certifications.
- b. Training Certifications** - Members assigned full-time to the Training Division instructor staff will obtain all of the Florida Criminal Justice Standards and Training Commission high-liability instructor certifications for all of the disciplines required in the recruit academy curriculums within 18 months or as soon as possible. Additional specialty instructor certifications may be required for specific disciplines as determined by the Director of Training. All certifications will be kept current as required by each certifying organization, including refresher training recommended, unless exempted by the Training Director.
- 1) High-Liability Courses: An instructor certification is required in each CJSTC high-liability designated course prior to teaching in that discipline.
 2. Adjunct Instructors - Where necessary to fill student-instructor ratios or to make use of a member's expertise in a specific area, adjunct instructors may be selected from within the agency for part time teaching assignments for either in- service, recruit academy, or academy specialty courses. The Director of Training will review previous course critiques of adjunct instructors prior to deciding to schedule them to instruct additional courses.
 - a. Training Certifications - Members assigned to teach a course must have the following certifications:
 - 1) Florida Criminal Justice Standards and Training Commission 80 course on Instructor Techniques Workshop (ITW).
 - 2) High-Liability Courses: An instructor certification is required in each CJSTC high-liability designated course prior to teaching in that discipline.
 3. Contract Instructors - Highly specialized instruction may require the use of outside training organizations or instructors. Each contract will be coordinated by the Director of Training regarding purchase orders, curriculum, certification, facilities, equipment use, evaluations, etc.

D. Recruit Training

No member employed in a certified position within the Monroe County Sheriff's Office may be assigned to any position where they would be required to carry a weapon, enforce any law, make an arrest, or take any type of enforcement action until they have successfully completed basic recruit training.

1. Basic Recruit Training - The Florida Department of Law Enforcement's Criminal Justice Standards and Training Commission has designed academy curriculums based on tasks of the most frequent assignment associated duties of officers. Each recruit must pass a series of written tests and demonstrate practical proficiency on standardized physical tests in high-liability areas, as defined by CJSTC, before they are eligible to take the required Florida State Certification Examination. Officers, who have passed the required academy basic recruit curriculum and are eligible to take the state examination, may enter the field training program while waiting for the next available Florida State Certification Examination.
2. Field Training Program - The basic recruit academy does not supply all of the necessary job skills required of a new recruit to function unaided in a sworn position in the field. The Field Training Program is a necessary element for the recruit to acquire the remaining skills needed. It is for this reason that each entry level sworn position in the Sheriff's Office has a Field Training Program. Also, the Field Training Program is considered to be part of the hiring process and successful completion of

the program is required of all newly sworn members. During the program, members will be trained and evaluated on frequently preformed tasks. Each entry level sworn position utilizes a Field Training Manual specific for that position and each program varies in length, based on the requirements of that manual. These programs can be flexible for new members with previous experience, but in no case is it to be less than four (4) weeks in length.

a. Field Training Officers

- 1) All members utilized as Field Training Officers shall first successfully complete the Florida Criminal Justice Standards and Training Commission course entitled "Field Training Officer". Any recruit who spends their assigned workday with a member who is not a designated Field Training Officer cannot count that time towards the completion of the required program.
- 2) Members who have a minimum of 2 years experience may submit a memorandum, through their chain of command, to their Division Commander for consideration as a Field Training Officer.
- 3) Field Training Officers will be selected by their respective Division Commanders from members who have completed the required CJST Field Training Officer course and have the minimum 2 years of experience.
- 4) Designated Field Training Officers should teach in the basic recruit academy as often as practical to ensure that their own knowledge and skills remain current.
- 5) Each Division Commander will designate a supervisor for the Field Training Program within their respective Division to coordinate supervision of the program and scheduling the rotation of recruit field assignments.
- 6) There will be an annual meeting for all deputies assigned as field training officers for an in-service training update.

b. Reporting - The San Jose Model is used for each manual of the different Field Training Programs. The basics of this model include:

- 1) The first week of the program is for orientation. Although training is accomplished during this period, there are no evaluations completed on the recruit. This is done to allow the new employee to acclimate to their positions.
- 2) The remaining weeks of training will include daily evaluations of commonly performed tasks. In the earlier stages of the training, more emphasis is spent on teaching techniques rather than on evaluating performance behaviors. In the later stages, as each skill has been taught to the recruit, the emphasis shifts to evaluating those skills previously taught. This evaluation is based on observable performance behavior statements used for each item rated and found in the Field Training Manual.
- 3) The final week of the program is strictly used for evaluation. The idea is to observe the recruit perform as they would (and will the following week if they are successful) on his or her own as if the Field Training Officer was not present.
- 4) Each recruit is given his or her Field Training Manual on the first day of the program. It is their responsibility to maintain the manual and present it each day to their assigned Field Training Officer.
- 5) The Field Training Officer will complete the required sections of the manual each day of the training.

- 6) The Field Training Officer supervisor will update the Division Commander weekly of the status of each recruit in the program.
- 7) The Field Training Officer assigned to the final week of evaluation will complete a final summary evaluation memorandum and forward it and the Field Training Manual to the Division Commander.
- 8) The Division Commander will decide if an extension to the program is warranted. This extension may be up to a maximum of 4 weeks, consisting of three weeks of additional training and a final week again used solely for evaluation of the recruit's performance.
 - 9) The Division Commander will ensure that the manual is complete and then forward the Field Training Manual and summary memorandum to the Training Director. The Director of Training will review the manual and program evaluations by the recruit and Field Training Officers, and then place them into the member's training file.
- 10) The Director of Training is responsible for updating the Field Training Program and manuals as needed.

E. Update Training

Refresher training is important for deputies and correction officers to perform their job skills with peak effectiveness. Retraining is also a requirement by the Florida Department of Law Enforcement to maintain certification. In addition, the Occupational Safety and Health Administration, accreditation standards, court mandated training, specific weapons training, and other certifying organizations all require annual retraining.

1. **Mandatory Retraining Requirements** – Per FDLE Criminal Justice Standards Training Commission certified officers must receive 8–hours Human Diversity, 4-hours Human Diversity in the topic of “Discriminatory Profiling & Professional Traffic Stops”, and Domestic Violence and Juvenile Sexual Offender Investigations training, and Legal Updates
2. **Annual Retraining Module (ARM)** - The office has adopted the Annual Retraining Module (ARM) as the method for maintaining currency in the major skill areas required for certified members. This course is mandatory for certified deputies (including reserves) to attend each year as it rotates annually on a four-year cycle of courses. It includes the annual retraining required in other areas of the General Orders Manual in weapons, fire and evacuation procedures for corrections, yearly training mandated by Federal Law (OSHA) in air and blood pathogens and hazardous materials, court mandated training, legal and policy updates, use of force, compliance with existing case laws and accreditation standards, simulation and **defensive** tactics, **OC use and decontamination techniques, inmate sexual abuse/assault awareness, prevention, response, reporting procedures, confidentiality requirements** and other relevant material.
3. **Shift Briefing Training** - Training at shift briefings will be used for useful topics and to keep deputies current between their attendances at the Annual Retraining Module. To ensure standardization, the primary method of instruction will be through the use of videotape whenever possible. A current District Personnel Roster will be used for documentation of training received. When a member views the videotape, they will place their initials next to their name on the roster. The Division Commander will forward the completed roster and a course evaluation to the Director of Training for evaluation and filing in a course folder within a month of receiving the training videotape.
4. **Accreditation Training** - As an accredited agency, members are required be familiar with process involved.
 - a. **New Personnel** - When an individual is given an offer of employment by the Human Resources Division, it is required that they view orientation video training in Human Resources which will include the process, history, and emphasis of accreditation as well as topics on sexual harassment and communicable diseases. A form with the student's name documenting this training will be forwarded to the Training Division to initiate a Training Record for the new member and filed there. All newly appointed agency members will receive the following training:
 - 1) Accreditation process
 - 2) Orientation to the Office role, purpose, goals, policies, and procedures.
 - 3) Working conditions and regulations; and,
 - 4) Responsibilities and rights of members.
 - b. **Assessments** - During the each self assessment and re-accreditation and just prior to an on-site assessment, members of the agency will receive training in the accreditation process. It will include the history, the advantages and goals of accreditation, as well as accreditations impact on the agency.

F. Specialized Training

Advanced training is required for many specialized positions within the office. Whenever a member is selected for a position which requires specialized training, it is the responsibility of their immediate supervisor to ensure that they are scheduled for and receive that training and any on-the job training necessary prior to them executing the responsibilities of the position. After completion of on-the job training, the member's immediate supervisor will complete a memorandum documenting on-the job training received by the member. This memorandum will be placed within the member's training record in the Training Division.

A temporary exception is allowed where the job task can be accomplished with another qualified member in an on-the-job training capacity without any compromise to safety or quality of service issues.

1. Positions Requiring Advanced Specialized Training - The following sworn positions within the office have been identified as requiring specialized or advanced training either prior to assignment or immediately thereafter:
 - a. Sergeant
 - 1) Line Supervision Course
 - b. Lieutenant and above
 - 1) Middle Management Course
 - c. Detective
 - 1) General Criminal Investigations Course
 - d. Canine Handler
 - 1) Approved Canine Handler Course
 - e. Instructor
 - 1) Instructor Techniques Workshop Course
 - f. Special Weapons and Tactics Team / Hostage Negotiator
 - 1) Qualifying special tactical problems course of instruction, specialized crisis situation training
 - g. Tactical Dive Unit
 - 1) Underwater Police Science Course
 - h. Crime Scene Detective/Technicians
 - 1) General Criminal Investigations Course
 - 2) Advanced course in crime scene processing and documentation, to include photography (conventional and digital) and sketches.
 - 3) Assignment to existing crime scene technician for additional on-the-job training

i. Traffic Division

- 1) Traffic Radar and Laser (if laser equipment is assigned) Course
- 2) Intoxilyzer Operator Course
- 3) Motorcycle Operator (if applicable) Course

j. Special Operations Division and HITDA

- 1) Specialized course for the specific position applied for.

k. Aviation Division

- 1) FAA approved course for the type-rating required for the position

l. Accreditation Manager

- 1) Within one year of being appointment attend accreditation manager training from CALEA, CFA or FLA-PAC to include information on the essential components of the process, the standards manual, file maintenance, and panel interview process.

2. Update Training for Positions Requiring Advanced Specialized Training - It is the responsibility of the immediate supervisor of each position requiring specialized training to ensure that on-going and refresher training is received as required by the particular discipline as well as providing any support services needed. Due to the highly specialized nature of many of these positions, it is also incumbent upon the member to remain current in their area of specialization through specialized trade journals, association memberships, etc.

G. Non-certified Training

All members of the Sheriff's Office will, when an individual is given an offer of employment by the Human Resources Division, be required that to view an orientation training video in Human Resources which will include the process, history, and emphasis of accreditation as well as topics on sexual harassment and communicable diseases. A form with the student's name documenting this training will be forwarded to the Training Division to initiate a Training Record for the new member and filed there.

1. Positions Requiring Advanced Specialized Training - The following non-sworn positions within the office have been identified as requiring specialized or advanced training either prior to assignment or immediately thereafter:

a. Supervisor

- 1) Line Supervision Course

b. Director

- 1) Middle Management Course

c. Planning and Research

- 1) Specialized courses within the field

d. Crime Analysis

1) Specialized courses within the field

e. Data Processing / Information Management

1) Specialized courses within the field

f. Finance Division

1) Specialized courses within the field

g. Communications Division

1) Specialized courses within the field

H. Extended Training

Revised 01/25/10

- 1. Extended Training is any training scheduled for 40 hours or more. Considering the expenses incurred in sending an individual to such training, the Sheriff's Office expects the skills, knowledge and information gained in such training to be utilized to the benefit of the organization and community.
- 2. Extended Training Agreement Form

- a. Any employee who requests to attend extended training will be required to complete an Extended Training Agreement form.
- b. The form will detail the expenses of attending that school, course, training or seminar. The expenses include tuition or entry fees, travel expenses, lodging, food, and any incidental funds.
- c. The form is an agreement that the Sheriff will send the individual to the defined extended training and that the employee will use the skills, knowledge and information gained for the benefit of the Office and community for a period of time as follows:

Course length	40-79 hours	One (1) year	
	80 or more hours	Two (2) years	
Course tuition	Greater than \$1,000.00 but less than \$2,000.00		One (1) year
	\$2,000.00 or more		Two (2) years

as a condition of voluntarily attending lengthy or expensive training. If an employee does not stay employed with the agency for the specified time, he or she must reimburse the agency a pro rata share of tuition, travel, per diem, lodging, and incidental expenses incurred for the training. Employees attending FDLE certified Instructor Courses will be permitted to satisfy the extended training agreement by teaching double the number of hours the employee spent in training. Employees will not be required to reimburse any share of employee salary.

1) Travel time is not a part of the calculation for course cost.
(Effective 2-21-2007)

3. Reimbursement

- a. If the employee fails to complete the extended training course they will be required to reimburse the Office all expenses associated with the course.

- b. If the employee fails to fulfill the obligation under the agreement, he or she will be required to reimburse the Office on a pro-rated basis from the completion date of the school to the separation date from the Office.

4. Request Form — Appendix 1

Appendix 1

Chapter 55

Extended Training Agreement Form

**Monroe County Sheriff's Office
Extended Training Agreement**

Applicant's Name _____ Date Submitted _____

Title _____ ID # _____ Division _____

Course Title _____

Location _____ Hours Of Training _____

I, _____, am requesting attendance at the above titled training. I acknowledge that this training is:

_____ (initial) 40-79 scheduled class hours or the tuition cost is greater than \$1,000.00, but less than \$2,000.00 and as such I am obligated to 1 year of service with the agency beginning with the completion date of the training.

_____ (initial) 80 or more scheduled class hours or the tuition cost is \$2,000.00 or greater and as such I am obligated to 2 years of service with the agency beginning with the completion date of the training.

_____ (initial) an FDLE certified Instructor Course and I will satisfy this extended training agreement by teaching double the number of hours spent in training for the MCSO.

If I fail to fulfill this obligation, I promise to pay the Sheriff for the expenses incurred for that training, as outlined below.

Tuition _____

Hotel _____

Per diem _____

Travel _____

Incidentals _____

Total _____

THIS IS A LEGALLY BINDING AGREEMENT. DO NOT SIGN IT IF YOU DO NOT UNDERSTAND IT. DO NOT SIGN IT IF YOU ARE NOT WILLING TO ACCEPT THE FINANCIAL OBLIGATION.

Applicant Signature _____ Date _____

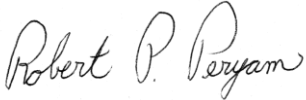
Applicant's Supervisor _____ Date _____

Captain/Director _____ Date _____

Bureau Chief _____ Date _____

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 54-B		TITLE: Prescription Drug Drop-Off Program	
EFFECTIVE DATE: May 9, 2012		AMENDED:	
NO. PAGES: 2		REFERENCE:	
 <hr/> Sheriff of Monroe County		RESCINDS:	

Purpose:

Purpose of this directive is to establish guidelines for the collection and proper disposal of prescription drugs collected by the Sheriff's Office drug drop-off program.

Headquarters
5525 College Rd
Key West, FL 33040

Freeman Substation
20950 Overseas Highway
Cudjoe Key, FL 33042

Policy:

This directive shall apply to all Sheriff's Office members involved in the prescription drug-drop off program. To ensure that the collection and disposal of all medications collected under the drug drop off program will be processed and disposed of in accordance with Florida State statutes 893, and Monroe County Sheriff's Office Policy.

Marathon Substation
3103 Overseas Highway
Marathon, FL 33050

Islamorada Substation
86800 Overseas Highway
Islamorada, FL 33036

Roth Building
50 HighPoint Rd Suite 100
Tavernier, FL 33070

Definitions:

- Pharmaceutical drugs are drugs that are purchased legally from a pharmacist or handed out by licensed physician.
- Illicitly manufactured control substance is any substance not legally obtainable by prescriptions.

The Monroe County Sheriff's office will provide five lockboxes for citizens to dispose of pharmaceutical drugs. These boxes will be clearly marked for this purpose.

- The boxes will be locked and securely mounted to prohibit the removal of the boxes or retrieval of the contents without a key.
- Citizens may deposit the unused medication into the boxes anonymously.
- Instructions shall be posted above the boxes to assist citizens in the disposal process and to guide the citizens with acceptable types of pharmaceutical drugs to be deposited.

Procedures:

- Drop-off boxes shall be designated lock boxes located at designated locations and are under the control of the Monroe County Sheriff's office. Box locations:

Syringes are prohibited from being deposited in the boxes.

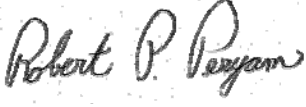
- Open containers of liquid may not be deposited unless completely sealed.
- No pill or capsule medication can be deposited into the box, unless in packaging, prescription bottle or container provided by MCSO.

Medication collection:

- The boxes will be keyed so that only authorized Sheriff's Office members will be able to gain entry.
- The property custodian or their designee and the district commander or his/her designee will maintain a key for the boxes.
- Collection times will correspond to the hours the district offices are open to the public. The deposit boxes will be monitored at all times by members of the Monroe County Sheriff's office while accessible to the public.
- The district commander or his designee will witness the collection process and the removal of the contents of the boxes.
- The district commander or their designee will remove the contents of the boxes on a weekly basis and place the medication into property/evidence according to agency policy.
- The drugs will be destroyed in accordance with agency policy and applicable statutes.
- The district commander or his designee will be responsible for writing the report of found property to document the content removed from the boxes.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 55 - A		TITLE: Retiree Firearms Qualifications
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 2	AMENDED:
REFERENCE: 18 U.S.C.926C; F.S. 943.132; F.A.C. 11B-27.014		RESCINDS: Special Order: Retiree Firearms Qualification, 10.03.2008
 <hr style="width: 20%; margin: auto;"/> Sheriff of Monroe County		

PURPOSE: The purpose of this order is to establish policy and procedures for retired law enforcement and corrections personnel to qualify with firearms for the national carry provisions.

POLICY: It is the Sheriff's policy to provide retired law enforcement and corrections personnel an opportunity to demonstrate the firearms proficiency requirements under the Federal Law Enforcement Officers Safety Act of 2004, 18 U.S.C. 926C and the rules established by the Florida Department of Law Enforcement to be able to carry a concealed firearm nationally under the provision.

PROCEDURE:

All provisions of 18 U.S.C. 926 C, F.S 943.132, and the rules set forth by the Florida Department of Law Enforcement found at F.A.C. 11B-27.014 will be followed.

Opportunities for retired law enforcement and corrections personnel wishing to qualify with a handgun will be made available during normal range dates and times as determined by the Training Division.

Applicants for a range date must obtain a request form from the www.keysso.net web site or the Human Resources Division.

The form must be completed, notarized and returned to the Human Resources Division. Human Resources will forward the form to the Training Division prior to attending the range session.

The applicant will pay a fee of \$75.00 at the time the application is submitted. This fee is intended to cover the cost of the background check,

targets and ammunition provided for qualification.

Monroe County Sheriff's Office retirees will not be required to pay a fee.

Monroe County Sheriff's Office retirees residing in other states may contact the Human Resources Division to obtain a letter documenting their retired status from the Sheriff's Office.

The Human Resource Division will conduct a background check to include:

- A check with the retiring agency to ensure the person retired under normal conditions in good standing; before such retirement, was authorized to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest; and before such retirement was regularly employed as a law enforcement officer for an aggregate of 15 years or more or retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency.

- A criminal background check for any criminal history since retiring.

Any questionable data will be brought to the Undersheriff for a determination if the subject will be allowed to participate.

Once the person has been cleared, Human Resources will notify the Training Division with the person's name, contact information and that the person is cleared to participate.

The Training Division will notify the applicant of available range dates and ensure they have a copy of the range rules and course of fire description.

The Training Division will provide enough ammunition for two courses of fire.

The applicant will be afforded an opportunity to shoot the qualification course be a maximum of 2 times.

The course of fire will that prescribed by the Florida Department of Law Enforcement.

Only Florida Criminal Justice Standards and Training certified firearms instructors may qualify the applicant retiree.

If the applicant shoots a qualifying score they will be provided a Firearms Proficiency Verification Card , (CJSTC form 600).

If the applicant fails to shoot a qualifying score they may reapply for a future range date and will be required to again pay the range fee.

Human Resources will not be required to conduct an additional background check if the second attempt to qualify is within 8 weeks of the first attempt.

The applicant may shoot two practice rounds if they provide their own ammunition, which must be acceptable to the MCSO Range Master.

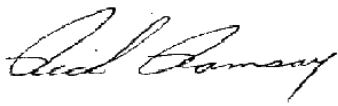
The Range Master shall maintain the following documentation related to the course of fire for each retiree who successfully completes the course. The retained documentation shall be maintained for at least two years and is subject to an audit by CJSTC staff.

- Full name of the retiree completing the course of fire.
- Address of the retiree completing the course of fire.
- The course of fire proficiency score.
- Date the course of fire was completed.
- Location where the course of fired was conducted.

- The specific number imprinted on the CJSTC-600 form issued to the retiree who completed the course of fire.
- Type(s) of firearm(s).

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 56		TITLE: Career Development Program
EFFECTIVE DATE: May 15, 2009	NO. PAGES: 6	AMENDED: May 8, 2013
REFERENCE: CALEA 33.8.4		RESCINDS:
 Sheriff of Monroe County		

PURPOSE

The purpose of this directive is to establish guidelines for a Career Development Program.

DISCUSSION

This directive shall apply to all Sheriff's personnel. A well-designed and administered Career Development Program is in existence to benefit the individual and the Office. The program will promote productive, efficient and effective job performance and improve individual job satisfaction.

POLICY AND PROCEDURE

A. Career Development Program

The Monroe County Sheriff's Office Career Development Program is comprised of the following:

1. Tuition Reimbursement Program
2. Salary Incentive Monies
3. Career Counseling
4. Temporary Assignment Requests
5. Training following Promotion
6. Management and Supervisory Training
7. In-Service Training Program

B. Tuition Reimbursement Program [CALEA 33.8.4] (Revised 5/8/13)

Undergraduate Studies

Higher education allows personnel to gain a more thorough understanding of society, to communicate more effectively and to engage in the exploration of new ideas and concepts. Personnel are encouraged to achieve a Bachelor's Degree from an accredited college or university.

1. Persons applying for the Tuition Reimbursement Program for undergraduate studies must:

- a. Have been a full-time member of the Sheriff's Office for a minimum of two years.
- b. Provide documentation that the individual qualifies for admission to pursue undergraduate studies, for credit, at an accredited college or university.
- c. The course of study to be pursued by the member must be directly related to their work and current activities or some reasonably foreseeable possible assignment with the Sheriff's Office.
- d. Have a documented work history of successful performance in their position. The Office reserves the right to deny assistance to those members who are not performing in their job satisfactorily, either prior to the request, or during their pursuit of a degree. A copy of the member's last two performance appraisals shall be included with the application.
- e. Complete the Tuition Reimbursement Application form.

The minimum time period for employment and MCSO approval must be satisfied prior to beginning instruction for which reimbursement will be requested.

The information mentioned above shall be forwarded, through the chain of command, to the appropriate Division Commander for approval. A copy of the approved request shall be forwarded to the Training and Finance Divisions' and the original will be retained by the applicant.

Graduate Studies (Master's degree only)

The Sheriff's Office understands the value of higher education and recognizes the public benefit of employing highly skilled, well educated individuals. Given the complexity and/or the scope of management responsibilities required of certain positions, the Office must determine a public benefit exists for a particular member to obtain a Master's degree.

1. Persons applying for the Tuition Reimbursement Program for graduate studies (Master's degree only) shall:

- a. Have been a full-time member of the Sheriff's Office for a minimum of five years.
- b. Be a senior command staff officer who is recommended by their supervisor. The member's supervisor shall explain the benefit of a graduate level curriculum to both the member and the Office in their recommendation. The course of study to be pursued by the member must be directly related to their work and current activities or some reasonably foreseeable possible assignment with the Sheriff's Office.
- c. Have a documented work history of successfully performing in a senior management position The Office reserves the right to deny assistance to those members who are not performing in their job satisfactorily, either prior to the request, or during their pursuit of a degree. A copy of the member's last two performance appraisals shall be included with the application.
- d. Complete the Tuition Reimbursement Application form. The minimum time period for employment and approval by the Sheriff must be satisfied prior to beginning instruction for which reimbursement will be requested.

The information mentioned above shall be forwarded to the Director of Training. The application will be reviewed for completeness and presented to the Sheriff for approval. A copy of the approved request will be forwarded to the Training and Finance Divisions' and the original will be retained by the applicant.

Reimbursement Procedures

1. Members receiving any other type of educational financial aid or assistance may be eligible for partial reimbursement of tuition costs that not covered by other means.
2. Tuition will be reimbursed based on the following:

- a. For course work directed towards an Associate's degree, tuition will be reimbursed at Florida Keys Community College's current per credit hour fee. Course work toward an Associate's degree will be defined as all Freshmen (1XXX's) and Sophomore (2XXX's) level classes.
- b. For course work directed towards a Bachelor's degree, tuition will be reimbursed at Florida International University's current per credit hour fee. Course work toward a Bachelor's degree will be defined as all Junior (3XXX's) and Senior (4XXX's) level classes.
- c. For course work directed towards a Master's degree, tuition will be reimbursed at Florida International University's current per credit hour fee. Course work toward a Master's degree will be defined as graduate level classes (5XXX and 6XXX's only).

The Human Resources Division will maintain a listing of the current, approved tuition rates as outlined above. Any additional costs incurred above these amounts will be the responsibility of the member.

3. Upon successful completion of an approved course, reimbursement will be made at the rates outlined below:
 - a. Grade of an A – member will be eligible for 100% tuition reimbursement.
 - b. Grade of a B – member will be eligible for 75% tuition reimbursement.
 - c. Grade of a C – member will be eligible for 50% tuition reimbursement.
 - d. Grade of a Pass (for courses graded as pass/fail) – member will be eligible for 50% tuition reimbursement.

Only the cost of the actual course tuition will be reimbursed. Late fees, refundable deposits, books, travel, and other incidental expenses are not reimbursable. Members who are mandated to attend a course for performance related issues will be reimbursed 100% upon registering for the course.

4. Members approved for tuition reimbursement under this policy are eligible for reimbursement of up to a maximum of 45 credit hours per calendar year.
5. Requests for reimbursement shall be submitted to the finance division. The request must include an official record of the grade earned, a receipt for the tuition paid, a copy of the approval for reimbursement, and a copy of all grants or other funding mechanisms the member received in connection with the payment of the tuition. Members will only receive reimbursement for the actual costs incurred after grants and other funding mechanisms are deducted. Reimbursement requests must be made within 30 days of the completion of the course.
6. Members who request permission to participate in this program agree to remain with the Office for a period of two years from the course completion date for undergraduate studies and three years for graduate studies. Members who separate employment without satisfying the agreed period of employment will be charged on a pro-rata basis for the reimbursed tuition. These costs will be deducted from the member's final paycheck.
7. The tuition reimbursement program is contingent upon available funds. The program may be terminated at any time at the discretion of the Sheriff. Applicants will be notified prior to the program ceasing.
8. Members who have successfully met the requirements necessary to obtain an Associate, Bachelor, or Master's degree, whether through the Office's reimbursement program or the member's own initiative, will be granted leave with pay on their graduation day. Should the graduation fall on a regularly scheduled day off, the member will be granted a day off within the same payroll period the graduation occurs in. Requests for leave under this section shall be submitted to the Sheriff, via the chain of command.

9. Members who have been previously approved for tuition reimbursement and who are currently enrolled in classes, shall be governed by the policy in place when they began their course work. All other members shall be governed by this revised policy and must meet the criteria outlined above.
10. Members who receive discipline while participating in the tuition reimbursement program may be deemed ineligible for continued participation in the program.

Tax Liability

1. Members receiving tuition reimbursement should be aware that a portion of that reimbursement may be taxable as income under IRS rules. Such rules may vary from year to year. Finance will report all reimbursement according to IRS rules.
(updated 08/04/03)

C. Salary Incentive Monies

Law Enforcement and Correctional deputies will be paid educational incentive monies according to Florida Law (Section 943.22, F.S.). Sheriff's personnel are encouraged to pursue the educational incentive monies available by statute. 943.22 Salary Incentive Program for full-time officers.

1. For the purpose of this section, the term:
 - a. "Accredited college, university, or community college" means a college, university, or community college which has been accredited by one of the previous mentioned regional accreditation commissions.
 - b. "Bachelor's degree" means graduation from an accredited college or university.
 - c. "Community college degree or equivalent" means graduation from or completion of at least sixty (60) semester hours or ninety (90) quarter hours at an accredited college, university, or community college.
2. A basic salary incentive shall be paid to any law enforcement officer who was entitled to such payment under this paragraph as it existed immediately prior to October 1, 1984.
 - a. Any full-time officer who has a community college degree or equivalent shall receive the sum of \$30 per month in the manner provided for in paragraph (h).
 - b. Any full-time officer who receives a bachelor's degree shall receive an additional sum of \$50 per month in the manner provided for in paragraph (h).
 - c. Any full-time officer who completes 480 hours of approved career development program training courses on or before June 30, 1984 shall receive the sum of \$120 per month. Any full-time officer who is entitled to full or proportional career development salary incentive payments, on or before June 30, 1985 shall continue to receive such payments. On or after July 1, 1985, any officer who completes a combination of 480 hours of approved advanced and career development training courses shall receive the sum of \$120 per month. The commission, by rule, may provide for proportional shares for courses completed in eighty (80) hour units in each program in a manner provided for in paragraph (h).
 - d. The maximum aggregate amount, which any full-time officer may receive under this section, is \$130 per month. No education incentive payments shall be made for any law enforcement or correctional position for which the class specification requires the minimum of four (4) year degree, or higher. No contributions shall be required and no benefits shall be paid under the provisions of the Florida Retirement System with regard to any payment made under the provisions of this section.

- e. Nothing in this section may be construed to permit or require retroactive salary incentive payment.
 - f. No employing agency shall use, or consider as a factor, any salary incentive payment for the purpose of circumventing payment of any salary or compensation plan which provides normal pay increases periodically to its officers.
 - g. The Florida Department of Law Enforcement has established rules as necessary to provide effectively for the proper administration of the salary incentive program, which shall include, but not be limited to:
 - 1) Proper documentation, and verification of any claimed training or education requirement.
 - 2) Proper documentation and verification that the employing agency has provided in its salary structure and salary plans salary incentive payments for full-time officers as required in this section.
 - 3) Proper documentation and verification that training received for purposes of salary incentive payment is job related.
 - h. Each employing agency shall annually submit reports to the Florida Department of Law Enforcement containing information relative to compensation of full-time officers employed by it.
 - i. The employing agency shall be responsible for the correct salary incentive payment to full-time officers. The Florida Department of Law Enforcement may, in a post-audit capacity, review any action taken and order the correction of any error committed by an employing agency.
3. If an officer holding concurrent certification is transferred or reassigned within the same employing agency from one position to another pursuant to F.S. 943.1395(2) and maintains full-time status in the new position, that officer shall continue to be eligible to receive salary incentive payments previously earned under the provisions of this section. However, no such officer shall receive aggregate salary incentive payments in excess of the maximum aggregate amount established in paragraph (2)(e).
 4. No individual filling a position in the Senior Management Service as defined in Florida Statute 110.402 is eligible to participate in the salary incentive program authorized by this section.

D. Career Counseling

1. When a member conducts an Annual Performance Evaluation he/she shall discuss with the member:
 - a) Their career goals
 - b) The impact of the performance rating on those career goals
 - c) Actions, training and career pathing, the member can pursue.
2. This counseling shall be documented by the member and rating supervisor signing on the Performance Evaluation form in the space provided.
3. Training - Commanders and directors conducting career counseling activities are to issued and read the Supervisors Career Counseling Self Study Guide.

E. The Training Section shall schedule approved training. Approved training consists of:

1. Annual in-service training.

2. Advanced training courses certified by the Florida Criminal Justice Standards and Training Commission (FCJSTC) and conducted at Regional Training Centers.
3. Specialized training programs conducted by reputable training institutes.
4. Career development courses established by the Florida Criminal Justice Standards and Training Commission.
- A copy of these courses are available from the Career Development Counselor or Training Unit.
5. Assist the Institute of Criminal Justice with Basic Recruit Training.

F. Temporary Assignment Requests

Personnel may request, via the chain of command, temporary assignments to specialized areas within the office, such as Investigations, Crime Prevention, Staff Inspections, etc. The assignment will be for a minimum of one (1) month to allow an individual first-hand knowledge of the duties and responsibilities of a desired assignment.

G. Personnel may request, via the chain of command, temporary assignment to a semi-permanent shift in order to attend classes at local schools or institutions. Efforts shall be made to assist personnel who desire to further their education.

H. Training following Promotion - As personnel are promoted, it shall be the responsibility of the member's immediate supervisor to insure that the skills necessary to perform at the level of promotion are provided prior to promotion or immediately following the promotion.

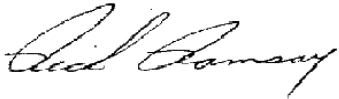
I. Management and Supervisory training shall be a key element in the Career Development Program. It shall be a major factor in enhancing a Member's overall potential for upward mobility. Such training may take place through the Florida Criminal Justice Standards and Training Commission, Career Development Courses of Mid-Management and Line Supervision.

J. In-Service Training Program

The Training Director or his designee and the Human Resources Director shall develop, maintain and administer proficiency in-service training programs to keep members up-to-date on the duties and responsibilities of the job presently being performed.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 57		TITLE: Legal Process
EFFECTIVE DATE: July 24, 2013	NO. PAGES: 48	REVIEWED/REVISED: August 6, 2013
REFERENCE: CALEA 1.2.4a, 61.1.2a,74.1.1 A-I, 74.1.3f .74.2.1, 84.1.8 CFA 32.03		RESCINDS:
 Sheriff of Monroe County		

I. PURPOSE

The purpose of this directive is to establish guidelines for proper legal process and arrest procedures.

II. DISCUSSION

This directive shall apply to all Sheriff's personnel. This directive covers both civil and criminal process, laws of arrest, and immunity from arrest. The civil process component, is directed by a Civil Process Supervisor, who is responsible to the Director of Communications. The Criminal Process function shall be mainly executed by Operations.

III. POLICY AND PROCEDURE

A. There shall be twenty-four (24) hour access to all criminal warrants. Such access shall be available through Communications.

[CALEA 74.1.3 f]

B. For all legal process, both civil and criminal, information shall be recorded for the following elements:

1. Date and time received.
2. Type of Legal Process (civil or criminal).
3. Nature of document.
4. Source of document.
5. Name of Plaintiff / Complainant or name of Defendant / Respondent.
6. Deputy assigned for service.
7. Date of assignment.
8. Court docket number.
9. Date service is due.

[CALEA 74.1.1 A, B C, D,E,F,G,H,I]

C. A record of all attempts at service of each legal process shall be documented and maintained.

D. On legal process that has been executed/attempted, the following shall be recorded:

1. Date and time executed/attempted.
2. Name of server executing/attempting service.
3. To whom process was served or on whom executed.
4. Method of service.
5. Location of executed/attempted service.
6. Explanation of non-service.

[CALEA 74.1.2 A, B C, D,E]

E. Service of Legal Process Outside of Monroe County

1. Civil - All legal civil process for service outside of Monroe County shall be forwarded to the Sheriff of the respective county where the person to be served resides. A request shall accompany the process asking that service be executed and a return forwarded.

[CALEA 74.2.1]

2. Warrants - If the whereabouts of the defendant are known, the Sheriff or Chief of Police, of such jurisdiction, shall be contacted by personnel from this Office. Such personnel shall personally appear in that jurisdiction or send a copy of the arrest warrant to the Sheriff or Chief of Police requesting service.

F. Civil Process

[CALEA 74.2.1]

1. The service and return of Civil Process - General:
 - a. The Sheriff is responsible for serving process originating in the Supreme Court, Circuit Court, County Courts, Board of County Commissioners, local government code enforcement boards, and other governmental agencies as may be provided by law. He is required to serve such other process as may be directed to him and come into his hands for execution in his county. Witness subpoenas may be served by any person who is not a party, and who is not less than eighteen (18) years of age. Proof of such service should be made by affidavit of the person making service if no served by an officer authorized by law to do so. Florida Statute 30.15, Florida Statute 92.151, FRCP 1.410 (c).
 - b. Purpose - The primary purpose of the service of process is to give a defendant notice that a legal proceeding has been instituted against it. The process advised the defendant of the nature of the action brought against him and also vests jurisdiction in the Court that issue the process. Process is the means by which a Court obtains jurisdiction in a cause to determine controversies involved therein, and to enforce its orders against parties involved.
 - c. Direction of Process - Summons, subpoenas and other process in civil actions run throughout the state and all process except subpoenas shall be directed to all and singular the Sheriffs of the state.
 - d. Although the Civil Deputy serves the writ, makes the personal contacts, signs the return, and in general, performs the functions of service, he does so in the name of the Sheriff of the County. The Sheriff and

Deputy are held responsible for the service and only they can be penalized. Any false return on any writ may subject the Sheriff to an action for damages by any person injured thereby. Neglect or refusal to execute and return any process may constitute a crime committed by the Sheriff.

- 1) Deputies shall never argue or discuss the merits of the case, never offer legal advice under any circumstances, or recommend any attorney. This conduct may subject the Deputy and the Sheriff to criticism and censure.
 - 2) The Deputy shall read each writ and become familiar with its contents, especially dates, times and requirements imposed by the writ on the person being served.
 - 3) After completing the service, the Deputy shall sign and complete the return of service. The writ is then ready to be returned to the Court of issue. This return should be returned to the Court together with the original process.
 - 4) Each return shall be signed individually by the Deputy who made the service. This includes process with more than one defendant where more than one Deputy obtains service on the defendants. Each Deputy who makes service shall sign the return as to the defendants he has served.
- e. Service on Sunday - The Sheriff may not serve process on Sunday without special authorization. The Sheriff may be authorized to serve process on Sunday upon an individual who is about to escape the service of process by leaving the state; however, to be so authorized, the Sheriff is required to have an Order authorizing service or execution by a Judge, or magistrate of any incorporated town. Florida Statute 48.20.
- f. Sheriff, A Party - When the Sheriff himself is sued, he may accept service for himself and may serve his co-defendants.
- g. Powers of Sheriff when serving process issued by Florida Courts:
- 1) The process served by the Sheriff is the command of the Court issuing the writ, and the command of the Sheriff serving the writ. The Sheriff will be protected in the service of any process which is valid on its face.
 - 2) Persons are subject to punishment for obstructing the Sheriff in the service of civil process, as well as for obstructing criminal process or resisting arrest.
 - 3) In an instance where the person to be served refuses to accept service, lay the copy of the writ on the table or floor in his presence after explaining to him the contents of said writ. This constitutes a legal service.
 - 4) It is not required that the defendant accept or sign for the service of process.
- h. There is a difference between serving enforceable and non-enforceable Writs.
- 1) In executing enforceable writs, the Sheriff is required to take some positive action against a person or thing.
 - 2) In serving a non-enforceable writ, the Sheriff's responsibility is to make contact with the defendant (in person if possible, if not, substitute service may be sufficient), identify himself and explain the contents of the writ to be served if possible.
- i. Powers of Sheriff when serving process issued by Out-of-State Courts – The Sheriff may serve civil process issued out of a Court other than in Florida; however, the authority is limited to, the service of

process and shall not be interpreted to permit a Sheriff to take any action against personal property, real property or persons even though directed to do so by the out-of-state Court.

- j.** Failure To Serve Process - If the Sheriff should fail to serve process in the manner provided by law, or if he should fail to make proper return, he may subject himself to an action for damages by any party injured thereby.
- k.** Process of Supreme Court - Process issued by the Supreme Court may be served by the Sheriff as Deputy of the Marshal of the Supreme Court, or may be served by him through one of his Deputies. Such process may be executed throughout the State. The Court will take judicial notice of the fact that he, as Sheriff or his Deputy, is the Deputy of the Marshal of the Supreme Court.
- l.** Process of District Court of Appeal - Process issued by the District Courts of Appeal may be served by the Sheriff as Deputy of the Marshal(s) of the District Court(s) of Appeal or may be served by him through one of his Deputies. Such process may be executed throughout the State. The Court will take judicial notice of the fact that he, as Sheriff or his Deputy, is the Deputy of the Marshal(s) of the District Court(s) of Appeal.

2. Serving of Process - Specific: Chapter 48, Florida Statute provides the general laws on Service of Process.

- a.** Service of original process is made by delivering a true copy thereof, with the time and date of service and signature of Deputy thereon, to the person to be served with a copy of the complaint, petition, or other initial pleading or paper, or by leaving such copy at his usual place of abode with any person residing therein who is fifteen (15) years of age or over and informing such person of the contents. If a person is served as stated herein, it is not necessary to show or read the original process to him.

Never leave the original process with person served, it must be returned to the Court from which it was issued with an account of the member's actions (called a "return of process").

After service is made, the original writ must have a return stating the manner of service and signed by the Deputy making such service. Where no service is made, the return should state the reason for such failure. An incomplete return invalidates the service.

- b.** Service of Process by Office Members - Process may be served by any sworn law enforcement member of the Office or by any other member designated by the Sheriff.
- c.** Where Served - Service of a writ may be had by serving the individual named anywhere he may be found. This is a personal service and considered the best service. When personal service is not required or personal service cannot be obtained on the defendant, then service of the original process shall be effected by leaving a copy of the process and other pleadings at his usual place of abode with any person residing therein who is fifteen (15) years of age or older and informing such person of the contents therein. This is called "Substitute Service". Substitute service may be made on the spouse of the person to be served at any place in the county, if the cause of action is not an adversary proceeding between the spouse and the person to be served, the spouse requests such service, and the spouse and person to be served are residing together in the same dwelling.

Substitute service may be made on an individual doing business as a sole proprietorship at his place of business, during regular business hours, by serving the manager of the business if one or more attempts to serve the owner have been made at the place of business.

- d.** When Served - Service should be made at the earliest practical moment and within a reasonable time after received by the Office, unless otherwise stated on the process. Generally, service should be effected between 7 a.m. and 11 p.m.

- e. Service on Minors - Process against a minor who has never been married shall be served:**
- 1) By serving a parent or guardian of the minor.
 - 2) When there is a legal guardian appointed for the minor, by serving the guardian as provided for in Florida Statute 48.031.
 - 3) By serving said process on the guardian ad litem or other person, if one is appointed by the Court to represent the minor. Service on the guardian ad litem is unnecessary when the guardian ad litem appears voluntarily or when the Court orders him to appear without service of process on him.
- f. Process against incompetents shall be served:**
- 1) By serving two copies of the process to the person who has care or custody of the incompetent; or
 - 2) When there is a legal guardian appointed for the incompetent, by serving the guardian as provided in Florida Statute 48.031.
 - 3) By serving said process on the guardian ad litem or other person, if one is appointed by the Court to represent the incompetent. Service on the guardian ad litem appears voluntarily or when the Court orders him to appear without service of process on him.
- g. Service on Public Agencies and Officers.**
- 1) Process against any municipal corporation, agency, board or commission, department or subdivision of the state or any county which has a governing board, council, or commission or which is a body corporate, shall be served on the president, mayor, chairman, or other head thereof; and in his absence, on the vice-president, vice-mayor, or vice-chairman, or in the absence of all of the above, on any member of the governing board, council or commission.
 - 2) Process against any public agency, board, commission or department not a body corporate or having public officer being sued or the chief executive officer of the agency, board, commission or department.
 - 3) In any suit in which the department of revenue or its successor is a party, process against the department shall be served on the executive director of the department. This procedure is to be in lieu of any other provision of general law, and shall designate said department to be the only state agency or department to be so served.
- h. Service on State Prisoner - Process against a state prisoner shall be served on the prisoner by delivery to the prisoner.**
- i. Service on the State - When the state is sued, process against the state shall be served on the State Attorney or an assistant State Attorney for the judicial circuit within which the action is brought and by sending two (2) copies of the process by registered or certified mail to the Attorney General.**
- j. Service on Partnerships - Service against a partnership shall be served on any member thereof and is as valid as if served on each individual member. However, in order to bind the individual assets of the members of a partnership each member of such partnership must be served.**
- If a partner is not available during regular business hours to accept service, on behalf of the partnership, he may designate an employee to accept such service. After one attempt to serve a partner or designated employee has been made, process may be served on the person in charge of the partnership during regular business hours.

k. Service on Corporations

- 1)** A corporation service should be made on the highest officer of such corporation that may be found in the county, such as president, vice-president, director, secretary, treasurer, cashier, general manager, and as far down as business agent or resident agent. Should a lower officer be served, the return must state which officer of the corporation was served and his title and that he was served in the absence of higher ranking officers.
- 2)** When process is to be served upon a corporation, it is summoned by its corporate name, and in the absence of all officers, service may be made upon the registered agent designated by the corporation at the place specified for such service. This place shall be kept open from 10:00 in the morning until noon of every day, except Saturdays and Sundays and legal holidays, so that service may be accomplished. However, if service cannot be made on a registered agent because of failure to comply with Section 48.091, service of process shall be permitted on any employee at the corporation's place of business.
- 3)** If the corporation to be served has been dissolved, the service may be made personally upon any one or more of the directors of the dissolved corporation as trustees.

- l.** Service on insurance companies - Service of process on insurance companies is accomplished by serving upon the insurance commissioner or upon his assistant, Deputy or other person in charge of his office, as process agent of the insured, copies in triplicate of the process.

3. Non-Service of Process:

- a.** A non-service is when the process is not served and they fall into two (2) categories:

- 1)** When the Sheriff has been unable to obtain service on the defendant within the bounds of the county within the effective time period of the process.
- 2)** When the plaintiff requests the process be returned unserved.

- b.** If none of the foregoing services can be made and the person to whom the paper is directed cannot be found, this constitutes a non-service. A notation shall be made setting forth the time and date of each attempted service on a work slip and attached to the copy of the return that is filed in the Sheriff's Office.

4. Return of Process

- a.** The return of the Sheriff of process served by him is a report of his actions in the matter. The return of process is highly important, it is evidence of the act that service was had, and that the service conformed to the requirements of law. It is also notice that the Court has properly acquired jurisdiction of the party upon whom service was made. The obligation of the Sheriff to make proper return of process is as strong as his obligation to make proper service.
- b.** All members to whom service is directed shall note on it the time and date when it comes to hand, the time and date when it is executed, the manner of execution, the name of the person on whom it was executed and if such person is in a representative capacity, the position occupied by him. A failure to state the foregoing facts invalidates the service.
- c.** By Whom Made - If the service was made by Deputy, the return must be in the proper name of the Sheriff as Sheriff and signed by the Deputy making the service.
- d.** Contents - The return must specifically state the manner in which the service was had. If the manner of service is specifically prescribed by statute, the wording of the return should conform to the statutory manner of service. Thus, if service is had upon a defendant by leaving a copy of the process at the usual place of

abode of the defendant with any person residing therein who is fifteen (15) years of age or over, the return should state that it was served at the usual place of abode of the named defendant by leaving a copy of process with a named person residing at the defendant's usual place of abode. The return should also state that such person was fifteen (15) years of age or over and that the contents of the process were explained to the person. In some cases the statute requires that the return state, in addition to the items mentioned, the place at which service was had. The return may be prepared by the attorney for whom the process is served, but the Sheriff must see that it is so prepared, it states the actual facts as to the service.

- 5. Failure to Execute Process** - Every Sheriff or Deputy failing to execute any writ or other process, civil or criminal, to him legally issued and directed within his county and made due return thereof, where such service shall be delivered to him in time for execution may subject the Sheriff to suit or to forfeit one hundred dollars (\$100.00) for each neglect, to be paid to the party aggrieved, by the Order of the Court, upon motion and proof of such delivery, unless such Sheriff or Deputy can show sufficient cause for such failure or neglect to the Court.
- 6. False Return** - Every false return may subject the Sheriff to suit or to forfeit and pay five hundred dollars (\$500.00), one moiety thereof to the party aggrieved, and the other moiety to him who will sue for the same, to be recovered with costs by action of debt. No member of this Office shall issue or cause to be issued a false return.

7. Types of Process

a. Non-enforceable Writs

1) Summons

a) Suits in action at law are commenced by the plaintiff, and a summons is issued by the Clerk of the Court. A summons commands the Sheriff to serve a copy of the summons and the attached complaint or petition on the defendant(s). The summons will name the parties to the action and will always bear the name of the Court from which it was issued. It is designed to warn the defendant he must file an answer within a time and place specified to make his defense or suffer judgment by default to be entered against him. (In some suits the party against whom the action is taken is referred to as respondent.)

b) The summons is usually accompanied with a complaint, affidavit, petition, or initial pleading that explains why and how the action was brought about. The original summons must be stamped with the time and date received. The Sheriff shall serve a true copy of this summons together

with a copy of the complaint or petition as furnished by the plaintiff to the defendant and mark the time and date of service and signature on both the true copy and original summons. The original summons is ready for return of service and return to Court of issue.

c) Sometimes a notice of hearing is used in the place of a summons and attached to this notice of hearing is a statement of claim and should be served the same as a summons, except it must be served several days (usually five) prior to the hearing date.

2) Notice of Hearing - A notice of hearing is a notice to appear at a specified time and place. A true copy is served upon said defendant or person specified in the notice and served in the same manner as a summons, by delivering a true copy of the notice to the person to be served and placing the time and date of service and signature of the Deputy on both the copy and original. Then the original notice is ready to have a return of service made and the notice returned to the Court of issue.

3) Restraining Order - A restraining order is a prohibitive writ issued by a Judge forbidding a party to do certain things. It is of a temporary nature and its purpose is to restrain the party until a hearing can be had

to determine whether or not an injunction will be granted. This writ should receive immediate attention and, if directed to an individual, must be personally served.

4) Injunction - An injunction, whether temporary or permanent, is very similar to the Restraining Order. It must also be personally served.

5) Witness Subpoena

a) The usual mode of securing the attendance of a witness is by subpoena. Every subpoena must be issued under the seal of the Court and must state the name of the Court and title of the action or suit, and command each person to whom it is directed to attend and give testimony at the time and place therein specified.

b) A subpoena may be served by any person authorized to serve process. Subpoenas for witness in civil cases run throughout the State.

c) Service is made by delivering a copy of the subpoena to the person named therein and by tendering to him the fees for one day's attendance and, the mileage allowed by law. No person may be compelled to attend Court as a witness in any civil cause unless the party in whose behalf he is summoned first pays or deposits with the executive officer of said Court the amount of compensation to which he would be entitled for mileage and per diem for one day.

d) In addition to personal service a witness subpoena may be served by substitute service; however, service of a subpoena on a witness in a criminal case that involves only a misdemeanor may be made by certified United States mail directed to the witness at his or her last known address, and such service shall be mailed at least even (7) days prior to the date of the witness' required appearance.

e) Section 48.031 (3) (a) Florida Statutes authorizes a designated supervisory or administrative employee of any law enforcement officer or federal, state, or municipal employee called to testify in an official capacity in a criminal case to accept such service if the agency head or highest ranking official at the witness' place of employment has designated such employee to accept such service. However, no such designated employee is required to accept service:

(1) For a witness who is no longer employed by the agency at that place of employment;

(2) If the witness is not scheduled to work prior to the date the witness is required to appear; or,

(3) If the appearance date is less than five (5) days from the date of service.

The agency head or highest ranking official at the witness' place of employment may determine the days of the week and the hours that service may be made at the witness' place of employment.

The Director of the Civil Division (i.e. Court Process) shall be responsible for maintaining a directory of persons to be contacted in compliance with this subsection.

6) Subpoena Duces Tecum

a) A subpoena may command the person to whom it is directed to produce the books, paper, documents or tangible things designated therein. A subpoena duces tecum is a process by which the Court, at the instance of a party, commands a witness who has in his possession or control some document or paper that is pertinent to the issues of a pending controversy to produce it at trial.

b) A subpoena duces tecum is served in the same manner as a witness subpoena.

7) A writ of garnishment is summons to a third party or person other than the defendant to appear in the lawsuit. It requires the garnishee to give statement within twenty (20) days of any defendant's property or money owed defendant, in the garnishee's possession, at the time of service, pending settlement of the lawsuit. The service is made on the garnishee or third party in the same manner as a summons by delivering a true copy of the writ to the garnishee and although not mandatory, it is better to explain the contents thereof. The failure of the garnishee to answer such process may result in a money judgment rendered against him.

8) Writ of Habeas Corpus

a) Application for writ of habeas corpus is made by a petition. Since habeas corpus is not in any respect a technical proceeding, and since the writ is one of right, the petition is not required to be in any particular form. The writ is signed by the issuing Judge and directed to the person in whose custody the party is detained, commanding him to have the body of such party before the Court or Judge before whom the writ is returnable, in order that appropriate judgment may be rendered upon judicial inquiry into the alleged unlawful restraint.

b) The writ must be served by the Sheriff of the county in which the petitioner is alleged to be detained, upon the officer or other person to whom it is directed, or, in his absence, from the place where the prisoner is confined, or the person having immediate custody of the prisoner. In a case where the Sheriff of the county is the person holding the party detained, a delivery to or a receipt of the writ by him is sufficient service thereof. From the moment the Sheriff receives the writ, the custody of the prisoner is by virtue thereof, and not under any other writ he may have previously received. Any person who fails to return a writ served upon him with the cause of the prisoner's detention, or to bring the body of the prisoner before the Court, justice, or judge according to the command of the writ, within the time prescribed by law, must forfeit and pay to the prisoner the sum of three hundred dollars (\$300.00) the right to recover which does not cease by the death of either or both of the parties.

c) After the hearing on the writ, the Court must dispose of the petitioner as the law and evidence may require. He may be discharged, remanded, or admitted to bail.

9) Eminent Domain Proceedings - This is a proceeding where a public agency, and in some restricted cases a private agency, files suit to acquire private property for public use. A petition and declaration of taking is filed with the Clerk of the Circuit Court in the county here the property to be acquired is located. The Clerk issues a summons and a notice of hearing. The original summons and notice of hearing with sufficient true copies of the petition and declaration of taking are delivered to the Sheriff for service. True copies of the summons and notice of hearing with the petition and declaration of taking attached, are delivered and served in the same manner as a summons, however, this process must be served not less than twenty (20) days before the return date as stated in the notice of hearing.

10) Rule to Show Cause - A rule to show cause is a writ commanding a party to appear or show cause why he should not be compelled to do the act required or why the object of the rule should not be enforced. Personal service of this writ is required before a Judge will issue a pick-up "order" for failure of a party to appear as commanded in a "Rule to Show Cause." Sometimes this writ will have a petition to be served with the true copy of the writ.

11) Notice to Vacate - A notice to vacate is notice to a tenant to move from certain premises within a specified time or meet certain conditions. The delivery of such writ shall be made by the landlord by delivering or leaving a copy at the last place of abode. This notice is not issued by a Court and the Sheriff is not required to serve it.

- 12) Landlord-Tenant Summons or "Five-Day Notice" - This is similar to an ordinary summons but is used in eviction proceedings. The answering period is five (5) days instead of twenty (20) days and the rules governing service differ. These summons should be served as follows:**
- a) Personal service.**
 - b) Substitute service on person of family over fifteen (15) years of age at place of abode.**
 - c) Posted on premises involved in proceedings provided defendant cannot be found in county and there is no person of his family over fifteen (15) years of age at his usual place of abode. (NOTE: Requires two (2) attempts to serve in (1) or (2) herein before posting. The minimum time delay between the two (2) attempts to obtain service shall be six (6) hours.)**
- 13) Incompetency**
- a) Notice to alleged incompetent - A notice to an alleged incompetent is a writ requiring the alleged incompetent to appear for a hearing at a specified time and place. Service is made as set forth in Florida Statute 48.041.**
 - b) Detention Order - A Detention Order an order directing the Sheriff to take into custody the alleged incompetent and confine him where ordered, pending examination for further order of the Court. Service is made by showing the writ to subject and explaining the contents, and taking him into custody in accordance with the detention order.**
 - c) Order to Summon a Committee - An Order to Summon a Committee an order summoning two (2) doctors and one layman to examine the alleged incompetent and make their report to the Court. Service is made by delivering a true copy of the writ to each of them and doctor's report form should also be given to the doctors for their report.**
- 14) Rule Nisi - A rule nisi is an order that the Court will enforce at a given date, unless cause is shown why it should not, or unless it is changed by further proceedings. The service is made upon the defendant by the Sheriff by delivering a true copy of said writ to the defendant. A rule nisi is an order issued by a Court, usually the Circuit Court, for a party to appear in pending proceedings for whatever purposes are set forth in the rule. This is served by the Sheriff in the same manner as a summons.**
- 15) Writ of Mandamus - When an officer or Sheriff fails or refuses to perform a lawful duty or do a specific act that is ordered, a writ of mandamus may be issued requiring him to perform a lawful duty. A petition for alternative writ proceedings in mandamus in the Circuit Court may be instituted by petition stating briefly the basis or the relief sought. If the petition makes a prima facie case (established fact), the Court may either issue the alternative writ or an order to show cause why an alternative should not be granted returnable on a certain day.**
- 16) Miscellaneous - There are other writs such a writ of prohibition, writ of scire facias, unlawful detainer, supplementary proceedings and others that require service by the Sheriff.**
- 17) Order to show cause in replevin action issue by the Court after a complaint in replevin has been filed. This writ directs the defendant to show cause why certain property shall not be taken in replevin. The Order:**
- a) Fixes the date and time of the hearing which shall be no sooner than five (5) days from the date of service of the order.**
 - b) Directs the time within which service of the order shall be made on the defendant:**

c) Fixed the manner in which service shall be made.

(1) Service as provided in Florida Statutes, Section 48.031.

(2) In the event service as provided in Florida Statutes, Section 48.031 is not possible, the officer shall be directed to place the order and summons on or in the claimed property or on the main entrance of the defendant's residence. In that instance, the return should state that the officer was unable to locate the defendant and how the order was served.

b. Enforceable Writs - An enforceable writ describes the action to be taken, commands it to be done and has the force of the Court behind it to see that it is done.

1) Writ of Ne Exeat - A writ of ne exeat is a writ forbidding a defendant to leave the jurisdiction of the Court. A copy of the writ must be served upon the defendant when he is taken into custody and request him to post a bond. The condition of the bond should be specified in said writ.

2) Distress Writ - A distress writ (sometimes referred to as a distress warrant) is a combination of a summons based on a filed affidavit and a levy. The writ is obtained by the landlord for payment of rent. The writ must be served by the Sheriff at least five (5) days before the return date and property levied upon taken into possession until further order of the Court. No property of any tenant or lessee shall be exempt from distress and sale for rent, except beds, bedclothes and wearing apparel. If the Court renders judgment against the defendant, and execution issued, the property taken into possession shall be advertised twice within a ten-day period prior to sale. It may be sold on the leased premises or at the Courthouse door. If the defendant, before sale, pays all costs and makes settlement with the plaintiff, the property shall be returned to him and there will be no sale. Service of this writ is had upon the defendant, and also by the officer taking the property into his possession. If the defendant cannot be found, the levy upon the property is sufficient service. In such cases, if the Sheriff cannot find property upon which to levy, he is required to deliver the writ to the Sheriff of another county, if the property subject to levy is in such other county.

The statutory lien of a landlord for rent attaches to the property found on or off the premises leased or rented, and in possession of any person as follows:

a) On agricultural products raised on the land lease or rented for the current year;

b) On all other property of the lessee, his sub-lessee or assigns, usually kept on the premises; and

c) On all other property of the defendant. As used in the controlling statute, the words "property usually kept" refers to chattels regularly and habitually, if not continuously, kept on the premises and removed only at occasional intervals. The Sheriff is not authorized under the writ to change locks on the property without the defendant's permission. The alternative here, if the defendant refuses to allow the locks to be changed, is to remove the property and place it in a bonded warehouse.

The sale of the property levied on pursuant to a distress writ is made under a writ of execution.

3) Writ of Assistance - The writ of assistance is a form of process issued by a Court to transfer the possession of land or personal property, the title or right of possession of which it has previously adjudicated, as a means of enforcing its decree. The writ of assistance is sometimes called a writ of possession, the objects of the two being substantially the same, that is, to put the person entitled to the property in possession.

The writ of assistance is executed by the Sheriff placing the party for whose benefit it has been granted in possession of the property.

- 4) Writ of Possession** - A writ of possession is an order requiring the Sheriff to remove the defendant from premises described in said writ and to place the plaintiff or his agent in full possession thereof. In proceedings for the removal of a tenant, if the issues are for the plaintiff and judgment is entered that the plaintiff recover possession of the premises, the Clerk of the Court issuing such judgement shall issue a writ to the Sheriff describing the premises and commanding him to put the plaintiff in possession.

This writ is used in landlord and tenant proceedings and usually follows a notice to vacate when the defendant has refused to get out after being served a notice to vacate and the Court has found that the plaintiff is entitled to possession (property or premises). The writ of possession is used where personal property is involved and, there being no storage period, possession immediately goes to the plaintiff.

5) Writ of Replevin

- a) Writ of Replevin** - A Court Order which summons the defendant to appear and it commands the Sheriff to take into custody specifically described property. Replevin is the statutory writ having as its foundation the common law, and is frequently referred to as a common law action.

- b) Types**, the law provides for several types of writs of replevin. They are

- (1)** Order issued by Judge authorizing writ to be issued.
- (2)** Pre-judgement writ of replevin and the property seized delivered forthwith to the petitioners.
- (3)** Writ of Replevin After Judgment

It is absolutely essential to read carefully the body of the writ to determine if the Deputy is to hold the seized property for a specified period of time, deliver property forthwith to petitioners or take property from one party and deliver it to another party.

- c) Issuance** - A writ of replevin is issued by the Clerk of the Court:

- (1)** After final judgment in a suit for replevin or;
- (2)** Upon the filing of a Court Order authorizing the Clerk to issue the writ.

d) Procedure

- (1)** Florida Statutes, in Chapter 78, completely control the procedure to be taken by all parties involved. The action shall be brought in the county where the property is at the time of the issuance of the writ, in the Court which has proper jurisdiction of the value of the property shown to be replevied. Service is made upon the defendant, by delivering to him a true copy of the writ, together with a copy of the complaint or initial pleading, as furnished by the plaintiff and by taking possession of the property described in the writ. In executing the writ, if the property, or any part, is concealed in a building or enclosure, the officer shall publicly demand delivery thereof, and if same is not delivered by the defendant or some other person to the officer, he shall cause such building or enclosure to be broken open and make replevy according to the writ and, if necessary, he shall take to this assistance the power of the county. Such breaking of the building or enclosure should take place only where the officer has personal knowledge that the particular article to be replevied is, in fact, concealed in the building or enclosure.
- (2)** Where the defendant cannot be found the property can be taken by the officer, if the property can be found. When property to be replevied was in the possession of the defendant at the time of the issuance of the writ but is in the possession of a third person, the officer shall serve a copy upon

the defendant, and also serve a copy upon the third person, and take the property in the same manner. (NOTE: Writ of replevin must be amended to name third party in possession.)

- (3)** The officer executing the writ by levying on the property described shall deliver the property forthwith to plaintiff unless the writ directs otherwise. The defendant may obtain release of the property seized within five (5) days after the seizure by posting with the Clerk of the Court who issued the writ the amount of one and one-fourth times the amount due and owing conditioned to have the property forthcoming to abide the result of the action; or on the agreement for the satisfaction of the judgment which may be rendered against him. Where property was within the jurisdiction of the Court at the time of the issuance of the writ, but has been removed from that jurisdiction before having been levied upon, the officer to whom the writ is directed, shall deliver it to the proper officer in the jurisdiction into which the property has been removed, and the latter officer shall execute the writ, and hold the property subject to the orders of the Court issuing the writ.

e) Certain property may not be taken; what may not be taken by replevin:

- (1)** Property taken for taxes.
- (2)** Property taken under execution or writ of attachment (by defendant).
- (3)** Property already replevied (by defendant).
- (4)** Property to which the plaintiff has no rights of possession.

6) Writ of Attachment

a) A writ of attachment is an Order from the Court to the Sheriff commanding him to take into possession and hold for further disposition of the Court, property of debtor for a creditor. If the property to be attached is of a perishable nature or if the costs of keeping the property taken is out of proportion to its value, an order may be obtained from the Court to dispose of the property. Defendant may retake the property by giving a bond with surety to the officer payable to the plaintiff in an amount, which shall exceed by one-fourth the value of the property, as determined by the Court, or which shall exceed by one-fourth the amount of the claim, whichever is less. One bond to be conditioned for the forthcoming of the property restored to abide by the final order of the Court.

b) A Writ of Attachment is the authority of the Sheriff to take property of the defendant into his possession. Under such a writ, the Sheriff may not dispossess the tenant of any lands or tenements belonging to the defendant. In levying the writ, the Sheriff is required to take personal property into his control or custody by an action which, without the writ, would amount to trespass. Under a writ of attachment, the Sheriff may levy upon personal property or lands. The Sheriff must take into his custody sufficient property to satisfy the sum demanded by the plaintiff and the costs.

7) Orders - In addition to writs specifically described herein, the Sheriff, an executive officer of the Court, is required to execute whatever orders the Court may issue. These vary greatly in nature and compel the Sheriff to perform a specific action.

8. Enforceable Writs Continued - Levies and Sales

a. Writ of Execution

- 1)** The word "execution" is broadly defined as the act of carrying into effect the final judgment or degree of the Court, or as the remedy available by law for the enforcement of a judgment. It is not a separate action but is rather "process" in an action, and is more accurately defined as a writ

issued to an officer, which directs and authorizes him to carry into effect the judgment of the Court. It is the duty of the Sheriff to serve executions, by levying upon property, and carry out orders directed to him for the satisfaction of judgments of Courts. The execution is required to be served by the executive officer of the Court from which it is issued. Executions of a Court of record are in full force throughout the state.

- 2) Execution Docket - The Sheriff is required to keep an execution docket in which he shall list all executions, orders and decrees directed to him in relation to the collection of monies. The docket must contain a statement of all monies credited on such process, and is required to indicate when the money was paid, to whom it was paid, and by whom it was paid. The docket is subject to inspection by all interested parties. If the Sheriff should fail to keep the docket, or fail to allow inspection of the same, he shall be considered in contempt of Court, and subject to a fine not exceeding one hundred dollars (\$100.00) at the discretion of the Court. The Sheriff is required to index the docket alphabetically by plaintiffs and defendants.
- 3) Priority Between Executions - The writ of execution is for the enforcement of the judgment of the Court. It is effective for the life, or effective period, of the judgment upon which it was issued. If the writ is to be enforced against real property, several writs in the hands of the Sheriff against the same person or property take priority as of the date the judgment was entered in the records of the Court of the county where the property is located. If the writ is to be enforced against personal property, then priority is established as of the date the writ was originally delivered to the Sheriff. Where a number of executions against the same defendant are placed in the hands of the Sheriff, they should be satisfied in accordance with their order of priority.
- 4) Endorsement and Return - If the full amount of the execution is not collected at one time, the Sheriff shall endorse on the execution a return of his actions and list all monies he has received in payment. When the execution is fully paid, it must bear a "fully satisfied" return on the back and be filed in the Court issuing it. The return should be made in the name of the Sheriff by the Deputy executing the writ.
- 5) Capias Ad Satisfaciendum - The Sheriff has no authority to take the defendant, and him safely keep, for nonpayment of any execution, except for fines imposed by lawful authority.
- 6) Custody of Property - Property which has been seized by the Sheriff under a proper writ is considered to be in the custody of the Court, unless released by the Sheriff under a property authorization. Any interference with the possession or custody of the Sheriff, of property seized by him, constitutes a contempt of the Court under whose authority the Sheriff has acted.
- 7) Return Unsatisfied - If no property is found, upon which levy may be made, the Sheriff shall, at the request of the plaintiff in writing return the writ unsatisfied. However, the Sheriff has no responsibility to search for property of the defendant in order to make a levy under any "writ" or to make a return of "nulla bona" on any writ and return it to the Court of issuance. Since the Sheriff has no statutory duty to search for property of the defendant he has no duty to make a return which certifies he has searched the county for property of the defendant. The Sheriff should make a return as "unsatisfied" if he receives in writing from the plaintiff or plaintiff's attorney such request. All unsatisfied executions in the hands of the Sheriff may be returned, to the court issuing the execution, twenty (20) years after the date of issuance of final judgment upon which the execution was issued. Upon such return, the Clerk of the Court of issuance shall provide a receipt, to the Sheriff submitting the return, acknowledging the return of the unsatisfied execution.
- 8) Control of Writ - A judgment creditor is entitled to enforce his judgment by execution. The writ is issued for his benefit, and he has the right to control and direct what proceedings should or should not be taken thereunder. Hence, his wishes and instructions if lawful, when made known to the execution officer

should ordinarily be respected and obeyed. If the Sheriff fails or refuses to execute a writ of execution, he may be compelled to do so by mandamus proceedings.

9) Property Subject to Execution - Lands and tenements, goods and chattels, equities of redemption in real and personal property and stock in corporations, shall be subject to levy and sale under execution. As well as the interest in personal property in possession of vendee under a retained title contract or conditional sale contract shall be subject to levy and sale under execution to satisfy a judgment against the vendee.

10) Property to be Levied Upon
[CALEA 84.1.8]

- a) It is the duty of the Sheriff to levy upon any property specifically described in the writ delivered to him.
- b) If no property is specifically described in the writ, then the Sheriff shall levy upon any property in the possession of the defendant which is described in instructions for levy; and upon any property assessed against the defendant on the current tax rolls of the county or registered in his name under any law of the United States or of the state, upon the request of the plaintiff or plaintiff's attorney listing such property in an instructions for levy.
- c) The Sheriff is not liable for damages, for making a wrongful levy, whenever he levies upon property described in the writ, instructions for levy or upon property assessed against or registered in the name of the defendant when such property is listed in an instruction for levy.
- d) If the writ describes specific property, and it is found in the possession of some other person who claims ownership or right of possession, the plaintiff may be required to furnish a bond with good and sufficient sureties for the protection of the Sheriff. This bond must amount to the reasonable value of the property, as determined by the Sheriff.
- e) If the Sheriff is directed to execute a writ upon property not described in the writ, or upon property neither assessed nor registered in the name of the defendant, he may require the plaintiff to furnish him a bond as described.
- f) If a person demands that the Sheriff levy on specific property which is claimed by someone else, the Sheriff may file a petition, in the Court which issued the writ, and procure a rule adjudicating the rights of the parties.
- g) If the property in question is real estate, the petition of the Sheriff shall be filed in the Circuit Court.
- h) The Sheriff is not liable for making a wrongful levy, if it is made pursuant to the specific order of a Court of competent jurisdiction.
- i) **If applicable, identification numbers will be recorded on the writ.**

11) Property Subject to Levy
[CALEA 84.1.8]

(revised on 3-15-00)

- a) The Sheriff may levy upon lands and tenements, goods and chattels, equities of redemption in real and personal property, stock in corporations, interest in personal property in possession of a vendee under a retained title contract or conditional sale contract and on current money of a defendant corporation in order to satisfy executions delivered to him.

- b)** The Sheriff may not levy upon public property owned by a county or municipality and used in the orderly administration of government, nor can he levy upon property already in the custody of the Court, such as property in the hands of a receiver.
- c)** The Sheriff cannot levy on property, title to which is in the name of a person other than the defendant in execution.
- d)** There is no authority for the Sheriff to make a levy upon a mortgage made to and owned by the defendant in execution.
- e)** An estate by the entirety, that is, property owned jointly by husband and wife, may not be levied against one of them only.

12) Miscellaneous Writs

- a)** In addition to executions issued out of the several Courts, the Sheriff may be required to make a levy, under the authority of a Department of Revenue warrant.
- b)** The Sheriff may be required to levy executions, in the form of tax warrants issued by the Florida Industrial Commission or by the Department of Revenue.
 - (1)** The director of the Division of Alcoholic Beverages and Tobacco may issue a warrant to the Sheriff for the collection of taxes.
 - (2)** The Department of Highway Safety and Motor Vehicles may issue tax warrants for various delinquent taxes.
- c)** When receiving the various types of warrants the Sheriff should check the statutory authority for their issuance to determine if he has a duty other than proceeding with the levy.
- d)** In executing these warrants, the Sheriff should follow the instructions on the face of the warrants or those made separately in writing by the issuing authority.
- e)** Those warrants shall be handled in the same manner as other executions.

13) Release of Property After Levy

- a)** If the defendant desires to retake the property levied upon, the Sheriff may release it upon receipt of a bond, with surety in double the value of the property released. This bond is referred to as a forthcoming bond.
- b)** The value is to be fixed by the Sheriff, and the bond is to be approved by him.
- c)** The bond must be payable to the plaintiff and conditioned upon the forthcoming of the property on the day of sale.
- d)** The date of the sale and description of the property must be designated in the bond. The date of the sale is the date upon which the property can be lawfully sold under the process, and the Sheriff must ascertain the date and proceed with his notice of sale as though the property had not been released.
- e)** To stay the execution of a writ upon personal property, a forthcoming bond is required, but it is not required if the Sheriff has levied upon real estate.

- f)** If the execution remains unpaid, and the parties to the bond fail to produce the property on the date specified for the sale, the Sheriff shall return the bond to the Court from which the execution was issued. The Sheriff may then proceed to levy the original execution against the defendant, and also any execution which may be issued against the sureties for allowing the bond to default.
- g)** If a forthcoming bond is in default and the Sheriff proceeds to levy an execution on the judgment upon the forfeited bond, he may not take any further bond for the property seized on such execution.

14) Bonds in Attachment

- a)** In attachment proceedings, defendant may retake the property by giving a bond with surety to the officer levying the attachment to be approved by the officer payable to the plaintiff in an amount which shall exceed by one-fourth the value of the property, as determined by the Court, or which shall exceed one-fourth the amount of the claim, whichever is less. One bond to be conditioned for the forthcoming of the property restored to abide by the final order of the Court.
- b)** In attachment proceedings the property may also be restored to the defendant if he enters into a bond with surety to pay the debt or demand and all costs of the suit when the same shall be adjudicated to be payable to the plaintiff. This bond is to be made payable to the plaintiff and approved by the Sheriff.
- c)** The bond to pay debt may be made by any owner of the equity of redemption of personal property, which has been levied upon in foreclosure proceedings. When such person seeks the release of property to him, he shall make an affidavit that he is the owner of the equity of redemption.

15) Third Party Claims

- a)** If a third person claims the property which has been levied upon, the Sheriff may release the property to the third party upon the filing of the proper affidavit.
- b)** This affidavit, made by the third person, his agent or attorney, must state that the property belongs to such third person.
- c)** With the affidavit he shall give the Sheriff a bond payable to the plaintiff, with surety in double the value of the goods claimed.
- d)** The condition of the bond is that he will deliver the property upon demand, if the same shall be adjudged to be the property of the defendant, and to pay the plaintiff all damages which the jury may find in favor of the plaintiff.
- e)** The value of the property is to be fixed by the Sheriff, and the bond is to be approved by him.
- f)** If the Sheriff levies several executions, issued on judgments of different persons, on the same property, which is claimed by a third person, the Sheriff must take an affidavit and bond separately as to each plaintiff. He cannot take one affidavit and bond as to all the plaintiffs.
- g)** Upon receipt of the affidavit and bond, the Sheriff shall deliver the property levied upon the person claiming the same, and may not take any further proceedings as to that particular property. If he is not required by the plaintiff to dismiss that levy and levy upon other property of the defendant, the Sheriff shall return the execution to the Court from which it is issued together with such affidavit and bond.
- h)** Property levied upon under attachment may be released to third persons upon the same conditions as property taken under an execution.

- i)** A third party claim to property levied upon in distress for rent proceedings may be made in the manner described.
 - j)** If, in the proceedings to try the right to property claimed by a third person, judgment should be rendered for the plaintiff, it is satisfied in the usual manner.
 - k)** The judgment may also be satisfied if the property released is delivered to the Sheriff and the damages and costs awarded to the plaintiff are paid.
 - l)** If the property is returned to the Sheriff, but the damages and costs are not paid, he may enforce the payment by levy of execution upon the property of the defendant or the surety.
 - m)** If only part of the property is returned to the Sheriff, the execution shall be enforced for the value of the property not returned, as determined by the Sheriff.
 - n)** All property returned shall be sold under the original execution against the original defendant.
- 16)** Retaking by Replevin - If property has been taken under a writ of attachment and it is not subject to attachment, the defendant may retake it from the Sheriff by replevin proceedings.
- 17) Distress**
- a)** If the Sheriff has levied upon property pursuant to a distress warrant, the property may be restored to the defendant upon his giving bond to the Sheriff, with surety in double the value of the property levied upon.
 - b)** The value of the property shall be determined by the Sheriff.
 - c)** The bond shall be payable to the plaintiff and approved by the Sheriff.
 - d)** The condition of the bond is that the property will be forthcoming to abide the final order of the Court.
 - e)** Property may also be released from levy of a distress warrant, if the defendant gives the Sheriff a bond, with surety in the amount or value of the rental or advances which may be adjudicated to be payable to the plaintiff. This bond is to be approved by the Sheriff and conditioned for the payment of such amount to the plaintiff.
- 18) Stay of Illegal Writ**
- a)** If the defendant claims that the execution to be levied upon his property is illegal, he may stay further proceedings by delivering to the Sheriff an affidavit stating the illegality of the execution and whether any part of the execution be due.
 - b)** With the affidavit he must give the Sheriff a bond with surety payable to the plaintiff, in double the amount of the execution, or the part of such execution which is sought to be stayed.
 - c)** Upon receipt of the affidavit and bond, the Sheriff shall return the bond and affidavit to the Court from which the execution issued.
- 19) Lost or Destroyed Writ**
- a)** Where both a writ and the judgment under which it was issued have been lost or destroyed, and both have been reinstated, the defendant may release any property levied upon under the new writ by filing

with the Sheriff an affidavit sworn to by himself, his agent or attorney, that the lost or destroyed judgment has been satisfied in whole or in part.

- b)** With the affidavit, the defendant must file a bond, with surety payable to the plaintiff in double the amount claimed to be due on the judgment.
- c)** The condition of the bond is that the defendant will pay to the plaintiff the amount adjudged by the Court to be due.
- d)** Upon receipt of the affidavit and bond the Sheriff shall return them to the Court issuing the execution.

20) Homestead and Other Exemptions

- a)** Certain property, as well as the property of certain persons, is exempt from levy of process or forced sale, which exemption the Sheriff may not ignore.
- b)** The homestead owned by a natural person residing in this state is exempt from forced sale under process of any Court.
- c)** The purpose of the homestead is to shelter the family and provide it refuge from the stresses and strain of misfortune.
- d)** The homestead consists of one hundred sixty (160) acres of land outside of any city or town limits, or half an acre of land within any such limits. With this there is exempt, to the head of a family, one thousand dollars (\$1,000.00) worth of personal property.
- e)** The area of the homestead, which has subsequently been included within the limits of an incorporated city or town, may not be reduced without the consent of the owner.
- f)** Within the limits of a city, the homestead extends only to those buildings constituting the residence of the owner.
- g)** The homestead exemption extends to the proceeds of a fire insurance policy due, or to be paid, for its destruction.
- h)** The person entitled to a homestead may claim it on any dwelling house owned by him, even though he is not the owner of the land on which it is situated.
 - (1)** A natural person. The party claiming the exemption must show that he is a natural person residing in this state.
 - (2)** Residence.
 - (a)** Daily residence is not essential to create or maintain a homestead.
 - (b)** It is not disrupted by temporary absence with the intent to return.
 - (c)** The homestead character is lost only when there is an intent permanently to abandon the place as a home.
 - (3)** Furnishings
 - (a)** The homestead does not include the personal property located therein.

- (b)** The limit of the exemption on such personal property is one thousand dollars (\$1,000.00) in value.
- (4)** Widow and Heirs - This exemption applies not only for the benefit of a natural person but also for the benefit of the widow and heirs of such head of a family.
- (5)** Designation Before Levy - A natural person residing in this state may designate his homestead before any levy is made, or threatened, by filing a statement in writing and recording it in the office of the Circuit Court.
- (6)** Designation After Levy
 - (a)** It is not necessary that the homestead be designated prior to a levy.
 - (b)** A natural person claiming the homestead, or his agent or attorney, may notify the Sheriff in writing of his claim after the levy has been made. It has been held that a sale of homestead property is void, even though no objection has been made.
 - (c)** The notice should be made under oath before some office authorized to administer an oath, and may be made at any time before the day of sale.
 - (d)** The notice must designate what part of the property levied upon is claimed as exempt, and any property not claimed exempt is subject to sale under the levy.
- (7)** Objection by Creditor
 - (a)** If the creditor in execution is dissatisfied with the amount of land selected and set apart, he may notify the Sheriff and cause a survey to be made.
 - (b)** The expense of the survey is chargeable on the execution as costs, unless the person claiming the exemption does not own more than one hundred sixty (160) acres in the state. In this case, the expense of the survey must be paid by the creditor.
 - (c)** The Sheriff is entitled to a deposit for costs to be made by the person demanding the survey.
 - (d)** After the survey has been made the Sheriff may sell the property levied upon which is not included in the property set off as the homestead of the debtor.
- (8)** Method of exempting personal property prior to levy. There are no statutory provisions where a debtor may exempt personal property prior to levy.
- (9)** Method of exempting personal property after levy.
 - (a)** A debtor desiring to exempt personal property after levy should file a petition or a motion seeking an order staying the Sheriff's Sale until the Court can determine if the property under levy is entitled to be exempt from forced sale.
 - (b)** The Sheriff has no statutory duty to accept, serve or take any action on a debtor's affidavit relative to personal property.

- (c) Such debtor should be advised that the personal property under levy will be advertised and sold at a Sheriff's Sale unless he receives an "Order" directing him to do otherwise.

(10) Equity Jurisdiction

- (a) Proceedings may be had to prevent the Sheriff from allowing an exemption or from refusing any exemption and selling the property.
- (b) The jurisdiction of such proceedings is in the Circuit Court.

(11) Wages

- (a) In addition to the homestead, any money or other things of value due to the head of a family residing in this state for personal labor or services, is exempt from process. Florida Statutes 222.08, 222.09.
- (b) If it is levied upon, the person to whom such wages are due may make oath before the officer who issued the process that the money attached is due for his personal labor and services, and that he is the head of a family residing in this state.
- (c) When such affidavit is made, notice of same shall forthwith be given to the party who sued out the process.
- (d) If the facts set forth in the affidavit are not denied under oath within two days, the process shall be returned and all proceedings shall cease.
- (e) If the facts are denied under oath within the time prescribed, the process, affidavit of claim, and denial under oath shall be delivered to the Court from which the process issued for further orders. Florida Statute 222.12.

(12) Life Insurance

- (a) The cash surrender value or the proceeds of life insurance and proceeds of annuity contracts are exempt from process.
- (b) The person insured is not required to be head of a family residing in this state.
- (c) The exemption of the cash surrender value insures to citizens or residents of the state, and the exemption of life insurance proceeds applies with reference to any person dying in this state. Florida Statute 222.13, 222.14.
- (d) Disability income benefits under an insurance policy are likewise exempt from process. Florida Statute 222.18.

(13) Estates

- (a) The property of estates of decedents is exempt from levy under process.
- (b) This does not apply to certain liens or claims to specific property. Florida Statute 733.706

- (14) Workers benefits.** Benefits under the worker's compensation law and unemployment compensation law are exempt from process. Florida Statute 440.22, 443.051

21) Persons Exempt From Service of Process

- a)** A person who has been brought into the state by, or waiver of, extradition based on criminal charge shall not be subject to service of person process in civil actions arising out of the same facts as the criminal proceedings involved.
- b)** This exemption does not apply if he has been convicted.
- c)** If he has been acquitted, he must be allowed a reasonable opportunity to return to the state from which he was extradited, before service of such civil process may be made upon him.
- d)** This exemption is mentioned for information only, for if such a process is issued, it must be served by the Sheriff.

Miscellaneous Writs - In addition to executions issued out of the several courts, the Sheriff may be required to make a levy, under the authority of a Department of Revenue warrant. The Sheriff may be required to levy executions in the form of tax warrant issued by the Florida Industrial Commission or by the Department of Revenue.

1. The director of the Division of Alcoholic Beverages and Tobacco may issue a warrant to the Sheriff for the collection of taxes.
2. The Department of Highway Safety and Motor Vehicles may issue tax warrants for various delinquent taxes.
3. When receiving the various types of warrants, the Sheriff should check the statutory authority for their issuance to determine if he has a duty other than proceeding with the levy.
4. In executing these warrants, the Sheriff should follow the instructions on the face of the warrant or those made separately in writing by the issuing authority.
5. Those warrants shall be handled in the same manner as other executions.

b. Execution Sales

1) Generally, after the Sheriff has levied upon property for the purpose of satisfying a final judgment, he is required to sell such property. The execution is always under the control of the plaintiff, and his wishes in matters concerning the execution should be respected as long as the Sheriff is not required to violate a duty prescribed by statute.

2) Notice of Sale

- a)** The sale should be made strictly in accordance with the requirements of law. Section 56.22 Florida Statute
- b)** The property should be advertised for sale by a notice of sale published once each week, for four successive weeks, in a newspaper published in the county.
- c)** If the property to be sold is subject to decay and will not sell for its full value if held for a period of thirty (30) days, the time may be shortened by order of the Court upon affidavit to the effect.
- d)** There is a requirement that on or before the date of the first publication a copy of the notice of sale be furnished to the attorney of record of the judgment debtor or to judgment debtor.

- e) When levying upon real property, notice of such levy and execution sale shall be made to the property owner of record in the same manner as notice is made to any attorney of record of the judgment debtor or to the judgment debtor.
- 3) Place of sale - All real and personal property levied upon under execution shall be sold where advertised in the notice of the sheriff's sale.
- 4) All sales shall take place any day of the week except Saturday and Sunday and shall continue from day to day until all the property is sold.
- 5) To Whom Sold
- a) The property should be sold to the highest and best bidder for cash.
 - b) If the plaintiff bids, he may credit the amount bid upon his execution and need not pay cash as long as the Sheriff's costs are paid. This is true only when the plaintiff is the first writ holder and his credit bid does not exceed the amount on his writ of execution.
 - c) The law does not require that an execution sale be approved by the Court.
 - d) The sale may be set aside if there is a gross inadequacy in price which would shock the conscience or raise the presumption of fraud, unfairness, or mistake.
- 6) Bill of Sale or Deed
- a) After the sale is made under an execution, the Sheriff shall execute a deed of conveyance for real estate or a bill of sale for personal property. This must be delivered to the purchaser on receipt of the amount bid together with the costs of the deed or bill of sale.
 - b) If the plaintiff is the successful bidder, he need advance only the costs of the deed or bill of sale and other unpaid costs in the matter, in addition to any taxes, which may be due, unless the amount of the bid is in excess of the face of the execution and the costs together with taxes due.
 - c) The Sheriff's deed or bill of sale is subject to the documentary stamp tax and stamps should be placed on the instrument before its delivery.
 - d) The Sheriff should recite, in his deed or bill of sale, both the judgment and the execution under which he acted inasmuch as this points out his authority to sell the property. The Sheriff does not warrant any title. He conveys only such title as the execution affords.
- 7) Interest on Judgments
- a) When the Sheriff enforces the collection of a judgment by levy of execution, he is required to collect not only the face of the judgment and costs but also interest on the amount of the judgment.
 - b) The rate of interest on judgment is set by the legislature.
 - c) The rate will vary so the date of the entry of the judgment should be checked with the law to determine the rate of interest on each judgment; unless the judgment or decree is rendered on a written contract or obligation providing for interest at a lesser rate in which case the judgment or decree bears interest at the rate specified in such written contract or obligations.

d) Any process, writ, judgment or decree, which is directed to the Sheriffs of the state to be dealt with as executions, shall bear, on the face of the writ, judgment or decree, the rate of interest which it shall accrue from date of judgment until payment.

8) Payment of Taxes

- a)** From the proceeds of the sale, the Sheriff must pay the costs and attorney fees if any are allowed.
- b)** From the remainder he must pay all state, county and municipal taxes which may be assessed, due, and unpaid against the property, including all back taxes.
- c)** If the proceeds of the, sale are insufficient to pay the taxes, the Sheriff must make his deed subject to the payment of all outstanding taxes.

9) Remittances

a) Duty of Sheriff

- (1)** The Sheriff must pay to the proper person, all money collected by him.
- (2)** All money received under an execution, whether by sale or otherwise, must be paid to the party or his attorney, in whose favor the execution was issued.
- (3)** When the names of more than one attorney appear in the records of the court, the money shall be paid to the attorney who originally commenced the suit or to the attorney who made the original defense if the execution was issued in favor of the defendant. A receipt from the proper attorney fully discharges the Sheriff of his responsibility.
- (4)** When property sold under the execution brings more than the amount due, including costs, the surplus shall, without delay, be handed over to the defendant.
- (5)** If the Sheriff has, under an execution, obtained money for a party, he cannot withhold it for the purpose of applying it on a writ which he holds against the party for which the money was obtained. The property levied upon in a sale is bound by the sale.
- (6)** If the Sheriff should discover that he failed to levy a prior writ, he cannot deliver the proceeds of the sale of the plaintiff in execution under the prior writ. He must deliver the proceeds to the plaintiff in the writ under which the sale was made.
- (7)** The Sheriff is responsible for seeing that sales are made in accordance with the priority of writs in his hands.

b) Failure to Remit

- (1)** If the Sheriff fails or refuses to pay money collected under an execution within thirty (30) days after its receipt by him or within ten (10) days after demand of the plaintiff or his attorney of record, he is liable to the payment of the amount together with an additional twenty (20) percent as damages.
- (2)** If the Sheriff fails to pay over money, collected by virtue of executions within the time required, where the proceeds are due to a state officer, board, or agency, he will lose his commissions on such money.
- (3)** The time limit is the same as for payment to the fine and forfeiture fund.

- 10) Distress Writ** - A distress writ enjoins the defendant from damaging, disposing of, secreting, or removing any property liable to distress from the rented real property after the time of service of the writ until the Sheriff levies on the property, the writ is violated or the court otherwise orders. No property of any tenant or lessee shall be exempt from distress and sale for rent, except beds, bed clothes and wearing apparel.
- a)** If the Court renders judgment against the defendant and execution issued, the property taken into possession shall be advertised twice within a ten-day period prior to sale.
 - b)** It may be sold on the leased premises or at the courthouse door.
 - c)** If the defendant, before sale, pays all costs and makes settlement with the plaintiff, the property shall be returned to him and there will be no sale.
 - d)** Service of this writ is had upon the defendant, and also by the officer taking the property into his possession.
 - e)** If the defendant cannot be found the levy upon the property is sufficient service.
 - f)** If the Sheriff cannot find property upon which to levy, he is required to deliver the writ to the Sheriff of another county, if the property subject to levy is in such other county.
 - g)** The statutory lien of a landlord for rent attaches to the property found on or off the premises leased or rented, and in possession of any person as follows:
 - (1)** On agricultural products raised on the land leased or rented for the current year;
 - (2)** On all other property of the lessee, his sub-lessee, or assigns, usually kept on the premises; and
 - (3)** On all other property of the defendant.
 - h)** The Sheriff is not authorized under the writ to change locks on the property without the defendant's permission. The alternative here, if the defendant refuses to allow the locks to be changed, is to remove the property and place it in a bonded warehouse.
- 11) Writ of Garnishment**
- a)** Although the writ of garnishment does not command the Sheriff to take positive action it is included with the enforceable writs because of two important reasons:
 - (1)** it is served on a third party, called a garnishee (individual company or corporation), that is foreign to the original suit and it is difficult for them (garnishee) to understand why they are involved,
 - (2)** it requires the garnishee to do something other than be served with the writ. The garnishee is required to answer the writ and comply with the requirements as stated in the writ.
 - b)** The writ of garnishment is issued in a proceeding to obtain money or property due to the defendant from a third party, in order to satisfy the claim of the party bringing the action.
 - c) Service of Writ**
 - (1)** Service of the writ of garnishment should be made in the same manner as a service of summons.

- (2) The Deputy serving the writ should not effect said service on the defendant as an officer of the company or corporation being served as garnishee.

d) Effect of Writ

- (1) Service of the writ shall make the garnishee liable for all debts due by him to the defendant, and for any tangible or intangible personal property of defendant in his possession or control at the time of the service of the writ or at any time between the service and the time of his answer.
- (2) The service of the writ is a levy and provides constructive custody in the Court for such property.

e) Answer of Garnishee

- (1) The garnishee shall file an answer to the Court issuing the writ within the time limitation stated in the writ.
 - (2) The garnishee may surrender any goods, chattels or effects of defendant in his hands or possession to the Sheriff and may pay any money or debt into registry of Court.
 - (3) If the plaintiff does not file a reply to the garnishee's answer, within the time limitations, the answer of garnishee shall be taken as true and after disposing of the assets, if any were disclosed in the garnishee's answer, the garnishee is entitled to an order discharging him from further liability under the writ.
- f) Refusal of garnishee to surrender property. If the garnishee will not surrender the personal property belonging to the defendant, provided he has the power to do so, and which he has admitted is in his possession, the Court may order execution issued against garnishee for the unpaid amount of the plaintiff's judgment against defendant.

g) Failure of Garnishee to Answer

- (1) If the garnishee fails to answer as required, a default shall be entered against him.
- (2) A final judgment shall be entered against the garnishee for the amount of plaintiff's claim with interest and costs.
- (3) The final judgment shall not be entered before the entry of, or in excess of, the final judgment against the original defendant with interest and costs.

G. All enforceable process, including without limitation any writ requiring the arrest, seizure of real property or personal property shall be executed by certified deputy sheriffs.

[CALEA 74.2.1]
[CFA 32.03]

G. Receipt, Disbursement and Audit of Funds Administered for the Legal Process Function

1. The statutory fees for service of the various writs shall be collected in advance. However, the County, Office of the State Attorney and Office of the Public Defender are not obliged to pay the statutory fees.

The Sheriff shall collect in advance a deposit sufficient to cover all reasonably anticipated costs incident to the levy. The following are minimum costs, which are provided as guidelines:

- a. Subpoenas - **\$40.00**
- b. Index and docket executions - **\$40.00**
- c. Summons, notices, etc. - **\$40.00**
- d. Levy deposits on boat - **\$1200.00**; on car - **\$2500.00**
- e. Levy deposits on real property - **\$750.00 to 1,000.00**
- f. Levy deposits on businesses - approximately **\$3,500 to \$5,000**

(revised 07/19/2010)

2. Accounting Procedures

- a. As papers and monies are received the individual in-charge of civil process shall receipt the money and papers and place a return form on the paper to be served.
 - b. As soon as possible the money shall be deposited into the Civil account.
 - c. Once a month, all monies collected for Civil Process shall be submitted to the Monroe County Board of County Commissioners along with a report depicting the money received, the process served, and any money outstanding.
- 3.** On a yearly basis, the Civil account is audited by an independent accounting firm retained by the Monroe County Board of County Commissioners.

H. Methods Used in the Disposition of Property Acquired Through the Legal Process Function

[CALEA 84.1.8]

Writs of execution command the Sheriff to levy on property belonging to a defendant. These bit, are issued by the Clerk's Office of the County having jurisdiction ten days after the final judgment is awarded by the Court.

(revised on 5-1-02)

- 1.** Once the complainant has the writ, it is given to the Sheriff of the county in which the defendant's property is located. The Sheriff, through his Civil Process Division, receives the Writ and enters it into a set of books called the Index and Docket books. These establish a priority or seniority for the Writs and are based on the date of receipt in the Sheriff's office and also on date of issuance.
- 2.** The civil fee for indexing and docketing is \$10.00. If the plaintiff wishes to proceed further with the Writ, then he or she would have to submit an additional form called "Instructions for Levy" Florida Statute 30.30 requires the Sheriff to levy on the property specifically described on the instructions for levy insofar as the property is subject to levy. If the plaintiff is required to furnish the Sheriff with a cost deposit.
- 3.** When the execution is determined to be ready, the Civil Division prepares notice of Sheriff's Levy which is used to seize the property.
- 4.** Property is broken down into two types, personal property such as vehicles, boats, appliances, jewelry, etc. and real property which is land and improvements (real estate) .
 - a. Seizure (levy) is made on personal property by actual seizure of the property with the Notice of Levy posted on the property. The property is then stored in a secure place.
 - b. On real property, seizure is made by filing the Notice of Levy with the Clerk's Office along with the appropriate fee.

5. After seizure is effected, the following is done:
 - a. Notice of Sheriff's sale establishing date of sale,
 - b. Letter to the newspaper along with Notice of Sheriff's sale for advertisement for 4 consecutive weeks (once a week),
 - c. Letter (certified) to defendant and to defendant's attorney if known,
 - d. Letter to plaintiff or plaintiff's attorney.
6. On the date of sale, the Civil Division Director conducts the sale of personal property where it is stored, and if real property, on the front steps of the Courthouse.
7. The sale is a misnomer since it is actually an auction with the property going to the highest bidder for cash. At the onset of the auction, the auctioneer is to obtain the full name and verified address of each bidder with their first bids and the last name of each bidder with each successive bid. The last bid entered is to be announced three (3) times and if no other bids are received, then the auctioneer announces that the property is considered sold to the final bidder.
8. After the sale has been completed, a bill of sale for personal property, or a Sheriff's Deed for real property is prepared and given to the final bidder. Additionally, resume is prepared showing the various civil fees and miscellaneous expenses and the balance due to the plaintiff along with the monies generated from the sale. If the judgment has been satisfied, a letter of satisfaction is required from the plaintiff and this is returned to the Clerk's Office along with a return and the Writ of Execution.

I. Arrest Warrants Shall Be Served by Certified Law Enforcement Deputies Only

[CALEA 74.3.2]

J. Criminal Process

[CALEA 61.1.2 a, 74.3.1]

1. Persons Wanted in Another State

- a. A Sheriff in this state has no authority to act under a warrant issued by a magistrate of another state.
- b. If the Sheriff received such a warrant, he may arrest the person charged to be held for extradition, but the arrest must be in compliance with the law.
 - 1) If the crime charged is one punishable by death or imprisonment for more than one year, the Sheriff may make the arrest without a warrant.
 - 2) Before making the arrest the Sheriff must have reasonable information that the person committed the crime.
 - 3) The warrant received from another state may be considered such reasonable information, but the Sheriff must be certain that the party he is arresting is the one who stands charged with the crime.
- c. The safest procedure is for the Sheriff to obtain a fugitive warrant from a magistrate in this state before making the arrest.
 - 1) Upon oath made before a magistrate that a person, while present in the demanding state, committed a crime and fled there from or was convicted in such state and escaped or violated his parole, a magistrate may issue a warrant for the accused.

- 2) The act charged as a crime may have been committed in the demanding state, or elsewhere.
 - 3) If it constitutes a crime against the laws of the demanding state, extradition is proper.
- d. This warrant may be executed anywhere in the state by the officer to whom it is directed.
- e. The fugitive warrant must have attached to it a certified copy of the sworn charge or complaint and affidavit upon which it was issued.
- f. Procedure After Arrest
- 1) A fugitive warrant directs the officer to whom it is issued to bring the accused before the magistrate issuing the warrant or before any magistrate or court which may be available in or convenient of access to the place where the arrest is made.
 - 2) If the arrest is made without a warrant the accused must immediately be taken before a magistrate and complaint must be made against him as in the case of issuance of fugitive warrant before arrest.
- g. Commitment to Await Extradition
- 1) If it appears to the magistrate that the person arrested is the one charged in the other state, he may, by warrant reciting the accusation, commit such person to the county jail, for a period not exceeding thirty (30) days, which period shall be specified in the warrant of commitment, in order that a warrant of extradition by the Governor may be issued.
 - 2) Bail may be taken and the accused released conditioned upon his appearance before the magistrate to surrender himself to arrest under the warrant of the Governor.
 - 3) If the Governor's warrant does not issue in the time prescribed, the prisoner may be committed for a period not to exceed sixty (60) days, or the condition of his bail may be extended for a period not to exceed sixty (60) days.
 - 4) Bail may be denied in any case where the crime charged is punishable by death or imprisonment for life in the demanding state.
- 5) Procedure under Governor's Warrant.
- a) When a warrant of extradition issues out of the Governor's office against a person who is in custody, out on bail, or has not yet been apprehended, it may be executed by the officer to whom directed anywhere in the state.
 - b) No person shall be surrendered to an agent of the demanding state under such warrant until he shall first be taken before a Judge of a Court of Record.
 - c) Such Judge is required to inform the accused of the demand made for his surrender and of the crime with which he is charged.
 - d) The accused shall further be informed of his right to counsel and to a writ of habeas corpus to test the validity of the arrest.
 - e) If it is indicated that a writ of habeas corpus will be applied for, the judge shall fix a reasonable time for the making of such application.

f) Notice of the application shall be given to the State Attorney and county solicitor, if there be one, of the county where the arrest was made, and of the county where the accused is in custody, and to the agent of the demanding state.

g) If the Sheriff delivers the accused to the agent of the demanding state before following the prescribed procedure, he is subject to punishment for the commission of a misdemeanor.

h) Waiver of Extradition

(1) Any person arrested as a fugitive may waive extradition procedure.

(2) The waiver must be made before a Judge of a Court of Record and must be in writing.

(3) The Judge shall advise the person of his right to extradition procedure and of his right to habeas corpus to test the validity of the arrest.

(4) The waiver must be executed in triplicate.

(5) A copy must be sent to the Governor's office, a copy to the agent of the demanding state, and the Sheriff should retain a copy in his records.

Caution: The Sheriff, before delivering a person to an agent of a demanding state, either under a warrant of the Governor or after waiver, should be certain that the person to whom the accused is being delivered is a duly accredited agent of the demanding state and as such authorized to receive the prisoner.

2. Arrest on Warrant from Another County

a. When the sheriff makes an arrest under a warrant issued in another county, he shall, if requested by the person arrested, take him before a magistrate of the county in which the arrest is made for the purpose of making bail, unless the amount of the bail is endorsed on the warrant.

b. If the person arrested is not bailable or if bail is not given, the Sheriff is required to take the person before the magistrate who issued the warrant or the Sheriff may hold such person for delivery to the proper officer of the county in which the warrant was issued, so long as the rights of the individual are not unnecessarily abridged.

c. When an arrest is made pursuant to a warrant of extradition, the person arrested should immediately be taken before a judge of a Court of Record so that his rights to habeas corpus and bail may be explained to him.

3. Warrants and Summons

a. Direction and Execution of Warrant. Florida Statute 901.04

Warrants shall be directed to all Sheriffs of the State. A warrant shall be executed only by the Sheriff of the county in which the arrest is made unless the arrest is made in fresh pursuit, in which event it may be executed by any Sheriff who is advised of the existence of the warrant. An arrest may be made on any day and at any time of the day or night.

b. How Summons are Served. Florida Statute 901.10

A summons shall be served in the same manner as a summons in a civil action.

c. Effect of Not Answering Summons. Florida Statute 901.11

Failure to appear as commanded by a summons without good cause is an indirect criminal contempt of court and may be punished by a fine of not more than \$100. When a person fails to appear as commanded by a summons, the magistrate shall issue a warrant. If the magistrate acquires reason to believe that the person summoned will not appear as commanded after issuing a summons, he may issue a warrant.

d. When Arrest by Officer Without Warrant is Lawful. Florida Statute 901.15

A law enforcement officer may arrest a person without a warrant when:

(1) The person has committed a felony or misdemeanor or violated a municipal or county ordinance in the presence of the officer. An arrest for the commission of a misdemeanor or the violation of a municipal or county ordinance shall be made immediately or in fresh pursuit.

(2) A felony has been committed and he or she reasonably believes that the person committed it.

(3) He or she reasonably believes that a felony has been or is being committed and that the person to be arrested has committed or is committing it.

(4) A warrant for the arrest has been issued and is held by another peace officer for execution.

(5) A violation of chapter 316 has been committed in the presence of the officer. Such an arrest may be made immediately or in fresh pursuit. Any law enforcement officer, upon receiving information relayed to him or her from a fellow officer stationed on the ground or in the air that a driver of a vehicle has violated chapter 316, may arrest the driver for violation of those laws when reasonable and proper identification of the vehicle and the violation has been communicated to the arresting officer.

(6) There is probable cause to believe that the person has committed a criminal act according to [s. 790.233](#) or according to [s. 741.31](#) or [s. 784.047](#) which violates an injunction for protection entered pursuant to [s. 741.30](#) or [s. 784.046](#), or a foreign protection order accorded full faith and credit pursuant to [s. 741.315](#), over the objection of the petitioner, if necessary.

(7) There is probable cause to believe that the person has committed an act of domestic violence, as defined in [s. 741.28](#), or dating violence, as provided in [s. 784.046](#). The decision to arrest shall not require consent of the victim or consideration of the relationship of the parties. It is the public policy of this state to strongly discourage arrest and charges of both parties for domestic violence or dating violence on each other and to encourage training of law enforcement and prosecutors in these areas. A law enforcement officer who acts in good faith and exercises due care in making an arrest under this subsection, under [s. 741.31\(4\)](#) or [s. 784.047](#), or pursuant to a foreign order of protection accorded full faith and credit pursuant to [s. 741.315](#), is immune from civil liability that otherwise might result by reason of his or her action.

(8) There is probable cause to believe that the person has committed child abuse, as defined in [s. 827.03](#), or has violated [s. 787.025](#), relating to luring or enticing a child for unlawful purposes. The decision to arrest does

not require consent of the victim or consideration of the relationship of the parties. It is the public policy of this state to protect abused children by strongly encouraging the arrest and prosecution of persons who commit child abuse. A law enforcement officer who acts in good faith and exercises due care in making an arrest under this subsection is immune from civil liability that otherwise might result by reason of his or her action.

(9) There is probable cause to believe that the person has committed:

(a) Any battery upon another person, as defined in [s. 784.03](#).

(b) An act of criminal mischief or a graffiti-related offense as described in [s. 806.13](#).

(c) A violation of a safety zone, security zone, regulated navigation area, or naval vessel protection zone as described in [s. 327.461](#).

(10) The officer has determined that he or she has probable cause to believe that a misdemeanor has been committed, based upon a signed affidavit provided to the officer by a law enforcement officer of the United States Government, recognized as such by United States statute, or a United States military law enforcement officer, recognized as such by the Uniform Code of Military Justice or the United States Department of Defense Regulations, when the misdemeanor was committed in the presence of the United States law enforcement officer or the United States military law enforcement officer on federal military property over which the state has maintained exclusive jurisdiction for such a misdemeanor.

(11)(a) A law enforcement officer of the Florida National Guard, recognized as such by the Uniform Code of Military Justice or the United States Department of Defense Regulations, has probable cause to believe a felony was committed on state military property or when a felony or misdemeanor was committed in his or her presence on such property.

(b) All law enforcement officers of the Florida National Guard shall promptly surrender all persons arrested and charged with a felony to the sheriff of the county within which the state military property is located, and all persons arrested and charged with misdemeanors shall be surrendered to the applicable authority as may be provided by law, but otherwise to the sheriff of the county in which the state military property is located. The Florida National Guard shall promptly notify the applicable law enforcement agency of an arrest and the location of the prisoner.

(c) The Adjutant General, in consultation with the Criminal Justice Standards and Training Commission, shall prescribe minimum training standards for such law enforcement officers of the Florida National Guard.

(12) He or she is employed by the State of Florida as a law enforcement officer as defined in [s. 943.10\(1\)](#) or part-time law enforcement officer as defined in [s. 943.10\(6\)](#), and:

(a) He or she reasonably believes that a felony involving violence has been or is being committed and that the person to be arrested has committed or is committing the felony;

(b) While engaged in the exercise of his or her state law enforcement duties, the officer reasonably believes that a felony has been or is being committed; or

(c) A felony warrant for the arrest has been issued and is being held for execution by another peace officer.

Notwithstanding any other provision of law, the authority of an officer pursuant to this subsection is statewide. This subsection does not limit the arrest authority conferred on such officer by any other provision of law.

(13) There is probable cause to believe that the person has committed an act that violates a condition of pretrial release provided in [s. 903.047](#) when the original arrest was for an act of domestic violence as defined in [s. 741.28](#), or when the original arrest was for an act of dating violence as defined in [s. 784.046](#).

(14) There is probable cause to believe that the person has committed trespass in a secure area of an airport when signs are posted in conspicuous areas of the airport which notify that unauthorized entry into such areas constitutes a trespass and specify the methods for gaining authorized access to such areas. An arrest under this subsection may be made on or off airport premises. A law enforcement officer who acts in good faith and exercises due care in making an arrest under this subsection is immune from civil liability that otherwise might result by reason of the law enforcement officer's action.

(15) There is probable cause to believe that the person has committed assault upon a law enforcement officer, a firefighter, an emergency medical care provider, public transit employees or agents, or other specified officers as set forth in [s. 784.07](#) or has committed assault or battery upon any employee of a receiving facility as defined in [s. 394.455](#) who is engaged in the lawful performance of his or her duties.

e. Search and Seizure Without a Warrant

1) No search may be conducted unless authorized by a warrant issued upon probable cause, with some exceptions. The rule of thumb is, if time permits, obtain a warrant. There are, however, limited exceptions to the warrant requirement:

a) Search by consent – The important thing to remember is that the consent must be freely and voluntarily given. There can be no promises, threats or coercion, expressed or implied. A third party consent may be given by a third party who shares control of the premises or items to be searched. A consent search may not exceed the terms (scope) of the consent; consent may be withdrawn. *[CALEA 1.2.4 a]*

b) Terry stop – Allowed by F.S. 901.151, Florida's "Stop and Frisk" law. A stop is allowed when the officer reasonably believes, according to articulable circumstances, that a person either has committed a criminal offense, is doing so, or is about to do so. A search for weapons may be conducted during the stop, if the officer has a reasonable belief that the person is armed and dangerous. The search must be limited to a search for weapons and any weapon may be seized. Other contraband may be seized if it is "plainly felt" and identifiable as such, without further intrusion, i.e. manipulation of object beyond what is necessary to determine whether it is a weapon. No person shall be detained longer than is reasonably necessary to effect the purpose of this section. Such detention shall not extend beyond the place where it was first effected or the immediate vicinity thereof.

(REVISED ON 8-28-00)

[CALEA 1.2.4 b]

- c) Search of a vehicle under a movable vehicle exception – (Carroll Doctrine) the standard needed to search a vehicle based upon exigent circumstances is that police must have probable cause to believe that it contains seizable items. A vehicle search based on probable cause and exigent circumstances may encompass any container in which contraband might be located. [CALEA 1.2.4 c]

(Revised 08/12/09)

- d) Search incident to lawful arrest – When a lawful arrest is made, the deputy may search the person and the immediate area in order to: [CALEA 1.2.4 d]

- 1) Protect the deputy from attack.
- 2) Prevent escape or discover the fruits of a crime; objects on or about the arrested person may be seized to protect the deputy, prevent escape or assure custody of the fruits of articles used in committing a crime. Items seized must be in plain view from where officer has a right to be. [CALEA 1.2.4 d]

- e) Vehicle search incident to arrest – Before a deputy can search a vehicle incident to arrest, the deputy must have a lawful arrest, AND the search must take place at the time of the arrest, AND the arrestee must be able to access the vehicle (i.e. not cuffed or in the back of the patrol car), OR there is reason to believe evidence relevant to the crime of arrest might be found in the vehicle. (Arizona V. Gant, U.S.S.C., 2009)

(Revised 08/12/09)

- f) Exigent circumstances – A warrantless search is permitted when both probable cause and exigent circumstances exist. Examples of exigent circumstances include hot pursuit, a fleeing suspect, destruction of evidence, officer safety, public safety or other situations in which speed is essential. [CALEA 1.2.4 d,e]

- g) Inventory searches of seized vehicles – Other property lawfully taken into police custody. All containers within the vehicle may be searched to insure that all valuables are properly inventoried. The inventory search may be conducted only to protect the owners property and protect the police against claims and damages. Must be done according to normal agency procedures and may not be undertaken as a pretext for an investigative search. [CALEA 1.2.4 f]

- f. Method of Arrest by Officer by a Warrant. Florida Statute 901.16 [CALEA 1.2.4 g]

A peace officer making an arrest by a warrant shall 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 before the officer has an opportunity to inform him, or when giving the information will imperil the arrest. The officer need not have the warrant in his possession at the time of arrest but on request of the person arrested shall show it to him as soon as practicable.

- g. Method of Arrest by Officer Without Warrant. Florida Statute 901.17 [CALEA 1.2.4 g]

A peace officer making an arrest without a warrant shall inform the person to be arrested of his authority and the cause of arrest except when the person flees or forcibly resists before the officer has an opportunity to inform him or when giving the information will imperil the arrest.

(REVISED ON 8-28-00)

- h. Officer May Summon Assistance. Florida Statute 901.18 [CALEA 1.2.4 g]

A peace officer making a lawful arrest may command the aid of persons he deems necessary to make the arrest. A person commanded to aid shall render assistance as directed by the officer. A person commanded to aid a peace officer shall have the same authority to arrest as that peace officer and shall not be civilly liable for any reasonable conduct in rendering assistance to that officer.

i. Right of Officer to **Enter** into Building. Florida Statute 901.19 [CALEA 1.2.4 g]

1) A deputy may enter a dwelling to make an arrest under the following circumstances

- a) There is a valid Arrest Warrant for a resident of the dwelling, or
- b) With probable cause to arrest for a violent crime and there is a likelihood of escape or danger to the public, i.e. exigent circumstances, or
- c) With probable cause and the consent of the resident(s), or
- d) In "hot pursuit" of a fleeing felon (not a misdemeanor),
- d) With a valid Search Warrant for the residence.

2) If the warrant is for an individual who does not reside in the residence, a deputy may enter the dwelling,

- a) With probable cause and the consent of the resident (s), or
- b) With probable cause to arrest for a violent crime and there is a likelihood of escape or danger to the public, i.e. exigent circumstances, or
- c) With a valid arrest warrant or probable cause AND a valid Search Warrant for the residence.

3) FS 901.19, which authorizes entry into a building to make an arrest, has been ruled unconstitutional to the extent it appears to deviate from the above requirements.

(Effective 1-11-2007)

j. Use of force to effect release of person making arrest detained in building. Florida Statute 901.20 [CALEA 1.2.4 g]

A peace officer may use any reasonable force to liberate himself or another person from detention in a building entered for the purpose of making a lawful arrest.

k. Search of Person Arrested. Florida Statute 901.21 [CALEA 1.2.4 g]

1) When a lawful arrest is effected, a peace officer may search the person arrested and the area within the person's immediate presence for the purpose of:

- a) Protecting the officer from attack;
- b) Preventing the person from escaping; or
- c) Discovering the fruits of a crime.

2) A peace officer making a lawful search without a warrant may seize all instruments, articles, or things discovered on the person arrested or within the person's immediate control, the seizure of which is reasonably necessary for the purpose of:

- a) Protecting the officer from attack;
- b) Preventing the escape of the arrested person; or

c) Assuring subsequent lawful custody of the fruits of a crime or of the articles used in the commission of a crime.

I. Strip Body Cavity Searches of Persons Arrested; [CALEA 1.2.4 g]

1) Strip and/or body cavity searches will be conducted pursuant to F.S. 901.211. [CALEA 1.2.8 a]

2) Strip searches:

a) 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.

b) The deputy requesting a strip search must be able to articulate to the on-duty supervisor the probable cause leading them to believing such a search is necessary.

c) All strip searches must be approved by the on-duty supervisor prior to the search being conducted. [CALEA 1.2.8 a]

d) 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 pursuant to this section. Any observer shall be of the same gender as the arrested person. [CALEA 1.2.8 b]

3) Body Cavity Searches

a) A visual, manual, and/or instrument inspection of an inmate's anal, oral, vaginal, ear, and/or nasal orifices.

b) Any body cavity search must be performed under sanitary conditions and will be conducted only by a PHYSICIAN. [CALEA 1.2.8 a]

c) Authorization to conduct a body cavity search must be obtained from the deputies Sector or Division Commander and a search warrant obtained. [CALEA 1.2.8 a]

d) The search will be conducted at and under the procedures of the Correctional Facility.

4) All strip and body cavity searches will be documented in the appropriate incident reports. The deputy is to articulate the circumstances involved in the request for and results of the search. [CALEA 1.2.4 g] [CALEA 1.2.8 c]

5) Nothing in this section shall be construed as limiting any statutory or common-law right of any person for purposes of any civil action or injunctive relief.

6) Search of a person arrested for identifying device indicating a medical disability as defined in Florida State Statute 901.215.

Every law enforcement officer, Sheriff, Deputy Sheriff, or other arresting officer shall, when arresting any person who appears to be inebriated, intoxicated, or not in control of his physical functions, examine such person to ascertain whether or not the person is wearing a medic-alert bracelet or necklace or has upon his person some other visible identifying
(revised on 12-4-01)

device which would specifically delineate a medical disability which would account for the actions of such person. Any arresting officer who does, in fact, discover such identifying device upon such person shall take immediate steps to aid the afflicted person in receiving medication or other treatment for his disability

m. Arrest After Escape or Rescue. Florida Statute 901.22 [CALEA 1.2.4 g]

If a person lawfully arrested escapes or is rescued, the person from whose custody he escapes or was rescued or any other officer may immediately pursue and retake the person arrested without a warrant at any time and in any place.

n. Right of Person Arrested to Consult Attorney. Florida Statute 901.24 [CALEA 1.2.4 g]

A person arrested shall be allowed to consult with any attorney entitled to practice in this state, alone and in private at the place of custody, as often and for such periods of time as is reasonable.

o. Interpreter Services for Deaf Persons. Florida Statute 901.245 [CALEA 1.2.4 g]

In the event that a person who is deaf is arrested and taken into custody for an alleged violation of a criminal law of this state, or is a victim, the services of a qualified interpreter shall be sought prior to interrogating and/or interviewing such deaf person.

a. This shall be accomplished by

1. Contacting Communications for a current contact number for a qualified interpreter.
2. Member will then access a webcam at either a Jail, Courthouse, office or computer and contact qualified interpreter.
 - a. If the services of a qualified interpreter cannot be obtained, the arresting officer may interrogate or take a statement from such person provided such interrogation and the answers thereto shall be in writing. The interrogation and the answers thereto shall be preserved and turned over to the Court in the event such person is tried for the alleged offense.

(Contact Communications for additional foreign language interpreters).

p. Fresh Pursuit; Arrest Outside Jurisdiction. Florida Statute 901.25 [CALEA 1.2.4 g]

- 1) The term "fresh pursuit" as used in this act shall include fresh pursuit as defined by the common law and also the pursuit of a person who has committed a felony or who is reasonably suspected of having committed a felony. It shall also include the pursuit of a person suspected of having committed a supposed felony, though no felony has actually been committed, if there is reasonable ground for believing that a felony has been committed. It shall also include the pursuit of a person who has violated a county or municipal ordinance or chapter 316 or has committed a misdemeanor.
- 2) Any duly authorized state, county, or municipal arresting officer is authorized to arrest a person outside his jurisdiction when in fresh pursuit. Such officer shall have the same authority to arrest and hold such person in custody outside his jurisdiction, subject to the limitations hereafter set forth, as has any authorized arresting state, county, or municipal officer of this state to arrest and hold in custody a person not arrested in fresh pursuit.
- 3) If an arrest is made in this state by an officer outside the county within which his jurisdiction lies, he shall immediately notify the officer in charge of the jurisdiction in which the arrest is made. Such officer in

charge of the jurisdiction shall, along with the officer making the arrest, take the person so arrested before a County Court Judge or other committing magistrate of the county in which the arrest was made without unnecessary delay.

- 4) The employing agency of the state, county, or municipal officer making an arrest on fresh pursuit shall be liable for all actions of said officer in the same fashion that it is liable for his acts made while making an arrest within his jurisdiction.
 - 5) The officer making an arrest on fresh pursuit shall be fully protected with respect to pension, retirement, workers' compensation, and other such benefits just as if he had made an arrest in his own jurisdiction.
- q. Recognition of international treaties act; identification certificate; notification upon arrest. Florida Statute 901.26 [CALEA 1.2.4 g]
- 1) The following shall be known as the "Recognition Of International Treaties Act."
 - 2) The Department of State may, upon application, issue identification certificates to those official representatives of sovereign nations that are on official business within the boundaries of Florida.
 - 3) Wherever in the state a citizen of any sovereign nation to which the United States extends diplomatic recognition shall be arrested or detained for any reason whatsoever, the official who makes the arrest or detention shall immediately notify the nearest consul or other officer of the nation concerned or, if unknown, the Embassy in Washington, D.C., of the nation concerned or, if unknown, the nearest state judicial officer who shall in turn notify either of the above. Failure to give notice shall not be a defense in any criminal proceedings against any citizen of a sovereign nation and shall not be cause for his discharge from custody.
- r. Notice to appear for misdemeanors or violations of municipal or county ordinances; effect on authority to conduct search. Florida Statute 901.28 [CALEA 1.2.4 g]
- The issuance of a notice to appear shall not be construed to affect a law enforcement officer's authority to conduct an otherwise lawful search, as provided by law.
- s. Authorization to take person to medical facility. Florida Statute 901.29 [CALEA 1.2.4 g]
- Even though a notice to appear is issued, a law enforcement officer shall be authorized to take a person to a medical facility for such care as appropriate.
- t. Failure to Obey Written Promise to Appear. Florida Statute 901.31 [CALEA 1.2.4 g]
- Any person who willfully fails to appear before any Court or judicial officer as required by a written notice to appear shall be fined not more than the fine of the principal charge or imprisoned up to the maximum sentence of imprisonment of the principal charge, or both, regardless of the disposition of the charge upon which he was originally arrested. Nothing in this section shall interfere with or prevent the Court from exercising its power to punish for contempt.
- u. Plain view [CALEA 1.2.4 g]
- An officer may seize evidence of a crime or contraband without a warrant when;
- 1) an officer makes a lawful initial intrusion into an area and is lawfully in a position from which to view an object, and
 - 2) the object's incriminating character is immediately apparent, that is the officer has probably cause to believe the object is evidence of a crime or contraband.

If the officer the officer is outside the protected area at a lawful vantage point, the observation and surrounding probable cause merely supply the officer with grounds to secure a warrant to enter and seize the object unless the entry can be justified under some other exception to the warrant requirement.

K. Warrants Procedure

1. Monroe County Warrant with a Sheriff's Office Case Number.

a. This is a warrant where this Office handled the case and the Warrant has our case number on it. A separate supplemental report will be prepared for each Warrant.

b. In District I - Field Deputies

1) Only an arrest / notice to appear affidavit will be completed when an arrest is made by a Deputy with a Warrant regardless of origin of Warrant. (NO OFFENSE / INCIDENT REPORT IS NEEDED)

2) When a person is found to be wanted in multiple jurisdictions, an Arrest Affidavit will be prepared for each jurisdiction.

3) The arresting Deputy shall serve the Warrant at the Jail.

c. In District I - Authorized Detention Deputies

1) Normally this occurs during the booking process when a records check reveals the subject has an outstanding Warrant.

2) A supplemental report will be prepared for each case number and Warrant utilizing the case number that appears on the Warrant. The report will include a complete description and the physical characteristics of the person arrested.

3) The Detention Deputy shall serve the warrant.

d. In District II and III - Field Deputies

1) A supplemental report will be prepared for each case number and Warrant utilizing the case number that appears on the Warrant. The report will include a complete description and the physical characteristics of the person arrested.

2) An arrest affidavit will be prepared for each case number and Warrant.

3) The arresting Deputy will be responsible for notifying the on-duty Communications Officer of the arrest.

4) The Communications Officer will send a teletype to the Warrants Division immediately advising the Warrant has been served. If the arrest is made after hours or on weekends, the teletype will be sent to District I Communications, ATTENTION WARRANTS.

5) A copy of the teletype will be attached to the report.

6) The District I, Communications Officer will place the teletype and warrant in a location designated for the Warrants Section.

7) It will be the responsibility of the Warrants Section to retrieve these messages and warrants each day.

2. Monroe County Warrant without a Sheriff's Office Case Number

a. This is a warrant that is from another agency and does not have a Sheriff's Office case number. A separate report is required for each Warrant.

b. In District I - Field Deputies

1) The arresting Deputy will obtain a Department case number and prepare and complete an Offense-Incident Report for each Warrant.

2) The arresting Deputy shall serve the Warrant at the Jail.

c. In District I - Authorized Detention Deputies

1) The Detention Deputies will obtain a Department case number and prepare and complete an Offense-Incident Report for each Warrant.

2) The authorized Detention Deputy will serve the Warrant.

d. In Districts II and III - Field Deputies

1) The arresting Deputy will obtain an Office case number and prepare and complete an Offense-Incident Report for each Warrant.

2) An Arrest Affidavit will be prepared for each Warrant.

3) The arresting Deputy will be responsible for notifying the on-duty Communications Officer of the arrest.

4) The Communications Officer will send a teletype to the Warrants Section immediately advising the Warrant has been served. If the arrest is made after hours or on weekends, the teletype will be sent to District I Communications, ATTENTION WARRANTS.

5) A copy of the teletype will be attached to the report.

6) The District I Communications Officer will place the teletype and warrant in a location designated for the Warrants Section.

7) It will be the responsibility of the Warrants Section to retrieve these message and warrant each day.

3. FCIC Warrant - Out of County - In-State

a. This is a Warrant that is in FCIC/NCIC from another county in Florida.

b. In District I - Field Deputies

1) The arresting Deputy will obtain a new case number and prepare an Offense-Incident Report and an Arrest Affidavit.

- 2) Only one (1) report is required, regardless of how many Warrants are outstanding if all of the charges are from the same County.
- 3) If the subject has Warrants from more than one (1) County, a separate case number, Offense-Incident Report and Arrest Affidavit must be completed for each County.
- 4) The arresting Officer shall be held responsible to ensure that the issuing County / State is notified and Warrants Section is advised of the notification for all out of County / State Warrants.

c. In District I - Detention Deputies

- 1) The authorized Corrections Officer will obtain a new case number and prepare an Offense-Incident Report and an Arrest Affidavit.
- 2) Only one (1) report is required, regardless of how many Warrants are outstanding if all of the charges are from the same County.
- 3) If the subject has Warrants from more than one (1) County, a separate case number and Offense-Incident Report must be completed for each County.
- 4) The Detention Deputy shall be held responsible to ensure that the issuing County / State is notified and Warrants Division is advised of the notification for all out of County / State Warrants.

d. In District II and III - Field Deputies

- 1) The arresting Deputy will obtain a new case number and prepare an Offense-Incident Report and an Arrest Affidavit.
- 2) Only one (1) report is required, regardless of how many Warrants are outstanding if all of the charges are from the same County.
- 3) If the subject has Warrants from more than one (1) County, a separate case number, Offense-Incident Report and Arrest Affidavit must be completed for each County.
- 4) The arresting Deputy shall be held responsible to ensure that the issuing County / State is notified and Warrants Section is advised of the notification for all out of County / State Warrants.

4. NCIC Warrant - Out-of-State

a. This is a warrant in the NCIC System from another State.

b. In District I - Field Deputies

- 1) The arresting Deputy will obtain a new case number and prepare an Offense-Incident Report and an Affidavit.
- 2) A copy of the teletype will be attached to the report.
- 3) In the event the subject has Warrants from more than one (1) State, a Case Number, Offense-Incident Report, and an Affidavit will be prepared for each State.
- 4) The arresting Deputy shall be held responsible to ensure that the issuing County / State is notified and Warrants Section is advised of the notification for all out of County / State Warrants.

c. In District I - Detention Deputies

- 1)** The Detention Deputy will obtain a new case number and prepare an Offense-Incident Report and an Arrest Affidavit.
- 2)** In the event the subject has Warrants from more than one (1) State, a Case Number, Offense-Incident Report, and an Affidavit will be prepared for each State.
- 3)** If the subject has Warrants from more than one (1) State, a separate case number and Offense-Incident Report must be completed for each County.
- 4)** The Detention Deputy shall be held responsible to ensure that the issuing County or State is notified and Warrants Division is advised of the notification for all out of County or State Warrants.

d. In District II and III - Field Deputies

- 1)** The arresting Deputy will obtain a new case number and prepare an Offense-Incident Report and an Affidavit.
- 2)** A copy of the teletype will be attached to the report.
- 3)** In the event the subject has Warrants from more than one (1) State, a Case Number, Offense-Incident Report, and an Affidavit will be prepared for each State.
- 4)** The arresting Deputy shall be held responsible to ensure that the issuing County or State is notified and Warrants Division is advised of the notification for all out of County or State Warrants.

5. The mechanics of warrant service are important for all members to understand.

- a.** A Law Enforcement Officer does not have to have the Warrant in his or her physical possession in order to take the person into custody. One must have probable cause which in this circumstance is a good faith belief that a Warrant exists.
- b.** One must understand that a photocopy of an original Warrant is not a legal copy. There is only one (1) original Warrant issued by the Court. If one makes a machine copy of this Warrant and serves it on a citizen, such is not lawfully arresting the person.
- c.** NEVER make a photocopy of an Arrest Warrant for service. This is placing the member in the position of making a False Arrest.

6. If a warrant is obtained directly from the court, the member shall:

- a.** Notify the Warrants Section immediately and advising them that a Warrant has been obtained. The Warrants Section will furnish a Warrant Control Number which the member shall place on the Warrant.
- b.** During regular business hours the warrant will be telefaxed to the Warrants Section so they may initiate a file.
- c.** Notify The Warrants Section Immediately by teletype when the Warrant is served. If after hours or weekends, the teletype will be sent to the Communications Division, District I, ATTENTION WARRANTS.

- d. A warrant may be held a maximum of seventy-two (72) hours. If service cannot be affected, the Warrant shall be forwarded to the Warrants Section, Central Records.
- e. When a warrant is obtained directly from the Court and the affidavit has not been filed with the Clerk's Office, such affidavit shall be attached to the warrant and given to the Booking Officer.

L. Priorities for Serving Outstanding Arrest Warrants

- 1. The highest priority for service of arrest warrants shall be to serve such warrants that would prevent injury or death to witness(es) and/or victim(s) if such warrant had not been served;
- 2. The second highest priority shall be for capital and life felonies and Grand Jury Indictments;
- 3. The third highest priority shall be for all other felony warrants;
- 4. The fourth highest priority shall be for misdemeanors;
- 5. Failure-To-Appear warrants shall be served according to the degree of seriousness of the original crime for which one failed to appear as indicated above. (i.e. a Failure-To-Appear warrant for the charge of Robbery will have a higher priority than a Failure-To-Appear warrant for Trespassing)

M. Special Considerations – Arrests - (See Special Order – Foreign Nationals / Diplomats Consular Notification)

N. Domestic Violence Intervention

1. Definitions

a. "Department" means the Florida Department of Law Enforcement.

b. "Domestic violence" means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member.

c. "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 are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.

d. "Law enforcement officer" means any person who is elected, appointed, or employed by any municipality or the state or any political subdivision thereof who meets the minimum qualifications established in [s. 943.13](#) and is certified as a law enforcement officer under [s. 943.1395](#).

2. Authority to Arrests Without Warrants

- a. When a law enforcement officer determines upon probable cause that an act of domestic violence as defined herein has been committed, and reasonably believes that there is danger of violence unless the person alleged to have committed the battery or child abuse is arrested without delay, the officer may arrest the person or persons suspected of its commission and charge such person(s) with the appropriate crime. the decision to arrest and charge shall not require consent of the victim or consideration of the relationship of the parties.
- b. No law enforcement officer shall be held liable, pursuant to Florida Statute 901.15(7)(b), for an arrest based on probable cause.

3. Cross complaints

When complaints are received from two or more parties, the officers shall evaluate each complaint separately to determine whether there is probable cause for arrest.

4. Victim Assistance

Any law enforcement officer who investigates an alleged incident of domestic violence shall assist the victim to obtain medical treatment if such is required as a result of the alleged incident to which the officer responds. Any law enforcement officer who investigates an alleged incident of domestic violence shall advise the victim of such violence, that is a domestic violence center from which the victim may receive services. The law enforcement officer shall give the victim immediate notice of the legal rights and remedies available on a standard form developed and distributed by the Florida Department of Law Enforcement.

5. Domestic Violence Reports

When a law enforcement officer investigates an allegation that an incident of domestic violence, as defined in Florida Statute 741.30, has occurred, the officer shall handle the incident pursuant to the arrest policy provided in Florida Statute 901.15(7)(a), and as developed in accordance with subsections (3), (4), and (5). Whether or not an arrest is made, the officer shall make a written police report of the alleged incident indicating as prescribed by the Florida Department of Law Enforcement, that the alleged offense was an incident of domestic violence. Such report shall include a description of physical injuries observed, if any, and the reasons if no arrest was made, and shall indicate that a copy of the legal rights and remedies notice was given to the victim. Whenever possible, the law enforcement officer shall obtain a written statement from the victim and witnesses concerning the alleged domestic violence. The officer shall submit the report to the supervisor or other person to whom the employer's rules or policies require reports of similar allegations of criminal activity to be made. **The Domestic Abuse Shelter shall obtain a copy of the initial police report from each of the substations. If the case is an active criminal investigation, the report will** exclude victim / witness statements or other materials deemed to be a part of an active criminal investigation as defined in Florida Statute 119.07(3)(d). Prior to releasing a copy of the report to a domestic violence center, the supervisor shall ensure that any reference in the report to a sexual crime or any information, which would identify a person as a victim of a sexual crime has been removed or obliterated.

- a) It is the policy of the Department to arrest suspects of domestic violence when the Deputy has probable cause to believe and does believe the offense has occurred.
- b) When probable cause exists that an act of domestic violence has occurred Deputies shall arrest the suspect(s). (See arrest procedures listed below.)
- c) The decision to arrest and charge does not require the consent of the victim.

6. Arrest Procedures

- a) If the offender is arrested, the following procedures shall apply.
- b) The arresting Deputy shall advise the offender of his/her suspected crime.
- c) In all cases the offender will be handcuffed immediately following arrest and shall be secured inside a caged department vehicle.
- d) The Deputy shall immediately notify Communications he has made an arrest, and he shall note the specific time of arrest. The time given by the dispatcher shall be of the official time of arrest.
- e) An appropriate disposition shall be made of the offender's vehicle, where applicable.
- f) The arresting Deputy shall be responsible for all citations, arrest reports and tow sheets.

[CALEA 61.1.2 A]

7. Domestic Violence – Entry into the Scene

- a) If refused entry, the Deputies shall be persistent about seeing and speaking alone with the alleged victim. If access to this person is refused, the Deputies shall request that the dispatcher attempt contact with the alleged victim by phone.
- b) If access is still refused and the Deputies have reason to believe that someone is in imminent danger, Deputies shall gain access to and make contact with the person in imminent danger.
- c) The initial actions of the responding Deputies shall be to ensure the safety of all persons at the scene. This should include:

- 1) Separating the involved parties physically, verbally and visually, if possible;
- 2) Taking possession of all involved weapons and any other weapons which pose an immediate threat at the scene;

(revised on 4-2-03)

- 3) Assessing the severity of any injuries and assisting injured parties in obtaining medical treatment;
- 4) Locating and checking the welfare of any children and others at the residence. If children are present, then the Children and Family Services will be notified immediately.

8. Domestic Cases Involving Law Enforcement / Corrections Officers.

- a. It is the policy of the Sheriff that there is no change in conducting an investigation of domestic violence when the suspect is a law enforcement or corrections officer of any agency as per the policy outlined above with the following exceptions:
 - 1) Report Requirements – A report is to be completed in all cases where the suspect is a law enforcement or correctional officer.
 - 2) Supervisor Notification – An on-duty supervisor will be notified in all cases where the suspect is a law enforcement or corrections officer. The supervisor should respond to the scene in all cases; however, the supervisor will respond to the scene if an arrest is to be made.
 - 3) Arrest Considerations - If probable cause exists that a crime has been committed, under the Preferred arrest policy, an arrest shall be made.
- b. Agency Notification
 - 1) If an arrest is not to be made at the scene the suspect officer's commander (Monroe County Sheriff's Office personnel) or agency (for all other agency personnel) will be notified within 24 hours by the on duty supervisor.

- 2) If an arrest is made at the scene the Supervisor will immediately notify the suspect officer's commander or agency.

9. Domestic Violence Injunctions/Restraining Orders Against Law Enforcement Deputies

- a. This policy also applies to other employees who are required to carry a firearm in the performance of their duties. Policy concerning Corrections Deputies is outlined in section 10 below.
- b. When a member of the Monroe County Sheriff's Office serves a Domestic Violence Injunction/Restraining Order on a law enforcement officer of another agency the serving member is required to notify the respondent's agency prior to or immediately following service.
- c. When a member of the Monroe County Sheriff's Office is to be served with a Domestic Violence Injunction/Restraining Order the serving deputy shall notify the respondent's commander of the pending service.
- d. Monroe County Sheriff's Office employees served with a Domestic Violence Injunction/ Restraining Order are required to immediately notify their commander directly and provide the commander a copy of the injunction/ restraining order ASAP.
- e. Respondent Member's Responsibility:
 - 1) The respondent member shall:
 - a) Ensure that all aspects of the injunction/order are adhered to;
 - b) Seek any modifications from the court to the injunction/order to allow the respondent member access to a service weapon for work purposes only;
 - c) Provide copies of the original, modified, or recalled/cancelled injunction/order to the member's commander
- f. Commander's Responsibility:
 - 1) The commander shall:
 - a) Ensure that the order is complied with in respect to the member surrendering his or her Sheriff's Office issued and personally owned firearms;
 - b) Relieve the member of duty, unless or pending an order that allows the member access to the issued service weapon for work purposes;
 - c) Inform the Undersheriff and Internal Affairs of the injunction/order;
 - d) Initiate any appropriate disciplinary action.
- g. Restrictions on Respondent Members
 - 1) Respondent members are relieved of duty, unless the injunction/order allows the member access to a service weapon to perform essential job functions.
 - 2) While relieved of duty, Respondent members may not:
 - a) Work any extra or off-duty details in the capacity of a law enforcement/correctional officer;

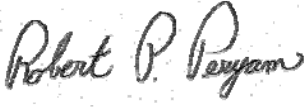
- b) Participate in the take-home car program. Assigned units shall be kept at the member's duty station;
 - c) Take any action as a law enforcement / correctional officer.
- 3) The member may be reassigned to an open position as approved by the Undersheriff.
 - 4) While relieved of duty, the member must use any accumulated compensatory or vacation leave while addressing the court order.
- h. Injunctions/Orders Allowing Access To Service Weapon for Job Purposes; Restrictions on Respondent Members:
- 1) The member may be reassigned to a new duty station at the discretion of the Undersheriff to ensure public safety and confidence.
 - 2) The member's supervisor will secure the member's service weapon at the duty station, issue the member the weapon at the beginning of the shift and collect it at the end of the member's shift, and again secure it at the duty station.
 - 3) The member is prohibited from carrying a firearm off-duty.
 - 4) The member's assigned unit will be kept at the member's duty station and picked up at the beginning of the shift and left at the end of the shift. If the member must respond to job related subpoenas, he or she shall drive their personal vehicle to court or depositions.
 - 5) The member shall not take any action as a law enforcement officer while off duty.
 - 6) The member may not work any extra or off duty details in the capacity of a law enforcement officer.
- i. Unresolved Injunctions/Orders
- 1) The respondent member has 30 days to resolve the injunction/order to allow access to a service weapon to be able to perform essential job functions. Members prohibited from carrying their service weapon for more than 30 days may be considered to have vacated their position and separated from the Sheriff's Office.
 - 2) Members served with permanent injunctions will be considered to have vacated their position and separated from the Sheriff's Office.
 - 3) Any finding of violation of a domestic violence injunction reached by the court to include a plea of no contest, guilty, adjudication withheld or a conviction will result in the member losing his right to carry a firearm per federal law and as such the member will be considered to have vacated their position and separated from the Sheriff's Office.
- j. Disciplinary procedures set forth in the policy and any collective bargaining agreement shall be followed.
- 10. Domestic Violence Injunctions/Restraining Orders Against Corrections Officers**
- a. When a member of the Monroe County Sheriff's Office serves a Domestic Violence injunction/Restraining Order on a law enforcement officer of another agency the serving member is required to notify the respondent's agency prior to or immediately following service.

- b. When a member of the Monroe County Sheriff's Office is to be served with a Domestic Violence Injunction/Restraining Order the serving deputy shall notify the respondent's commander of the pending service.
- c. Monroe County Sheriff's Office employees served with a Domestic Violence Injunction/ Restraining Order are required to immediately notify their commander directly and provide the commander a copy of the injunction/ restraining order ASAP.
- d. Respondent Member's Responsibility:
 - 1) The respondent member shall:
 - a) Ensure that all aspects of the injunction/order are adhered to;
 - b) Seek any modifications from the court to the injunction/order to allow the respondent member access to a service weapon for work purposes only;
 - c) Provide copies of the original, modified, or recalled/cancelled injunction/order to the member's commander
- e. Commander's Responsibility:
 - 1) The commander shall:
 - a) Ensure that the order is complied with in respect to the member surrendering his or her Sheriff's Office issued and personally owned firearms;
 - b) Relieve the member of duty, unless or pending an order that allows the member access to the issued service weapon for work purposes;
 - c) Inform the Undersheriff and Internal Affairs of the injunction/order;
 - d) Initiate any appropriate disciplinary action.
- f. Corrections Officers Required to be armed.
 - 1) If a Corrections deputy is in a position that requires the deputy to armed, i.e. transportation, the deputy will immediately be reassigned to a non-armed position.
 - 2) The Corrections deputy will not be allowed to work any off or extra duty detail, allowed access to a firearm or ammunition until the injunction/restraining order is resolved.
 - 3) The Corrections deputy will not be returned to the deputy's previous position until the injunction is resolved, allowing the deputy access to a firearm to perform their regular job function.
- g. Disciplinary procedures set forth in the policy and any collective bargaining agreement shall be followed.

(Revised 1-4-2006)

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 57 - A		TITLE: Injunction Procedures
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 2	AMENDED:
REFERENCE:		RESCINDS: Special Order: Injunction Procedures, 11.20.2002
 Sheriff of Monroe County		

PURPOSE: It is the purpose of this order to established standardized procedures for the processing of injunctions received for service.

POLICY: It is the policy of the Sheriff that all injunctions issued by the Court are processed in a timely and judicious manner to ensure the petitioning party is properly protected.

PROCEDURE:

Upon the Clerk of the Court receiving an after hours injunction the receiving clerk shall:

- Fax the injunction to the appropriate Sheriff's Office substation.
- Call Sheriff's Office Communications to advise they are faxing an injunction and to which substation.

COMMUNICATIONS DIVISION RESPONSIBILITIES

Communications shall upon receipt of telephone notification from the Clerk of Court:

- Open a CAD for the injunction
- Verbally notify the appropriate on-duty patrol supervisor of the injunction being faxed.
- Note in CAD the assigned officer when advised by the supervisor.

DEPUTY SUPERVISOR RESPONSIBILITY

Patrol Supervisor shall upon notification:

- Place the CAD number on the injunction.
- Advise Communications of the identity of the deputy assigned for service.

CIVIL DIVISION RESPONSIBILITIES

Civil Division shall:

- After receiving the original injunction from the Clerk of Court via courier, during regular business hours, provide the injunction and Descriptor Sheet to the Warrants Division.

WARRANTS DIVISION RESPONSIBILITIES

Warrants Division shall:

- Enter injunction information into FCIC/NCIC and into the SMARTCOP Records Management System within 24 hours of receipt. This shall be done for served and non-served injunctions.

INJUNCTION SERVICE

The Service Deputy shall:

- Serve the injunction on the exact named individual only. Include the date, time and serving deputy's name or ID number on the Respondent's copy. Substitute service is not legal.
- Obtain the Date of Birth of the individual served.
- Complete the Injunction Service Record Form.
- Fax the Injunction Service Record Sheet for all served injunctions to Warrants (305-293-7406).
- Return all served injunctions to the Civil Division with the accompanying Injunction Service Record attached.

CANCELLED INJUNCTIONS

When an injunction is cancelled, the civil deputies/civil records clerk shall provide the canceled injunction to the Warrants Division as soon as possible.

FINAL JUDGEMENTS / DISMISSALS

The Civil Division shall provide the Final Judgments and Dismissals to the Warrants Division as soon as possible after receipt.

VIOLATIONS PRIOR TO SERVICE

If there is a violation of the injunction and the service has not been made to the respondent, the deputy may use the victim's certified copy. The deputy must still obtain the CAD number and complete the Injunction Service Record sheet.

CHAPTER FIFTY-EIGHT

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CHAPTER FIFTY-EIGHT

SUBSTANCE ABUSE TREATMENT PLAN

I. PURPOSE

The purpose of this directive is to establish guidelines for the Substance Abuse Treatment Plan.

II. DISCUSSION

This General Order applies to all Monroe County Sheriff's Office members.

It is a generally accepted fact that an individual who participates in a comprehensive, carefully monitored treatment plan has a significantly better chance of remaining sober/drug-free than one who does not. The procedures outlined in this chapter are intended to maximize the likelihood of success for those to whom it applies.

III. DEFINITIONS

1. Substance Abuse – The intake, by drinking, smoking, eating, inhaling, swallowing, or injecting intravenously or subcutaneously, of any illegal substance, or of any legal substance to such an extent that it has an adverse effect on the member's ability to perform his/her assigned job, or results in a complaint or complaints to the Sheriff's Office which are investigated and found to be true.
2. Treatment Facility – A facility that specializes in initial intervention, and treatment of substance abuse. Treatment must be based on a comprehensive treatment plan and can include treatment options including, but not limited to, detoxification, in-patient and out-patient treatment, or any combination of levels of care.

IV. POLICY AND PROCEDURE

A. Referral for Evaluation

1. In the event of an incident which suggests that substance abuse by a member may be impairing his/her assigned job, a referral may be made for a substance abuse evaluation. a referral may also be made on the basis of a complaint or complaints to the Sheriff's Office.
2. A member who is determined to be in need of assistance will be referred to the agency's Employee Assistance Program (EAP). The Sheriff's Office will provide written notice to support such a directive.
3. The EAP must conduct the evaluation using recognized standards and procedures, and must report to the Sheriff's office the presence or absence of an identified substance abuse problem. This written report will be directed to the director of Human Resources.
4. In the event that the evaluation identifies a substance abuse problem, it will be the responsibility of the EAP to develop a comprehensive treatment plan which meets the treatment needs of the individual members. This recommended treatment plan will be submitted to the Director of Human Resources, without undue delay.
5. The member will be required to adhere to and complete the treatment program prescribed by the EAP.
6. Once directed to obtain treatment, the member or the Sheriff's Office will request assistance from the EAP who will make a referral for care to the appropriate facility or provider. This office will also monitor member compliance with the treatment plan and is obligated to report non-compliance to the Director of Human Resources.

B. Entering a Substance Abuse Treatment Program

1. A member, who voluntarily admits him/herself into treatment may elect to participate in this program, but will not be required by this policy to do so. Should such a member elect to participate in this program, he/she must sign a contract for completion.
 2. A member who is directed by the Sheriff's Office to enter treatment as a condition of continued employment will be required, before entering treatment, to sign a contract to successfully complete the Sheriff's office program. Such a member will be required to comply with the initial treatment plan and any modifications to the plan during the course of treatment. Failure to follow such rules (e.g., refusing to sign a waiver for release of the recommendations to the sheriff's Office) is grounds for immediate termination of employment. This signed contract will be provided to the evaluating psychologist and the treatment professional.
 3. When a member enters a treatment facility, s/he will continue to receive a regular paycheck until all his/her accumulated compensatory time, then all sick leave, then all annual leave, has been exhausted. If the member belongs to the sick leave pool, s/he may apply to the pool in accordance with established policies. This time will be covered under FMLA.
- C.** The treatment plan may include recommendations for in-patient treatment, out-patient counseling by a professional specializing in substance abuse issues, a schedule for anonymous support group meetings, random urine and/or blood tests, etc. In most cases, the Sheriff's Office will accept and use the treatment center's recommendations as the member's complete treatment plan, but reserves the right to add reasonable stipulations to the plan.
- D.** Failure of a member to successfully complete his/her after-care/treatment plan is grounds for termination of employment. The Sheriff's Office is under no obligation to wait until the end of a treatment plan, and reserves/reasserts the right to terminate a member's employment if s/he is not complying with any/all requirements of the treatment plan.
- E.** The Sheriff's Office will cover portions of the cost inherent in some of the steps in the follow-up program. Example: If Monroe County's group insurance pays 80% of the cost of a counseling session, the Sheriff's office will reimburse the member for the remaining 20% upon receipt of supporting paperwork. Nothing in this policy is to be construed as requiring the Sheriff's office to pay or reimburse for goods or services not directly prescribed in the treatment plan.

F. Documentation and Record-Keeping

1. Documentation of compliance with steps in the treatment plan, such as counseling sessions, attendance at meetings, urine tests, etc., will be submitted by the member to the Human Resources Division. The responsibility for ensuring the documentation is recorded lies exclusively with the member, and the Human Resources Division bears no responsibility for contacting or reminding the member of any aspect of his/her treatment plan.
2. The Human Resources Division will maintain substance abuse treatment records as part of members' medical files, which are protected and not available for public review.

G. Returning to Duty

1. Based on the recommendation of the treating professional, the Sheriff will determine whether the member may return to duty and, if so, in what capacity, for the time of his/her treatment plan. During the time of the treatment plan, the member will be considered to be on probation.

2. When the member has successfully completed his/her treatment plan, the final decision to end the member's probation and/or to return the member to his/her former position rests with the Sheriff, who may elect to extend the member's probationary status for a reasonable length of time based on his/her performance during treatment.

H. Nothing in this policy will constrain the Sheriff's Office from terminating a member's employment as a result of his/her substance abuse with no offer of an opportunity to receive substance abuse treatment. Holding a member's position while a member is in treatment and maintaining him/her on the Sheriff's Office payroll are entirely at the discretion of the Sheriff's Office, and will be considered on a case-by-case basis.

CHAPTER SIXTY

PRISONER RESTRAINING AND TRANSPORTATION

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CHAPTER SIXTY

PRISONER RESTRAINING AND TRANSPORTATION

I. PURPOSE

The purpose of this directive is to establish guidelines for safe and efficient transport of Prisoners to the County Jail, Division station, or other holding facility.

II. DISCUSSION

This procedure shall apply to all Deputies involved in the transport, transfer, and booking of prisoners. Proper security measures in transporting prisoners should be a paramount concern with regard to the personal safety of the transporting Deputy and the welfare of the prisoner.

III. POLICY AND PROCEDURE

A. Security of Prisoners

Security of prisoners shall be the responsibility of the transporting Deputy or Deputies until such time as the prisoner(s) is/are accepted into the custody of the county jail or holding facility.

1. Prisoners shall be searched for weapons and articles that could be used as weapons, prior to any transport.

2. Personal property other than weapons, contraband, evidence, or dangerous articles shall remain with the prisoner.

CALEA 70.1.1

3. A search of the transport vehicle shall be conducted prior to and after transporting prisoners.

4. At the beginning of each shift, vehicles used for transporting prisoners will be examined:

a. To ensure that the vehicle is safe and equipped with appropriate items:

- 1) Spare tire;
- 2) Jack;
- 3) Lug wrench; and
- 4) Reflective Triangle
- 5) First Aid Kit

b. To ensure that the condition of the vehicle itself is examined for:

- 1) The proper inflation of tires;
- 2) Proper fuel and oil levels;
- 3) Ignition system soundness; and,
- 4) Proper engine operation.

CALEA 70.1.2

c. To ensure possession of proper forms, keys or credit cards for procurement of gasoline.

5. While engaged in the transportation of prisoners, Deputies shall not stop to render emergency assistance to the detainee, except in the following circumstances:
 - a. Request back-up deputy in all cases. Detainee is not to be unsecured for any reason if the transporting deputy is alone. It is preferred if a back-up deputy is present even with emergency medical assistance is on the scene.
 - b. Emergency medical assistance (ambulance) is request to rendezvous with the deputy and is present with the deputy before un-securing the detainee to render aid.
 - c. If an emergency medical facility is closer than available emergency medial assistance (ambulance) the deputy shall proceed to that facility and only un-secure the detainee with Emergency Room Personnel present. (Effective 12-7-2007)
6. While engaged in the transportation of prisoners, Deputies shall not stop to render law enforcement assistance, except in the following circumstances:
7. Transporting Deputies/Correctional Officers shall not make or accept personal cellular phone calls during the process of transportation. It is recommended that calls for business purposes should be conducted while the vehicle is not in motion.
8. If two transport Deputies are available, one Deputy shall stay with the prisoner(s), while the other renders assistance. The tactical situation and the safety and security of the prisoner shall be the first concern of the transport Deputy.
9. Transporting Deputies shall maintain a visual observation of prisoners during the transport operation.
10. Care must be taken when allowing prisoners, if of the opposite sex, to use toilet facilities during the transport operation. Only in extreme emergencies will this be allowed. When such a procedure is allowed, the transporting Deputy shall remain in the immediate area after ensuring there is no escape route available from the toilet facility. The transporting Deputy shall resume physical control of the prisoner as soon as possible. CALEA [70.1.4,][70.4.2]
11. Office vehicle used for transporting prisoners shall be modified to minimize opportunities for the prisoner to exit from the rear compartment of the vehicle without the aid of the transporting member. At a minimum the following modifications will be made; a standard metal partition between the front and rear passenger compartment, door opening handles will be disconnected, manual window devises will be disconnected, electric window device disabling switches shall be engaged and a window bar system will be installed.

B. Placement in Vehicle

CALEA 70.1.3, 70.4.1

Placement of a prisoner in a transport vehicle shall depend upon the number of prisoners to be transported and the number of escort Deputies to be used.

1. When possible, prisoners shall be transported in caged vehicles in order to effect maximum safety and security for transporting Deputies.
2. When a prisoner is to be transported in a non-caged vehicle and only one escort Deputy is available, the prisoner shall be placed in the front passenger seat and secured by handcuffs and a seat belt.

3. When a prisoner is to be transported in a non-caged vehicle and two or three escort Deputies are available, the prisoner shall be placed in the rear seat on the passenger side away from the driver of the vehicle. If only a second Deputy is available he/she is to sit in the rear seat behind the driver.
4. When a prisoner is to be transported in a non-caged vehicle and four escort Deputies are available, the prisoner shall be placed in the rear seat between two of the escorting Deputies.

C. Prisoners of the Opposite Sex

Prisoners of the opposite sex shall be transported according to the following guidelines:

1. Male and female prisoners may be transported to the jail in the same vehicle after being arrested as co-defendant.
2. Male and female prisoners may be transported to the jail in the same vehicle following an arrest incident if they are married or if they are of consanguineous relationship. Except in domestic violence situations.
3. Male and female prisoners who have been arrested in separate incidents shall be transported to the jail in separate vehicles.
4. After the initial booking process at the jail, male and/or female prisoners may be transported in the same vehicles, but must be separated by a cage (no contact).
5. When prisoners are transported by Deputies and/or transportation officers of the opposite sex, the transporting Deputy and/or transportation officer shall notify communications of the beginning mileage of the transport vehicle, the beginning location, and the intended destination. Upon arrival, the Deputy and/or transportation officer shall again notify communications giving the ending mileage and the actual location where the transport terminated.

D. Long Range Transports

CALEA 70.1.4

When prisoner transport operations of a long-range nature require that an escorting Deputy stop for meals prior to reaching a detention facility, the escorting Deputy shall make the selection of an eating establishment in a random fashion and shall not allow the prisoner to participate in the selection process. Stops shall be kept to a minimum and for only essential needs. All stop locations shall be randomly selected.

E. Prisoner Communication

CALEA 70.1.5

A prisoner shall not be allowed to communicate with anyone other than official investigative personnel during the transport operation. Should a prisoner request to talk to an attorney, he/she will be advised that they may request their attorney after arriving at their destination.

F. Prisoners Requiring Special Care

CALEA [70.3.1] [70.1.6 D, E]

When prisoners require special care and attention to accommodate physical or mental disabilities during the transport process, the transporting Deputy or a supervisor shall arrange for the required special equipment or any special vehicle to affect the transport in a safe and secure manner. Special vehicles, such as an ambulance, shall be used when safe transportation cannot be accomplished in a Sheriff's Office vehicle. Medication or walking appliances shall be kept in control of the transportation officer.

G. Security Hazards

CALEA [70.1.6 D, E], [70.1.8] [70.5.1 B, C]

Prisoners who are considered security hazards because of personal traits, suicide potential, escape attempts, or outside public interest shall be identified with appropriate notation on the front of the individual prisoner's jail record.

1. When booking a prisoner, the arresting Deputy shall inform the booking personnel as to the nature of the potential hazard and fill out the "Arresting Officer's Assessment of Arrestee" form, and request that the appropriate notation be placed on the prisoner's jail record.
2. Deputies, who transport prisoners from the county jail, shall be given a copy of the prisoner's jail record, which shall accompany the prisoner to the receiving facility. This jail record shall also include notations of personal traits, which would establish the prisoner as a security risk, as well as medical records, sentencing documents, and the prisoner's personal property.
3. When a prisoner is transported to a courtroom facility, the transporting Deputy shall inform the Judge that the prisoner being transported is considered a security risk.

H. Escape During Transport

CALEA 70.1.7 A, B, C

In the event a prisoner escapes from an escorting Deputy during the transportation process, the following procedures are to be followed:

1. Notify communications providing the location of the escape, the direction of travel, the prisoner's physical and clothing description, and a request for additional back-up units.
2. If the escape occurs outside Monroe County or if the Sheriff's Office radio is inoperative, the transporting Deputy shall notify the local law enforcement agency having jurisdiction by telephone and provide the same information as listed above.
3. Upon notification, Communications shall notify the Sheriff and the appropriate District Commander, if necessary.
4. If there are prisoners remaining in the transport vehicle after the escape, it shall be the responsibility of the Transporting Deputy to secure the prisoners and transport vehicle until back-up units can arrive on the scene.
5. If the escape occurs outside of Monroe County, an official incident report shall be initiated by the agency having jurisdiction. If the escape occurs within Monroe County, personnel of the appropriate Division's, Criminal Investigations Unit shall initiate an official Sheriff's Office incident report.

I. Handling Juvenile and Female Detainees

1. No juvenile (male or female) or female adult detainee shall be placed in the holding cell area when adult male detainees are occupying any of the holding cells.
2. In such an instance, the juvenile and/or female detainee shall be:
 - a. Placed in the booking area under the constant supervision of the on-duty Detention Deputy or
 - b. Placed in a secured office or room. Should the juvenile or female be placed in a secured office or room, a Detention Deputy and/or Deputy Sheriff shall remain with the detainee.

3. When it becomes apparent that the juvenile or female cannot make bond and/or be released to DCF and/or to their parents, personnel shall effect the detainee transfer to the main facility pursuant to the provisions of the Operations Manual, Chapter 61.

J. Security and Control of Prisoner Transported to Medical Facilities

CALEA [70.3.1], [70.3.2]

(Revised 8/27/10)

1. It shall be the policy of the Monroe County Sheriff's Office that anytime a prisoner has been taken, or is admitted, to a medical facility, a certified deputy of the Office or a qualified private security firm approved by the jail Commander will guard the prisoner at all times.
2. It shall be the duty of the Supervisor on duty to make the necessary arrangements for the security.
3. It shall be the certified deputy's responsibility to insure the prisoner is kept in leg irons and/or handcuffs at all times. The deputy in securing the prisoner may use either method. (Should a medical doctor request either the leg irons or handcuffs be removed for medical reasons, this may be done.)
 - a. When using leg irons or handcuffs, it will be the certified deputy's responsibility to make sure the prisoner is not unduly uncomfortable at all times.
 - 1) At no time will a prisoner be handcuffed or leg ironed to a bed.
4. Should the prisoner be transported for x-rays, the deputy will escort the prisoner anywhere he needs to go.
 - a. Upon entering the x-ray room, the deputy will take a position behind the lead partition with the x-ray technician.
 - b. If leg irons and handcuffs have to be removed, they will.
 - c. On completion of the x-rays, the prisoner will be handcuffed or leg ironed again.
5. Should a prisoner be taken to surgery, the deputy will escort the prisoner to the Operating Room and take up a position directly outside the Operating Room. Upon completion of the surgery, the deputy will accompany the prisoner to the Recovery Room.
6. In the case of a high security or an escape risk prisoner, there will be two (2) deputies assigned to the security detail.
7. Visitation of Inmates in the Hospital
 - a. All visitations will be cleared through the Corrections Bureau Chief or Operations Captain or his/her designee
 - b. At no time will a deputy interfere with the prisoner from seeing his attorney.

K. Arrest Affidavits for Prisoners to be Transported

Affidavits shall be completed prior to arrival at the county jail, except for signatures, which require notarization. When necessary to book unidentified prisoners (John Doe, Jane Doe), a complete description of the subject's clothing, height, weight, color of hair and eyes, marks, scars, etc. shall be listed on the affidavit.

L. Injured or Seriously Ill

CALEA [70.3.1], [70.1.6 D, E]

Injured or seriously ill prisoners in need of medical attention will not be accepted at the county jail. Prisoners in need of medical attention must be treated and released from a hospital before being transported to the county jail. Proof of medical attention will be required before injured prisoners are booked.

M. Prisoner Admission to Hospital

CALEA 70.3.1

(Revised 8/27/10)

Sick or injured prisoners may be admitted and confined to a hospital facility:

1. The supervisor on duty at the jail, or respective District Supervisor, shall be immediately notified, so that a corrections deputy or, law enforcement deputy can be assigned to guard the prisoner.
2. An entry reflecting the injured prisoner's status shall be made in the hospital log by the Corrections supervisor on duty.

N. Restraining of Prisoners

CALEA 70.2.1

1. Carrying of Handcuffs

- a. Law enforcement personnel, in uniform or in plain clothes, shall carry double-locking handcuffs.
- b. Deputies shall be responsible for the efficient operation of their handcuffs. Handcuffs shall be checked frequently, cleaned and lubricated to prevent malfunction.
- c. The handcuff key shall be kept on the Deputy's person at all times.

2. Use of Handcuffs

a. Handcuffs should be used when:

- 1) An arrest is made
- 2) Transporting a prisoner

b. General Rules

- 1) A female prisoner shall not be handcuffed to a male prisoner except in an emergency.
- 2) A juvenile shall not be handcuffed to an adult except in an emergency.
- 3) Deputies shall neither handcuff themselves to prisoners nor use a single cuff as a "come-along."
- 4) Deputies shall not handcuff prisoners to a fixed object except in an emergency.

- 5) When handcuffs are used, Deputies shall maintain physical control over the handcuffed prisoner by securely holding onto the prisoner while he is being transported on foot.
 - 6) Prisoners shall remain handcuffed until delivery inside the jail or place of confinement.
 - 7) A prisoner shall not be physically secured to the interior of a vehicle or aircraft while in transit except when, in the judgement of the transporting Deputy, the prisoner represents a danger to himself or others.
 - 8) The policies of certain commercial airlines prohibit prisoners to be handcuffed during flight. However, transporting Deputies shall re-handcuff prisoners upon arrival at airports and prior to deplaning if the practice is not in conflict with airline policy. Otherwise, the prisoner shall be handcuffed immediately upon deplaning.
 - 9) Handcuffs shall be used in accordance with maximum safety procedures when:
 - a) A prisoner is violent or gives an indication of belligerence.
 - b) A prisoner may cause injury to himself or others.
3. Using handcuffs for maximum safety.
- a. Handcuffs shall be of a type issued by the Sheriff's Office, double locked by inserting the small tip at the top of the key into the small hole in the handcuff stem.
 - b. Prisoners shall be handcuffed with their hands behind their back, palms outward, and prior to searching. With keyhole facing outward, the single strand of the handcuff should be placed against the prisoner's wrists, below the wrist bone, and pressed forward until snug fitting, yet not tight enough to cause physical discomfort or harm.
 - c. The handcuffs shall be double-locked and checked by pulling or pushing on the handcuff jaw.
 - d. After handcuffing, the prisoner shall be thoroughly searched in a systematic manner.
 - e. After handcuffing, female prisoners shall be searched by female Deputies, except in exigent circumstances, to include:
 - 1) Situations in which sufficient probable cause exists to search the female prisoner for weapons.
 - 2) Situations in which female Deputies are not readily available to search female prisoners.
 - f. For added security, handcuffs should be placed through the prisoner's belt, if one is worn.
 - g. For multiple arrests where only one pair of handcuffs is available, cuff the right wrist of one prisoner behind his back, and then pass the free end of the handcuffs through the prisoner's belt to the right wrist of the other prisoner with palms outward.
4. Handcuffs may be used in accordance with minimum safety requirements when:
- a. Age, disability, or physical capacity justify minimal security measures.

- b. A prisoner is suffering from a deformity or other disability, sickness or injury, making it necessary to handcuff him/her with hands in front. In this situation it is advisable to place the handcuffs through the belt, after reversing the belt and buckling it from the rear.
- c. A prisoner with a physical handicap may be handcuffed at the discretion of the transporting Deputy after consideration has been given as to the nature of the offense and the escape risk of the prisoner being transported. Prisoners' handicapped because of a loss of one arm shall be handcuffed by the remaining arm and to the belt loop if one is available if a higher degree of security is needed.

5. Handcuffs used for minimum safety

- a. Prisoners shall be handcuffed with hands in front of body with palms of hands facing outward.
- b. Handcuffs shall be secured at the prisoner's waist with a belt or cord.
- c. Deputies shall exercise caution and avoid standing directly in front of the prisoner when applying and removing handcuffs.

6. Other physical restraints

- a. In some circumstances, as in the case of members assigned to the routine transporting and handling of prisoners, it may be necessary to utilize more secure types of restraining devices (i.e., leather body straps, belly chains, lead chains, leg braces, leg irons, ankle chains, or box chains).
- b. Deputies shall not hesitate to use more secure devices to supplement handcuffs if it is felt that handcuffs alone are not sufficient.
- c. Restraining devices shall not be used in connection with the non-criminal mentally ill except for the protection of the subject or others.
- d. In those situations where mentally disturbed prisoners are to be transported and properly equipped transport vehicles are unavailable, straightjackets may be utilized to minimize danger to the transporting officer and trauma to the prisoner.

7. Handcuff removal

- a. When removing handcuffs, place the prisoner in an off-balance position.
- b. Unlock the handcuff by turning the key toward the wrist until the double-lock is released, then reverse the direction to disengage the handcuff jam.

O. Entering the County Jail with a Prisoner

1. Prisoner will be brought into the county jail through the sally port.
2. Once the transporting vehicle is securely in the sally port, the transporting officer will first secure his weapon in the weapon control box.

CALEA 70.1.6 A

3. After securing his/her weapon, the transporting officer will remove the prisoner from the vehicle and escort him/her to the entrance door and booking area.

4. At the entrance door, the transporting officer will hand the prisoner over to the receiving officer who will search the prisoner and then remove the restraining devices, just prior to placing the prisoner in the cell.

CALEA 70.1.6 B

(revised on 10-25-01)

5. It will be the responsibility of the transporting Deputy to make sure that all the necessary paperwork is properly exchanged with regard to the transfer of the prisoners and if applicable obtain the signature of the receiving officer upon receipt of the prisoner(s). Written documentation detailing the prisoner transaction may be retained in addition to or in lieu of the receiving officer's signature.

CALEA 70.1.6 C

P. Positive Identification of Prisoners

CALEA 70.5.1 A

1. Prior to any prisoner being released or transported, a positive identification of the prisoner shall be made by both the transporting officer and the releasing officer.

2. Positive identification, shall be accomplished by reviewing the original booking photo with that of the prisoner.

Q. Special Situations

CALEA 70.3.3

1. Situations such as funerals and visits to hospitals provide extraordinary opportunities to a prisoner for unauthorized personal contact, escape, or infliction of injury on himself or others.

2. All special situation visits must have the written approval of the Sheriff.

3. When special situation visits are approved, additional security will be added to the transport of the prisoner.

4. Restraining devices will be used during transport

R. Aviation Section - Aircraft

1. Pilots are full time members assigned to the Aviation Division, licensed by the Federal Aviation Administration to operate aircraft utilized by the Sheriff's Office. Pilots must maintain a current medical certificate as required by the Federal Aviation Administration.

2. All aviation personnel are authorized to wear uniforms, flight suits, civilian attire as approved by the Aviation Director.

3. Equipment - Aircraft shall be equipped with:

a. All necessary equipment to comply with Federal Aviation Regulations if operated under FAA, Part 91 or if operating under Public Aircraft, that equipment deemed necessary for safe flight.

b. Radio equipment necessary to communicate with Sheriff's personnel and other agencies as necessary and required.

4. General Operations - Extraditions

a. The Sheriff's Office Aviation Division operates as a function of the Division of Support Services and is responsible for the transportation and control of Office extraditions.

(revised on 2-26-01)

b. The Office policy on "extraditions" will be as follows:

1) Notification

- a) The Aviation supervisor shall work directly with the Warrants Section and be notified of all initial or potential forthcoming extraditions.
- b) The Warrants Section shall furnish to the Aviation Division all necessary information pertaining to the extradition on a timely basis.
- c) The Aviation supervisor shall contact Warrants section on a regular basis to keep informed of the progress of the pending extradition.
- d) The Warrants section and the Aviation Division shall establish a systematic communications flow and interface with each other for notification of any pending extradition.

2) Cost Analysis

- a) The Aviation Division shall be responsible for conducting a cost analysis utilizing all sources of approved transportation.
 - b) The Aviation Division shall select the method of transportation based upon the findings of the trip analysis.
 - c) The analysis shall take into consideration such factors as, but not limited to:
 - (1) Time limits
 - (2) Weather
 - (3) Distance
 - (4) Security
 - (5) Office aircraft capability and cost
 - (6) Private sector contractors
 - d) The Aviation Unit shall complete the analysis documentation and await further notification from the Warrants section pending disposition of the Waiver.
 - e) Upon notification from the Warrants section that the prisoner has affected a Waiver, the Aviation Division shall coordinate the pending extradition.
- 3) Coordination of Office Aircraft: The Aviation Unit shall select the escort guards when Office aircraft is utilized and the selection shall be based upon available manpower, travel time to the aircraft and vice versa, work schedules and Office cost.
- 4) Florida Sheriff's Aircraft Network: The Aviation Division shall coordinate with participating counties and utilize this concept when practical.

5) Communication

Aviation Unit shall authorize the Warrants Section to:

- a) Send the appropriate teletype(s) to holding agencies advising of the extradition itinerary.
- b) Maintain a complete work up, which is provided by Warrants Section and shall include:

- (1)** Certified copies of all Warrants
- (2)** Copy of State Attorney authorizations
- (3)** Teletypes
- (4)** All other necessary and pertinent information

6) Records

a) The Aviation Unit shall maintain documentation on each extradition and such file shall include:

- (1)** All trip costs documentation
- (2)** All travel receipts
- (3)** All lodging receipts
- (4)** All travel vouchers
- (5)** State Attorney authorization
- (6)** Copies of Warrants
- (7)** Network billing
- (8)** Office aircraft billing
- (9)** Other necessary related paperwork

b) The Aviation Unit shall present the report directly to the Finance Division when the extradition is completed.

7) Prisoner Return

a) The returning team shall be responsible for transporting the prisoner to the main corrections facility and effecting the arrest on said prisoner with the original Warrant, or certified copy whichever is required.

b) The procedure for a Warrant arrest are set forth in this Manual.

8) Reconciliations

a) All personnel are required to initiate and reconcile their own travel vouchers.

b) All receipts and a reconciled voucher are to be turned into the Aviation Unit for audit purposes.

c) If receipts are missing, then the member will be charged accordingly and removed from the extradition eligibility roster.

d) All travel vouchers are to be signed and approved by the members' supervisor.

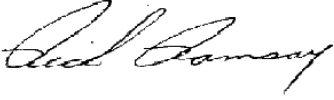
e) It will be each member's responsibility to procure his or her advance travel funds from the Finance Division.

f) All return vouchers must be turned into the Aviation Unit within 48 hours, excluding holidays and weekends, after completing the extradition.

9) Additional Duties and Responsibilities: (Refer to Chapter 32, Patrol.)

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 61		TITLE: Court Security
EFFECTIVE DATE: October 26, 2007	NO. PAGES: 5	REVIEWED/REVISED: May 15, 2013
REFERENCE: CALEA 73.1.1 a,b 73.2.1a,c ,73.3.1, 73.3.2, 73.4.1, 73.4.3 CFA 31.01, 31.0.4,31.0.5,31.0.8		RESCINDS:
 Sheriff of Monroe County		

I. PURPOSE

The purpose of this directive is to establish guidelines and procedures for Court Security.

II. DISCUSSION

This directive shall apply to all personnel. The Sheriff is responsible for providing security to the various Circuit and County Courts located in Monroe County, Florida. Courtrooms are located in Key West for District 1, in Marathon for District 4, and in Plantation Key for District 7. In District 1, 4 and 7, Court Security is the responsibility of the District Commanders in Districts 1, 4 and 7 who answers directly to the Major, Bureau of Law Enforcement. Courtrooms are staffed by Deputies, who are qualified to perform the duties of Court Security.

[CALEA 73.1.1 A B]

III. POLICY AND PROCEDURE

A. Administration

[CALEA 73.1.1 B]

1. A copy of the security directive shall be available to all Judges, Judges Secretaries, Commanders and Deputies immediately upon assignment.
2. Weapons shall only be worn in the Courtroom by members in uniform. Unless in uniform, weapons carried by members of this Office shall be kept in the weapons lock-boxes available at each courthouse. Such lock-boxes shall be located in areas having limited access by the public.
[CALEA 73.3.1]
3. The District Commander shall maintain liaison with the Court Administrator at least once quarterly to ensure adequate security of the courthouses in Districts 1, 4 and 7 is being maintained.
4. The District Commander shall prepare and keep current a physical security plan for the protection of the courthouse / courtrooms in Districts 1, 4, and 7. The plan shall address the following subjects:
 - a. Perimeter Lighting (exterior)

- b. Perimeter Doors
- c. Windows
- d. Interior Doors
- e. Interior Lighting - Halls
- f. Interior Lighting - Rooms
- g. Alarms - (duress and intrusion)
- h. Communications
- i. Evacuation Plan
- j. Fire Detection - Smoke Detectors
- k. Fire Protection - Hydrants, Hoses and Extinguisher
- l. Parking Lots
- m. Auxiliary Power

[CALEA 73.2.1 A]

5. The District Commander shall prepare a written manual, governing courthouse / courtroom security in Districts 1, 4, and 7; which shall contain procedures for the following elements: (such manual shall not be in conflict with the Office Operations Manual).

- a. The Physical Security Plan
- b. Security Operations
- c. Special Operations Plan
- d. Hostage Situation Response Plans
- e. High Risk Trial Plans
- f. Emergency Procedures for Medical, Fire, Bombs, and Disasters

[CALEA 73.1.1 A] [CALEA 73.2.1 C]

[CFA 31.01M]

B. Physical Facilities

1. Prisoners shall be brought into the courthouse through controlled and secured doors under escort by Corrections or Court Security personnel with restrictive public access.

[CFA 31.04]

2. When not in the courtroom, but remaining in the courthouse, prisoners shall be kept in the facility designed for the temporary holding of prisoners.

3. The following timing sequence shall be followed for governing the movement of people in the courtroom:

- a. General public shall be admitted to the courtroom first
- b. Second, the prisoner shall be brought into the courtroom
- c. Third, the judge enters the courtroom
- d. Fourth, the jury (if any) enters the courtroom
- e. In clearing the courtroom, the above procedure is followed in reverse

4. Key Control – the Court Administrator is the sole authority in the issuing and collecting of keys to the courthouses.

- a. The District Commander is responsible to issue and collect courthouse keys to new and former employees assigned to Court Security. In the event that additional keys are needed the Supervisor will coordinate their issuing with the Court Administrator's Office.

[CFA 31.08]

C. Security

1. Prior to any session of court, after recesses, and again at adjournment, a search of the courtroom for contraband shall be made by the Deputy. During any recesses, the courtroom shall be securely locked or kept under direct supervision of the Deputies.
2. In all high-risk trials, the Deputy shall search all hand-carried articles into the courtroom. This should be done at the courtroom entrance prior to the person entering. It is advisable for the Deputy may be assisted in conducting such searches. Contraband items will be removed and the appropriate action, depending on the item shall be taken. If applicable the item may be returned to the person at the end of court session. This shall also be done upon the request of the Judge or at the discretion of the Deputy.
3. Public access to the courtrooms during normal business hours shall be restricted to one point of entry and exit in the main lobby. All participants in the court function shall go through a screening process for weapons.
[CFA 31.05M]
4. The Sheriff's policy is that all in-custody prisoners be kept in leg irons in the courtroom during non-jury trials unless and until the Judge orders their removal. For jury trials, there shall be no restraints unless ordered by the Judge. This policy is applicable to all prisoners - male, female, juvenile and handicapped (unless the handicapped prisoner cannot physically be cuffed.)
[CALEA 73.3.2]
5. Every 3 years, the Major, Bureau of Law Enforcement shall have a security survey conducted of the courthouses located in Key West, Marathon and Plantation Key according to the following format:

a. Background

- 1) Survey team - names
- 2) Dates survey conducted
- 3) Summary of previous surveys and studies and preliminary assessment of security threats

b. The Facility

- 1) Description
- 2) Office responsible for security
- 3) Tenant agencies
- 4) Summary of incidents - last five (5) years

c. Detailed Findings, Conclusions, and Recommendations.

d. Appendices

- 1) Courtroom sketches
- 2) Security equipment inventory - location

Such survey will require a thorough on-site examination and analysis that:

- a) Determines the nature and degree of the threat, the exact kind and degree of protective measures used, the precise kind of security measures that are needed and
- b) Recommends action needed to establish the appropriate level of security

D. Equipment

[CALEA 73.4.1]

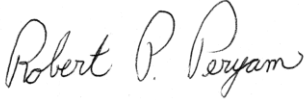
1. All courtrooms county-wide are equipped with duress alarms which are designed to signal;

- a. District 1 - notifies the Court Security Station at the entrance to the courthouse and the Key West Police Department.
 - b. Districts 4 & 7 - notifies an alarm contractor who contacts Sheriff's Office Communications.
 - c. The duress alarms are located at the Judge's bench, the Judge's chambers and at the Judge's Secretary desk.
 - e. Deputies shall test all duress alarms prior to court convening.
[CALEA 73.2.1 B, 73.4.3]
2. All courtrooms county-wide are equipped with emergency lighting sources in case of power failure.
[CALEA 73.2.1 B]
3. The Deputy in each courtroom shall at all times have available leg irons for restraining purposes. Such shall be kept secure and stored out of sight in the courtroom.
4. All courtrooms are equipped with telephones accessible to the Judge. Deputies shall carry two-way radios during court sessions.
[CALEA 73.4.2]
5. All deputies shall keep at their disposal a magnetometer for use during court sessions.
[CALEA 73.2.1 B]
6. The following equipment is at the disposal of all deputies in courthouse/courtroom security:
- a. Handcuffs
 - b. Handguns
 - c. PR-24 baton or collapsing baton
 - d. Two-way radios
 - e. O.C. Spray
 - f. Taser
7. The following equipment is available in all three courthouses / courtroom security.
- a. Telephones and duress alarms
 - b. Smoke detectors, fire alarms, and fire extinguisher
[CALEA 73.2.1 B]
 - c. Should a more difficult situation arise requiring additional security measures, each courtroom has available the force of the Sheriff's resources to maintain control. Should a serious problem erupt, the Road Patrol shall be directed to the courtroom / courthouse in need. The Road Patrol has available:
 - 1) Shotguns and handguns;
 - 2) Tear gas and O.C. Spray; and
 - 3) Riot helmets, shields and batons;

- d. Each corrections facility has available leg irons, which, in emergency, can be brought to the court house.
- e. Should a medical emergency develop, the Deputy shall summon EMS to respond. Until EMS arrives, the Deputy shall administer First-Aid and/or Cardio-Pulmonary Resuscitation according to his/her training. First-Aid kits are available in all courtrooms.
[CALEA 73.1.1 A, 73.2.1 B, 73.4.1]
- f. Photographic equipment is available from the District Stations or Headquarters upon request. Specific plans and equipment availability shall be maintained by the District Commander. The Deputies shall be responsible for reviewing such plans and knowing the types, qualities, conditions, and location of such equipment. Included in the plans shall be a list, which records dates of acquisition and shelf life for such materials having one.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 61 - A		TITLE: Court Holding
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 9	AMENDED:
REFERENCE: CALEA 73.5 CFA 30		RESCINDS: Special Order: Court Holding, 05.05.2006
 <hr style="width: 20%; margin: auto;"/> Sheriff of Monroe County		

PURPOSE: The purpose of this order is to establish policy and procedures for the operation of the Court Holding facility at the Monroe County Courthouse Complex in Key West, Florida.

The Court Holding facility is staffed by personnel from the Bureau of Corrections. The Corrections Deputies assigned to the Court Holding facility are referred to as "Transportation Deputies" throughout this policy. Any circumstance not covered by this policy, but addressed by Bureau of Corrections Directives will be handled in compliance with those directives.

The Court House buildings, including the Court Holding, facility are owned and maintained by the Monroe County Board of County Commissioners. Maintenance is performed by the Monroe County Public Works Department, Facilities Maintenance Division.

POLICY: It is the Sheriff's policy to provide services to the Courts of Monroe County in facilitating the movement of detainees between the Monroe County Detention Center and the Court.

PROCEDURE:

DEFINITION

- Detainee – an individual currently incarcerated (convicted or not) or a remanded individual.

COURT HOLDING PERSONNEL

[CALEA 73.5.1]

- Transportation Deputies and any non-certified Corrections Staff assigned to perform duties in the Court Holding facility will undergo an orientation to include, at a minimum:
 - Applicable policy discussion.
 - Job duties of a Transportation Deputy.
 - Functioning of the facility's doors, elevator, and surveillance equipment.
 - Fire escape route(s).
 - Fire suppression equipment provided by the agency.

- This training will be documented in the “Transportation Deputy” FTO Manual.
- Transportation Deputies shall be retrained at least once every three years on the items and topics listed above.

SEARCH OF A DETAINEE

[CALEA 73.5.2]

- Detainees, who are being transported from the Detention Center to Court, shall be searched according to Bureau of Corrections - Transportation Directives prior to leaving the Detention Center.
- Defendants remanded to custody by the court, shall be escorted to the Court Holding facility by a Transportation Deputy on notification of the remand by court security.
- A Court Security deputy shall apply handcuffs, behind the back of the remanded individual at the time the subject is remanded.
- The Court Security deputy shall notify Court Holding personnel that they have a remanded person in custody and give the courtroom location.
- The Court Security Deputy removes the remanded individual from the courtroom and takes them to the secured hallway adjacent to the courtroom
- The Court Security Deputy shall conduct a pat search on the remanded person while that remanded person is still handcuffed, behind their back.
- A Transportation Deputy shall enter the secured hallway and conduct a pat search on the remanded person and assume control of the individual.
- The Transportation Deputy shall ask the remanded person if he/she has any item on his/her person that should not be brought into a secured detention facility, i.e. cigarettes, guns, knives, drugs, etc. These items shall be removed and secured prior to removing the handcuffs from the remanded person.

- A Transportation Deputy shall remove the handcuffs previously applied by the Court Security Deputy and return them to the Court Security Deputy. The Transportation Deputy shall handcuff the remanded person; hands in the front, using his/her own handcuffs.
- The Transportation Deputy shall apply a belly chain and shackles to the remanded individual prior to moving the remanded person to the Court Holding facility.
- Once the remanded person is secured in the Court Holding facility, a Transportation Deputy may remove the handcuffs and shackles in order to have the remanded individual remove all property from his/her pockets and turn his/her pockets inside out.
- A Transportation Deputy shall have the remanded individual place all of his/her personal property, not already taken, on the counter, to include belts and shoe laces.
- A Transportation Deputy shall have the remanded individual remove his/her shoes and socks and then search these items and examine the individual's feet including between the toes.
- A Transportation Deputy shall examine the inside of the remanded individual's mouth by having him/her open mouth and raise tongue.

[CALEA 73.5.2 A]

INVENTORY OF PERSONAL PROPERTY

- A Transportation Deputy shall inventory all of the individual's property and place it into a brown paper bag. The property shall be itemized on a property receipt which is then stapled to the outside of the bag. The bag will then be locked in the transport vehicle's driver's compartment for safekeeping [CALEA 73.5.2b]
- A Transportation Deputy should be the one who inventories the remanded person's property.
- If the Transportation Deputy who conducts the actual transport of the remanded person from the Court Holding facility to the jail is not the deputy who inventoried the

remanded person's property, the transporting deputy shall receive the inventoried property from the deputy who inventoried it, sign the property inventory sheet and secure the property in the transport vehicle's driver's compartment. [CFA 30.04, C] [CALEA 73.5.3]

- A Transportation Deputy shall ensure that court minutes remanding the person to custody accompany the remanded person to the Detention Center.

DETAINEES UNDER THE INFLUENCE / OR EXHIBITING SELF-DESTRUCTIVE/ VIOLENT BEHAVIOR

Revised 08/26/09

- If a defendant who is under the influence of alcohol or drugs is remanded into custody by the Judge, the detainee will be transported to the Detention Center as soon as possible.
- With detainees who exhibit self-destructive or violent behavior the standard Bureau of Corrections Directives will be followed and the subject will be transported to the Detention Center as soon as possible
- Both these types of individuals will be under constant supervision while in Court Holding.
- A Transportation Deputy Sergeant or his/her designee shall notify the Detention Center Intake Sergeant of the name and condition of the remanded individual or the individual exhibiting destructive behavior. [CALEA 73.5.4]

MEDICAL ASSISTANCE

[CALEA 73.5.5]

[CFA 30.07, B]

[CALEA 73.5.22]

- Legible instructions shall be permanently posted conspicuously in each holding cell instructing detainees how to alert staff of an emergency, including the need for medical assistance. These instructions shall be posted in English and Spanish.
- These access procedures shall be explained orally to detainees who are unable to read.

- If a detainee indicates or appears in need of medical assistance the Court Holding facility Staff will follow these procedures:

- Non-emergency situations:
 - Follow Bureau of Corrections standing Directives and
 - Contact the Detention Center Medical Unit Nurses Station (or have Main Control page the nurse) and describe the situation to the on-duty nurse.
 - Follow the nurse's direction
- Emergency situations
 - Provide First Aid up to the level of the responding deputy's training.
 - Summon Emergency Medical Assistance (911)
 - Notify the Detention Center Medical Unit of the emergency
 - Separate the ill detainee and secure all other detainees.

- These and any additional procedures addressing medical situations within the Court Holding facility will be reviewed and approved by the contracted medical services physician. [CALEA 73.5.5]

- At least one on-duty Transportation Deputy shall be certified in First Aid procedures at all times.

FIRST AID KIT

- A first aid kit will be maintained in the Court Holding Facility.
- The first aid kit will be inspected weekly by the Transportation Sergeant or his/her designee. This inspection will be documented at the time it is conducted in the Transportation log book.

- Any used items will be replaced by the Transportation Sergeant or his/her designee as soon as practical and noted as part of the inspection. [CALEA 73.5.6]

ACCESS BY NONESSENTIAL PERSONS
[CALEA 73.5.7]

- Nonessential persons will not be given access to the Court Holding facility.
- If it is necessary to grant access for maintenance, inspection or other legitimate reasons, the nonessential person shall be escorted by a Transportation Deputy while in the holding area.
- Their presence shall not violate a detainee's privacy, impede facility operations, or obstruct or frustrate acquisition and development of information for presentation in court by either the prosecution or defense.
- County maintenance personnel should make repairs, unless an emergency situation exists, while the facility is not being used.
- All nonessential persons shall be prohibited access to court holding facilities in emergency situations.

COURT HOLDING CELLS
[CALEA 73.5.8]

- Sanitation Needs

Each cell used to hold detainees at the Court Holding facility shall have:

- Adequate lighting as required by local code
- Circulation of fresh or purified air in accordance with local public health standards
- Access to a toilet and drinking water
- A weekly documented inspection of the facility will be conducted by the Transportation Sergeant or his/her designee to ensure that conditions that may foster infestation by insects, rodents or other

vermin are identified and eliminated. This inspection shall verify that the cells are properly cleaned. If an infestation or a sanitary issue is identified a report shall be made to Bureau of Corrections Operations Commander. [CALEA 73.5.11]

- No detainee shall be held in a Court Holding cell more than 8 hours. [FCAC 10.22]

FIRE ALARM, HEAT AND SMOKE DETECTION DEVICES

- The Court Holding facility shall have automatic fire alarm, heat and smoke detection devices and fire equipment installed. All shall be approved in writing by state or local fire officials.
- Fire equipment shall be visually inspected for tampering or damage weekly by a Transportation Deputy.
- Said inspection shall be documented in writing by the Transportation Deputy and provided to the MCSO Professional Standards Division. Any damage shall be reported to County maintenance and noted in the daily computer activity log. [CALEA 73.5.9.a]
- Fire equipment shall be tested on a semiannual basis by the Monroe County Public Works Division. Said testing shall be documented in writing. [CALEA 73.5.9.a]
- The automatic fire detection devices and alarm systems shall be visually inspected for tampering or damage daily by a Transportation Deputy.
- Said inspection shall be documented in writing by the Transportation Deputy who conducted the inspection. [CALEA 73.5.9b]
- The automatic fire detection devices and alarm systems shall be tested as dictated by local fire code. Said testing shall be documented in writing by the Monroe County Public Works Division. [CALEA 73.5.9 b]

Transportation Deputies shall provide first aid to detainees if necessary and those detainees requiring hospitalization shall be transported by EMS.[CALEA 73.5.10]

EMERGENCY EVACUATION PLAN

- An emergency evacuation route map shall be posted by the nearest exit doorway within the Court Holding facility.
[CALEA 73.5.10]
- If an evacuation of the Court Holding facility is necessary due to an emergency the following actions shall be taken:
 - The nature of the emergency should be identified and confirmed by the Transportation Sergeant or his/her designee.
 - If the emergency requires the evacuation of the Court Holding facility a Transportation Deputy shall call for backup stating the nature of the emergency.
 - Court Security deputies shall assist once the Court House has been evacuated, if necessary.
 - Restraints shall be applied to detainees if time allows or as soon as possible. Detainees shall be secured to each other if they are to be moved outside in the open air.
 - Detainees shall be moved into the sally port area. If a transportation vehicle is present the detainees shall be placed into the vehicle and removed from the building to a location just outside.
 - If necessary the detainees will be transported back to the Detention Center.
 - If a fire prevents the detainees from being moved into the sally port they shall be moved to the alternate exit near the female cell.
[CALEA 73.5.10]

MEDICAL AID TO BE RENDERED

SECURING WEAPONS

[CALEA 73.5.12]

- All armed Deputy Sheriffs or Law Enforcement officers shall secure any weapons in the lockers provided in the sally port prior to entering the Court Holding facility.
- Transportation deputies shall secure weapons before unloading or loading detainees.
- Only OC spray and Tasers may be carried by deputies inside the Court Holding facility in accordance with Bureau of Corrections Directives.

ENTERING OCCUPIED COURT HOLDING CELLS

[CALEA 73.5.13]

- No Transportation Deputy shall enter an occupied cell alone except when responding to an emergency or unless monitored by another deputy or electronic surveillance devices.
- If it is necessary to enter an occupied cell it is recommended that two deputies do so to ensure that the detainees do not have an opportunity to take keys from a deputy and escape.

KEY CONTROL

- All manual keys shall be obtained by the Transportation Deputy at the beginning of shift from the secure key box. All keys inventoried by the Transportation Sergeant or his/her designee at the beginning, during and end of the shift.
- Duplicate emergency keys shall be readily available and kept in a secure key box in the Court Holding control room.
[CALEA 73.5.14]

DOOR SECURITY

[CALEA 73.5.15]

- All doors to and inside the Court Holding facility, including cell doors and areas not in use or occupied, shall be secured and locked at all times, except for the movement of detainees or staff.
- The sally-port door shall be closed and secured when no transportation vehicle is entering or leaving Court Holding.
- Doors shall be tested for vulnerability after they are secured.

HOLDING CELL SECURITY

- All Holding cells shall be searched by a Transportation Deputy for weapons and contraband prior to placing detainees in the cells in the morning, mid-day if not in use, and after detainees have been removed for transportation to the Detention Center.
[CALEA 73.5.16]
- Any conditions observed shall be immediately reported to a Supervisor verbally and in writing.
[CALEA 73.5.16]
- The Court Holding facility shall be inspected weekly for weapons, contraband, and to ensure the integrity of the facility. The inspection shall include at a minimum the bars, locks, windows, walls, floors, ventilator covers, glass panels, access plates, protective screens, doors, and other security devices to determine operational wear and tampering.
- The weekly security inspections shall be documented in writing with the inspection report submitted to the Chief of the Bureau of Corrections or his/her designee.
[CALEA 73.5.17]

TRANSPORTATION DEPUTY SAFETY

[CALEA 73.5.19]

- Transportation Deputies shall have their assigned portable radios, equipped with a Panic Button, on their persons at all times.

EMERGENCIES

[CALEA 73.2.18]

In the event of any emergency within the court holding facility, Transportation Deputies or the Court Holding Control operator will immediately notify the Sheriff's Office communications center (305) 289-2371 and Main Control within the Key West Jail (305) 293-7311.

The Sheriff's Office Communication's Division will notify the Key West Police Department of the emergency and request response assistance.

Main Control within the Key West Jail will become the designated control point in the event of an emergency.

ESCAPES

[CALEA 73.5.20]

[CFA 30.13]

Deputy Responsibilities

If a deputy suspects or discovers that an escape has occurred, the deputy will:

- Call for backup over the radio and/or push the panic button on his/her radio.
- Immediately notify the Communications Division.
- Initiate a general lockdown of all detainees to prevent any further escapes.
- Conduct a head count to identify any detainee(s) not present or accounted for.
- Cause or conduct a search of the entire area in order to:
 - Confirm that any detainee(s) unaccounted for are not within the courthouse.
 - Locate and secure the means of escape.

- Provide the Communications Division the following information:
- The name(s) of any detainees unaccounted for Means of escape, if known
- Description of the detainee(s) and clothing worn, if known
- Any other information, which may be useful to the apprehension of the escapee(s).
- Complete any reports required by the Bureau of Corrections and provide any report requested by law enforcement.

Transportation Sergeant's or His/Her Designee's Responsibility

- Upon notification of a possible escape from the Court Holding facility or the Courthouse Compound the Transportation Deputy Supervisor shall direct available personnel in the area to:
 - Conduct a search of the exterior perimeter
 - Assist the deputies in securing the area, lockdown detainees, and conduct headcount.
 - Assist with the search of the Court Holding facility and Court House Grounds.
 - Assign any available personnel to tasks as needed, such as, facility security, inmate security, search duties, etc.
- Request additional necessary resources as dictated by the situation from District 1 Patrol, the Criminal Investigations, and the Key West Police Department
- Upon confirmation and identification of the escapee(s), request the Communications Division notify all personnel in the field of a "Confirmed Escape."

- Compile, or have compiled, from the detainee's record(s) the following information on the escapee(s) to be communicated to all law enforcement agencies aiding in the apprehension of the escapee(s):
 - Name of escapee(s)
 - Description of escapee(s), physical and clothing
 - Last known residence(s) of the escapee(s)
 - Whether the escapee(s) is/are dangerous
 - Address of each escapee's family and known friends
 - Information relating to the possible direction of travel
 - Any other information that may assist in the capture of the escapee(s).
 - Make required notifications via the Chain-of-Command.
- Upon the apprehension of the escapee(s):
 - Verify that the escapee(s) has actually been captured.
 - Determine the escapee(s) physical condition and direct that medical treatment be given, if necessary.
 - Provide for more secure housing of the escapee(s).
 - Restore the Court Holding facility to regular operation.
 - Ensure all documentation is compiled and forwarded to the Sheriff, via the Chain-of-Command.

ENDING ALERTS

When an escape situation has been resolved, stabilized or otherwise ended the senior deputy on the scene shall notify the Transportation

Supervisor (if not on scene) and the Communications Division of such.

The Communications Division shall notify all responding and on-scene units, both law enforcement and corrections, of the status of the situation.

The Transportation Supervisor shall make the required notifications via the Chain-of-Command.

THREATS TO THE COURT HOLDING FACILITY

- A documented report will be completed of all incidents that threaten the facility or any person therein and submitted as per existing Bureau of Corrections Directives.
[CALEA 73.5.21]

ELECTRONIC SURVEILLANCE OF HOLDING CELLS

[CFA 30.07 B]
[CALEA 73.5.23]

- Cell surveillance cameras are pre-set to minimize invading the detainee's privacy and shall not be adjusted to view other portions of the cell unless authorized by the Bureau of Corrections Operations Commander.
- Holding cells are equipped with video monitoring equipment and when occupied shall be monitored at all times by the Court Holding facility control room personnel.
- A Transportation Deputy shall monitor cell surveillance monitors to detect when a detainee is signaling a need for assistance.

DETAINEE SUPERVISION

[CALEA 73.5.24]

- Two deputies should be present when dealing with detainees of the opposite sex from the Deputy (for example, a female detainee and a male deputy) or other detainees (for example, male and female detainees), i.e. moving them from cell to cell, to Court Security, or other activities

- A Transportation Deputy shall make rounds to the occupied holding cells every 30 minutes. All rounds shall be recorded in the computer log.
- Female detainees shall be placed into a cell physically and visually separate from male detainees.
- Juvenile detainees shall be placed into a cell physically and visually separate from adult detainees. Gender separation applies to juvenile detainees.
- Juvenile detainee shall be on a 15-minute watch which will be recorded in the computer log
- Department of Juvenile Justice (DJJ) detainees shall be in the care and custody of DJJ staff and escorted through the facility to the appropriate courtroom or floor by DJJ staff.
- Special needs detainees (for example: protective custody, high profile, known enemies that are going to court at the same time) shall be separated from other detainees.
- No detainee shall be handcuffed, shackled or otherwise secured to any immovable object.
- A Transportation Deputy shall monitor the video display screens at all times the Holding Cells are occupied.

DETAINEE SECURITY

- When preparing a detainee(s) to arrive or leave the Court Holding facility, the sally port door shall remain closed and secured until all detainees are secured in holding cells or vehicles.
- The Transportation Deputy receiving a detainee shall check the detainee's name on the court docket with the delivering deputy to make sure all requested detainees have arrived at the courthouse for that day.

- Handcuffs and belly chains shall be removed from the detainee while he/she is waiting to go to court or to be returned to the Detention Center. Shackles will remain on the detainee at all times unless he/she has a medical reason not to wear them. The Transportation Deputy shall verify any such provision with Medical Unit.
- If a detainee is in a wheel chair he/she shall be secured to the chair (handcuff to arm).
- Hand restraints shall be used with all detainees when going to court or back into a vehicle.

DISRUPTIVE DETAINEES

[CALEA 73.5.4]

- If a detainee is disruptive the detainee shall be removed to an isolation cell.
- No other detainees will be placed with them.
- Restraints will be applied to the detainee if needed.
- Belly chain and handcuffs will be used for the safety of staff, the detainee, others, or property.
- If the detainee continues to be disruptive Court Security will be notified to determine if the detainee can be returned to the Detention Center.

FIGHTS

- If there is a fight, the deputy shall request backup to respond to his/her location.
- The deputies shall take control of the situation following the use of force policy outlined in General Orders Chapter 31A.
- Restraints shall be applied and the detainees will be removed from the area and placed in isolation cells.
- Court Security shall be notified of the situation, and if the detainee(s) involved have not calmed down, they shall be sent back to the Detention Center.

- A Transportation Deputy shall provide first aid if required and seek emergency medical attention for the detainee, if necessary as dictated by the circumstances.
- The appropriate reports will be written, and forwarded to the Corrections Supervisor for review and approval.

COMPUTER ACTIVITY LOG


- Each Transportation Deputy shall log his/her daily activities by time in the computer log in accordance with the Bureau of Corrections Directives.

TOOL AND CULINARY EQUIPMENT CONTROL

- Eating Utensils
 - Detainees will be provided a sack lunch if it is anticipated that they will be in court holding during the mid-day meal.
 - The sack lunch will not contain any eating utensils.
- Tool/Chemical Control
 - Any tools and all cleaning chemicals that are maintained by the Transportation Staff will be stored outside the facility in a locked container in the sally port.
 - If tools, belonging to either Court Holding or County Public Works, are brought into the facility an inspection of the entire area will be made upon completion of work to ensure no tools have been left behind.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 70		TITLE: Community Involvement/Crime Prevention
EFFECTIVE DATE: June 20, 2013	NO. PAGES: 2	AMENDED/REVIEWED: June 13, 2013
REFERENCE: CFA 28.02b, CALEA 45.1.1, 45.1.2, 45.2.2 45.2.3		RESCINDS:
 _____ Sheriff of Monroe County		

I. PURPOSE

The purpose of this directive is to establish guidelines and procedures for Community Involvement and Crime Prevention.

This directive shall apply to all Sheriff's personnel.

[CFA 28.02b]

II. POLICY AND PROCEDURE

All members of the Sheriff's Office shall be responsible for:

- Providing good community relations by presenting a professional and helpful demeanor at all times when dealing with members of the public and by answering questions regarding **the Sheriff's Office** accurately and completely, or referring the questioner to someone in the office who can answer their questions.
- Making every effort to insure each contact inspires respect, not only for himself/herself as an individual and professional, but one that generates the cooperation and approval of the public.
- Identifying sources of conflict between the Office and the community and encouraging efforts to resolve them. Information about such sources of conflict should also be forwarded to the applicable Division Director or District Commander.
[CALEA 45.2.3]
- Achieving the Office's Community Involvement and Crime Prevention objectives.

All Division Directors and District Commanders duties shall include:

[CALEA 54.1.1 e]

- Preventing crime through citizen awareness, education, and public / private participation.
- Distributing pamphlets, fliers, newsletters on concerns of public and private safety of crime prevention related matters.
- Assisting and advising the Sheriff on matters of community concern.

- Evaluating crime reports and focusing prevention programs at those crimes and areas in which lives and property are endangered, in order of importance. These programs may include, but are not limited to:
[CALEA 45.1.1 b]
 - Business security, business Crime Watch, and training programs.
 - Home security surveys.
 - Distributing and administering Operation Identification for commercial purposes.
 - Burglary / robbery alarm ordinance coordination and training programs.
 - Convenience Store Crime Watch, robbery education and training programs.
 - Hotel / Motel Crime Watch, education and training programs.
 - Monitoring false burglar alarms in accordance with the Monroe County False Alarm Ordinance.
 - In-service police training and education.
[CALEA 45.1.1 b]
- Holding public and/or private meetings of a safety of crime prevention nature when requested.
[CALEA 45.1.2]
- Enhancing Crime Prevention by assisting in the organization and promotion of crime prevention groups and programs in residential areas targeted for such activity, as well as on request.
[CALEA 45.1.2]
- Administering the following Crime Watch programs:
 - The formation, administration and education of Citizen's Crime Watch groups.
 - Scheduling and administering residential security surveys.
 - Education and administration of Residential Operation Identification.

III. REPORTS


At least every third year, the Media Relations Director shall prepare an evaluation report that determines the effectiveness of each crime prevention program. Such an evaluation may be conducted more frequently. This Evaluation will be done with the cooperation and input of all District and Division Commanders having responsibility for Crime Prevention Duties under their respective commands. This report shall be approved by the Law Enforcement Bureau Commander before being sent to the Sheriff via Chain of Command. (also see Ch.70 B – Media Relations)
[CALEA 45.1.1c]

At least quarterly, the Major of the Bureau of Law Enforcement will prepare and submit to the Sheriff, via chain of command, a report that includes, at a minimum:

- A description of current concerns voiced by the community; **[CALEA 45.2.2a]**
- A description of potential problems that have a bearing on Law Enforcement activities within the community;**[CALEA 45.2.2b]**
- A statement of recommended actions that address previously identified concerns and problems;**[CALEA 45.2.2c]**
- A statement of progress made toward addressing previously identified concerns and problems.
[CALEA 45.2.2d]

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 70B		TITLE: Media Relations
EFFECTIVE DATE: June 20, 2013	NO. PAGES: 9	AMENDED/REVIEWED: June 13, 2013
REFERENCE: CALEA 45.1.1c,45.2.1,45.2.2, 45.2.4 a,b,c,d,e, 54.1.1 CFA 28.01b, 28.02b, 28.04		RESCINDS:
 Sheriff of Monroe County		

PURPOSE

The purpose of this directive is to establish guidelines and procedures for Media Relations.

It is important to the total operation of the Office that a unified, non-conflicting image be presented to the public through the media. At the direction of the Sheriff, the Media Relations Director shall present information to the media and to all segments of the community and, by doing so, will identify and correct actions, practices, and attitude, which may contribute to community tensions and grievances. The Office is committed to such cause and to establishing close ties and responding to the needs of the community.

The Director of Media Relations ensures the office effectively and efficiently provides public information to the media and other members of the public in compliance with Florida State Law. The Sheriff's policy is that his Office is committed to inform the community and the news media of events within the public domain that are handled by or involve his Office.

Note: Only the Sheriff, his designee or the Director of Media Relations is authorized to release information to the news media, or to approve such release of information. In the event the Director is out of town or otherwise unavailable, District Commanders and Division Directors may release information about incidents which take place in their areas of command. Under their direction, records personnel may release documents requested by the media, making sure to comply with all state public records laws regarding such releases.

[CALEA 54.1.1b,c,d] [CFA 28.02b]

The Director of Media Relations duties shall include:

- Advising the Sheriff of the public impact and implications of services, programs, and policies.
- Writing speeches for the Sheriff as directed.
- Conduct an on-going survey of citizen attitudes and opinions **and will at a minimum specifically address the following:** [CALEA 45.2.4 a,b,c,d,e]

NOTE: The Director of Media Relations shall make survey responses known to the Sheriff, and to anyone else applicable depending on survey responses. [CALEA 45.2.5]

- Overall agency performance.

- Overall competence of agency personnel.
 - Deputy attitude and behavior toward citizens.
 - Concern over safety and security within the Office's service area as a whole.
 - Recommend suggestions for improvement.
- Target informational programs to address community perceptions or misperceptions of crime.
 - Writing and preparing pamphlets, fliers and newsletters.
 - At least every third year, prepare an evaluation report that determines the effectiveness of each crime prevention program. Such an evaluation may be conducted more frequently. This Evaluation will be done with the cooperation and input of all District and Division Commanders having responsibility for Crime Prevention Duties under their respective commands. This report shall be approved by the Law Enforcement Bureau Commander before being sent to the Sheriff via Chain of Command.
[CALEA 45.1.1 C]
 - Maintaining a close relationship with all Office components and personnel for the purpose of pursuing positive community relations.
 - Gathering information, preparing and disseminating it to news media representatives and to the public.
 - Be available for on-call responses to the news media.[CFA 28.01b]

News Media

It is the policy of the Sheriff to cooperate fully and impartially with accredited representatives of the news media in their efforts to gather and disseminate information where such activities do not conflict with State law governing the release of public information, or any information protected by such laws. It is important to remember that the Public Information Laws of the State of Florida require the custodians of public records to release them to any member of the public, including a media representative, upon request within a reasonable amount of time.

Public Records / Public Information - Information and records produced by the Sheriff's Office are specifically governed by State Law when it comes to the definition of what is and isn't available for release to the public. For detailed information about what is and is not public information, see Florida Statue 119. For a reliable interpretation of the statue, and how it applies to law enforcement, the Office of Public Information relies on the document, produced yearly by the Florida Attorney General's Office, called "Public Records A Guide for Law Enforcement Agencies".

NOTE: Consider all restrictions carefully and make sure you can cite the appropriate exemption under state law when refusing to release the information. If you have a question about what is or isn't public information, please contact the Director of Media Relations or his/her designee.

Procedure for dealing with the news media:

- News Media Requests for Information – The Director of Media Relations shall be the coordinator for all media requests for information. Anyone in the Sheriff's Office who receives a request for information from a news media representative should notify the Director of Media Relations of the request as soon as possible. Nothing in this paragraph shall supersede Florida State Law, which requires the

custodians of public records to release them upon request, within a reasonable amount of time. Members of the office who are uncertain about the status of a public record may refer the request to the Supervisor of the Records Division, or the Director of Media Relations for appropriate action (see the note below). The Director of Media Relations' office and cell phone numbers may be released to anyone who wants to contact him/her for information.

NOTE: Members of the media are also considered to be members of the public. If the information being requested is routine in nature, and is something that would normally be released to a citizen requesting it, it may also be released to the member of the media who is making the request.

- Media Credentials and Identification - Media credentials are available from the Sheriff's Office upon request, and upon presentation of appropriate identification and sponsorship by legitimate media outlet. The Sheriff's Office recognizes valid identification from accredited news agencies, including but not limited to, press cards issued by Sheriffs or other law enforcement agencies. Appropriate media privileges are extended to properly identified news media representatives and to legitimate free-lance writers and photographers.
- Revoking Monroe County Sheriff's Office Credentials - Complaints initiated by Sheriff's personnel against accredited news media shall be documented and forwarded to the Director of Media Relations. When a decision has been made by the Sheriff's Office to revoke the Sheriff's Office recognition of an accredited news person or agency, a letter shall be sent to the individual's employer citing the specific violation and informing the agency of the action to be taken.
- Media Access - Accredited news media representatives shall have reasonable access to all members of the Sheriff's Office, upon approval of the Sheriff or Director of Media Relations and upon the agreement of the member in question. The Command staff may discuss official policy with the news media, however, should make notification to the Director of Media Relations immediately following such a discussion. This will ensure continuity and coordination of information released by the Sheriff's Office. Problems that arise between news media representatives and members of the Sheriff's Office shall be referred to the appropriate supervisor and the Director
- Withholding Information - When news media requests for information are denied by members of the Sheriff's Office, the denial shall be on the basis of Florida Statute 119, regarding the public information laws in the State of Florida or another applicable Florida Statute. Reasons for information denied shall be adequately and courteously explained, in writing if requested.
- Timeliness, Accuracy - Public information shall be released promptly as circumstances allow, in a courteous, and objective manner. Any member shall assist the media by referring the inquiry to the Director of Media Relations and by providing **his/her** name and telephone number if necessary.
- Impartiality - News information shall be released impartially. Under no circumstances shall such information be withheld, delayed, or selectively released to favor any particular news media representative or agency
- When the Sheriff's Office is working a joint investigation of any kind, the Sheriff's Office Director of Media Relations should comment only on that portion of the investigation directly involving the Sheriff's Office. If the investigation is sensitive in nature, comment should only be made after consultation with the lead investigating officers. If the investigation is being conducted solely by another agency, with Sheriff's Office resources on loan to that agency, there should be no comment about the ongoing investigation except to acknowledge what types of Sheriff's Office resources are being used. All Sheriff's Office personnel should refer media requests for information on such investigations to the Director of Media Relations.

[CALEA 54.1.1 F] [CFA 28.04]

- Media Relations will also assist in identifying problems which may occur between the Sheriff's Office and the news media. If these problems are the result of a policy failure, the Media Relations Director shall solicit ideas from the news media and submit a written evaluation of the problem(s) and input from the news media to the Sheriff. [CALEA 54.1.2]

What **SHOULD** and **SHOULD NOT** be released to the media and the public:

[CFA 28.02 A] [CFA 28.04 a,b,c,d,e,f,g,h]

The Sheriff's Office policy on the release of information is governed by the Public Records laws of the State of Florida. Please refer to State Statute 119 for further information or consult the publication "Public Records: A Guide for Law Enforcement Agencies" published by the Office for the Attorney General, and updated yearly. The Sheriff's Office believes in an open and honest policy regarding the release of information.

- The type or nature of an incident **should** be released, such as fire, accident, homicide, suicide, rape, robbery, assault, or burglary.
- The location, date and time, injuries sustained, damages and a description of how the incident occurred **should** be released.
- Type of property taken, including the amount or value of the property **should** be released. (Except monies taken in a robbery of a commercial institution, bank robbery or embezzlement.)
- The identity and address of victims **should** be released, except those victims protected under Florida State Statute 119, including the identity of any victim of a sex crime or child abuse, or related information which, if divulged would tend to lead to such a victim's identification.
- The name, age, and address of adults charged with a crime **should** be released.
- The identity and address of a juvenile arrested on a felony charge, or found by a court to have committed three or more misdemeanor violations must be released upon request. This applies only to juvenile records created after October 1, 1994, the effective date of the amendments to the juvenile confidentiality laws. Confidential information on juveniles arrested prior to October 1, 1994, is available by court order upon a showing of good cause.
- Requests for aid in locating evidence, a complainant or a suspect **should** be released. A person's race **may** be released as descriptive information in such cases.
- Numbers of deputies or people involved in an event or investigation and length of the investigation **may** be released.
- Name of the deputy in charge of a case, his/her supervisor and Sector or unit assignment **may** be released.
- EXCEPTION: Investigative techniques and names of undercover or special investigation deputies **should not** be released.
- The specific cause of death **should not** be released, until determined by the Medical Examiner.
- Arresting or investigating deputies who are likely to be primary prosecution witnesses in a criminal case **shall not** make statements to the press about information that would normally be given in a deposition or a trial.

- Investigative information and information of an evidentiary nature regarding a criminal case **should not** be released, unless approved by the Director of Media Relations after consultation with case officer.
- Contents of suicide notes **should not** be released, although the fact that a suicide note exists may be acknowledged.
- Home addresses and telephone numbers of members of the Sheriff's Office or their families **should not** be released.
- Valuables or cash overlooked by crime perpetrators **should not** be released.
- Arrest dockets **should** be open to media inspection.
- The identity or location of any suspect **can, but does not have to be** released.
- Prior criminal record in Monroe County should be released. Any criminal history outside the county, however shall not be released. Comments about a defendant's character or reputation **should not** be discussed.
- Booking photographs of a defendant **should** be released. This is to include employees of the Office.
- Existence or contents of any formal confession from a defendant, or a failure to make such a statement **should not** be released. This is to include employees of the Office.
- Performance or results of any tests of a defendant's refusal or failure to submit to investigative tests such as a polygraph and any other tests **should not** be released.
- **The identity of a witness can, but does not have to be released. Information about the credibility, character or expected testimony of any witness or prospective witness shall not** be released.
- Prospective testimony, character or credibility of any victims **shall not** be released.
- Any opinion about the guilt or innocence of a defendant or the merits of the case **should not** be discussed.
- Possibility of a guilty plea, plea bargaining or other disposition such as "absentee" or "nolle prosequi" **should not** be released.
- Reports, transcripts or summaries of proceedings from which the press and public have been excluded by judicial order **should not** be released.

Abuse of child(ren) or the elderly – other than information required to be released by law, no information is to be released about such cases until ALL related investigations are complete. At that point, information shall be released based on the judgment of the Director of Media Relations and primary case investigator. Under NO circumstances is the child or elderly victim to be identified to the public. Initial incident reports on such cases are to be restricted from public or media viewing in accordance with Florida Public Records Law.

The Public Information Officer will consult with the affected law enforcement agency before releasing to the media any information that directly affects that law enforcement agency.

Special Considerations

[CALEA 54.1.3 [all of item 4]]

- Crime or Incident Scenes
 - General access - Sheriff's personnel shall extend every courtesy to accredited news media representatives who are officially at the scene covering an incident. These courtesies shall permit closer access than that granted the general public if it is possible given the safety and security of everyone concerned. Media vehicles and equipment may be located closer to the scene if such courtesy does not interfere with either the investigation or with general traffic flow. Where there is danger of personal injury, access shall be restricted until the Deputy-in-charge determines the area is safe.
 - Direct access at crime scenes - Direct access by media personnel shall be allowed only after all known evidence has been processed and the on-site investigation has been completed. Consideration should be given to the rights of private property owners should the crime scene in questions be a privately owned residence or business.
[CALEA 54.1.1 A]
 - Photographing, televising, recording by news media.
 - In public places, news media representatives **shall be** allowed to freely photograph, film, or videotape at the scene of any incident. It is proper to assist the media provided the investigation is neither compromised nor jeopardized by such assistance. **Appropriate consideration should be given to any victims or victim's family members who may be at the scene of such an investigation.**
 - On private property, media mobility shall be restricted unless permission is obtained from the property owner(s) or his/her representative(s) before photographs, films or video tapes are taken on the private property.
 - In a hostage or barricade situation, the **Director** of Media Relations shall do everything in his or her power to assist with the safety of the situation and shall work with the hostage negotiator or supervisor in an attempt to ensure that members of the media do not interfere. This assistance may include, but is not restricted to, keeping the media at a distance from the scene if necessary for safety and security; requesting media aircraft to maintain a safe distance; requesting that the media not attempt to make contact with the suspect(s) or release information about the location or activities of any law enforcement personnel; request the media refrain from releasing specific information about the incident in case the suspect(s) is monitoring television or radio stations.
 - Suspects, accused persons - Suspects or persons in custody **shall not** be deliberately posed for photographs, telecasts, or interviews, but no action shall be directed against the news media to prevent or impede their lawful right to photograph such persons at incident scenes or in other public places.
 - Correctional facilities - News media representatives shall be allowed to freely photograph, film, or videotape in public areas of detention facilities only. In order to photograph, film or videotape in restricted areas of detention facilities, they must obtain permission from the Commander of the facility, or his/her designee. When such a request is received by the Commander or designee, he/she may refer the request to the Director of Media Relations. If the request is handled by the Commander or designee, he/she should promptly notify the Director of Media Relations of the request. Permission must be obtained before photographing or videotaping any inmate of the facility.

- Fire Scenes
 - News media access - Media access to and movement within fire lines at commercial or residential fire scenes is controlled by the fire department's officer-in-charge. When news media arrive at such events, the ranking officer on the scene shall confer with the fire department official in charge and assist in establishing an observation point from which media may observe and/or photograph proceedings.
 - Mobility of media - Decisions governing media mobility rest with the judgment of the fire department officer-in-command. Efforts should be made to accommodate media needs in recognition of unpredictable duration of fires.
- Persons in custody - News media representatives shall not be permitted to interview persons in custody, at an incident scene. News media representatives may be permitted to interview an inmate when the inmate consents to the interview and the Commander of the detention facility determines that such interview shall not affect the orderly operation or security of the facility.
- Confidential or Internal Investigations
 - Confidential investigations – Confidential or investigative information shall not be disclosed except by express permission of the Sheriff or the commander in charge of the operation or investigation.
 - Internal investigations – Sensitive information and the identity of deputies involved in an internal affairs investigations shall not be disclosed except by express permission of the Sheriff or his designee. When information is released on internal investigations, it shall conform with Florida Law, Section 112.533 Florida Statutes. When details on an internal investigation are to be released to the news media, the disclosure shall be made only after the cases have been closed.
[CALEA 54.1.1 E]
- Suicides/suicide notes – The fact that a suicide has occurred may be acknowledged along with factual information describing how it happened. The name, address, age, sex, and occupation of the victim may also be released. The fact that a suicide note exists may also be acknowledged without further comment. Contents of all such messages are personal and confidential and shall not be made to the public.
- Citizen requests - Should a citizen request that information of an incident not be released or reported to the media, Deputies shall explain that crime information is generally considered public information and, therefore, available to news media. Deputies shall explain that such a request will be noted in the information about the incident and the decision to publicize shall be left to the media. If the citizen requests further information about public information and/or the news media, he/she should be referred to the Director of Media Relations.

[CALEA 54.1.3]

Notification Requirements

- **Communications Officer's responsibilities:**
 - Certain incidents can be anticipated to be of interest to the news media. In the interests of expediting the expected requests for information, Communications Officers **shall** make notification of those incidents to the Director of Media Relations **as soon as possible**.
 - If the Communications Officer receives a request for information from a news media representative, that media representative may be referred to the Director of Media Relations. The Director of Media Relations' cell phone number may be released to anyone requesting it. If the nature of the

information request is routine, and if the information being requested is information which would normally be released to a member of the general public, the Communications Officer may give the information to members of the media in the interests of providing public information in an expeditious manner.

- The Director of Media Relations or his/her designee will be notified immediately under the following circumstances:
 - Homicides, including all dead persons except those determined to have died a natural death by the Detective or Deputy in charge.
 - Attempted Homicides.
 - Sexual battery, or attempted sexual battery if there is a potential for danger to other members of the public.
 - Armed robbery
 - Kidnapping.
 - Hostage or barricaded subject.
 - Serious automobile accidents involving death or significant road closures.
 - Aircraft accident.
 - Suicide cases that involve prominent citizens or that occur in a public place.
 - Special Weapons and Tactics Team call out (either by our agency, or another agency).
 - Serious accident involving a Sheriff's Office member with injury or large amount of damage.
 - Crimes by an officer of any local, state or federal agency.
 - Jail break or serious injury to prisoner or Detention Deputy.
 - Arson case, or fire with substantial property damage or loss of life.
 - Disaster – either natural or caused by any person's actions - resulting in the loss of life or extensive property damage.
 - Death of a person in custody, including death of an inmate in a jail facility.
 - Search for missing or wanted persons involving extensive manpower.
 - Strike, riot or major public disorder.
 - Shooting involving law enforcement officer.
 - Hate crimes.

- **Supervisory personnel shall be responsible for:**

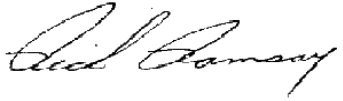
- Informing the Director of Media Relations of significant changes in operations, procedures and personnel such as firings, promotions or significant transfers.
- Personnel should inform the Director of Media Relations of newsworthy information concerning projects, programs or other activities in advance of effective dates.
- Final responsibility for the actions of the Deputy-in-charge with regard to the media rests with **his/her** supervisor. This applies to the submission of an oral summary to Communications and to directing media inquiries at the scene.

- **Responsibility of the District Commanders / Division Directors:**

- Major incidents including raids and multiple arrests require advance notification, **if such is possible**, of the Director of Media Relations to allow for response to the scene and dissemination of information to the news media.
- The Director of Media Relations shall be notified by the Commander of the investigating District when a major crime or catastrophic event requires on-site liaison and coordination for the dissemination of information to news media representatives. This can be accomplished by communications personnel upon the order of the Commander.
[CALEA 41.2.4]

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 70A		TITLE: School Resource Officers
EFFECTIVE DATE: June 20, 2013	NO. PAGES: 2	AMENDED/REVIEWED: June 13, 2013
REFERENCE: CALEA 44.2.4, 44.2.5		RESCINDS:
 Sheriff of Monroe County		

PURPOSE:

The purpose of this directive is to establish guidelines and procedures for the School Resource Unit.

POLICY/PROCEDURE:

All School Resource Officers shall be responsible for: [CALEA 44.2.4]

- Preventing crime through education of our communities' children.
- Coordination and instruction of Project ALERT in our schools.
- Maintaining and creating new programs to enhance children's awareness on crime prevention, drug abuse and other concerns.
- Distributing pamphlets, fliers and newsletters on drug abuse, safety and crime prevention related matters.
- Holding public and/or private meetings on school related matters, when requested.
- Conducting Project ALERT as assigned by the Supervisor.

Participate in school related organizations outside of regular school hours, such as Parent / Teacher Organizations and school sponsored field trips.
- Any and all other law enforcement functions necessary in the schools.
- In conjunction with the school guidance counselor and other school administrators, will provide individual counseling and/or mentoring to students.
- Participation in coordination of Explorer and Cadet programs.


The Supervisor of the School Resource Officers is responsible for:

(Currently the Supervisor of the School Resource Officers is the Director of Media Relations. **Effective June 15, 2013** the Supervisor will be the Commander/Captain of Support Services).

- Supervision of all school Resource Officers, and their day to day activities.
- Overall supervision of all educational programs implemented in the schools by the School Resource Officers.
- Liaison with school officials and coordination of all programs with those officials.
- Yearly evaluations of all School Resource Officers.
- Payroll responsibilities and yearly budget projections for the School Resource program.
- Monitor and implement necessary training for School Resource Officers.
- Oversee fund raising efforts for youth programs. [CALEA 44.2.5]
- Assist and advise the Director / Captain of all educational and community concerns.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 70C		TITLE: Juvenile Programs Unit
EFFECTIVE DATE: June 20, 2013	NO. PAGES: 2	AMENDED/REVIEWED: June 13, 2013
REFERENCE: CALEA 44.1.2, 44.1.3		RESCINDS:
 Sheriff of Monroe County		

I. PURPOSE

The Juvenile Program Unit reports to the Director of Media Relations.

The Juvenile Programs Unit operates under a contract with the Florida Department of Juvenile Justice (DJJ). The Monroe County Sheriff's Office, under the contract, assists in meeting the missions of DJJ: protecting the public by reducing juvenile crime and delinquency in Monroe County.

The Unit accomplishes this by offering three programs to meet causes of youth's delinquency:

- **Teen Court**

Teen Court is offered in both the upper and lower keys to youth who receive citations for misdemeanors. The experience of youth being tried by their peers in a court room is a valuable lesson for first time offenders as well as the youth who participate as jurors.

- **Juvenile Civil Citation**

Youth who receive Juvenile Civil Citations for misdemeanors receive a needs assessment and are assigned sanctions based upon the needs assessment. These youth may be assigned to Teen Court based upon their needs. The youth are given from 30-60 days to complete the sanctions. A Case Manager meets with the youth and parents at least bi-weekly to review progress and offer counseling. If a youth fails to satisfactorily complete the program, the Case Manager sends the original citation to the Office of the State Attorney with a request to review the case in Juvenile Court.

- **Intensive Delinquency Diversion Services**

Youth who are arrested may be diverted back to MCSO to the IDDS program, by the Office of the State Attorney. In this program, the Case Manager conducts a needs assessment and establishes a plan with the youth and family. The plan may include curfews, drug testing, community work service, mental health therapy, anger management, vocational and academic counseling, letters of apology, etc. The program may last up to seven months with regular visits with the Case Manager in the home and/or school.

II. POLICY AND PROCEDURE

Annually, the Director of this Division will prepare a review and written evaluation report of all juvenile enforcement and prevention programs. Such an evaluation may be conducted more frequently. **This report will be sent to the Sheriff via Chain of Command.** [CALEA 44.1.3]

In the establishment of juvenile policies and procedures by the Office, the Juvenile Unit will maintain liaison with Department of Children and Families and Department of Juvenile Justice to solicit their input. [CALEA 44.1.2]

The Juvenile Programs Unit includes a self evaluation with a pre-test/post-test conducted on each youth and a follow-up recidivism report to ensure that the programs are meeting the missions of the Florida Department of Juvenile Justice and the Monroe County Sheriff's Office by protecting the public by reducing juvenile crime and delinquency in Monroe County.

More information and additional policy and procedure documents can be found in Sheriff's Office Outlook Public Folders, and in the contract language itself.

MONROE COUNTY SHERIFF'S OFFICE

GENERAL ORDER

TITLE: EXPLORER POST
GENERAL ORDER: 71
EFFECTIVE: November 8th, 2004
NOTE: Chapter 71
PAGES: 03

POLICY: The Sheriff's Office is dedicated to providing a learning program for students interested in a law enforcement career through an Explorer Post. This program is designed to develop self-esteem, discipline, good citizenship, and leadership. Explorer Post members are not to be assigned duties requiring sworn deputy status.

PROCEDURES

Explorer Program Manual

Each Explorer Post will operate in accordance with the Explorer Program Manual and all the requirements of the Boy Scouts of America Law Enforcement Explorer Program.

The Explorer Program Manual is to be consistent with the Sheriff's Office Operations Manual and is to be used for the day-to-day operation of the individual Explorer Post.

Advisors

The School Resource Officer in the Post Sector will be assigned as the Post Senior Advisor.

The Post Senior Advisor has the authority to veto, without exception, any plan, function, act, or any other matter that arises which may conflict with Office policy.

Sheriff's Office members or other local law enforcement agency personnel may be appointed as Assistant Advisors to the Explorer Post as necessary.

All Advisors will follow their regular Chain-of-Command when dealing with Explorer business.

Membership

Membership will be composed of three (3) units;

- Cadet Explorer – ages 10 – 11
- Junior Explorer - ages 12 – 13
- Senior Explorer – ages 14 - 21

General Program Conditions

- Chartered through the Boy Scouts of America.
- Member of the Florida Sheriff's Explorer Association.
- Members may participate in Explorer functions as determined by the Post Senior Advisor
- Are considered members of the Sheriff's Office Explorer Program
- A ranking Senior Explorer member will supervise Junior Explorers and Cadet Explorers.
- The supervising Senior Explorer will be supervised by the Post Senior Advisor who has final decision authority over all Post business and members.

Ride Along Program

Senior Explorers may ride as an observer with a Patrol Deputy only after completing the following;

- Reached the age of sixteen (16).
- Eight (8) hours of communications training
- Forty (40) hour Explorer Academy or equivalent training.
- Six (6) months in good standing with their respective Explorer Post.
- Ride along waiver.
- All other criteria, rules or procedures as outlined in the Explorer Program Manual or those deemed necessary by the Post Senior Advisor.
- Number of hours of patrol time is regulated as noted below.

Senior Explorers may exit the patrol unit only to the extent of standing in the "Y" of the door or unless otherwise directed by the accompanying deputy.

Senior Explorers will not ride more hours than a regular Deputy's workweek within one-week time.

At the discretion of the Post Senior Advisor, a Senior Explorer shall not ride with the same Deputy twice within one workweek.

During regular school session a Senior Explorer shall be limited to the number of hours he may ride in one week based on their current GPA as follows:

- 1.9 – Below Ineligible
- 2.0 – 2.9 once a week
- 3.0 – 3.4 twice a week
- 3.5 - Higher unlimited

After completing one year in good standing with the Explorer Program, he or she may apply for and receive sponsorship to an Auxiliary, Reserve, Basic Law Enforcement or Basic Corrections Academy based on the endorsement of the Post Senior Advisor and at the Sheriff's discretion.

Explorer Pistol Team

The MCSO Explorer Pistol Team will consist of Senior Explorers aged 14-21 from all three posts for the sole purpose of competing in quarterly statewide FSEA Explorer pistol competitions.

All Explorer Firearms Instructors shall be FDLE CJST Certified or NRA certified Firearms Instructors.

Firearms shall be controlled, maintained and issued to the Explorer Firearms Instructor. Explorers shall only be in possession of firearms during training sessions or competitions and under strict supervision of the Explorer Firearms Instructor or other approved certified firearms instructors at all times. Explorers shall never under any circumstances take a firearm home or any place outside the direct supervision of the Explorer Firearms Instructor or approved certified firearms instructor.

Each Pistol Team member shall complete permission and waiver forms.

Each Explorer shall complete a 40-hour initial firearms training course followed by bi-monthly training.

Membership on the team shall be considered a privilege. The Explorer Firearms Instructor shall have sole discretion in dismissal and appointment decisions regarding individual explorer's participation on the team

Training shall be conducted primarily at NAS Boca Chica Range in Key West, the Range in Key Largo, the Sheriff's Office mobile range or any commercially operated and licensed range in Monroe County.

All MCSO Explorer Pistol Team members and instructors shall comply with all policies regarding the Explorer Pistol Team and the handling of firearms as set forth in the Explorer Program Manual, BSA, FSEA and MCSO General Orders.

Post Officers

Post Senior Advisors may appoint Post Officers at their discretion.

Appointments will be based on written and/or oral exam.

Finances

The Explorer Post will be financed independent of the Sheriff's Office

Monthly dues may be determined by a majority vote of the Post members and collected monthly.

Special fund-raising events may be held to help cover Post activity expenses.

Donations may be received for services performed by the Post for traffic and crowd control at private or community functions and will be deposited into the Post's bank account.

An Explorer Post may request funds from the Sheriff's Office for specific needs.

Participation

Prospective Explorers must be between the ages of ten (10) and twenty-one (21).

Prospective Explorers must attend three (3) consecutive Post meetings, complete an application and pass an oral board prior to being accepted as a Post member.

Prospective Explorers must be law abiding and free from any school disciplinary action.

Prospective Explorers must maintain a minimum of a 2.0 grade point average.

Prospective Explorers must be willing to work a minimum of 20 hours per month for the Explorer Post in assigned duties, meetings, activities and details.

Authority

Explorers are not law enforcement officers, accordingly they;

Shall not in any way act or present themselves in the capacity of law enforcement officers

Shall not in any way interfere with the duties of any law enforcement officer.

Shall not carry any weapon, lethal or non-lethal with the following exceptions.

- When participating in Explorer Pistol Team Tournaments.
- When under the direct supervision of an Advisor for the purpose of practice or training.

Uniforms

Explorers will comply with the Operations Manual, Chapter 9

The Explorer uniform shirt will differ from that of a Deputy to eliminate them being confused with Deputies.

Discipline

Explorers will comply with the MCSO Operations Manual and the Explorer Program Manual concerning discipline

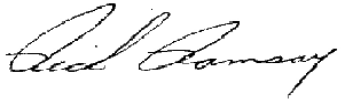
Activities

Law Enforcement Explorers may participate in the following activities as opportunities present themselves:

- Florida Sheriff's Explorer Association meetings and activities
- Explorer Academy
- Law Enforcement Explorer competition
- Social functions as organized by the Post
- Invited to participate in annual Office picnics and Christmas dinners
- Field trips as organized by the Post

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 80		TITLE: Finance
EFFECTIVE DATE: April 22, 2013	NO. PAGES: 24	REVIEWED/REVISED: July 19, 2013
REFERENCE:		RESCINDS:
 Sheriff of Monroe County		

I. PURPOSE

The purpose of this directive is to identify authority and responsibility for fiscal management of the agency and to establish guidelines for budgeting, accounting, and fiscal control procedures.

II. DISCUSSION

In the Sheriff's administration of the Agency, as with all public offices, there must be unquestionable evidence, protected by the concept of checks and balances, that the vested public trust is not violated. To this end, financial accounts and records must clearly and unquestionably show that:

- ◆ The Sheriff is properly managing the financial affairs of the office;
- ◆ The fidelity of all employees handling public funds is safeguarded;
- ◆ All applicable administrative rules and statutory provisions are carefully and fully complied with;
- ◆ All public records are available for public and official inspection, as required by law.

The Sheriff is the Chief Executive Officer, having the authority and responsibility for the fiscal management of the agency, as defined in Chapter 30.49 of the Florida State Statutes. The overall authority and responsibility of the Sheriff's Office fiscal management function and centralized purchasing system rests with the Director of Finance.

The Finance Department is responsible for providing financial services including financial accounting and reporting, payroll, accounts payable disbursements, cash and investment management, budgeting, purchasing, and special financial and policy analyzes.

III. POLICY AND PROCEDURES

A. Fiscal Management Responsibility

1. The Sheriff is solely responsible for the control, operation, and administration of his agency. This includes management control of the operating budget and other fiscal affairs attendant to agency operations.

2. Due to the size, complexity, and volume of the fiscal management function, responsibility for management of Sheriff's Office fiscal affairs is delegated to the Office of the Bureau Chief and through him to the Director of Finance.
3. The Director of Finance shall possess at a minimum, a Baccalaureate degree in Accounting, Business Administration or a related field from an accredited university or have ten (10) years of financial management experience.

B. Budget

The budget is perhaps the single most valuable document for assisting the Sheriff in meeting the growing service demands of the community. Therefore, it shall receive careful thought and preparation in its development. Planning for delivery of services shall center on the development of goals and performance objectives which lead to end results or service levels to be accomplished. Careful attention must be given to the identification of specific performance objectives and service levels and to relate budget requests to those objectives.

1. Budget Preparation and Participation

- a. The Sheriff's fiscal year is the period October 1 – September 30. Preparation of the next fiscal year budget begins in March to provide adequate time for a well prepared budget request. Steps involved in budget preparation are as follows:
 - 1) The budget shall be submitted to the County's Office of Management and Budget shall by June 1st. The Office of Management and Budget shall provide a timetable for the meetings/workshops/hearings regarding the annual budget.
 - 2) The Director of Finance shall distribute a budget worksheet outlining the current year's budget and a proposed budget for the next fiscal year. A memorandum outlining instructions and guidance to the Commanders/Directors is also included. These are distributed by the last day of March.
 - 3) To insure broadest appropriate participation in the budget preparation process, the Division/Sector Commanders/Directors are requested to review the budget worksheets and to submit their own budget proposals.
 - 4) Commanders/Directors shall prepare their budget proposals based on analysis/evaluation of performance and goal attainment to insure adequate levels of service to the community rather than a fixed "target" or percentage increase. When possible, program expansions should be offset by reductions in other programs that have proven marginal.

2. Budget Review, Submission and Approval

The Director of Finance shall schedule such meetings with the commanders/directors and staff as may be necessary to finalize the preliminary budget and insure its submission to the Board of County Commissioners (BOCC) in a timely manner.

3. Budget Appropriations

- a. One-twelfth (1/12) of the approved budget shall be requisitioned from the Board of County Commissioners each month, with the exception of January when one-sixth (1/6) may be requisitioned resulting in no requisition in September. The requisitioned amount shall be deposited in the Sheriff's general fund bank account.
- b. Unexpended budget appropriations shall be refunded to the Board of County Commissioners by October 31st, following the end of the fiscal year.

C. Position Control

1. The Human Resources Office maintains a position control list/board that is based upon positions authorized in the budget. The following procedures shall be used to control the number and type of agency positions that are filled and vacant at any time. This will ensure that persons on the payroll are legally employed and that positions are in accordance with budget authorizations.
2. Upon receipt of the authorized budgeted positions list, it shall be reviewed by Human Resources to ensure that:
 - a. The position board is in agreement with the list
 - b. Any discrepancies are verified and corrected
 - c. The board is updated by adding and deleting personnel changes.
3. Upon request for the filling of vacancies, the Human Resources Director shall review the list for verification that the vacancy exists.
4. At no time may a new employee be hired if there is no authorized budgeted vacancy unless approved by the Sheriff.

D. Emergency Appropriations and Fund Transfers

1. Emergency appropriations occur when significant, non-budgeted expenditures are required. When possible, these expenditures will be made using the existing budgeted funds. However, if unable to do so, a request for an additional appropriation shall be presented to the Board of County Commissioners.
2. Transfers of appropriated funds may be made within personnel services, operating and capital expenses by the Director of Finance. Transfer of funds between personnel services, operating and capital expenses may only be made with the approval of the Monroe County BOCC.

E. Accounting

1. All maintenance of accounts and records shall be in accordance with generally accepted accounting principles and applicable laws, and shall be in sufficient detail to permit an annual audit.
2. The accounting system is programmed with American Fundware software, which incorporates a system of internal accounting controls. Such controls have been designed and are continually being reevaluated to provide assurance regarding:
 - a. The safeguarding of assets against loss from unauthorized use or disposition.
 - b. The reliability of financial records for preparing financial statements and monitoring accountability for assets.
 - c. Monitoring of expenditures so as not to exceed the budget.
3. Reports
 - a. The financial accounting system routinely provides automated monthly status reports and other unscheduled reports as may be requested from the general database.
 - b. Monthly status reports include at least the following:
 - 1) Initial appropriation for each account

- 2) Expenditures and encumbrances made during the period
- 3) Expenditures year-to-date
- 4) Unencumbered balance
- 5) Year-to-date variance to budget

- c. Each appropriation and expenditure is minimally classified as to fund, organizational component, activity, object and program.
- d. Additionally, the Director of Finance will provide the Bureau Chief with a monthly budget analysis report that reflects the amount of budget remaining by division, function, object and fund.
- e. An annual budget report shall be prepared detailing fiscal year results of actual expenditures compared to budget. This report shall be forwarded to the Florida State Comptroller and to the Monroe County Clerk of the Circuit Court by October 31st.

F. Accounting Policies and Procedures Manual

1. An Accounting Policies and Procedures Manual shall be maintained by the Director of Finance. The manual shall outline the duties of each position in the Finance Department and indicate the flow of work between its members by means of charts, graphs, examples, and narratives. Included in the manual will be an updated listing regarding employees, chart of accounts and departments, blanket purchase orders, storeroom catalog, purchasing policy, petty cash procedures, and travel voucher procedures. The accounting policies and procedures shall be in accordance with generally accepted accounting principles.
2. Each member of the Finance Department shall receive a copy of the manual and any revisions made thereto. It is the responsibility of the member to become familiar with the manual and to comply with its provisions.

G. Internal Monitoring

In order to provide continuous and timely monitoring of the Agency's fiscal activities and insure that established internal control procedures are being administered effectively, all Commanders/Directors/Supervisors shall execute strict control over all passwords assigned to members, the assignment of office keys, and restricting access to the workplace to only authorized individuals.

H. Internal Audits

1. Internal audit is an ongoing function of the Finance Department. The Director of Finance shall, as an adjunct to the aforesaid, perform his own reconciliation closeout and audit of the Agency's fiscal activity.
2. At least quarterly, the Assistant Director of Finance, or designee, shall conduct an internal audit of funds, receipts and deposits. In addition, the Assistant Director of Finance shall prepare general ledger account analysis/ reconciliation on a monthly basis for all funds.
3. There shall be a physical inventory taken annually of all property. The Finance Department shall go on-site to inspect and compare property to the inventory records maintained by the Finance Department.

I. Collecting, Safeguarding and Disbursing Cash

All financial transactions relating to the operating budget are performed as a function of the Finance Department by means of the purchasing/disbursement process. All requests for goods

and services must be channeled through this department and all fiscal control procedures and accountability are conducted here. The agency's on-line financial management system provides monitoring of all budget related items and appropriations of organizational levels.

1. Legal Process Fees

- a. Florida law requires the Sheriff to charge fees for certain administrative services of his office. The Support Services Division, Civil Section is responsible for the collections, safeguarding, and disbursement of funds relating to the serving of subpoena and execution of levy's in accordance with State and County regulations. All monies received under this program shall be recorded in a separate revenue fund and deposited into a separate bank account.
- b. All members of the Civil Section are authorized to collect cash and/or checks.
- c. All funds shall be balanced daily by the Civil Supervisor, or designee. A copy of the check, receipt, and deposit slip shall be forwarded to the Finance Department. The Finance Department shall enter the receipts into the computer.
- d. All funds shall be deposited daily by the Civil Section.
- e. At the end of the month, the subpoena fees, plus all interest earned in the account shall be remitted to the Board of County Commissioners. The Levy accounts shall be maintained until the court case is closed, at which time the levy's shall be refunded, less expenses.

2. Technical Service Fees

- a. Fees collected by the Agency for services relating to fingerprinting, photography, copies for videos, etc. shall be collected, reconciled, and transmitted to the Finance Department.
- b. Monies shall be balanced against receipts daily.
- c. Monies shall be stored in a secured area and brought to the Finance Department at least 3 times a week.
- d. Each unit supervisor shall be responsible and held accountable for the safeguarding of all monies.

3. Petty Cash Fund

- a. Petty cash funds shall be assigned to designated personnel throughout the Sheriff's Office for the purchase of incidental items under \$100.00 in total when needed on an immediate basis. Incidental items are subject to the written pre approval of the Sheriff, or designee, when purchasing light snacks and drinks for community service projects and special events i.e. citizen's police academy, accreditation on-sites and active shooter simulation. Light snacks and beverages are limited to soda, coffee, water, chips, crackers, cookies, candy, nuts and paper products. No food or drinks will be provided for regular MCSO trainings. The Director of Finance shall approve a request to establish a petty cash fund and the amount of the particular fund. For purchases over \$100.00, a properly approved purchase requisition shall be completed and submitted through the normal purchasing process.
- b. Petty cash funds have been approved for the following departments:
 - 1) Property Departments
 - 2) Headquarters
 - 3) Key West Detention Center
 - 4) Cudjoe Key
 - 5) Key Vaca Station

- 6) Key Vaca Detention Center
- 7) Special Investigations
- 8) Plantation Key
- 9) Plantation Key Detention Center
- 10) HIDTA – Puerto Rico
- 11) HIDTA – Monroe County
- 12) Victim Advocates
- 13) Islamorada Station
- 14) Civil Division
- 15) Training

- c. Prior to purchase, a petty cash receipt form shall be completed for the item needed and the amount required. The purchaser's supervisor must approve.
- d. The approved receipt form is then given to the petty cash custodian. The requestor and the custodian will sign the form when the cash is transferred. The custodian will retain the receipt form.
- e. After the purchase, the requestor returns the purchase receipts and excess cash to the custodian, who staples the purchase receipts to the petty cash receipt form, and notes on the petty cash form the excess cash returned. If additional cash is needed, the custodian will reimburse the requestor and note it on the petty cash receipt form, which is then signed by the requestor.
- f. Sales tax is not reimbursable. It is the duty of the petty cash custodian to deduct any sales tax, before reimbursement is made.
- g. The custodian will record the transaction on the Petty Cash Log noting the date, item purchased, amount, and balance remaining.
- h. As needed, the custodian will submit a request for replenishment of the petty cash fund. A copy of the log, along with the original receipts and petty cash receipts, is to be submitted to the Finance Office for reimbursement. The Finance Office will process a check made payable to the custodian.
- i. Periodic audits of the petty cash fund will be performed by the Director of Finance, or designee.

J. Disbursing Cash

- 1. The Florida Prompt Payment Act provides for the prompt payment by government entities to vendors for goods or services received. Unless otherwise stated in the terms of the agreement, contract or purchase order, the agency shall make payment within 45 days from the date on which a proper invoice is received.
- 2. The invoice will contain the following minimum information:
 - a. Name of vendor
 - b. Mailing address of vendor
 - c. Date
 - d. Agency purchase order number
 - e. Vendor's invoice number
 - f. For invoices for the purchase of materials:
 - 1) Item description
 - 2) Quantity purchased

- 3) Unit price
- 4) Total price per item
- 5) Total invoice amount

g. For invoices for the purchase of services:

- 1) Description of services performed
 - 2) Date(s) services were performed
 - 3) Billing method for services performed
 - 4) Itemization of other direct reimbursable costs
3. The Finance Assistant-Accounts Payable shall ensure that prices, quantities, and materials/services listed on the invoice match the completed receiver (blue) copy of the purchase order, the prices on the yellow copy of the purchase order, and the shipping documents. Discrepancies shall be resolved prior to processing for payment. In the case of Blanket Purchase Orders and contracts, the Finance Assistant shall verify that the invoiced items/services represent valid requirements of the agency, and that the proper approval is present.
 4. The Finance Assistant-Accounts Payable shall ensure that invoices do not represent a duplicate payment prior to processing for payment. The Cash Requirements Report shall also be reviewed for identified possible duplicate payments.
 5. The following positions are authorized to sign checks for the Monroe County Sheriff's Office:
 - a. Sheriff
 - b. Undersheriff
 - c. Legal Counsel
 - d. Bureau Chief
 - e. Director of Finance.

6. Sheriff shall sign as a single signature. Two signatures are required otherwise. A facsimile signature of the Sheriff is maintained in the Finance Department, and used in conjunction with the check signing machine.

7. The Sheriff authorizes the following positions to disburse cash as indicated.

- a. Finance Director or Designee – up to \$1,000
- b. Undersheriff & Chief Bureau of Administration – up to \$10,000.
- c. Sheriff – approval required for any amounts over \$10,000.

K. Tuition Reimbursement

1. Upon completion of a class, the member shall send the following items to the Finance Department:
 - a. Receipt for the tuition paid
 - b. Copies of grants/other funds received by the member for tuition
 - c. Copy of the official report card or transcript
 - d. Tuition Reimbursement Forms (2).

Reimbursement for tuition and other expenses will be made in accordance with the provisions of Chapter 56.

L. Purchasing

1. The Director of Finance is responsible for the administration of the agency's purchasing activities. The procurement or purchase of all agency supplies and equipment shall be in accordance with these policies. There are no statutory requirements mandating competitive bids. However, the Florida Sheriff's Association strongly recommends bids be used to obtain the lowest reasonable cost to protect public interest.
2. A system of authorization and approval is an important element of internal budgetary control that must be applied to all purchasing transactions. All requests for the purchase of materials or services shall be properly approved prior to the issuance of a purchase order or other means of a written contract. All purchases shall be made by the Purchasing Agent, or designee, except where obligational authority has been delegated to others by the Sheriff. The Purchasing Agent is the only person authorized to open a credit account with a vendor.
3. Employees engaged in the purchasing shall be free of interest or relationships which are actually or potentially detrimental to the best interest of the agency and shall not engage or participate in any commercial transactions involving the agency in which they have an undisclosed financial interest.
4. All agency employees are prohibited from engaging directly or indirectly in business with the agency. All employees must avoid the appearance of impropriety or conflict of interest and must comply with applicable law.
5. The Monroe County Sheriff's Office is exempt from Florida Sales & Use Tax.
 - a. The Purchasing Agent shall send a copy of the tax exempt certificate with the order when a vendor is used for the first time. The Finance Assistant – Accounts Payable shall disregard and not pay Florida Sales & Use Tax when it appears on invoices.
 - b. Upon receipt of a new tax exempt certificate, the Finance Department shall make copies and distribute the copies to key people throughout the Agency. These key people shall make the certificate available to employees/vendors as needed.
 - c. Sales tax shall not be included in an employee's reimbursement, whether the reimbursement is by petty cash or an operating check. Employees shall obtain a tax exempt certificate and shall present it at time of purchase in order to avoid paying sales & use tax.
6. Price Quotations and Competitive Selection
 - a. Purchases made under the following circumstances are exempt from competitive selection procedures:
 - 1) Emergencies
 - 2) Single source products
 - 3) Products available through existing contracts, purchase agreements or contracts executed by other units of government which contain authority for local use (i.e., state contracts or GSA contracts).
 - 4) Acquisition on terms identical or better than those contained in a written contract secured by another unit of state or local government after a competitive procurement process completed no more than one year prior to purchase by the agency.
 - 5) "Follow-on" contracts, where a new contract is made with a contractor who has previously provided goods or services to the agency and a subsequent contract permits the continued development or production of a major system or specialized equipment, and conducting a

competitive procurement procedure is likely to result in duplication of cost not expected to be recovered through competition, or unacceptable delays in fulfilling the agency's needs.

- b. The agency has established the following thresholds that require competitive bids based on the estimated cost of an item and/or the quantity of items to be purchased.
- c. Less than \$4,000 for aggregate purchase of like-kind items: Bids not required.
 - 1) Bids for Purchases:
 - a) Between \$4,000 - \$7,000: Requisitioning personnel, with the assistance of the Purchasing Agent, will obtain at least (2) telephone or in-person price quotes. Documentation shall be attached to the purchase requisition and purchase order. The lower of the two will be selected, absent unusual circumstances which must be documented.
 - b) Between \$7,001 - \$10,000: Requisitioning personnel, with the assistance of the Purchasing Agent, will obtain at least (2) written quotes. The solicitation may be requested in writing, by telephone or in person. All quotes shall be attached to the purchase requisition and purchase order. The lower of the two will be selected, absent unusual circumstances which must be documented.
 - c) Greater than \$10,000: Any purchase of or contract for goods or services costing more than \$10,000 during any fiscal year shall be made only after a competitive procurement process has been conducted. A Commander or Director in needs of goods or services exceeding this cost threshold will notify the General Counsel, and Director of Finance. The Commander or Director shall meet with the Director of Finance and General Counsel to plan a competitive procurement process designed to produce the best value for the agency. No contract for goods and services costing more than \$10,000 during any fiscal year shall be entered into by the agency without approval of the Sheriff, General Counsel, and Director of Finance

7. Purchase Requisitions

- a. The purchase requisition serves to notify the Purchasing Agent of the specific material or services to be purchased. In addition, the properly approved requisition provides the authority to charge a specific account and allows for verification that sufficient funds are available in the account specified. All purchases, except those covered by Blanket Purchase Orders or Approved Recurring Expenditure Listing, must be documented on a requisition form. Requisitions are to be coded to indicate the department and sub-account expense number.
- b. The Sheriff has established price thresholds that authorize agency personnel at specific levels of command to approve purchase requisitions for issuance of purchase orders.
- c. The thresholds for approval of requisitions are as follows:
 - 1) The Bureau Chief and Correction Major will approve purchase requisitions as follows:
 - a) Single item with a unit cost greater than \$1,000
 - b) Multiple items/quantities with a total cost greater than \$2,500
 - 2) Sector Commanders/Directors will approve purchase requisitions as follows:
 - a) Single item with a unit cost less than \$1,000
 - b) Multiple items/quantities with a total cost less than \$2,500

- d. Purchase requisitions must have the appropriate approval per the above thresholds prior to the issuance of a purchase order. Requisitions are not to be subdivided to avoid quotation/bid requirements or approval thresholds.

8. Sole Source Purchase

- a. The purchase of materials or services from a single source may be exempt from competitive price quotations or bids when written documentation is received from the District Commander/Director. The request shall set forth the reasons why this is the only item that will fulfill the need and why a sole source should be utilized for this purchase. This written documentation is to be submitted to the Purchasing Agent.

9. Contracts – Financial

- a. All contracts, prior to approval, are to be reviewed by Risk Management, General Counsel, the Finance Director and the Commander. Contracts obligating the Sheriff in the disbursement or receipt of funds shall be forwarded to and maintained by the Finance Department. Copies of all fiscally related signed contracts shall be forwarded to the Legal Department.

10. Criteria for Selection of Vendors and Bidders

- a. The selection of vendors and bidders is the responsibility of the Purchasing Agent, which requires the consideration of several factors. The Agent will endeavor to place orders with regard to the dependability and service record of the vendor, the nature of the guarantee and warranty of the product, price, quality, and availability of delivery.
- b. Local preference may be given to Monroe County vendors in accordance with this directive.
- c. The Purchasing Agent shall use his/her best efforts to ensure that Minority and Women Businesses shall have an equitable opportunity to participate in the agency's purchasing process, and that no business shall be excluded from participation in, denied benefits or, or otherwise discriminated against in connection with the award and performance of any purchase order or contract with the agency on the grounds of race, creed, sex, age, national origin, or physical impairment.

11. Purchase Orders

- a. The standard document utilized by the agency when placing an order for materials or services is a purchase order, issued by the Purchasing Agent upon receipt of a properly prepared and approved purchase requisition.
 - 1) The purchase requisition shall be completed in its entirety, indicating such information as the vendor, the item count and description, the ordering department and sub-account code.
 - 2) A separate requisition is required for each vendor.
 - 3) Storeroom items and outside vendor items require separate requisitions.
- b. The purchase order states in specific terms and conditions the purchase and sales agreement between the agency and the vendor.
 - 1) Any verbal order communicated to a vendor from agency personnel shall be accompanied by a purchase order number issued by the Purchasing Agent.

- 2) The verbal order shall be followed by a written confirming purchase order.
- 3) Agency personnel shall not obtain material or services prior to the issuance of a purchase order.
- c. Once prepared, the Director of Finance shall review the purchase order and attached purchase requisition for appropriate approval, account coding, reasonableness and cost. The purchase order is returned to the Purchasing Agent who will distributed it as follows:
 - 1) Original – vendor
 - 2) Yellow – Accounts Payable
 - 3) Pink-Purchasing
 - 4) Blue-Receiving
 - 5) White-Requestor's
- d. When the materials are received/the services performed, the requestor must indicate on the blue copy the date received, quantities received and approving signature. The blue copy, along with packing slips, etc. are then sent to the Finance Assistant - Accounts Payable.
- e. The Purchasing Agent shall conduct a monthly review of all pending/open purchase orders, determine the cause for incompleteness, and take appropriate action to resolve completion/cancellation of the purchase order.

12. Immediate / Emergency Operational Purchases

- a. Commanders/Directors are authorized to effect the purchase of materials or services without the issuance of a purchase order when an immediate operational need exists that could not be anticipated. These circumstances may be broadly defined as those which involve the following:
 - 1) Maintenance of public health, safety and welfare
 - 2) Protection of public and private property
 - 3) The surveillance or investigation of unlawful activities and the apprehension, transport, or interrogation of the persons involved.
- b. Upon receipt of the materials or services, the Commander/Director will attach the vendor invoice to a purchase requisition, along with an explanation of the emergency, and forward it to the Finance Assistant-Accounts Payable.

13. Credit Card Purchases

- a. Commercial credit cards are furnished at various times to employees for the purchase of specific items and are assigned to departments who have established an ongoing need for the purchase of items.
- b. Credit cards are to be utilized for the purchase of items needed in the performance of official duties only and must not be utilized for the purchase of personal items.
- c. Receipts for credit card purchases are to be marked with the department to be charged for the expense, and submitted to the Commander/Director for approval.
- d. The marked and approved receipt, or credit receipt, is then forwarded to the Finance Assistant-Accounts Payable.

- e. The Finance-Assistant – Accounts Payable is to match the receipt to the charge on the credit card statement. A charge on the credit card statement is not to be paid without a marked approved receipt from the department.

M. Gifts and Gratuities

1. All employees shall adhere to the following standards concerning the acceptance of gifts and gratuities:
 - a. No employee shall accept gifts, personal loans, or other special considerations from an individual or business organization doing business with the agency.
 - b. No employee shall become obligated to any vendor or conduct any agency transaction from which they may personally benefit.
 - c. Any employee who is offered or receives such a gift or payment from a vendor shall refuse, return it to the giver in a tactful manner, and document the incident to his/her supervisor.

N. Independent Audit

1. An annual audit by an independent certified public accounting firm retained by the County shall be conducted of the agency's fiscal activities.
2. During the audit, the Finance Department shall provide adequate working space and assist the auditors with requests for information during their examination.
3. The Director of Finance shall respond to comments addressed in the Independent Auditor's Management Letter.

O. Cash Collections and Receipts

1. The Monroe County Sheriff's Office collects monies from the public for a variety of services including posting of jail bonds, photocopy and fingerprinting charges, meal tickets, and inmate funds. Designated personnel, or their designees, of the following agency components are authorized to collect cash and issue receipts:
 - a. Substations
 - b. Jail
 - c. Jail Records
 - d. Central Records
 - e. Support Services
 - f. Civil
 - g. Property/Evidence
 - h. Finance Department
 - i. Special Operations

Revised 08/10/09

2. In all areas, pre-numbered receipts shall be used for all cash collections. All receipts are to be accounted for, including voids.
3. It is the responsibility of those persons authorized to accept monies to provide the payor with a receipt documenting the transaction. MCSO has two approved receipt form books:
 - a. Cash Appearance Bond Receipts – used for the posting of jail bonds
 - b. Standard Cash Receipts – used for all other receipts
4. Each receipt has an original and two copies, and are distributed as follows:

- a. White original is given to the customer
 - b. Yellow copy is attached to the bank deposit slip
 - c. Pink copy remains in the receipt book as the permanent record.
5. Voided receipts are to be marked "VOID" and handled in the same manner except the white copy can be disposed of. Completed receipt books shall be delivered to the Finance Department.
 6. All cash receipts shall be reconciled to the bank deposit prior to being delivered to the Finance Department.
 - a. Deposits are to be made on a timely basis. It is the responsibility of the funds custodian to secure all monies in a locked cabinet until the deposit is made.
 - b. Upon deposit, the deposit slip shall be attached to the receipt pink copies, and the documents shall be sent to the Finance Department.
 7. Upon receipt in the Finance Department, an audit of the deposit information will be performed. This audit shall include the following:
 - a. Balancing the deposit total to the sum of the receipts
 - b. Accounting for all of the receipt numbers
 - c. Verifying the timeliness of the deposit
 8. Overages and shortages shall be investigated by the Finance Director, and if material, reported through an incident report to the Inspector General.

P. Cash Investment Guidelines

1. These investment guidelines apply to all surplus funds held by or for the benefit of the Monroe County Sheriff's Office. Investments of the Monroe County Sheriff's Office are subject to Section 219.075, Florida Statutes, and Section 218.415(15), Florida Statutes.
2. Investment Objectives:
 - a. The Sheriff's Office shall strive to achieve with each investment opportunity, the following objectives:
 - 1) Safety - Safety of capital is regarded as the highest priority in the handling of investments for the Monroe County Sheriff's Office.
 - 2) Liquidity – The Sheriff's Office investment portfolio will provide sufficient liquidity so that funds are available for timely satisfaction of financial obligations.

Investment Income – The Sheriff's Office will strive to optimize return on investments within the restraints of safety and liquidity.

3. Authorized Investments:
 - a. The Monroe County Sheriff's Office has elected to conduct investment activities within the guidelines of s.218.415(16), F.S. Therefore, the Sheriff's Office may invest in the following instruments, subject to the limitations of s. 218.415(16), F.S.:

- 1) The Local Government Surplus Funds Trust Fund, or any intergovernmental investment pool authorized pursuant to the Florida Inter-local Cooperation Act as provided in s.163.01, F.S..
- 2) Securities and Exchange Commission registered money market funds with the highest credit quality rating from a nationally recognized rating agency.
- 3) Savings accounts in state-certified qualified public depositories, as defined in s.280.02, F.S. (Section 280.02(15), F.S., defines "Quality Public Depository" as any bank or savings association organized and existing under the laws of this state and any bank or savings association organized under the laws of the United States that has its principal place of business in this state or has a branch office which is authorized under the laws of this state or of the United States to receive deposits in this state, that meets all of the requirements of this chapter, and that has been designated by the Treasurer as a qualified public depository).
- 4) Certificates of deposit in state-certified qualified public depositories, as defined in s. 280.02, F.S.
- 5) Direct obligations of the U.S. Treasury (Examples: U.S. Treasury Bills, Notes, Bonds).
- 6) Federal agencies and instrumentalities (Examples: Bonds, Notes and discount notes of the Federal Home Loan Mortgage Association, Federal National Mortgage Association, Federal Farm Credit and Student Loan Marketing Association).

Q. Payroll Management

The Finance Assistant-Payroll, under the supervision of the Finance Coordinator shall ensure that all payroll documentation is properly completed prior to processing.

1. Payroll documentation shall include the time sheet and other documentation from the Human Resources Department concerning a person's pay status.
2. The time sheet shall be signed by the agency member and the member's supervisor. The supervisor is to review the time sheet for accuracy and completeness.
3. The method used to calculate a member's time to be paid shall be in accordance with Chapter 9 of the General Operations Manual.
4. Copies of all payroll records and documentation shall be maintained by the Finance Assistant-Payroll.

R. Inventory / Property Management

The Inventory Manager, under the direction of the Director of Finance, is responsible for maintaining accurate records on the Supplies Inventory, the Fleet Inventory, and the Fixed Asset Property Inventory. Each Commander is responsible for the accountability, maintenance, safe operation, proper utilization and safekeeping of all property assigned their respective divisions.

1. Supplies Inventory

- a. An inventory of supplies is to be maintained to meet the day-to-day operational needs of the agency. The inventory items are to be maintained at levels that are appropriate and determined by usage and delivery time requirements. The supply inventory is to be

maintained in a safe and secure site. The supply inventory shall include all uniforms required to be worn by the agency.

- b. Records of the inventory will be maintained on software that will provide current period and historical information regarding receipts, distributions, quantities and cost. On a monthly basis, random counts of inventory items shall be made and compared to the computer calculated count. Discrepancies are to be investigated and a report of findings sent to the Director of Finance.
- c. The supply officer shall receive supplies and equipment delivered for the agency, shall inspect the items for satisfactory condition, and ensure that the items are reflected on the shipping/packing document. Any discrepancies are to be noted on the shipping/packing document or purchase order (blue copy), and both documents are sent to the Finance Assistant-Accounts Payable. If delivery is made to another location, the authorized division personnel will perform this same procedure. The supply officer shall periodically review the files for outstanding purchase orders that are past a reasonable delivery date. The supply officer shall notify the purchasing agent, who will investigate.
- d. To order supplies from the storeroom, a purchase requisition shall be completed, approved by the appropriate Commander/Director, and sent to the supply officer. The supply officer will distribute the ordered items, if available, along with a copy of the requisition. If an item is temporarily not in stock, the item will be marked through on the requisition and marked "re-order." If a different quantity is distributed, the ordered quantity will be marked through, and the quantity distributed will be indicated.
- e. Once the new hire standard issue has been made, uniform replacement items shall be issued only on an exchange basis, except when justification is made in writing and attached to the requisition.
- f. When an item on the requisition is not in stock, the requisitioner will be notified. The requisitioner shall re-order the item at a later date.
- g. A minimum stock level shall be determined for each item, based on usage and delivery time. The Fleet/Inventory Manager shall determine these levels, making adjustments for policies outlined in the Corrections Policy Manual.
- h. A monthly report of the cost of distributions to agency departments shall be prepared and forwarded to the Finance Department no later than the fifth working day of the next month for entry into the general ledger. The cost used is the latest price paid for the item.

2. Fleet Inventory

- a. An inventory of the fleet shall be maintained by the Finance Assistant-Fixed Assets, as well as by the Fleet/Inventory Manager. The inventory maintained by the Finance Assistant is minimal in that it contains the date acquired, make, and cost, and is part of the inventory for the entire agency. The Fleet/Inventory Manager shall maintain additional information such as the unit number, department, and to whom the vehicle is assigned.
- b. It is the responsibility of the Fleet/Inventory Manager to ensure the operational readiness of the vehicle and motorcycle fleet. To this end, the Manager is to order, receive, and outfit new vehicles, as well as have the vehicles titled and registered. The Fleet/Inventory Manager decides which vehicles are to be recycled, and which vehicles are to come off the road and be disposed.
- c. All problems with vehicles are to be reported to the Fleet/Inventory Manager, who is to make the appropriate recommendation regarding correcting the problem, and to follow up to ensure

that the problem is corrected in a timely manner and at a reasonable cost. In evaluating the decision to make the repair, the Fleet/Inventory Manager shall take into account the current value of the vehicle. Repairs are not to be made without the approval of the Fleet/Inventory Manager.

- d. Records shall be maintained so as to provide a history of repairs for each vehicle.

3. Fixed Asset Property Inventory

- a. An inventory of all property with a value of **\$1,000** and a useful life expectancy of over one year shall be maintained by the Finance Assistant-Fixed Assets. Additionally, a separate inventory of equipment assigned to agency members shall be maintained.
- b. The Finance Assistant-Fixed Assets is responsible for identifying items to be included in the inventories, assigning the item an inventory number, ensuring the inventory number tag is placed on the item, recording the items in the correct inventory with all identifying information, and maintaining documentation on the acquisition.
- c. The Commanders/Directors shall be responsible for all inventory assigned to their division/department and shall be informed when physical inventories are conducted. Results of the physical inventories shall be disclosed to them.
- d. The Finance Assistant-Fixed Assets shall conduct on an annual basis a physical inspection of the inventory of items over **\$1,000**. The inspection shall include identifying all items recorded in the inventory, listing and tagging items present but not on the inventory listing, and noting items on the inventory listing that are not located. Items that are not located are to be marked as "Unlocated" on the inventory listing. A listing of all unlocated items shall be provided to the appropriate Commander for further action. The Commander shall initiate a search for the items, notifying the Finance Assistant-Fixed Assets of the results. After two years of being "Unlocated", the item shall be reported on the monthly disposal report.
- e. The Commanders/Directors shall request in writing to the Finance Assistant-Fixed Assets that an item be disposed of and the reason for the disposal. The property tag is to accompany the notification.
- f. The Finance Assistant-Fixed Assets shall maintain inventory records for each member of the Agency that has received property that is personal in nature. This would include guns, vests, computers, radios, etc. This inventory is to be verified and updated on an annual basis.
- g. Each month, the Finance Assistant-Fixed Assets shall prepare a disposal report that lists all items that are to be removed from the inventory. This report shall be reviewed and approved by the Director of Finance, Bureau Of Administration Chief and Sheriff. Once the request **is approved** the items shall be removed from the inventory, and the Commander/Director notified that the requested items can be disposed.

(Effective 9-13-2006)

- h. The Finance Assistant-Fixed Assets shall reconcile the fixed asset inventory listing to the general ledger, on a monthly and a year-to-date basis. This reconciliation shall be reviewed and approved by the Director of Finance.

4. Operational Readiness of Inventory Items

- a. All issued items are to be maintained in operation ready conditions at all times.
 - 1) Items in the custody of individual officers: it is the officer's responsibility to maintain, through routine care, maintenance or repair those items in a operational ready condition.

- 2) Items issued to a Sector/Department or returned by an individual officer upon transfer or separation from that Sector/Department the Lieutenant/Director is responsible for maintaining, through routine care, maintenance or repair, those items in a operational ready condition.
 - 3) Items that are maintained in central supply it is the responsibility of the Inventory/Fleet Manager to maintain, through routine care, maintenance or repair those items in a operational ready condition.
- b. The Commander of each respective component shall on a monthly basis conduct an inspection to ensure all items are in operational ready condition.

S. Travel Reimbursement

Under the authority granted the Sheriff by Section 112.061, Fla. Stat., regarding per diem and travel expenses of public officers, employees, and authorized persons. Any agency member traveling on official business shall have certain enumerated travel expenses reimbursed or paid in advance on his/her behalf.

1. Class of Travel

- a. For reimbursement purposes, the classes of travel are as follows:
 - 1) Class A: Continuous travel of 24 hours or more away from permanently assigned office.
 - 2) Class B: Continuous travel of less than 24 hours which involves overnight absence from permanently assigned office.
 - 3) Class C: Travel for short/day trips not involving overnight absence from permanently assigned office.

2. Per Diem

- a. For Class A and Class B, there are two payment options for per diem. Payment or reimbursement is made by separate check.
 - Option 1: One Hundred (\$100) a day
 - Option 2: Reimbursement for the cost of hotel room, plus amount permitted for meals per this policy.
- b. Class C is not reimbursed on a per diem basis.
(Revised 4/15/13)
- c. Conditions on advance Per Diem – see #7 Travel Vouchers, this section, below.

3. Meals

- a. The amount to be paid for meal reimbursement is according to the following travel times:

Breakfast:	Before 6 a.m. and extends past 8 a.m.	\$ 6.50
Lunch:	Before 12 noon and extends past 2 p.m.	\$13.50
Dinner:	Before 6 p.m. and extends past 8 p.m.	\$27.00

- b. No reimbursement shall be made for meals when travel is confined to the city of the official headquarters or vicinity.
- c. No reimbursement shall be made for any meal included in a convention or conference registration fee or travel by common carrier paid by the Agency.

4. Transportation

- a. Transportation shall be by the usually traveled route. The most efficient and economical means of travel shall be used. If a person travels by an indirect route for his/her own convenience, any extra costs shall be borne by the traveler, and reimbursement for expenses shall be based only on such charges as would have been incurred by a usually travel route.
- b. For travel by automobile, the member shall attempt to secure an agency vehicle. If none are available, then travel in a privately owned vehicle shall be reimbursed at the authorized mileage rate, \$.445/mile.

(Effective 9-13-2006)

- a. Reimbursement for transportation by common carrier (airplane, train, bus) shall be made at the Tourist or Coach Class rate only.
- c. Reimbursement for automobile rental shall be made at the compact or full size vehicle rate only. Automobile rental insurance is not to be requested. The automobile is covered by the Agency's insurance plan.

(revised 5/31/2004)

5. Other Travel Expenses

- a. The following incidental travel expenses of the traveler may be reimbursed:

- 1. Taxi fare
- 2. Ferry fares; and bridge, road, and tunnel tolls
- 3. Storage or parking fees
- 4. Convention registration fee while attending a convention or conference while will service a direct public purpose with relation to the Sheriff's Office. A traveler may be reimbursed the actual and necessary fees for attending events, which are not included in a basic registration fee that directly enhances the purpose of the participation of the Sheriff's Office in the conference. Such expenses may include, but not limited to banquets, and other meal functions. It shall be the responsibility of the traveler to substantiate that the charges were proper and necessary. However, any meals or lodging included in the registration fee will be deducted in accordance with "S, 3 b" of this policy as noted above.

- b. The following travel expenses shall not be reimbursed by the Agency:

- 1. First Class airfare
- 2. Premium or luxury rental vehicles
- 3. Car rental insurance
- 4. Entertainment expenses such as movies, alcoholic beverages, etc
- 5. Valet or Laundry service
- 6. Florida sales and use tax (where applicable)
- 7. Personal phone calls
- 8. Tips

6. Sales Tax

- a. The Agency is exempt from sales and use tax within the State of Florida. The member shall obtain copies of the Tax Exemption Certificate from the Finance Office, and present them when appropriate in order to avoid being charged Florida sales and use tax.
- b. When making reservations for lodging, the member shall indicate the tax exempt status, and inquire as to what procedure the hotel requires in order to receive the exemption.
- c. Members using an "American Express" card do not receive the tax exemption, and will be reimbursed for sales tax upon completion of a return voucher.

7. Travel Vouchers

- a. A "Travel Voucher" and "Return Travel Voucher" are required of any member seeking reimbursement of any travel/training expenditures. All Travel Vouchers shall be completed on the State of Florida Voucher Reimbursement of Travel Expense form.
 - 1) The "Travel Voucher" is completed prior to the actual travel.
 - 2) The "Return Travel Voucher" is completed upon the members return.

(revised 5/31/2004)

- b. The travel voucher shall be completed and delivered to the Finance Department two **(2)** weeks prior to the travel date. Arrangements for the hotel, airfare, car rental, registration, etc. are to be made by the member traveling.
- c. The Finance Department shall pay the hotel, travel agency and conference registrars directly. The traveler shall receive a check for meals.
- d. The member shall prepare a return travel voucher within five (5) working days of his/her return.
 - 1) Members receiving advance Travel and/or Per Diem funds and who do not submit the Return Travel Voucher along with corresponding receipts within the required five (5) working days authorize Finance personnel to deduct the amount of advanced monies from the members next pay check.
 - 2) Once the funds are deducted from payroll, the member forfeits reimbursement if the voucher and receipts are not submitted within 10 days of being withheld from payroll.

(Revised 3/7/05)

- e. The return travel voucher and appropriate documentation shall be submitted to the Finance Assistant – Travel & Training. Appropriate documentation shall include the following:
 - 1) Time of Departures – Date and Time Leaving
 - 2) Time of Return – Date and Time of Returning
 - 3) Hotel bill
 - 4) Parking Receipts
 - 5) Car rental contract/receipt
 - 6) Gas receipts
 - 7) Toll receipts
 - 8) Taxi/shuttle receipts
 - 9) Airline ticket stub AND Boarding pass Departure and Return
 - 10) Registration Receipt, if available
 - 11) Itinerary from Conference, Meeting, etc.

- 12) Any other receipts for expenses paid for by the Office.
- 13) Receipts for any items the member is requesting reimbursement for.
- 14) Items can be listed on Travel Voucher marked Return

- f. The return travel voucher shall be approved by his/her supervisor.
- g. If the travel was in conjunction with training, the member shall attach the "Monroe County Sheriff's Office Application for Training" to the travel voucher. All information pertaining to the training must also be attached.
- h. If a credit card packet was issued to the member for any travel the packet shall be returned with the Return Travel Voucher.

(revised 5/31/2004)

- T. Grants
(See Chapter 80- A)
Revised 08/19/09

U. State Forfeiture Fund

1. All equitable shared monies received from state agencies by the Sheriff's Office shall be recorded in a separate revenue fund and deposited into a separate bank account.
2. The Finance Director shall ensure that only operating expenditures related to state forfeiture activities are charged to the fund.
3. A semi-annual report is completed as of March 31st and September 30th as required by FDLE. The resulting balance on the report must agree to the reconciled bank balance. This amount is remitted along with a copy of the report to the Monroe County Clerk of the Court. The Clerk's office maintains these funds as LETF for use by the Sheriff's Office. The original report is filed with FDLE.

V. State Law Enforcement Trust Fund (LETF)

1. All monies received by the Sheriff's Office shall be recorded in a separate revenue fund and deposited into a separate bank account.
2. The Sheriff shall submit request for disbursements. These are submitted to the Office of Management and Budget for placing the request on the Board of County Commissioners (BOCC) agenda. Once approved by the BOCC, the Finance Department submits the request for disbursement with supporting documentation to the Clerk's Office. The Clerk's office shall issue a check from the Clerk's LETF made payable to the MCSO LETF.
3. The Finance Department shall deposit the check into the MCSO LETF account. A disbursement is made to the appropriate vendor.

W. Federal Asset Sharing Fund

1. The Sheriff's Office participates in the Federal Equitable Sharing Program. All monies received under this program shall be recorded in a separate revenue fund and deposited into a separate bank account. Within this revenue fund, the Federal programs shall be separated as to Department of the Treasury and U.S. Department of Justice.

2. To request monies from the fund, a "Request for Asset Forfeiture Funds" form shall be completed. All requests must meet the criteria for permissible uses as outlined in the Federal "Guides."
3. A request shall be approved by the chain of command, the General Counsel, the Finance Director and the Chief Law Enforcement Officer.
4. Once approved, the request, with appropriate documentation, is sent to the Finance Department. The Finance Department processes the request for payment.
5. Annually, reports of activity are filed with the Department of Treasury and the Department of Justice.

X. Cash Appearance Bonds

1. The purpose of the Cash Bond Unit is to manage and dispose of monies paid for the release of persons arrested for various offenses occurring throughout the county.
2. Fines are also managed by the Cash Bond Unit which provides a process for the recording of fines paid from sentences imposed by the courts.
3. Monies are received from persons for the release of relatives, friends and co-workers. Cash bonds are received by the Monroe County Correction Facility and by the Finance Department.
4. The Cash Bond Unit sends to the Finance Department, on a daily basis, the locked deposit bag, the pink copy of the bond receipt, and the daily log.
5. The Finance Department ensures the locked deposit bag is taken to the bank. The Finance Department enters the following information in the computer from the copy of the bond receipt:
 - a. Bond number
 - b. Name and address of the defendant
 - c. Name and address of the depositor
 - d. What the defendant is charged with
 - e. Amount of the bond
 - f. Date the bond was written
6. For out-of-county bonds received directly by the Finance Department, the cash bond shall include the following information:
 - a. Name of county
 - b. Name and address of the defendant
 - c. Name and address of the depositor
 - d. Written bond amount
 - e. Numerical bond amount
 - f. Identify the court (Circuit/County)
 - g. County of Jurisdiction
 - h. City
 - i. Court appearance, date and time
 - j. What the defendant is charged with
 - k. Date of bond
 - l. Sheriff's name
 - m. Person writing the bond

- n. Location where bond was written
- 7. When a disposition of a case is rendered by the court, the Finance Department receives notification from the court on how the cash bond is to be closed out.
- 8. Dispositions can take many forms and requires a different procedure for each.
 - a. Bond Estreatures: Misdemeanor and Felony
 - 1) Bond estreatures are closed by:
 - (a) Pulling bond from file
 - (b) Attaching estreature documentation to bond paperwork
 - (c) Entering estreature information into computer
 - (d) Processing a check to the Clerk of the Court
 - (e) Placing bond paperwork into closed file.
 - b. Cash Fines: Misdemeanor and Felony
 - 2) Cash fines are closed by:
 - (a) Pulling bonds from bond file
 - (b) Attaching commitments to bond paperwork
 - (c) Entering commitment information into computer
 - (d) Processing a check to the Clerk of the Court
 - (e) Placing related paper into closed file.
- 9. Refunds:
 - a. Refunds will be handled using the following procedure:
 - 1) Determine whether the refund is partial or full
 - 2) Determine proper person to receive refund
 - 3) Process refund and fill in proper amount
 - 4) Process a check to the proper person
 - 5) Give or mail the original check to the depositor.
 - 6) The first check copy is filed with bond paperwork.
- 10. Bond Surrenders:
 - a. Disposition of bond surrenders will be processed after notice is given by:
 - 1) Pulling bond from bond file
 - 2) Disbursing check to depositor
 - 3) Attaching surrender notice to bond
 - 4) Entering surrender information into computer
 - 5) Continuing bond case in open file
- 11. Arrest for another county:
 - a. When an arrest is made for another county, the Finance Department will:
 - 1) Place bond with proper paperwork
 - 2) Deposit monies into Sheriff's Office bond account
 - 3) Write check, attach paperwork and send to originating agency
 - 4) Enter information into computer
 - 5) Place bond paperwork into closed file

12. Purge:

a. When a purge is received by the Finance Department, the procedure for disposition is:

- 1) Monies received are placed with arrest order and SA-798
- 2) Copies are made of all paperwork and placed into closed file
- 3) The Clerk's Office is notified and all monies are turned over to the Clerk for disbursement.

13. Unclaimed Funds:

a. Unclaimed funds per F.S. 116.21 are to be disposed of in the following manner:

- 1) List return date, case number, depositor, bondsman and bond amount
- 2) Place into return check file
- 3) List unclaimed funds in local newspaper once in the month of July only.
- 4) If no claim is made, monies are to be returned to the Board of County Commissioners by September 1st of the following year.

14. Expungements

a. Expungements are handled by:

- 1) Removing paperwork from manual cases file
- 2) Removing bond information from the computer
- 3) All file paperwork is stored in the Finance Department.

Y. Commissary Funds

1. The purpose of this fund is to enhance inmate welfare. Receipts into this fund are primarily from telephone commissions and profits from the canteen.
2. The commissions are received by the Finance Department once a month by mail and the profits are received every week from the Detention Center.
3. The Finance department shall deposit these in a timely manner.
4. Requests for expenditures shall be forwarded to the Finance Department for payment.
5. Expenditures shall be approved by the Inmate Welfare Committee, and be related to inmate welfare.
6. The Finance Department shall reconcile the bank monthly. Financial reports are submitted to the committee monthly.

Z. Inmate Trust Fund

1. This fund consists of monies that belong to the trustees. The Cobra Banking program (Swanson) is used to track trustee balances.
2. Monies are received at all detention facilities.


- a. The jail in Key West shall send the locked bank bag, receipts, and check copies to the Finance Department on a daily basis. The Finance Department shall deposit the monies in a timely manner.
 - b. The other two jail facilities shall make deposits on a daily basis, and send the deposit slip, receipts, and check copies to the Finance Department on a daily basis.
 - c. Any interest earned on monies, other than operating funds, accrues to the benefit of the inmates. **(Revised 4/3/13)**
3. The Finance Department shall reconcile the bank each month and resolve any discrepancies. The Finance Department shall reconcile the detail of the inmate accounts with the general ledger control account.
 4. Once the Cobra banking program is correct for the month, the Finance Department shall prepare a journal entry recording the months activity and record it in the Fundware Software.
 5. The Finance Department shall file the Unclaimed Property Report by April 30th with the State of Florida.

AA. Shared Asset Forfeiture Fund

1. This fund consists of monies given to Monroe County by the Sheriff.
2. The Sheriff's Office shall act in a fiduciary capacity.
3. Once a year, the Monroe County Shared Asset Forfeiture Fund Advisory Board (Board) can expend the interest earned on the fund.
4. The Finance Department receives the approved grants from the Board and expends the approved amounts.
5. These expenditures can be either a reimbursement to the organization for expenditures or can be an expenditure made directly on behalf of the organization.
6. Monthly reports shall be prepared which identify the organization, how much was approved and how much has been expended. These reports shall be distributed to the General Counsel and the Bureau of Administration Chief.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 80 - A		TITLE: Grant Procedures
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 2	AMENDED:
REFERENCE:		RESCINDS: Special Order: Grant Procedures 05.26.2008 and General Orders Chapter 80 III, T
 Sheriff of Monroe County		

PURPOSE: The purpose of this directive is to establish operational guidelines for identification, presentation, and preparation when applying for grants on behalf of the Sheriff's Office.

POLICY: This policy shall apply to all Sheriff's Office personnel.

DISCUSSION: Good management practices recognize that a carefully designed grant process can help the Sheriff's Office obtain funding for equipment, programs or essential personnel to fulfill the agency's goals and objectives that otherwise may not be available.

Many excellent ideas for funding are often conceptualized at the line level. The Sheriff encourages all members to participate in the grant process.

Any employee of the Sheriff's Office may initiate a request for a grant consideration or develop a concept document on behalf of the Sheriff's Office.

PROCEDURE:

An employee desiring to pursue grant-funding sources should submit all of their information and supporting documentation including the deadline for the funding source via their chain-of-command to the Grant Administrator. Employees are not authorized to directly submit grants or concept papers on behalf of the Sheriff's Office unless directed by the Sheriff or his designee.

The grant's administrator will participate in development meetings and will meet with the appropriate command staff to draft and review proposed concept papers or grant applications.

The grant's administrator will ensure that the proposal meets the concept and needs of the Sheriff's Office.

All grant applications or concept papers must have the approval and signature of the Sheriff and/or his designee PRIOR to submission of the proposal.

The grant's administrator will work with the Sheriff's Legal Office, Finance Division, the County Attorney's Office, and Board of County Commissioners to ensure that all agenda items and agreements are presented to the appropriate parties when deemed necessary.

Once a grant has been awarded, the grant's administrator will ensure that all of the documentation is disseminated among the appropriate parties (i.e., Legal, Finance, County Commission, etc.).

The grant's administrator will work with the Finance Division and associated parties to ensure that grant modifications and reports, if applicable are completed by the appropriate party in accordance with the timelines established by the funding authority, and will provide additional documentation when needed or act as the liaison for the Sheriff's Office with the grantor.

When renewing grants the grant's administrator will work closely with the Sheriff's designated staff to ensure that the renewal process is available, necessary and obtainable.

The Finance Director shall ensure that all fiscal reporting requirements and expense documentation pertaining to grants involving the Sheriff's Office are completed in a proper and timely manner.

The Finance Director, or designee, shall review all expenses charged against a grant to ensure that the charge is appropriate and applicable within the grant budget and scope of services.

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CHAPTER NINETY
REPORT WRITING AND FORMS

I. PURPOSE

The purpose of this directive is to establish guidelines for proper case reporting and form completion.

II. DISCUSSION

This directive shall apply to all Sheriff's Office personnel. The report writing procedure set forth herein concerns the manner of recording information relative to law enforcement incidents, which come to the attention of the Monroe County Sheriff's Office. This directive explains and governs the use of the official Report Form exhibited, and is designed to guide the reporting deputies in preparing reports, which are brief but thoroughly descriptive and explanatory.

This directive does not amend, modify, or change any Office report or procedure that is not specifically covered herein.

This directive has been devised with a view toward "cutting down" the number of forms the field Deputy must carry, and with the aim of making reports more simple and more easy to prepare by the uses of check boxes where possible.

With the proper use and application of the contents along with common sense, reports can be above reproach.

III. POLICY AND PROCEDURE

A. General Personnel Responsibilities

1. All members of the Office shall be personally responsible for the prompt preparation and submission of reports and investigations as prescribed.
2. All members of the Office shall affix their name to all official reports and forms submitted by them relating to matters subject to their investigation and/or assignment.
3. Supervisors shall be held responsible for the close scrutiny of reports submitted by their subordinates and for the correction of reports submitted to them with deficiencies, errors, incompleteness, etc.
4. Any supervisor receiving a report prescribed herein shall require compliance by his/her subordinates with the provisions of this manual. He/she shall specifically:
 - a. Require the use of the correct report form.
 - b. Require preparation and submission of all necessary reports at the end of the Deputy's shift.
 - c. Require full and complete report of all essential information pertinent to the case.
 - d. Inspect the report to ascertain that the information contained therein is consistent with the charge to be made, that all parties named are adequately identified, their participation specified, and that all property mentioned in the report is properly described and evaluated along with serial numbers if available.

- e. Check content of all reports received to ensure:
 - 1) correct spelling, grammar, verbiage, sentence structure and logical thought is used
 - 2) That lost, stolen, found or recovered property is fully described, including reasonable value
 - 3) That all copies of reports pages show legible impressions
- f. Be responsible for the prompt and proper forwarding of all required reports.

B. Report Submission Requirements

1. An Offense/Incident Report will be written and submitted when:

- a. Information indicates a crime was committed;
- b. Document an arrest;
- c. Property is seized or impounded
- d. The incident may be continual or the deputy feels it needs to be documented, or
- e. The complainant insist a report be written.

Should the victim and/or complainant express a desire not to file charges and/or not to have a report written, a report will be written and in the narrative it shall be noted that the complainant and/or victim refuses to cooperate or does not wish to pursue the investigation.

2. All subsequent investigations to our original case, will be documented on a supplemental report by using our original case number (i.e. recovered property/vehicle, warrant arrest, missing persons and long term investigations).

3. "No Report" a report is not automatically required in the following circumstances:

- a. The complainant / victim is gone and cannot be located when the Deputy arrives; or
- b. The incident is purely a civil matter.
- c. Prior to the Deputy leaving the scene of a call that fits one of the above criteria, he/she will request from a supervisor permission for a "No Report". A supervisor, after being briefly enlightened as to the case, will then approve or disapprove a "No Report" disposition. If a supervisor cannot be contacted, a report will be written.

d. Assist Other Agency (AOA), including but not limited to:

- 1) traffic accident assists
- 2) escorts
- 3) prisoner transports for another agency
- 4) administrative transport
- 5) sick / injured person(s), if the Deputy does not provide first aid or take any other action
- 6) fire calls, if:
 - a) A Fire Department responds, and
 - b) The Deputy takes no action.

e. Noise complaints, if:

(revised on 6-5-02)

- 1) the complainant(s) is/are anonymous, or
 - 2) the complainant(s) is/are named and request(s) only that the noise be terminated, and if:
 - a) the noise is terminated, and
 - b) the Deputy writes a field contact card noting the subject(s) responsible for the noise, and
 - c) Communications enters the field contact number in the "Comments" field of the Call for Service record, and
 - d) there is no altercation between the subject(s) responsible for the noise and complainant(s).
- f. Courtesy transport from a disabled vehicle, or other non-criminal transport.
- 1) When a Deputy provides a courtesy transport to a member of the opposite sex or to a juvenile of either sex, the Deputy will advise communications of the starting and ending mileage of the transport.
 - 2) In every case, a field contact card will be written for each individual transported and under "Comments" will be noted "Courtesy transport" and the beginning point and destination, along with any other appropriate remarks.
- g. "Walk-through" of bar or other business if there has been no breach of peace or other criminal activity. a "No Report" disposition: will also be allowed should the Deputy request / require a patron to leave, if:
- 1) there is no criminal activity, and
 - 2) a field contact card is written on each patron requested / required to leave
- h. Other circumstances including neighborhood disputes, barking dog complaints, and suspicious person / vehicle complaints if the suspicious person / vehicle cannot be located by the Deputy.
- i. Found property that has no serial number or other identifying mark, and no apparent value:
- 1) When found property is discovered by, or turned in to a Deputy, he/she is to examine it carefully for any serial number or other identifying mark, such as an owner-applied number.
 - a) If the Deputy finds no such number and is reasonably certain that no such number exists in an area of the object which is not immediately visible, and if the property has no apparent value, the Deputy is authorized to submit the property without an offense report, according to procedures described below.
 - b) If the Deputy is not certain that no serial number or other mark exists that could be used to determine at that time or at some point in the future whether the item was in FCIC/NCIC as "wanted", he/she is to contact the/an on-duty supervisor, who will make the final decision regarding whether to look further.
 - c) If a serial number or other identifying mark is found on property with no apparent value, the Deputy is to check FCIC/NCIC to determine whether the property is stolen or wanted for any other reason. If it is, the Deputy is to follow established policy in writing an offense report.

- 2) Submitting property determined to have no serial number or identifying mark:
 - a) The Deputy will notify Dispatch that he/she will be submitting property without a report, plus the name of any supervisor who may have been involved in that determination.
 - b) Dispatch will not "PROP W/O ID" and any supervisor's name in the Remarks section of the Call-for-service screen, and will enter the disposition code as 03 ("handled without report").
 - c) The Deputy will submit the item(s) and a completed property receipt to the Property Division.
 - d) Items with no identifying numbers or marks but of obvious evidentiary and/or monetary value (i.e., drugs, some jewelry, etc.) are exempt from the provisions in this subsection. Offense reports must be written when such items are found and submitted to the Property Division.
- 3) In the event, a member of another law enforcement agency or of the public, requests documentation of such item(s) being turned in to the Sheriff's Office, he/she is to be given a printout of the specific call for service, in accordance with established policies governing public access to law enforcement records.
- j. There will be occasions when a report **SHOULD** be written in the above listed circumstances. The responding Deputy is responsible for recognizing such occasions and reporting accordingly.

4. Procedures

- a. In the following instances, the preparation of a case report by the field unit may be omitted if any of the following circumstances are evident when the Deputy arrives on the scene of a call:
 - 1) The case is "unfounded" at the scene, as indicated in Item 4 below.
 - 2) The complainant is "gone on arrival" ("GOA") and there are no circumstances on the scene requiring the Deputy to take any action.
 - 3) A report would be a duplication of a previous report covering the same incident.
 - 4) No law enforcement action is indicated because:
 - a) there is nothing to substantiate that the crime, violation or incident has occurred, and
 - b) there are no sick or injured parties, and
 - c) there is no loss or recovery of property, and
 - d) the incident is outside the jurisdiction of the Sheriff's Office
 - e) the call must be totally groundless before it can be classified as "unfounded"
 - 5) Civil matter, referred.
 - 6) "False" Burglary / Robbery Alarm: False alarm, as a general policy, will be a "No Report" situation. The following are provided as examples for clarification. The Deputy responding however, should keep in mind the circumstances involved and if they dictate, then the event be recorded for future use.

- a) A bank alarm which has been cleared by the established "code" procedure and contact with bank personnel has been accomplished will be a "No Report" call.
- b) An alarm call which the Deputy clears by having contact with persons at the premises or the responsible party responds to the premises will be a "No Report" call.
- c) An alarm call to which the responsible party is contacted and refuses to respond may be a "No Report" call. (Does not apply to Banking Institutions).
- d) An alarm call, which is cleared and no responsible party is contacted, or no responsible party can be contacted or located to respond, will be a report call.
- e) In addition to the above, the Office will also allow a "No Report" status if we cannot locate a responsible party; and if:
 - (1) The responding Deputy visually checks the building exterior and determines that the building is secure.
 - (2) The Deputy advises Communications that the building is secure and Communication notes same under "comments" in CFS.
 - (3) The responding Deputy completes a Monroe County Sheriff's Office courtesy inspection card and either places the card in the mail slot under the door or returns it to the administrative sergeant so notification can be made to the property owner the following day. The card is not to be left in plain view as notification that the alarm is malfunctioning. Cards are available from Community Relations Officers.
- b. The Communications Division will assign a case number to every request for law enforcement service including assists to other county agencies, municipal police departments and ambulance or fire department calls.
 - 1) Dispatching of field units will include the case number in the original transmission. Case numbers will be needed whether or not a report is to be written.
 - 2) When a complaint is initiated by a walk-in complainant, the individual will be put in either personal contact or telephone contact with a Deputy for case report completion.
 - 3) Communications Officers will indicate "No Report" on the "case card" by drawing a diagonal line across the face of the card from the lower left-hand corner to the top of the card.

C. Uniform Crime Reporting

In an effort to standardize the reporting of crimes, the International Association of Chiefs of Police developed the Uniform Crime Reporting system for the Federal Bureau of Investigation. For practical purposes the reporting of offenses known is limited to certain crime classifications because they are the crimes which are most likely to be reported to the police and they occur with sufficient frequency to provide an adequate basis for comparison. They are also serious crimes by nature and/or volume.

As of January 1, 1971, in compliance with Florida State Statute 23.089, the Office of the Sheriff, Monroe County as well as all law enforcement agencies in the State, must submit their Uniform Crime Reports to the Florida Department of Law Enforcement.

The following list of crime classifications is placed in this manual in their order of importance to the Uniform Crime Reporting system in an effort to familiarize the Deputy in the field with the report classification procedures. It will assist the Deputy in prioritizing categories of the incident or report. Classification of reports and arrests made will not necessarily be the most serious according to State Statute.

1. Homicide
2. Manslaughter
3. Forcible Rape
4. Forcible Sodomy
5. Forcible Fondling
6. Robbery
7. Aggravated Assault
8. Aggravated Stalking
9. Burglary (not Motor Vehicles)
10. Pocket Picking
11. Purse Snatching
12. Shoplifting
13. Theft from Building
14. Theft from Vending Machine
15. Theft from Motor Vehicle
16. Theft of Bicycle
17. Theft of Motor Vehicle Parts
18. All Other Larceny
19. Auto Theft
19. Gambling
20. Simple Assault
21. Simple Stalking (D.V. only)
22. Intimidation (D.V. only)
23. Arson

D. Hotel Rule

The "Hotel Rule" as established by the Federal Bureau of Investigations, in the Uniform Crime Reporting Manual, and as accepted by Florida Uniform Crime Reporting is a system by which burglaries or B & E's of more than one hotel / motel room occurring apparently within the same time span and apparently perpetrated by the same subject(s), may be counted as one offense.

The following information has been gathered from both FBI and Florida Uniform Crime Reporting Manuals, past Office staff meetings and is included in this Manual in an effort to standardize the use of the "Hotel Rule" within this Office.

1. Necessary requisites governing use of the "Hotel Rule":
 - a. The Incidents In question must be burglary (B & E), and/or theft.
 - b. The incidents in question must have occurred in a series of hotel / motel rooms.
 - c. The incidents in question must have occurred within a reasonable time proximity.

- d. The incidents in question must have been perpetrated by the same subject(s).

NOTE: Use of the "Hotel Rule" is restricted in that all of the above requisites must be present.

2. Examples of proper usage of the "Hotel Rule".

- a. A thief enters or attempts to enter two or more rooms in a hotel or motel on one occasion and steals or attempts to steal property from each room. Each room is rented by a separate guest(s).
- b. Multiple thefts from vehicles are committed by the same subject(s) on the same occasion in a private parking lot or a public garage. A private parking lot is to be defined as any area in which parking is restricted to a particular group of people, such as employees, patrons, or guests.

In the above instances, one case number will be used, a separate lead sheet prepared for each room or vehicle and said case number subdivided on each lead sheet in the following manner, 1000(A), 1000(B), 1000(C). Compliance with the above will allow the reporting of all pertinent information, but will permit the department to count only one incident of burglary (13 & E) or larceny under case number 1000.

E. Types of Reports

See each section for their uses and instructions:

- 1. Arrest / Notice to Appear
- 2. Probable Cause Affidavit
- 3. Narrative Continuation
- 4. Adult Notice to Appear
- 5. Juvenile Civil Citation Form
- 6. Offense / Incident Report
- 7. Property Receipt
- 8. Vehicle Acquisition / Receipt
- 9. Uniform Traffic Citation
- 10. Field Contact

F. Specific Instructions for Completing Required Reports:

1. The Arrest / Notice to Appear Form

This form is used for any arrest that is made for any reason and it can be used for a "Notice to Appear."

When a Deputy makes a "probable cause" arrest and no warrant exists, he will complete an Offense / Incident Report and Arrest / Notice to Appear. He will complete the Arrest / Notice to Appear in its entirety including a detailed narrative. He will then write in the NAME box on the Offense / Incident Report Arrestee / Suspect Section "See Arrest / Affidavit" leaving the remaining boxes for Arrestee blank, except those referring to the descriptive boxes at the bottom of the Offense / Incident Report. The Deputy will also write in the narrative section of the Offense / Incident Report "See Arrest / Affidavit." The narrative on the Arrest / Notice To Appear will then take the place of the narrative on the Offense / Incident Report

In some instances of serious crimes, as in a homicide, both narratives of Offense / Incident Report and Arrest Affidavit will be used depending upon information needed and requirements of a supervisor.

Administrative Section

OBTS Number: This number will be supplied by Corrections personnel and placed on Affidavit by arresting officer or squad supervisor. This is a mandatory number.

Report Type: Enter the appropriate number in this field. "1" is used for a full custody arrest, "2" is used for a Notice To Appear.

Juvenile: For use when the arrested person is a juvenile.

Agency ORI: Pre-printed.

Agency Name: Pre-printed.

Agency Report Number: The Sheriff's Office case number shall be printed in this field. This is a mandatory number.

Charge Type: Choose the appropriate category(ies) for the charges placed on the individual. More than one category can be marked for multiple charges.

Agency Arrest Number: The Sheriff's Office Arrest Number shall be printed in this field. It is obtained from the Booking Office. This is a mandatory number.

Location of Address: Print the address of the location of the (include arrest and if appropriate, include a business name of business) name.

Weapon Seized / Type: If a weapon is seized at the time of arrest, choose the appropriate code and place a "1" for yes and "2" for no in the space provided.

If yes, provide the weapon type from the following list.

- | | |
|----------------------------|-------------------|
| Handgun | Blunt Object |
| Rifle | Poison |
| Shotgun | Explosives |
| Firearm | Fire / Incendiary |
| Knife / Cutting Instrument | Simulated Weapon |

Location of Offense: Enter the address including the city where the offense for which the person is being arrested took place. Include a business name as applicable.

Date of Arrest: Place the date of arrest or notice to appear in this field in month-day-year order.
Time of Arrest: This field will reflect the time the officer arrest or notice to appear (use military time).
Booking Date: Not Used.
Booking Time: Not Used.
Jail Date: Not Used.
Jail Time: Not Used.
Fingerprinted: Not Used.

Jail Number,
County ID Number,
Other Local
Number, Not Used
FDLE Number,
DOC Number,
FBI Number:

Defendant Section

Name: Place the name of the defendant in this field in last, first, middle, order.
Alias: If the individual uses an alias, street name or maiden name, the name will be listed in the standard order, last, first, middle. If an alias or maiden name, designate which.
Race: Place the appropriate code in this field.
Sex: Place either M or F in this field.
Date of Birth or Age: Place the date of birth of the defendant in month-day-year, if available or place the approximate age of defendant in the last two spaces in this field.
Height: This is a three character numeric field and will be given feet and inches. Leading zeros will be used as required.
Weight: This is a three character numeric field and will be given in feet and inches. Leading zeros will be used as required.

NOTE: The following codes have been provided as the most common and are in no way intended to limit the codes that can be used.

Eye Color: Choose the appropriate color from the list below and place in this field.

BRO - Brown	BLK - Black
GRY - Gray	BLU - Blue
HAZ - Hazel	GRN - Green
UNK - Unknown	

Hair Color: Select the appropriate hair color and place in this field. If the individual is partially bald, write the color of the hair that does exist.

BRO - Brown	BLK - Black
GRY - Gray	BLN - Blonde
RED - Red	WHI - White
UNK - Unknown	BAL - Bald

Complexion: Choose the appropriate complexion for the individual being reported on from the list below.

LGT - Light	MED - Medium
DRK - Dark	RUD - Ruddy
UNK - Unknown	

Build: Choose the most appropriate build descriptive and place in this field.

THN - Thin	MED - Medium
HVY - Heavy	MUS - Muscular
UNK - Unknown	

Scars, Marks, Tattoos, Unique Physical Features: Describe and provide the location and the of area of the body covered by the scares, mark, tattoo or deformity.

Indication of Alcohol or Drug Influence: If the defendant at the time of arrest is the under the influence of alcohol or drugs check, the appropriate "yes" boxes. If the defendant is obviously not under the influence of alcohol or drugs, check the "no" boxes. If no determination can be made at the time of arrest, check the "unknown" boxes. If yes is checked, ensure that appropriate documentation is contained within the report to support this response.

Local Address: Give the current local address of the defendant.

Phone: Place the defendant's residence area code and phone number in this field.

Residence Type: Select the appropriate code to match the individual's permanent residency as it relates to your agency's jurisdictional boundaries. Place the appropriate number in the space provided on the bottom line of the person's box.

- 1 City - If the permanent address of the individual reflects the same city in which the crime occurred, this number will be placed in the box provided.
- 2 County - If the permanent address of the individual reflects a city different than the location in which the crime occurred, but is within the same county, this number will be placed in the box provided.
- 3 Florida - If the permanent address of the individual reflects a city that is different than that of the crime and is out of the county but within the State of Florida, this number will be placed in the box provided.

4 Out-of-State - If the permanent address of the individual reflects an out-of-state or foreign country address, this number will be placed in the box provided.

Permanent Address: Place the individual's permanent residency including city, state and zip code in this field. If the same as the local address, write "same".

Phone: Place the area code and phone number of the individual's permanent address if different from the local address.

Address Source: Give document or person's name providing the address. For example: Driver's License, voter registration, state ID card, etc. If source is a person, give name in the standard order, last, first, middle.

Business Address: Place the full address of the employer or school in this field.

Phone: Place the area code and phone number of the individual's permanent address if different from the local address.

Address Source: Give document or person providing the address. For example: Driver's License, voter registration, state ID card, etc. (If source is a person, give name in the standard order, last, first, middle).

Business Address: Place the full address of the employer or school in this field.

Phone: Provide the business telephone number with area code in this field.

Occupation: Identify the means by which the individual makes a living or learned trade skills the individual might have. Any skills or job abilities that might assist in locating the individual in the future or past information concerning the individual.

Driver's License, State / Number: Provide the two character state abbreviation and then list the driver's license number of the individual.

Social Security Number: Ensure that all nine digits of the social security number are provided.

INS Number: Place the immigration naturalization service number if applicable in this field ("Green Card" number)

Place of Birth: Provide the name of the city, state, and country where the individual was born.

Citizenship: Place the two character code for the country(s) to which the individual has citizenship. See Appendices for abbreviations of states and countries.

Co-Defendant Section

Co-Defendant's Name: Last, first, middle, place the name of any co-defendant arrested or at large in conjunction with this case.

Race: Place the appropriate alpha code for the race of the co-defendant from the code provided in the defendant section above.

- Sex: Place M or F in this field for the co-defendant's sex.
- Date of Birth: Place the date of birth of the co-defendant in this field in month-day-year order, if known, or approximate age of the co-defendant.
- Status: Check the appropriate category(s) for the co-defendant reported.
- 1 Arrested
 - 2 At Large
 - 3 Felony
 - 4 Misdemeanor
 - 5 Juvenile

Charge Section

- Charge Description: Paraphrase the charge for which the individual is being arrested.
- Counts: Place the number of counts of the charge being placed on the defendant
- Florida Statute / Ordinance: Check whether the charge is a state statute or an ordinance.
- Statute Violation Number: Place the appropriate statute(s) in the fields providing the chapter and section as well as subsections and unit.
- Violation of Section (ORD): If a municipal ordinance involves the same elements as a corresponding state statute, the ordinance number may be placed in this field. If the municipal jurisdiction has an enabling code, place this number in the field for each appropriate statute. Indicate the jurisdiction of the ordinance or code as either municipal or county.

Code Section

- Activity: Choose the appropriate code and place in this field.
- N N/A - Not applicable
 - P Possess - Actual control, care and management of item.
 - S Sell - To transfer or render a controlled substance in exchange for money, services or items of value.
 - B Buy - To acquire a controlled substance by paying or providing services or items of value.
 - T Traffic - The unauthorized manufacture, distribution, sale or possession with intent to distribute any controlled substance in the quantities established by Florida Statute 893.135.

- R Smuggle - Bringing on shore / or across border of goods, wares or merchandise for which duty has not been paid, or goods the importation / exportation / transportation whereof is prohibited
- D Deliver - Actual, constructive or attempted transfer from one person to another.
- E Use - The use of a controlled substance or the legal use of a prescribed substance by the individual.
- K Dispense / Distribute - The transfer or possession of one or more doses of a medicinal drug by a pharmacist or other licensed practitioner to the consumer or to one who represents individual to whom the drug was prescribed or the delivery or transfer of a controlled substance.
- M Manufacture / Produce / Cultivate - The production, preparation, propagation, compounding, cultivating, growing, conversion or processing of a controlled substance either directly or indirectly.
- Z Other - Any activity involving a controlled or illegally used substance that does not fit in the above categories.

Drug Type: Choose the appropriate code and place in the space provided.

- N N/A - Not Applicable.
- A Amphetamine - Any of various derivatives used as stimulants for the central nervous system including but not limited to phenmetrazine, methylphenidate and others.
- B Barbiturate - Any of various derivatives used as sedatives, hypnotics and antispasmodics including but not limited to chloral hydrate, glutethimide, methaqualone, benzodiazepines, and others.
- C Cocaine - Cocaine or ecgonine, including any of their stereo-isomer, and any salt, compound, derivative or preparation of cocaine or ecgonine made from the coca bush.
- E Heroin - A derivative of morphine in either a white or brown powdered form.
- H Hallucinogen - Any substance that includes hallucinations (excluding marijuana) including but not limited to the following: LSD, mescaline and peyote, amphetamine variants, phencyclidine, analogs and others.
- M Marijuana - Applies to all parts of any plant of the genus "Cannabis" whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant or its seeds or resin.
- O Opium / Derivative - Any opium or salt compound, derivative or preparation of opium including but not limited to raw opium, opium extracts, opium fluid extracts, powdered opium, granulated opium, tincture of opium, codeine, ethylmorphine, etorphine, hydrochloride, hydrocodone, hydromorphone, metopon, morphine, oxycodone, oxymorphone, and thebaine.

- P Paraphernalia / Equipment - Any devices used in the production, preparation, propagation, compounding, cultivating, growing, conversion, processing or using a controlled substance.
- S Synthetic - Any drug made completely in the laboratory through the deviation or variation of natural chemical compounds.
- U Unknown - When the type of drug or substance is unknown, this category will be used.
- Z Other - Any other drug or controlled substance that does not fit in the above categories will be placed in this category. If this category is used, ensure that appropriate documentation is contained within the report to support the use of this category.

Amount / Unit: Provide the quantity and the measuring unit in this field. For example: 20 grams, 1 kilo, 2 tons, etc.

State Attorney Number: Not Used.

Court Number: Not Used.

PC / CAPIAS / AC / BW / FW / PW / JUV.PR / CITATION

Check the appropriate category using the definitions below.

- PC Probable Cause - An apparent state of facts found to exist upon reasonable inquiry which would induce an individual to believe, in a criminal case, that the accused person had committed the crime charged. If this category is checked, the probable cause will need to be contained in this report.
- Capias The general name for several different "writs," the common characteristic of which is that they require the officer to take the body of a defendant into custody.
- AC Alias Capias - A second writ issued after the defendant has failed to appear in response to a previous capias.
- BW Bench Warrant - Process issued by the Court itself, or "from the bench", for the attachment or arrest of a person; either in case of contempt, or where an incident has been found, or to bring in a witness who does not obey the subpoena.
- FW Fugitive Warrant - A written order issued as a result of an individual fleeing, evading or escaping to prevent arrest, prosecution or imprisonment.
- PW Parole and Probation Warrant - A written order issued as a result of an individual failing to meet the requirements of parole or probation orders of the Court.
- JUV.PU Juvenile Pickup - An order issued by the Circuit Court for the taking of the named juvenile into custody.

Citation A writ issued out of a Court advising a set date and act that must be performed for compliance, or an order issued by a law enforcement agency to appear before a magistrate or judge at a later date.

Place the number of the above checked document in the space provided below the field.

Date Issued: The date on which the document, either criminal or civil, was issued.

WRIT ATT / DOM VIO INJ / ORDER FOR ARREST

Check the appropriate category where applicable.

WRIT ATT Writ of Attachment - A writ employed to enforce obedience to an order or judgment of the Court. It may take the form of commanding the Sheriff to attach the disobedient party and to have him before the Court to answer his contempt.

DOM VIO INJ Domestic Violence Injunction - A sworn petition before the Court resulting in an injunction for protection in cases of domestic violence. Can include all or any of the following injunctions.

- 1 An injunction restraining any party from committing acts of domestic violence.
- 2 An injunction excluding the respondent from the dwelling which the parties share or from the residence of the petitioner.
- 3 An injunction on the same basis as is provided in Chapter 61, Florida Statute, awarding temporary visitation with regard to children of the parties.
- 4 An injunction provided as in Chapter 61, Florida Statute, establishing temporary support for minor children or a spouse.
- 5 An injunction directing the respondent to participate in assessment and treatment.
- 6 An injunction providing any terms the Court deems necessary for the protection of the victim or domestic violence, including injunctions or directives to the law enforcement agencies.

Order of Arrest: Direction of a Court or Judge, made or entered in writing in order to take custody of an individual for the purpose of holding or detaining him/her to answer a criminal charge or civil demand.

Probable Cause Statement: In determining probable cause to detain the defendant, the Magistrate applies the same standard for issuance of an arrest warrant, and his finding may be based upon sworn complaint, affidavit, deposition under oath, or, if necessary, upon testimony under oath properly recorded.

The elements of the probable cause statement should include the specific facts constituting the cause for arrest:

A substantiated description of the nature and circumstances of the offense; and

The name of the person to be arrested, of if his name is unknown, designate such person by any name or description by which he can be identified with reasonable certainty.

The date and time of the offense should be inserted in the space provided.

Notice to Appear Section: Check the appropriate statement(s) at the beginning of this section and then provide the location including the Court, room number, address, date and time that the defendant is to appear in Court. Then have the individual sign the Notice To Appear section. If a juvenile is the defendant, have a parent or legal guardian sign also.

**Specific Instructions for Utilizing the
"Notice to Appear" Section:**

- a. Rules of Criminal Procedure, Rule 3.125, Notice to appear governs how and when an Office member may utilize the Notice to Appear in lieu of a physical arrest.
 - 1) Notice to Appear means, unless indicated otherwise, a written order issued by a law enforcement officer in lieu of physical arrest requiring a person accused of violating the law to appear in a designated court or governmental office at a specified date and time. [CALEA 1.1.3]
 - 2) By Arresting Officer. If a person is arrested for an offense declared to be a misdemeanor of the first or second degree or a violation, or is arrested for violation of a municipal or county ordinance triable in the county, and demand to be taken before a magistrate is not made, Notice To Appear may be issued by the arresting officer unless:
 - a) The accused fails or refuses to sufficiently identify himself 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 himself or others;
 - d) The accused has no ties with the jurisdiction reasonably sufficient to assure his appearance or there is substantial risk that he 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 has previously failed to respond to a notice or a summons or has violated the conditions of any pretrial release program.
 - g) How and When Served - If Notice To Appear is issued, it shall be prepared in quadruplicate. The officer shall deliver one copy of the Notice To Appear to the arrested person and such person in order to secure release, shall give his written promise to appear in Court by signing the three remaining copies: one to be retained by the officer and two to be filed with the Clerk of Court. These two copies shall be sworn to by the arresting officer before another Deputy, Notary Public or a Deputy Clerk. If Notice To Appear is issued pursuant to subsection (b), the Notice shall be issued immediately upon arrest
- b. In preparing the Notice To Appear, the Arrest / Notice To Appear Section must be completely filled out. A signed copy is given to the defendant and the defendant must sign the remaining copies.

Administrative Section

Miranda Warning: Check this box if the Miranda Warning was given to the defendant at the time of the arrest.

Hold for
Other Agency: Provide the complete agency name in this field and the initials of the verifying party.

Adults Only: (Hold if for First Appearance) - Check if an adult is to be held for first appearance, without bond, and then provide the reason in the space provided.

Signature: Complete the jurat section providing the officer's or complainant's signature and then print the name in the space provided along with ID number and the district to which the officer is assigned as applicable.

Oath: Complete the section provided.

Bond Information

Date: Not used.

Bond -
Charge Number: Not used.

Type-
Bond Type: Not used.

Returnable
Court Date: Not used.

Returnable
Court Time: Not used.

Release Date: Not used.

Release Time: Not used.

Releasing Officer: Not used.

Page-of-Page: (Found on all reports) - Indicate the placement of this page in relation to the total report, (i.e., 1 of 3 pages, 4 of 20 pages).

NOTE: See example of "Arrest / Notice to Appear Form" at end of this Chapter.

2. Probable Cause Affidavit

This form is used as the continuation for additional charges on Arrests / Notices to Appear and for all juvenile arrests, and as an affidavit for requesting warrant and/or capias.

On Misdemeanor Charge - Complainant can sign affidavit.

On felony charge - Officer signs affidavit insuring all elements of the crime are covered.

Administrative Section

OBTS Number: This field will be completed by Corrections personnel.

Report Type: Enter the appropriate number in this field.

Juvenile: For use when the arrested person is a juvenile.

Agency ORI: Pre-printed.

Agency Name: Pre-printed.

Agency Report Number: The Sheriff's Office case number shall be printed in this field.

Location of Offense: Enter the address including the city where the offense for which the person is being arrested took place. Include a business name as applicable.

Date of Offense: Place the date of the offense in this field in month-day-year order.

Date of Arrest: Place the date of arrest, if applicable, in this field in month-day-year order.

Defendant Section

Name: Place the name of the defendant in this field in last, first, middle, order.

Alias: If the individual uses an alias, street name or standard order, last, first, middle. If a maiden name, the name will be listed in the alias or maiden name, designate which.

Race: Place the appropriate code in this field.

Sex: Place either M or F in this field.

Date of Birth or Age: Place the date of birth of the defendant in month-day-year, if available or place the approximate age of defendant in the last two (2) spaces in this field.

Height: This is a three (3) character numeric field and will be given feet and inches. Leading zeros will be used as required. EXAMPLE: 5 foot 3, would be 503.

Weight: Write in weight in pounds, as 180.

NOTE: The following codes have been provided as the most common and are in no way intended to limit the codes that can be used.

Eye Color: Choose the appropriate color from the list below and place in this field.

BRO - Brown	BLK - Black
GRY - Gray	BLU - Blue
HAZ - Hazel	GRN - Green
UNK - Unknown	

Hair Color: Select the appropriate hair color and place in this field. If the individual is partially bald, write the color of the hair that does exist.

BRO - Brown
GRY - Gray
RED - Red
UNK - Unknown

BLK - Black
BLN - Blonde
WHI - White
BAL - Bald

Complexion: Choose the appropriate complexion from the list below.

LGT - Light
DRK - Dark
UNK - Unknown

MED - Medium
RUD - Ruddy

Build: Choose the most appropriate build descriptive and place in this field.

THN - Thin
HVY - Heavy
UNK - Unknown

MED - Medium
MUS - Muscular

Local Address: (Street, Apt #) Give the current local address of the defendant

Phone: Place the defendant's residence area code and phone number in this field.

Juvenile Section

Parent / Legal Custodian / Other: Check the appropriate category for the adult responsible for the juvenile being reported. If other, please specify, such as social worker, sister, minister, etc.

Name - Last, First, Middle: Put the name of the adult legally responsible for the juvenile.

Residence Phone: Complete telephone number including area code.

Address: Place the address of the individual providing number, street, city, state and zip code.

Business Phone: Provide the complete telephone number of the adult including the area code of either the employer or the school.

Notified by: Name - Provide the name of the individual notifying the legally responsible adult in the standard order: last, first, middle.

Date of Notification: Give the date the individual was notified in this field in the following manner: month, day, year.

Time of Notification: Give the time of notification. This is a four (4) character numeric field using military time. (Twenty-four hour time)

Juvenile Disposition: Choose the appropriate category to identify the juvenile's handling and place the code in the box provided.

Release to: Name - Provide the name of the individual to whom the juvenile was released in the standard manner: last, first, middle.

- Relationship: Place the relationship of the individual to the juvenile in this field.
- Date of Release: Provide the date the juvenile was released by your agency in the following manner: month, day, year.
- Time of Release: Give the time of the release. This is a four (4) character numeric field using military time. (Twenty-four hour time)

Charge Section

- Charge Description: Paraphrase the charge for which the individual is being arrested.
- Counts: Place the number of counts of the charge being placed on the defendant Florida Statute / Ordinance: Check whether the charge is a state statute or an ordinance.
- Statute Violation Number: Place the appropriate statute(s) in the fields providing the chapter and section as well as subsections and units.
- Violation of Section (ORD): If a municipal ordinance involves the same elements as a corresponding state statute, the ordinance number may be placed in this field. If the municipal jurisdiction has an enabling code, place this number in the field for each appropriate statute. Indicate the jurisdiction of the ordinance or code as either municipal or county.

Code Section

- Activity: Choose the appropriate code and place in this field.
- N N/A - Not applicable
 - P Possess - Actual control, care and management of item.
 - S Sell - To transfer or render a controlled substance in exchange for money, services or items of value.
 - B Buy - To acquire a controlled substance by paying or providing services or items of value.
 - T Traffic - The unauthorized manufacture, distribution, sale or possession with intent to distribute any controlled substance in the quantities established by Florida Statute 893.135.
 - R Smuggle - Bringing on shore / or across border of goods, wares or merchandise for which duty has not been paid, or goods the importation / exportation / transportation whereof is prohibited.
 - D Deliver - Actual, constructive or attempted transfer from one person to another.
 - E Use - The use of a controlled substance or the illegal use, of a prescribed substance by the individual.
 - K Dispense / Distribute - The transfer or possession of one or more doses of a medicinal drug by a pharmacist or other licensed practitioner to the consumer or to one who represents the individual to whom the drug was prescribed or the delivery or transfer of a controlled substance.

M Manufacture / Produce / Cultivate - The production, preparation, propagation, compounding, cultivating, growing, conversion or processing of a controlled substance either directly or indirectly.

Z Other - Any activity involving a controlled or illegally used substance that does not fit in the above categories.

Drug Type: Choose the appropriate code and place in the space provided.

N N/A - Not Applicable.

A Amphetamine - Any of various derivatives used as stimulants for the central nervous system including but not limited to phenmetrazine, methylphenidate and others.

B Barbiturate - Any of various derivatives used as sedatives, hypnotics and antispasmodics including but not limited to chloral hydrate, glutethimide, methaqualone, benzodiazepines, and others.

C Cocaine - Cocaine or ecgonine, including any of their stereoisomer, and any salt, compound, derivative or preparation of cocaine or ecgonine made from the coca bush.

E Heroin - A derivative of morphine in either a white or brown powdered form.

H Hallucinogen - Any substance that includes hallucinations (excluding marijuana) including but not limited to the following: LSD, mescaline and peyote, amphetamine variants, phencyclidine, and others.

M Marijuana - Applies to all parts of any plant of the genus "Cannabis" whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant or its seeds or resin.

O Opium / Derivative - Any opium or salt compound, derivative or preparation of opium including but not limited to raw opium, opium extracts, opium fluid extracts, powdered opium, granulated opium, tincture of opium, codeine, ethylmorphine, etorphine, etorphine, hydrochloride, hydrocordine, hydromorphine, metopon, morphine, oxycodone, oxymophone, and thebaine.

P Paraphernalia / Equipment - Any devices used in the production, preparation, propagation, compounding, cultivating, growing, processing or using a controlled substance.

S Synthetic - Any drug made completely in the laboratory through the deviation or variation of natural chemical compounds.

U Unknown - When the type of drug or substance is unknown, this category will be used.

Z Other - Any other drug or controlled substance that does not fit in the above categories will be placed in this category. If this category is used, ensure that appropriate documentation is contained within the report to support the use of this category.

Amount / Unit: Provide the quantity and the measuring unit in this field. For example: 20 grams, 1 kilo, 2 tons, etc.

State Attorney
Number: Not used.

Court Number: Not Used.

PC / CAPIAS / AC / BW / FW / PW / JUV.PU / CITATION

Check the appropriate category using the definitions below.

- PC Probable Cause - An apparent state of facts found to exist upon reasonable inquiry which would induce an individual to believe, in a criminal case, that the accused person had committed the crime charged. If this category is checked, the probable cause will need to be contained in this report.
- Capias The general name for several different "writs," the common characteristic of which is that they require the officer to take the body of a defendant into custody.
- AC Alias Capias - A second writ issued after the defendant has failed to appear in response to a previous capias.
- BW Bench Warrant - Process issued by the Court itself, or from the bench", for the attachment or arrest of a person; either in case of contempt, or where an incident has been found, or to bring in a witness who does not obey the subpoena.
- FW Fugitive Warrant - A written order issued as a result of an individual fleeing, evading or escaping to prevent arrest, prosecution or imprisonment.
- PW Parole and Probation Warrant - A written order issued as a result of an individual failing to meet the requirements of parole or probation orders of the Court.
- JUV.PU Juvenile Pickup - An order issued by the Circuit Court for the taking of the named juvenile into custody.
- Citation A writ issued out of a Court advising a set date and act that must be performed for compliance, or an order issued by a law enforcement agency to appear before a magistrate or judge at a later date.

Place the number of the above checked document in the space provided below the field.

Date Issued: The date on which the document, either criminal or civil, was issued.

WRIT ATT / DOM VIO INJ / ORDER FOR ARREST

Check the appropriate category where applicable.

- WRIT ATT Writ of Attachment - A writ employed to enforce obedience to an order of judgment of the Court. It may take the form of commanding the Sheriff to attach the disobedient party and to have him before the Court to answer his contempt.

DOM VIO INJ Domestic Violence Injunction - A sworn petition before the Court resulting in an injunction for protection in cases of domestic violence. Can include all or any of the following injunctions.

- 1 An injunction restraining any party from committing acts of domestic violence.
- 2 An injunction excluding the respondent from the dwelling which the parties share or from the residence of the petitioner.
- 3 An injunction on the same basis as is provided in Chapter 61, Florida Statute awarding temporary visitation with regard to minor children of the parties.
- 4 An injunction provided as in Chapter 61, Florida Statute, establishing temporary support for minor children or a spouse.
- 5 An injunction directing the respondent to participate in assessment and treatment.
- 6 An injunction providing any terms the Court deems necessary for the protection of the victim of domestic violence, including injunction or directives to the law enforcement agencies.

Order of Arrest: Direction of a Court or Judge, made or entered in writing in order to take custody of an individual for the purpose of holding or detaining him/her to answer a criminal charge or civil demand.

Probable Cause Statement: In determining probable cause to detain the defendant, the Magistrate applies the same standard for issuance of an arrest warrant, and his finding may be based upon sworn complaint, affidavit, deposition under oath, or, if necessary, upon testimony under oath properly recorded.

The elements of the probable cause statement should include the specific fact constituting the cause for arrest: A substantiated description of the nature and circumstances of the offense, including all elements of the crime.

The name of the person to be arrested, or if his name is unknown, designate such person by any name or description by which he can be identified with reasonable certainty.

The date and time of the offense should be inserted in the space provided.

At the end of the probable cause statement, space will be provided for the Judge's comments as to whether or not probable cause was established.

Administrative Section

Miranda Warning: Check this box if the Miranda Warning was given to the defendant at the time of the arrest.

Hold for Other Agency: Provide the complete agency name in this field and the initials of the verifying party.

Adults Only: (Hold if for First Appearance) - Check if an adult is to be held for first appearance, without bond, and then provide the reason in the space provided.

Signature: Complete the signature section providing the officer's or complainant's signature and then print the name in the space provided along with ID number and the district to which the officer is assigned as applicable

Oath: Complete the section provided.

Bond Information

Date: Place the date the bond is made in the space provided.

Bond - Charge Number: Place the dollar value of the bond for each charge in the space provided.

Type - Bond Type: Choose from the types of bonds provided at the left of this section and place the bond type for each charge in the appropriate spaces.

Returnable Court Date: Place the Court date on which the defendant is to appear in Court.

Returnable Court Time: Using twelve hour time, place the time the defendant is to appear in Court and check whether AM or PM.

Release Date: Provide the date the defendant was released as a result of bond.

Release Time: Using twelve (12) hour time, place the time the defendant was released on bond in this field.

Releasing Officer: Signature and ID / Badge number of the officer making the release of the defendant.

Page-of-Page: (Found on all reports) - Indicate the placement of this page in relation to the total report, (i.e., 1 of 3 pages, 4 of 20 pages).

3. Narrative Continuation Form

OBTS Number: This field will be completed by Corrections personnel.

Report Type: Enter the type of Report continued.

NOTE: This may be used to continue the Probable Cause Affidavit Form also.

Juvenile: For use when the arrested person is a juvenile.

Agency ORI: Pre-printed.

Agency Name: Pre-printed.

Agency Report Number: The Sheriff's Office case number shall be printed in this field.

Administrative Section

Miranda: Check this box if the Miranda Warning was given to the defendant at he time of the arrest.

Hold for
Other Agency: Provide the complete agency name in this field and the initials of the verifying party.

Adults Only: (Hold if for First Appearance) - Check if an adult is to be held for first appearance, without bond, and then provide the reason in the space provided.

Signature: Complete the signature section providing the officer's or complainant's signature and then print the name in the space provided along with ID number and the district to which the officer is assigned as applicable.

Oath: Complete the section provided.

Bond Information

Date: Not used.

Bond -
Charge Number: Not used.

Type- Bond Type: Not used.

Returnable
Court Date: Not used.

Returnable
Court Time: Not used.

Release Date: Not used.

Release Time: Not used.

Releasing Officer: Not used.

Page-of-Page: (Found on all reports) - Indicate the placement of this page in relation to the total report, (i.e., 1 of 3 pages, 4 of 20 pages).

4. Adult Notice to Appear

The adult Notice to Appear form mad be use in all instances as described above in section XYZ and should be used in place of the larger format.

Case Number: Enter the appropriate Monroe County Sheriff's Office case number.

Date and
Time Section: Enter the day, date (i.e., 6) month, year and time of the violation, circle the appropriate time designator, a.m. or p.m.

Last: Enter the person to be cited last name.

First Name: Enter the persons first name:

M I: Enter the persons middle initial.

Address: Enter the persons mailing and/or physical address.

Race / Sex: Enter the appropriate race and sex where indicated.

Height: Enter the persons height in feet and inches. (i.e. 5 03).

Weight: Enter the persons weight to the nearest pound.

Hair: Enter the predominate hair color.

BRO - Brown	BLK - Black
GRY - Grey	BLN - Blonde
RED - Red	WHI - White

Eyes: Enter the persons eye color.

BRO - Brown	BLK - Black
GRY - Grey	BLU - Blue
HAZ - Hazel	GRN - Green

Social Security Number: Enter the person Social Security number.

Driver's License Number: Enter the person's driver license number and the state of issue's letter designation. (i.e., FL, AL, OK, DL, etc.)

Scars, Marks, Tattoos: Describe any tattoos and their location.

Employer: List the company name or individual and a possible location. The island the business is located is adequate.

at "(location)": List where the offense occurred.

Zone / Grid: Enter the Division (zone) and appropriate area grid.

"..following offense": Describe the violation which occurred.

"in violation of": Enter the state statute or county ordinance of the violation.

City / County Ord. Florida Statute: Check the appropriate Block.

Details: Provide a summary of and elements of the violation.

Court Info.: Enter the Court and courtroom, date, year and time the person is to appear to answer the charge.

Signature of Defendant: The person cited signs here.

Officer's

Name and ID: Print your name and permanent Office ID number.

Signature
of Officer: Issuing officer signs here.

5. Juvenile Civil Citation

The Juvenile Civil Citation shall be used for all juvenile notice to appear situations.

Agency Name: Enter the Monroe County Sheriff's Office.

Case No.: Enter the Sheriff's Office case number.

Date and Time Section: Enter the day, date (i.e., 6), month, year and time of the violation, circle the appropriate time designator, a.m. or p.m.

Last: Enter the juvenile's last name.

First Name: Enter the juvenile's first name.

M I: Enter the juvenile's middle initial.

Address: Enter the mailing and/or physical address of the juvenile.

Race / Sex: Enter the appropriate race and sex of the juvenile.

Height: Enter the height of the juvenile in feet and inches, (i.e., 5 07).

Weight: Enter the weight of the juvenile to the nearest pound.

Hair: Enter the predominate hair color;

BRO - Brown	BLK - Black
GRY - Grey	BLN - Blond
RED - Red	WHT - White

Eyes: Enter the appropriate eye color;

BRO - Brown	BLK - Black
GRY - Grey	BLU - Blue
HAZ - Hazel	GRN - Green

DOB: Enter the juvenile's date of birth, (i.e., 01/01/80).

Social Security Number: Enter the juvenile's Social Security number if known. List UNK if it is not known.

Driver's License Number: Enter the juvenile's driver's license and the issuing state's two (2) letter designation, (i.e., FL, NY).

Parent / Legal Guardian Name: Enter the juvenile's parent or guardian's and note if parent or guardian.

Phone Number: List the parent / legal guardian's phone number. If both a work and home number can be provided designate which is home or work.

Location: Enter the location the violation occurred.

Zone / Grid: Enter the division (zone) and grid of occurrence.

Violation Info.: Brief description of violation and the City / County Ordinance or state statute in violation of.

City / County Ord. / Florida Statute: Check the appropriate box.

Details: Provide full details of and elements of the violation.

Signature of Defendant: Have the juvenile sign acknowledge receipt of the citation here.

Officer's Name and ID: Print the your name and provide your permanent Office I number.

Signature of Officer: The issuing Officer signs.

-- REVERSE SIDE OF CITATION --

Victim Info.: Fill in the requested information as indicated.

Additional Info.: Provide any additional information that may be of benefit to the officer or court officials.

Ass / Batt Info.: Enter the appropriate information for assault or battery case.

Drug Info.: Enter the appropriate activity, type (of drug), quantity, unit, an value.

Theft Info.: Enter the appropriate information as requested, referring to the Offense / Incident Report for proper coding.

6. Offense / Incident Report Writing Manual

a. Specialized Report Formats

Office personnel are often required to complete reports for which certain specific information must be obtained. The most common of these reports are Sheriff's Vehicle Accidents, Boating Accidents and Aircraft Accidents. The following formats have been designed to assist personnel in completing Narrative Reports pertaining to the above.

1) Accidents Involving Sheriff's Marked or Unmarked Vehicles

Sheriff's
Unit Number:

Vehicle: Year, make, model, style, color, VIN number; license number, year, state, type

Damage: Type, location, dollar amount.

Driver: Name, race, sex, age, date of birth
Address:
Phone:

Driver's License Number:
Type:
Expires:
Injury: (Type, severity, condition)

Passenger: Name, race, sex, age, date of birth
Address:
Phone:

Status: (Observer, prisoner, Deputy, transportation)
Location in Vehicle:
Injury: (Type, severity, condition)

Vehicle #2: Year, make, model, style, color, VIN number; license number, year, state, type.

Incident: Include witness statements, attachments.

Supervisor Notified
/ On Scene: Rank, name.

Medical Rescue: Unit number, Names-Technicians.

Wrecker: Name, Location vehicle's towed.

FHP: Name, Unit number / ID Investigating Trooper.

Photographs: Taken by (whom) for Sheriff's Office.

NOTE: The report of a Sheriff's Vehicle Accident shall be prepared by a supervisor. This report is in addition to the Florida Highway Patrol Accident Report.

2) Boating Accidents

Type: Capsizing, sinking, fire, explosion, collision.

Location: Body of water name, location on water, nearest city or town.

Weather / Water
Conditions: Visibility: (Surface / below surface)
Weather: (Clear, rain, fog, storm)
Water: (Smooth, calm, choppy, rough, storm)
Wind: (Direction, velocity)
Temperature: (Air / water)
Forecasts Available Used: (Source / time)

Vessel #1: Description: Year, Make, Model, Type (Open, Cabin, House, Other) Length, bow registration number, hull number, hull type (wood, aluminum, steel, fiberglass, wood /

fiberglass), propulsion (outboard, inboard, inboard / outboard), color. Damage: Amount, Type.

Operator: Name, race, sex, age, date of birth, address, phone number, vessel operating experience, boating safety training-type, date. Injury:

Occupants / Towed: Name, race, sex, age, date of birth, address, phone number, activity, injury.

Equipment: Personal flotation devices: (no.)
Used: (no.)
Fire extinguisher: (type), (amount used).

Emergency Signal Device: (type, used - yes, no) Equipment failure caused accident (description of how).

Vessel #2: (Same format as above)

Injured / Deceased: Name, race, sex, age, date of birth, address, phone number, nature / extent of injuries, condition. First Aid: Type, by whom. Suspected cause of death.

Transported by: _____
To: (Facility)
Next of kin: Name, address, phone
Notified by: _____

Incident: Include cause of accident and if Coast Guard aid to navigation was present and/or contributed to accident.

3) Aircraft Accidents

Location: (Airport name, key name, mile marker, Gulf / Ocean) (If water, body of water name, distance from shore)

Weather Conditions: (Obtain from nearest weather service to area of incident)
Sky Coverage: (Clouds - clear, scattered, broken, overcast)
Visibility: (Statute miles)
Weather: (Rain, thunderstorm, hail, snow, ice, hurricane)
Vision Obstructions: (Blowing dust, sand, spray, fog, smoke & haze)
Severity: (light, moderate, heavy)
Temperature: (Degrees Fahrenheit)
Wind: (Direction / velocity)

Aircraft Destination: From:
Due to Arrive: (Time)
Flight Plan Filed: (Location)
Activity: (Air taxi, instruction, pleasure, aerial acrobatics, business, sightseeing)

Aircraft Description: Year, make model, type (balloon, blimp, glider, rotor-craft, airplane) Classification, (Gyroplane, helicopter, single-engine land, multi-engine land, single engine sea, multi-engine sea, ultra-light) Color, and registration number: Damage: Type (Wings, fuselage, underside, landing gear, tail, fire) Severity (none, minor, substantial, totaled)

Pilot: Name, race, sex, age, date of birth, address, phone number, certification number,
 Expires: _____
 Medical certification - classification: _____ Date _____
 Injury: (Type) Extent: _____ Condition: _____
 First Aid: (Type) (By whom)
 (List additional occupants using above format)

Incident: Circumstances surrounding occurrence. Include suspicious activity (low approach, extra fuel tanks, stripped interior, flying without lights or other suspicious or criminal activity indications) Indicate any evidence that may indicate pilot intoxicated.

Notifications: Supervisor: Name, rank, time, on scene
 Medical Rescue, if any (Unit #, area)
 PIO: (By whom, on scene)
 CID: Name, rank, time, on scene
 FAA / NTSB: Name, date, time, etc, by whom

Photographs: Yes, no, - By whom for Sheriff's Office.

b. Common Data Elements

The following informational elements are common to all of the reports and will be addressed fully in this section rather than the individual instructions for each of the sections.

NOTE: All areas on the Offense / Incident from that are shaded in blue must be filled in UCR purposes, unless the information is not available.

Date: The date will be a six digit numeric field in month, day, year order in the following manner.

Month: Numbers 01 through 12;

Day: Numbers 01 through 31;

Year: Last two digits of the appropriate year.

Time: The time will be a four character numeric field using military time(24-hour time).

	A.M.	MILITARY	P.M.	MILITARY
Midnight		2400		
Midnight-1:00		0001-0059	Noon	1200-1259
1:00		0100-0159	1:00	1300-1359
2:00		0200-0259	2:00	1400-1459
3:00		0300-0359	3:00	1500-1559
4:00		0400-0459	4:00	1600-1659
5:00		0500-0559	5:00	1700-1759
6:00		0600-0659	6:00	1800-1859
7:00		0700-0759	7:00	1900-1959
8:00		0800-0859	8:00	2000-2059
9:00		0900-0959	9:00	2100-2159
10:00		1000-1059	10:00	2200-2259
11:00		1100-1159	11:00	2300-2359

Name: If a person, enter the last name, first name, middle name or initial. If applicable, provide the suffix abbreviations used to distinguish between fathers and sons (Jr., Sr., III, etc.) If a business or corporation, enter the full legal name of the business or corporation.

Address: Number and street, apartment number, city and state and zip code. Enter the address of the individual, or business. The address will be provided in the following manner. If possible, avoid the use of post office box numbers. Include the number and street and when applicable, an apartment or suite number. Include the city and state and zip code. If rural area, provide directions from major roads or mile post or any descriptions that would clearly define the location.

Telephone Numbers: Complete telephone numbers, including area code and extensions where applicable.

Administrative Headings

Offense - Arrest: (Found only on the Narrative Continuation report) - In the box provided, place the appropriate number if the narrative continuation is (1) part of an offense report or (2) if it is used as part of an Arrest / Notice to Appear report.

Juvenile: (Found on the Offense Incident and the Narrative Continuation reports) - Check this block as a flag to alert others if any information contained in this report should not be released as public record due to juvenile involvement.

Original or Supplement: (Found on all reports) - In the box provided, place the appropriate number if the report is (1) part of the original report or (2) if a supplement to the original already on file. The following format will be required on all Supplementary reports:

Day-Date-Time of Occurrence:

Offense:
Victim:
Subject:
Property:

Page-of-Page: (Found on all reports) - Indicate the placement of this page in relation to the total report, (i.e., 1 of 3 pages, 4 of 20 pages). If a supplemental report, the renumbering series should be restarted rather than adding to the original report total.

Agency ORI Number: (Found on all reports) - This is the unique number assigned our agency.

Agency Name: (Found on all reports) - our agency's name should be recorded in the space provided.

Agency Report Number: (Found on all reports) - Enter assigned case number in the spaces provided. Start at the left of the field and leave the remainder blank.

Original Date: This field will reflect the date you received the call.

Event Data

Reported (Day): The day of the week that the report was received will be designated by using the first three letters of the appropriate day. For example, Monday would appear as Mon.

Date: This field will reflect the date the call was received.

Time (Mil): The time the call was received.

Time Dispatched: The time the dispatcher referred the call to a (Mil) unit for response.

Time Arrived: The time the unit arrives at the incident (Mil) location.

Time Completed: The time the unit notifies the dispatcher that (Mil) action concerning the incident has been completed.

(From) Incident, Day, Date, Time (To) Incident: The left-hand field (day, date, time) is used in all cases where the exact time of the offense is known. When the exact time can sections will be used to denote the possible time span of the time period in which the offense could have occurred.

Offense Number One and Two: This field will serve as a foundation for the offense indicator field and is pre-assigned immediately left of the description field. If multiple offenses are to be recorded, the most serious should be placed in the first entry.

Type: Select the number of the appropriate code from the codes provided. If the offense is both a violation of a state statute as well as an ordinance, the state statute will override the ordinance, and the felony and misdemeanor code will be used. The two (2) most serious violations should appear here in order of their severity.

Incident Description: Paraphrase the type of offense or incident that has occurred.

Attempted / Committed: If the crime was attempted but not committed, then an (A) will be placed in the space provided to the right of the field. If the crime was committed, a (C) code will be used. If this field is not applicable, leave blank.

State Violation: Place the appropriate statute(s) in the fields providing the chapter and section as well as subsections and units when necessary. Refer to the statute Manual to ensure valid data is being provided. Reportable information not falling under a statute, (i.e., Missing Persons, or Foreign Nationals With Diplomatic Immunity as 777.7777.7777).

NCIC / UCR Code: The appropriate NCIC or UCR offenses code for the state statute will be recorded by the Records clerk.

Incident Location: Place the address of the incident in this field.

District: Enter as 01, 02, or 03.

Grid: Enter four digit number of grid.

Shift: Enter shift as 1-day or 2-night.

Zone: Enter as 01, 02, or 03.

Business Name

/ Area Identifier: If the incident occurred at or on the premises of a business establishment or an area commonly referred to by a name such as a sub-division or neighborhood, place that name in this field.

Forced Entry: If a premise is entered, choose the appropriate code from those provided and place in the space provided.

Occupancy: Place the appropriate code in the space provided to the right of this field using the definitions provided below.

Location Type: Place the number of the most appropriate category in the box located to the far right of the field. If multiple locations are possible, the officer should choose the location type that possible contributed to the crime being committed. If a location has several functions housed in one unit, (i.e., Winn Dixie), select the primary target of the offense. If more than one area is targeted, the commercial category would be the appropriate code to use. All numbers less than ten (10) will have a leading zero placed in the left space.

Number of Offenses: The number of offenses that occurred or were attempted during this incident will be recorded here. If greater than one, the two most serious crimes should be recorded by the state statute in the areas provided with the most serious listed first. If the incident is non-criminal in nature, 00 shall be used to designate non- applicable. If the number of offenses are unknown, UK will be used.

Number of Victims: The number of persons and/or businesses that have been victims as a result of the incident(s). If the incident being reported involved no victims, 00 will be used to denote the field is not applicable. If the number of victims is unknown, UK will be used. This is a two character alpha / numeric field, and all figures less than ten will have a leading zero in the left block.

Number of Offenders: The number of persons identified as the perpetrators of the incident(s). If the incident being reported involves no offenders, 00 will be used to designate the field was not applicable. If the number of offenders is unknown, UK will be used. This is a two (2) character alpha / numeric field, and all figures less than ten will have a leading zero in the left block.

Number of Premises Entered: This does not require that the structures be physically separate. Each office, apartment, condominium, warehouse, etc. that is capable of being enclosed separately and is rented, owned or leased by separate individuals will be considered an individual premise. This is a two character alpha / numeric field, and all figures less than ten will have a leading zero in the left block. If no premise were entered, use 00. If the number of premises entered is unknown, UK will be used.

Number of Vehicles Stolen: This will be the number of vehicles stolen as result of the incident(s) reported. This is a two character alpha / numeric field, and all figures less than ten will have a leading zero in the left block. If no vehicles are stolen, use 00. If the number of vehicles stolen is unknown, UK will be used.

Type of Weapon: This field should be used for persons crimes in which weapon or force is used. If the incident is a property crimes or no type of force is used, 00 will be used. Place the number of the appropriate weapon type in the space provided to the right of this field. It

should be noted, if a weapon is named but not seen or used on the victim, the said weapon will be denoted here. If more than one weapon is used, the weapon capable of producing the most danger, injury or damages should be recorded.

Drug Section

- Activity:** Choose the appropriate code and place in this field. If drugs are not involved, leave blank.
- Drug Type:** Choose the appropriate code and place in this field.
- Description:** Give a description of the drug or substance providing its form, for example, capsule color, powdered, liquid or other.
- Quantity:** Give the actual numeric amount of the drug / substance, relating to the units below, in this field.
- Unit:** Choose the appropriate code of unit from the list provided.
- Estimated Street Value:** Give the estimated street value of the drug / substance in whole dollars.

Victim / Witness Section

- Offense Indicator:** (Offense One, Two or Both) - This field will be used to define a victim's / witness's role in, and relationship to, each of the offenses related in the event data fields. If the individual is a victim of offense 1 as reported in the Event Data, the 1 code will be used. If the individual is a victim of offense 2 entered in the Event Data, the 2 code shall be used. If the person was a victim / witness of both offenses recorded, the 3 code will be used to describe their involvement. If the victim / witness is not associated with the offense(s) recorded in the Event Data section, this field should be left blank.
- Victim / Witness Code:** Select the First code you come to that describes the Victim / Witness. If the person is the victim, as well as the witness, only the victim code will be used. The letter of the appropriate code will be placed in the victim / witness code box in the victim / witness section.
- Victim / Witness Number:** Each victim / witness / etc. contained on the report will receive a sequential number. It is important to ensure that no numbers are left out or duplicated. Place the number assigned to each victim / witness in the space provided. If this is a continuation report, this number, if unknown can be renumbered.
- Victim Type:** Select the first code you come to that is appropriate to the victim and place the number in the box provided on the bottom line of the victim / witness section.
- Name / Business:** Last, first, middle or business name.
- Residence Phone:** Complete telephone number including area code.
- Address:** Number and street, apartment number, city, state and zip code. Residential address of the individual, or if a business, the business address will be provided.
- Business Phone:** Complete telephone number including area code and extensions where applicable.

Other Contact Information: Provide another address where the individual may be located, what time the individual is available for interview, whether or not an interpreter is needed for interview, or any other pertinent data that might assist in contacting the individual for follow-up activity.

Synopsis of Involvement: Provide the role of the victim / witness in the incident itself. Where pertinent, provide such information as to the location of the witness as it relates to the offense, what the victim / witness can testify to, or other key information. If Victim Type 1, 2 or 3 (a person), the following portions of this section will be completed. It is important that Law Enforcement Officers that become victims while in the line of duty provide this information.

Race: Place the appropriate letter in the box provided from codes given.

Sex: Place the appropriate letter in the box provided from codes given.

Date of Birth or Age: Month, day, year - Place the date of birth of the victim in this field or provide the age in the last two spaces of the field. If the age is less than ten, place leading zero in the field prior to the age.

Residence Type: Select the appropriate code to match the individual's permanent residency as it relates to your agency's jurisdictional boundaries. Place the appropriate number in the space provided on the bottom line of the person's box. If N/A, 0 must be entered.

0 N/A - Not applicable - This code will be used anytime the victim type reflects the victim as other than an individual.

1 City - If the permanent address of the individual reflects the same city in which the crime occurred, this number will be placed in the box provided.

2 County - If the permanent address of the individual reflects a city different than the location in which the crime occurred, but is within the same county, this number will be placed in the box provided.

3 Florida - If the permanent address of the individual reflects a city that is different than that of the crime and is out of the County but within the State of Florida, this number will be placed in the box provided.

4 Out-of-State - If the permanent address of the individual reflects an out-of-state or foreign country address, this number will be placed in the box provided.

Residence: Place the number of the appropriate status in the STATUS: space provided. If N/A, O must be entered.

O N/A - Not Applicable. This field is to be used if the victim type is any other than an individual.

F Full Year - Resides in Florida for the majority of the calendar year

P Part Year - Resides in Florida for up to six (6) months.

N Non-Resident - Does not maintain an address in the State of Florida.

Extent of Injury: Place the appropriate code in the box provided on the bottom line of the victim / witness section. If N/A, enter N.

N None - if the victim is a business, or if the crime committed did not result in any injury to the individual, this will be the code to use.

M Minor - If the crime committed involved physical contact and caused minor bruises or contusions such as a black eye, bloody nose, etc., this code should be used.

S Serious - If the crime committed resulted in serious or possible serious injury to the individual, this code should be used.

NOTE: Any serious or extensive injury requiring hospitalization or any medical information that is available should be included in the narrative portion of the report as well as noted in this field.

F Fatal - If the individual dies as a result of the crime committed prior to or during the time the report is being generated, this will be the code to use.

Injury Type: Choose the code that is consistent with most serious extent of injury as best can be determined at the scene of the crime. Place all appropriate codes in the order as presented in the spaces provided on the bottom line of the victim / witness section.

00 N/A - This field will be used when the victim is a business or when the extent of injury is none or fatal. No other code should accompany this code.

01 Gunshot - Any injury caused by a projectile powered by energy supplied by an explosive substance.

02 Stabbed - Any deep or open wound resulting from a weapon used to cut or penetrate the victim's skin.

03 Laceration - Any open wound with edges deeply and irregularly cut resulting from a weapon used to rip or tear the victim's skin.

04 Unconscious - This code should be used if the individual is unconscious or loses awareness or conscious control, prior to or during the writing of the report, as a direct result of force used by the offender against the victim.

05 Possible Broken Bones - If a compound fracture has occurred, the broken bone will be visible in the wound. If a simple fracture has occurred, the limb or torso may be disfigured or have localized swelling and pain at the point of the break.

06 Possible Internal Injuries - Internal injuries of the abdominal area are often indicated by the coughing or spitting up of blood, accompanied by a hardening of the abdominal area. Internal injuries to the head are often indicated by fluids coming from the ear and nose and pupils that are unevenly dilated or do not, react to light. Internal injuries also usually accompany compound fractures.

07 Loss of Teeth - Any injury resulting in the loss of an individual's natural teeth (not dentures, bridges or retainers).

08 Burns - Any injury to the skin caused by heat, hot liquids, chemical or incendiary device.

- 09 Abrasion / Bruises - Any bruises or wounds where the skin has been scraped or rubbed off.
- 99 Other - Any type injury not covered by the above categories.

Victim Relationship to Offender: This box will be completed for victims only and will advise the victim's relationship to the offender. Place the appropriate code in the space provided. If there are multiple offenders with differing relationships to the victim, select the closest relationship.

Suspect Section

Offense Indicator: Offense One, Two or Both) - This field will be used to define a suspect's missing, etc. role in and relationship to each of the offenses recorded in the incident type field. If the person was a suspect, etc. of both offenses recorded, the both category will be used to describe their involvement. Place the appropriate code for the offense(s) reported in the event section of the report in which the individual played a key role.

Suspect Code: Using the definitions provided below, select the appropriate code and place in the box provided.

- S Suspect - The term suspect will be utilized when the name of the suspect is known and an arrest is forth-coming or when only the alias and/or description of the perpetrator is known.
- A Arrest - any individual taken into custody in relation to a crime or as a result of a Court Order.
- E Escapee - Any individual who had escaped from lawful custody of a law enforcement officer or incarceration facility.
- M Missing - (Person(s) Report Only) - Any individual whose location is unknown and is reported as lost or has disappeared for unknown reasons.
- B Missing / Recover - Any individual whose location was unknown became known during the same time period.
- R Recovered Missing - (persons Report Only) - Any individual who has been reported missing and their location has become known.
- Z Other - Any individual involved in the case and may be wanted for questioning, that does not fall within the categories of suspect, arrested, escapee, missing or recovered missing.

Suspect Number: Each sequence of suspects, missing, arrestees, etc. contained on the report will receive a sequential number. If this is a supplemental report, you can start the numbering scheme again if you do not have the original report available.

Juvenile: Check this block if the information reported in this section pertain to a juvenile.

Name: Last, first, middle - Place the name of the individual in this field.

Nickname / AKA: If a nickname, alias or street name such as "Lover", or "killer" is used, place the name in this field.

Number Arrested: (Found on the Offense Incident and Narrative Continuation reports) - Place the number of persons arrested with relation to the incident being cleared in this field.

In-Book #: Place Monroe County Sheriff's Office In-book # in this box.

Last Known Address: Give the most current address of the individual. The address will be given by number, street, city, state and zip code.

Residence Phone: Complete telephone number including area code.

Race: Place the appropriate race code from the codes listed.

Sex: Place the appropriate sex in the space provided.

Date of Birth or Age: Month, day, year - Numeric, two digit designators using leading zeros when required or place the age in the last two spaces provided in this field.

Height: This is a three character numeric field and will be given in feet and inches. Leading zeros will be used as required. Space has been provided to give a range as required.

Weight: This is a three character numeric field and will be given in pounds. Leading zeros will be used as required. Space has been provided to give a range as required.

NOTE: The following codes have been provided as the most common and are in no way intended to limit the codes that can be used.

Eye Color: Choose the appropriate color and place in the space provided.

BRO - Brown	BLK - Black
GRY - Gray	BLU - Blue
HAZ - Hazel	GRN - Green
UNK - Unknown	

Hair Color: Select the predominant hair color and place in the space provided. If the individual is not completely bald, write the color of the hair that does exist.

BRO - Brown	BLK - Black
GRY - Gray	BLN - Blonde
RED - Red (Auburn)	WHI - White
UNK - Unknown	

Hair Length: Choose appropriate letter(s) from codes at the bottom of Offense / Incident Report and place in box.

Hair Style: Choose appropriate letter(s) from codes at the bottom of Offense / Incident Report and place in box.

Complexion: Choose appropriate letter(s) from codes at the bottom of Offense / Incident Report and place in box.

Build: Choose appropriate letter(s) from codes at the bottom of Offense / Incident Report and place in box.

- Facial Hair: Choose appropriate letter(s) from codes at the bottom of Offense / Incident Report and place in box.
- Teeth: Choose appropriate letter(s) from codes at the bottom of Offense / Incident report and place in box.
- Speech / Voice: Choose appropriate letter(s) from codes at the bottom of Offense / Incident Report and place in box.
- Scars / Marks Tattoos: Describe and provide the location of and the amount of area on the body covered by the scars, marks or tattoos. If more room is needed, write in box "See Describe) Narrative" and fully describe in Narrative of Offense / Incident Report.
- Missing Section: In each of the missing fields, two boxes been provided so that two persons may be reported on this form. The top box will correspond to the individual recorded in the first suspect section and the bottom box will be used for the individual in the second suspect section.
- Incident Type: Place the appropriate code in the box provided. If the type of incident is unknown at the time of the initial report, use the endangered code to ensure FCIC entry and continued file maintenance.
- 1 Runaway - Any unmarried person under the age of eighteen that runs away from his or her parents, or legal guardian, without their permission.
 - 2 Parental - Any removal by the natural or adoptive parent of the child, without endangerment, of an unmarried person under the age of eighteen from the legal custodian of the juvenile
 - 3 Involuntary - A person of any age who is missing under circumstances indicating that the disappearance was not voluntary.
 - 4 Disabled - A person of any age who is missing and who is under proven physical / mental disability or is senile, thereby, subjecting himself or others to immediate danger.
 - 5 Endangered - a person of any age who is in the company of another person under circumstances indicating that his personal safety is in danger.
 - 6 Disaster Victim - A person who is missing as a direct result of a disaster.
 - 7 Voluntary Adult - Any adult who willingly leaves his or her family without any endangerment to himself/herself or to others.
 - 8 Unknown - Any time a person is missing in which the do not fit the above categories, it will be placed in this field.
- Foul Play Suspected: Place the appropriate code in the box provided.
- Missing Before?: Place the appropriate code in the box provided as stated by the reporting person.
- Fingerprints Available?: Place the appropriate code in the box provided.
- Photo Available?: Place the appropriate code in the box provided.

Dental Records Available?: Place the appropriate code in the box provided.

NCIC Form Provided?: Place the appropriate code in the box provided.

Date Last Seen: Month, day, year -- If only partial data is known, such as month and year, put this information in this field. If unknown, put unknown.

Time Last Seen: Provide the time using military time. If unknown, put unknown.

Location Last Seen: If an address is known, provide the address. The address will be given by number, street, city, state and zip code.

Accompanied by: Any individual with whom the missing person might be located.

Mental / Physical Condition: If the individual missing has a known mental or medical condition that would endanger their own or other's health or safety, it should be reported in this field. Examples would be if the individual is a diabetic, is a mental patient with violent tendencies, heart problems, etc. would be reported in this field.

Medication Required: If the missing individual requires a continued medication to prevent injury or death, the medication should be placed in this field. Examples of this are Insulin for diabetes, glycerine for heart problems and dilantin for epilepsy.

Doctor / Dentist: Provide the name and telephone number of the doctor / dentist that may have records available for identifying the missing person.

Property Carried: In this field, provide information as to the type of property the individual had in their possession at the time they became missing.

ID Type / Number: In these fields, record any type of identification cards and their numbers the individual had in their possession when they became missing.

Probable Destination: If any idea can be given as to the possible destination of the party such as a friend or relative, place this information in this field.

Name / Address: If a name of an individual or address can be given for the probable destination, provide it in this field.

Transportation Mode: Place in this field the mode of travel that the individual was using when they were reported missing. If a vehicle is involved and enough descriptive information is available, a vehicle module should be completed.

Recovery Information: Choose the appropriate recovery code and place in the space provided to the right of this field.

Vehicle / Vessel / Aircraft

Person Code and Number: Place the appropriate person code and number assigned previously in the persons section of the report to the individual that is most closely associated with the vehicle being reported.

Vehicle Number: Each vehicle / vessel / aircraft recorded on the report will receive a consecutive number. If this is a supplemental report, you can start the numbering scheme again if you do not have the original report available or will be handled as directed by your agency.

Status Code: Choose the most appropriate code using the order in which they are presented as a hierarchy. Place the appropriate code in the box provided to the right of the field.

- 1 Stolen - Any vehicle / vessel / aircraft taken from an individual without their consent.
- 2 Recovered - Any vehicle / vessel / aircraft that has been stolen that has come into the custody or care of the agency.
- 3 Stolen and Recovered - A vehicle / vessel / aircraft that has been stolen and recovered during the same time period will fit in this category.
- 4 Suspicious - Any incident involving the use of a vehicle / vessel / aircraft in a suspicious manner should be recorded using this code.
- 5 Impounded - Any vehicle / vessel / aircraft turned over to or taken by a representative of the agency for protective purposes.
- 6 Abandoned - A vehicle / vessel / aircraft no longer used or maintained. A vehicle left unattended by either the owner, driver or thieves.
- 7 Failure to Return Vehicle - Any vehicle / vessel / aircraft that is take from the owner or individual in care of by legal means and mutual or contractual agreement but is not returned at the agreed upon date or time. Examples would include rental vehicles, vehicles taken for a test drive or a vehicle borrowed and not returned.
- 8 Seized - Any vehicle / vessel / aircraft seized by a representative of the agency as contraband or for evidentiary purposes.
- 9 Other - Any vehicle / vessel / aircraft that comes into the custody of the Office or is of interest to the Office and does not fall in one the above categories or has been damaged or destroyed by arson or criminal mischief should be classified by this code and fully explained in the narrative portion of your report.

Damage Code: Place the appropriate code reflecting the method of destruction or damage.

- 0 N/A - Not Applicable - Will be used when no damage was done to the vehicle / vessel / aircraft being reported on.
- 1 Arson - Any unlawful and intentional damage, or attempt to damage, any real or personal property by fire or incendiary device.
- 2 Criminal Mischief - Any willful and/or malicious destruction, damage or defacement of public or private property, real or personal.
- 3 During Other Offense - Any damage to a vehicle as a result of a criminal act not covered specifically in another category will be placed in this category.
- 4 Stripped / Theft From - Any time a vehicle / vessel / aircraft is damaged due to removal of parts or for the purposes of entering the conveyance for a theft, it will be placed in this category.

9 Other - Any damage caused by means other than those noted above. This will include accidental or natural acts resulting in damage to property.

Type of Vehicle / Vessel: Choose the appropriate code and place in the space provided in the field.

Year: Year that vehicle / vessel / aircraft was produced.

Make: The manufacturer or company producing the vehicle / vessel / aircraft, (i.e., Ford, Wellcraft, Boeing).

Model: The manufacturer's name for the vehicle, (i.e., Mustang, Sportabout, Skywing).

Style: Enter style of vehicle. Examples are listed below.

Coach	Hearse
Convertible	Limousine
Coupe	Retractable Hardtop
Hardtop	Roadster
Hardtop, 2-door	Sedan
Hardtop, 4-door	Sedan, 2-door
Motorcycle	Sedan, 4-door
Hatchback, 2-door	Pickup
Station Wagon	Touring Car

Enter style of vessel - The boat hull shape can be used in this field. Examples are listed below.

Catamaran	Semi-V
Deep-V	Tri-Hull
Flat Bottom	Tunnel
Pontoon	Round Bottom

Enter style of aircraft - Examples are listed below.

Single Engine - Jet	Single Engine - Prop
Twin Engine - Jet	Twin Engine - Prop
Tri-Engine - Jet	Tri-Engine - Prop
Multi-Engine - Jet	Multi-Engine - Prop
Blimp	Helicopter
Hot Air Balloon	Sailplane
Ultralight / Hand Gliders	

Tag/Registration/ Documentation #: The vehicle / vessel / aircraft number will be placed in this field. If only a partial number is known, enter the known characters and indicate the missing characters with a dash. For example, XKV---- or ---- 214.

For vehicles, the tag number will be used.

For vessels, the registration number assigned by the state where the vessel is in principal use will be used. This number is displayed on the bow (front) of the vessel and consists of two (2) letters designating the State of assignment, a four (4) character numeric followed by one (1) or two (2) letters. Not all the State letters are the State abbreviations. Example: Florida -- FL1234BU, but Massachusetts is MS5678CR.

The documentation number is a federal registration number consisting of six numbers. These numbers will not be displayed on the outside of the vessel, but inside, below decks, on vessels which are usually thirty (30) feet or more in length.

For aircraft, the Federal Aviation Authority's "N" number shall be used. This number is found on the side of the aircraft and can consist of alpha or numeric or alpha / numeric characters.

Registration State: Place in this field the State or Country in which vehicle / vessel / aircraft is registered. Use two letter abbreviations for the State or Country.

Registration Year: Year of expiration or date indicated by validation sticker.

Decal Number: For a vehicle, place the annual renewal decal number in this field. For a vessel, place the number of the annual registration decal in this field.

Tag Type: For a vehicle tag type, use one of the following tag types.

Regular	Dealer
Antique	Diplomatic
Bus	Disabled Veteran
City Owned	Farm Vehicle
In Transit	Dentist
Legislative - Federal	Disabled Person
Motorcycle Dealer	Dune Buggy
National Guard	Exempt
Omnibus	Foreign Government
Reciprocal	Handicapped Person
Special Commercial	Judges
State Owned	Law Enforcement
Truck	Legislative - State
Temporary Tag	Manufacturer
Transporter	Military - Canada
Tractor	Military - USA
Trailer	Personal - Custom
Taxi	Pharmacist
Snowmobile	Physician
Duplicate	Rental Vehicle
Commercial	School Vehicle
Vet of Foreign Wars	All Others
All Terrain VH	US Government
Amateur Radio	Civil Passenger
Consular Corps	Civil Non-Passenger

For an aircraft, use one of the following codes:

Civilian, Passenger (Commercial or Private)

Civilian, Non-Passenger (Commercial or Private)

Military

VIN / Hull

/ Serial Number: For a vehicle, place the vehicle identification number in this field. If the vehicle is not a manufactured item with appropriate numbers, owner applied numbers will be placed in this field as required or applicable. VIN numbers after 1980 should consist of seventeen (17) alpha / numeric characters.

For a vessel, place the hull number in this field. If the boat is not a manufactured item, use an owner applied number if applicable. The hull number is usually located on the outside transom (rear) of the vessel.

For an aircraft, place the manufacturer's serial number in this field.

Value: Place the estimated value of the stolen vehicle / vessel / aircraft or amount of damage to it in this field. Use dollar figures rounding off to the nearest dollar.

Condition: Condition of vehicle / vessel / aircraft at time of theft. Check those that are appropriate.

1 Window Closed

2 Locked

3 Keys in Ignition

Insurance Company: This will be the company that insures the vehicle / vessel / aircraft reported stolen / damaged. If available, also provide the policy number for the vehicle / vessel / aircraft.

Lien Holder: All agencies or persons holding alien on the reported vehicle / vessel / aircraft. If a person, put name in last, first, middle order.

Color: (Top, Bottom) Vehicle / vessel / aircraft color, use the following colors. (Interior color if known should also be indicated in the description field.)

Beige	Gray
Black	Lavender
Blue	Maroon
Blue, Dark	Orange
Blue, Light	Pink
Bronze	Purple
Brown	Red
Copper	Silver
Cream or Ivory	Tan
Gold	Turquoise
Green	White
Green, Dark	Yellow
Green, Light	

Description: (Other Identifying Characteristics, Noticeable Damage) Place any unique features that could be used to further identify the vehicle / vessel / aircraft such as interior color, bumper stickers, damage to the vehicle / vessel / aircraft, paint and rust spots, wheel covers, fiberglass damage, fender guards, etc.

Vessel Name: Place the owner's name for the vessel in this field (i.e., "Monkey Business") as it appears on the vessel. Usually found towards the rear of the vessel.

Length: This field is used to contain the length of the boat. This is a two character numeric field and will be the overall length of the vessel in feet, rounding off fractions to the nearest foot.

Hull Material: Choose the appropriate material from which the vessel's hull is made and place in this field.

Wood	Aluminum
Steel	Fiberglass
Wood / Fiberglass	Other

Propulsion Type: Choose the appropriate method of propulsion for the vessel and place in this field.

NOTE: The following boat types have been provided as the most common and are in no way intended to limit the codes that can be used.

Inboard	Outboard
Inboard / Outboard	Sail with Inboard
Sail with Outboard	Sail Only
Air Propelled	

Boat Type: Choose the appropriate boat type and place in this field.

Air boat

Commercial - Ferry, Oyster Boat, Motor Barge, Towboat, Tug, Clam Dredge, Coaster, Riverboat, Smack Boat, etc.

Cruiser - A boat with, an inboard motor that is at least 25 feet long but no longer than 50 feet.

Houseboat

Hovercraft

Hydrofoil

Hydroplane

Runabout Launch, Motorboat, Outrider, Speedboat, etc.

Sailboat Cat, Catamaran, Cutter, Bark, Schooner, Ketch, Lateen, Lugger, Pinnance, Sloop, Yawl, etc.

Utility Fisherman, Sedan, etc.

Yacht - A boat with an inboard motor that is more than fifty (50) feet in length and is used mainly for pleasure or recreation.

All Other - Aqua Bike or Jet Ski, Dinghy, Dory, Jonboat, Kayak, Lifeboat, Paddle Boat, Rowboat, Scull, Skiff, etc.

- Recovery Address / Geographic Indicator: Provide the address and grid, if known for the location where the vehicle / vessel / aircraft was recovered.
- Date Recovered: Place the date of recovery in this field in (MDY) month, day, year order.
- Value Recovered: Place estimated value of the vehicle / vessel / aircraft at the time of its recovery in this field. Use dollar figures only rounding off to the nearest dollar.
- Recovery Location: Choose the appropriate code to describe the area of recover and place the appropriate code in the space provided. If other is used, provide complete information.
- Recovery Code: Choose the appropriate code and place in the box provided in the right of the field.
- 1 Stolen Local / Recovered Local - If a vehicle / vessel / aircraft is reported stolen within Monroe County's jurisdiction and is recovered within Monroe County's jurisdiction, this code will be used.
 - 2 Stolen Local / Recovered Other - If a vehicle / vessel / aircraft is reported stolen within Monroe County's jurisdiction and is recovered by another agency outside of Monroe County's this code will be used.
 - 3 Stolen Other / Recovered Local - If a vehicle / vessel / aircraft is reported stolen to another agency and is recovered in Monroe County's jurisdiction, this code will be used.
- Original Reporting Agency: Place the name of the agency that initially reported the vehicle / vessel / aircraft stolen.
- Report Number: Place the case number of the originating agency in this field.
- Hold: Check whether or not the vehicle / vessel / air craft is to be held until release is authorized by the law enforcement agency.
- Reason / Authorization: If a hold is placed on the vehicle / vessel / aircraft, give the reason, (i.e., evidence, or the individual authorizing hold in this field)
- Method of Theft: Method of operation used in stealing the vehicle / vessel / aircraft.
- Check the appropriate fields.
- | | |
|---------------|---------------------|
| 0 - N/A | 4 - Steering Column |
| 1 - Keys | 5 - Ignition Punch |
| 2 - Tow Truck | 8 - Unknown |
| 3 - Hot Wire | |
- Components Stripped: Check the appropriate categories of items that were stripped from the conveyance. Make sure the items are reported in the property section using the appropriate property type code for auto parts and accessories.
- | | |
|---------|------------------|
| 0 - N/A | 6 - Transmission |
|---------|------------------|

- | | |
|--------------------|------------------------|
| 1 - VIN Plate | 7 - Engine Parts |
| 2 - Tires / Wheels | 8 - Major Body Parts |
| 3 - Radio / CB | 9 - Tag / Decal Stolen |
| 4 - Battery | 10 - Other - Specify |
| 5 - Interior | |

Towed by: If the vehicle / vessel is towed by an individual or business, place the name of the towing party in this field.

Storage Location: Give the address where the vehicle / vessel is being stored.

FCIC/NCIC: Place the time that Communications entered the vehicle / vessel / aircraft into FCIC/NCIC. This information will be given as soon as possible to Communications upon completing Offense / Incident Report.

Vehicle Acquisition: Enter the Vehicle Acquisition Number in box.

Property Section

Type of Theft: If theft of property occurred in the incident, choose the most appropriate category and place the number in the space provided to the right of the field. This is a two character numeric field, and all numbers less than ten will have a leading zero. If no theft was involved in the incident, place 00 in this box.

Person Code and Number: Place the appropriate person code and number assigned previously in the persons section of the report to the individual that is most closely associated with the item being reported on.

Item Number: Each item on the report will receive a consecutive number if this is a supplement report. You can start the numbering scheme again if you do not have the original report available or as directed by your agency.

Status Codes: Choose the appropriate code as it relates to the item that is being reported on. Place this code in the space provided.

Damage Code: Place the appropriate code reflecting the method of destruction or damage. If N/A, place 0 in box.

Property Types: Choose the appropriate code as it relates to the item(s) that is being reported on and place in the space provided. It should be noted that this is an alpha code rather than a numeric.

Quantity: Place the number of the same items in this section. If serialized articles where the serial numbers are in a consecutive numbering order, the quantity can be placed here and then the serial numbers can be indicated by reflecting the beginning and ending number of the series or placed in the Property Detail Section found on this report. If the item is a serialized article and the numbering series is not consecutive, each item will have to be recorded separately.

Name: Give the common name of the item being reported (i.e., dishwasher, watch etc.)

Brand: Enter the manufacturer's name of the item in this field.

Model Name / Number:	Place the company's name and where applicable the model number in this field.
Serial Number:	Where applicable, place the serial number in this field. If more than one serial number of the same make and model are being reported, put a note to see the property detail section in this field.
Owner Applied Number:	If the owner has put a number on the item through some permanent means or in an area that would not normally be noticed, place the number and its location in this field.
Description:	(Size, color, caliber, barrel length, etc.) - Place any unique features that could be used to further identify the item such as monograms, in jewelry the stone cut, in weapons the caliber, finish and barrel length; and noticeable damage, etc. Longer descriptions of items can be continued in the property detail section of this report.
Value:	Place the value of the stolen item or amount of damage in this field. Use dollars and cents where known or an estimated whole dollar figure.
Value Recovered:	Place the value of the property at the time of recovery in this field. Use dollars and cents where known or an estimated whole dollar figure.
Date Recovered:	Place the recovery date in this field in month, day, year order.
FCIC/NCIC:	Place the time that Communications entered the property into FCIC/NCIC. This information will be given as soon as possible to Communications upon completing Offense / Incident Report.

Illegal Document Section

This section of the report will be used to document the illegal use of a check, credit card, etc. Theft of such cards should be reported using the property section as required.

Victim Number:	Place the appropriate victim number assigned previously in the victim section of the report to the individual that is most loosely associated with the document being reported.
Witness Number:	Place the appropriate witness number assigned previously in the witness section of the report to the individual that is most closely associated with the document being reported.
Suspect Number:	Place the appropriate suspect number assigned previously in the suspect section of the report to the individual that is most closely associated with the document being reported.
Document Number:	Each document number recorded on the report will receive a consecutive number. Some agencies will require a separate report for each document.
Status Codes	Choose the appropriate code and place in the space provided.
1	Forged - The making or altering, with intent to defraud, of any writing which, if genuine, might apparently be of legal efficacy or the foundation of a legal liability.
2	Uttered - To utter, as used in a statute against forgery and counterfeiting, means to offer, whether accepted or not, a forged instrument, with the representation, by words or action, that the same is genuine.

- 3 Counterfeit - To forge a completed or printed document; to copy or imitate, without authority or right, and with a view to deceive or defraud, by passing the copy or thing forged for that which is original or genuine.
- 4 Insufficient Funds - If the document is deemed illegal due to funds not being sufficient to support the document's value.
- 5 Account Closed - If the document is written upon an account that has been closed prior to the document being presented for payment.
- 6 Fraudulently Used - Any time a document is used for any other purpose than what it was originally created for it will fall under this category.
- 7 Forged and Uttered - The act of making, manufacturing, altering, possessing, selling or distributing anything false in the semblance of that which is true by words or by actions.
- 8 Counterfeited and Uttered - The copying or imitating of a document without authority and the act of passing it off as a true document by words or by actions.
- 9 Other - Choose this code for any illegal use of a document not fitting in the above categories.

Type: Place the appropriate code of the type of document used in the space provided.

- 1 Check - A draft drawn upon a financial institution and payable on demand, signed by the maker, or drawer, containing a promise to pay certain sum of money to the order of the payee.
- 2 Credit Card - Any card, plate or other like credit device existing for the purpose of obtaining property, labor or services on credit.
- 3 Money Order - A type of negotiable draft issued by banks, post offices, telegraph companies and express companies and used by the purchaser as a substitute for a check. Form of credit instrument calling for payment of money to named payee, and involving three (3) parties: remitter, payee and drawee.
- 4 Bond / Certificate - A certificate or evidence of a debt on which the issuing company or governmental body promises to pay the bondholders a specified length of time, and to repay the loan on the expiration date.
- 5 ATM Card / Debit Card - An automatic teller card used to access an account within the appropriate bank or a debit card designed to access prepaid services until value of card is exhausted.
- 6 Identification - A document used for the purpose of providing one's identity.
- 7 Prescription - A written order for the preparation and use of a medicine or remedy.
- 9 Other - Any document or item that does not fit within the above categories.

Bank / Card Issuer: Place the name of the business or financial institution issuing the document in this field.

- Account Number: Place the account number that has been or will be drawn upon if the document is negotiated.
- Document / Serial Number: Place the identifying number of the individual document in this field for example: check number, invoice number, etc.
- Printed Name: Place the name of the individual responsible for the account as printed on the check or credit card.
- Payable to: Place the name of the individual or business to whom the document is addressed for legal negotiation.
- Face Signature: Place the name of the individual who generated and/or signed the document.
- Endorsement: Place any endorsement data in this field whether an individual or business name, generally appearing on the reverse side of the document.
- Other Names(s): Where applicable, place all other names located on the document in this space. Please identify the role each person placed.
- Service / Property Received: The type of service, merchandise or funds requested by the suspect in attempting to defraud the victim.
- ID Type: Place the type of document(s) used by the suspect to establish proof of identity.
- ID Number: If applicable, place the number of the ID used for identification purposes.
- Document Date: Place the date the document was created or became negotiable in this field. (MM-DD-YY)
- Amount: Place the exact amount of the check, money order, bond certificate or other document in this field. Include the exact dollar and cents figure reflected on the document. (Blank checks or stolen credit cards will be reported value of \$1.00)
- Agency Report Number: Case number.
- Method of Attack: The Method of Attack has been provided as a standardized data collection and retrieval mechanism that would provide or the maintenance and development of a crime analysis function, and sharing of analyzed information on a county and regional basis. The force-choice format allows for transforming raw data on crime, suspects and known offenders into an organized manner for subsequent comparison and analysis. Although some of the information may duplicate the data recorded on the offense forms, it is important to either further define the information or to provide the information at one location to ease the entry for analysis purposes.
- Narrative Section: The narrative portion of this report should be used to describe the incident forming a word picture of the events, in sequence as they occurred. This area is also available for recording non-criminal and service activities.

Administrative Endings

Officer(s)
Reporting: The officer will print his/her name.

ID Numbers: The reporting officer will provide his/her appropriate identification number.

Radio Number: The reporting officer will provide his/her assigned radio number.

Unit: The unit of the agency to which the reporting officer is assigned will be placed in this field.
03 = Patrol

Date: The reporting officer will provide the date the report was completed.

Officer Reviewing: The supervisor reviewing the report will sign or print his/her name in this field.

ID Number: The supervisor will place his/her assigned identification number.

Routed to: If the report is routed to another unit for review, the unit will be placed in this field.

Referred to: If the report is referred to another unit for follow-up or processing, the unit will be placed in this field.

Assigned to: If the offense / incident is assigned to an individual, the individual assigned will be placed here.

By: The individual making the assignment recorded above will place his/her identification number, name or initials here.

Date: The date the case was reviewed, routed / referred or assigned will be recorded in this field.

Case Status: (Found on the Offense Incident and Narrative Continuation reports - This field has been provided for your agency's case status reflecting whether a case is pending, open, inactive, closed, etc.

Using the CIS definitions, check the appropriate box provided. This field should be completed or reviewed by someone familiar with the CIS definitions of clearances.

Cleared by Arrest: For CIS purposes, an offense is "cleared by arrest" when at least one person is (1) arrested, (2) charged with the commission of the offense, and (3) turned over to the Court for prosecution (whether following an arrest or Court summons served by a Deputy). Arrest of a principal, aider, abettor or conspirator permits a clearance by arrest even if charged with a lesser offense.

Exceptional Clearance: If all of the following questions can be answered "yes", then the offense may be listed as exceptionally cleared:

Has the investigation definitely established the identity of the offender?

Is there enough information to support an arrest, charge and prosecution?

Do you know the exact location of the offender so that you could take him into custody now?; and

Is there some reason beyond law enforcement control that stops you from arresting, charging and prosecuting the offender?

Unfounding of Offenses: A reported offense that investigation shows to be false or baseless should be unfounded. Justifiable homicides should be unfounded. Cases that are upgraded to the next higher index crime will be unfounded.

Adult or Juvenile: (Found on the Offense incident and Narrative Continuation reports) - If the offense is cleared by an arrest or exceptionally, the offender will be identified as an adult or juvenile and the appropriate code placed in the space provided at the right of the field.

Date Cleared: (Found on the Offense Incident and Narrative Continuation reports) - The date the offense is cleared will be placed in this field.

Exception Type: (Found on the Offense incident and Narrative Continuation reports) - If the offense is cleared by exception, this field will be required to explain why the case was cleared using the most appropriate exceptional clearance type.

- 1 Extradition Declined - Any time an agency is notified that a person on which they have a warrant has been arrested by another law enforcement agency and extradition is declined by either agency, this type of clearance will be recorded.
- 2 Arrest on Primary Offense, Secondary Offense Without Prosecution - When an arrest is made on an individual who has committed several offenses that can be cleared; however, the State Attorney or the agency decides not to prosecute on some of the cases, this type of exceptional clearance will be recorded for those cases. A clearance by arrest can be recorded for all cases than are to be prosecuted.
- 3 Death of the Offender - When the perpetrator of the offense dies during the commission of the crime or prior to his/her identity becoming known, this type of exceptional clearance will be recorded.
- 4 Victim / Witness Refused to Cooperate - This type of exceptional clearance can only be used when the identity of the offender is known and the only reason why the case did not proceed through the judicial system was due to failure of key persons to cooperate in prosecuting the defendant.
- 5 Prosecution Declined - This type of exceptional clearance can only be used when the agency has identified the offender and has sufficient evidence to prosecute the individual, but prosecution is not pursued in the case for reasons other than those provided for above.
- 6 Juvenile / No Custody - This type of exceptional clearance will be recorded when a juvenile is identified as the perpetrator and the agency either handles the matter in-house or through the Department of Children and Family Services and no prosecution is required.

7. Property Receipt Form

Used to record, identify and receipt all property or evidence impounded, recovered or seized except motor vehicles. It is used also to record subsequent transfers of property or evidence.

a. Categories of Property

Any property acquired under the provisions of this General Regulation shall be divided according to the following categories and a separate Property Receipt Form or Motor Vehicle Acquisition / Receipt Form shall be initiated for each category of property.

- 1) Currency or negotiable instruments
- 2) Motor Vehicles
- 3) Weapons electric weapons or devices or arms
- 4) Property regulated by Chapter 562, Florida Statutes, (Beverage Law)
- 5) Property regulated by Chapter 893, Florida Statutes, (Florida Comprehensive Drug Abuse Prevention and Control Act)
- 6) Property regulated by Chapter 849, Florida Statutes, (Gambling Law)
- 7) Livestock and other animals
- 8) Crime scene evidence other than the categories above
- 9) Other property which does not fall within the purview of the preceding categories
- 10) Civil Seizures by Court Order

EXAMPLE: If drugs and stolen property were taken into custody - two (2) receipts would have to be filled out. One detailing the drugs and the other detailing the stolen property.

b. Directions for the Completion of the Property Receipt Form

Case Number: Entry case number corresponding to Offense / Incident or SupplementReport.

For Property

Division Use Only: Used by Property for administrative purposes.

Date Impounded: Enter date of impoundment

Time Impounded: Enter time of impoundment

Found/Recovered

Lab Evidence Check the appropriate Block. When evidence is taken from a juvenile, enter the printed

Trial Evidence: word "JUVENILE" beside checked block.

Disposition: Check the appropriate Block.

Primary Charge: Enter the highest charge in the case.

Felony / Misdemeanor: Check the appropriate Block.

Address Where / Property Impounded: Enter the exact location (address) where property was impounded.

Discovered by: Enter name, address, and telephone number. If a Deputy, use division or unit address and telephone.

Name: Enter the name and address of the person property was taken from or owner.

Owner, Arrested Victim, Suspect: Check the appropriate block.

OBTS#: Prisoner Arrest Number.

Race: Enter the appropriate race;
 W - White B - Black
 I - American Indian O - Oriental / Asian
 U - Unknown

Sex: Enter the appropriate sex.

DOB: Enter the date of birth; (i.e. month, day, year - 01/01/54)

Warrant: Property impounded in conjunction with a warrant execution.

Bar Code: Administrative use by Property.

Item #: Enter itemized list of objects consecutively 1,2,3.

Quantity: Enter number of entities contained in each item, include weight as 3pounds, 2 kilos, 1 gram.

Description: Enter complete description of objects and include serial numbers. Itemize currency by denomination.

Comments: Add any comments that may be of value to Property, the Lab, or any one reviewing the Receipt later.

Laboratory Analysis Report

Laboratory: Check appropriate block for type of analysis requested.

Special Analysis Requested: Brief summary of case and analysis requested.

Signature(X): Signature of person from whom property was received.

Impounding Officer: Signature of impounding officer.

Division

/ Identification #: Include division and ID number.

Received by:

Reason:

Date and Time: To be completed each time property is removed from the property division.

8. Vehicle Acquisition / Receipt

The Vehicle Acquisition / Receipt is used to record, identify and receipt all motor vehicles impounded, recovered or seized. It is also used to record subsequent transfers of motor vehicles.

a. Instructions For Completion

1) The Motor Vehicle Acquisition / Receipt Forms are printed with numbered sections and coincide with the instruction in the following subsection.

2) Each of the several sections or blocks will be completed and used for the recording of the following indicated information.

- Block (1): Will be used to denote the identifying characteristics of the motor vehicle acquired and the registration affixed. This is to be completed by the acquiring individual.
- Block (2): Will be used to denote the date, time and results of FCIC/NCIC inquiry and whether an arrest was made. This is to be completed by the acquiring individual.
- Block (3): Will be used to denote and record the case number. A case number shall be issued for every acquisition of a motor vehicle. This is to be completed by the acquiring individual.
- Block (4): Will be used to denote the name and address of the operator and registered owner of the motor vehicle. This is to be completed by the acquiring individual.
- Block (5): Will be used to denote the general type of motor vehicle acquired, i.e., auto, truck, motorcycle, etc.) This is to be completed by the acquiring individual.
- Block (6): Will be used to denote and record the signature of the owner / operator and, where applicable, the receiving person s signature. This is to be signed by the individuals indicated on the form at the direction of the acquiring individual.
- Block (7): Will be used to denote the action taken. This is to be completed by the acquiring individual. This block will not be used to denote any subsequent action from the time of acquisition.
- Block (8): Will be used to record inventory of the motor vehicle and its contents. This is to be completed by the acquiring individual.
- Block (9): Will be used to denote whether a motor vehicle is requested to be held and the reason therefore. This block will be completed for all motor vehicles seized for evidentiary purposes, physical evidence processing, or court action (forfeiture). This will be completed by the acquiring individual.
- Block (10): Will be used to record the signature of the owner / operator indicating a concurrence with the inventory in Block (8). This is to be signed by the individual indicated at the direction of the acquiring individual.

- Block (11): Will be used to denote and record the signature of the acquiring individual, ID number, district to which assigned and date and time of acquisition. This will be completed by the acquiring individual.
- Block (12): Will be used to denote and record the name, signature, name of firm, date and time of the towing / storage firm agent's concurrence of the inventory and acceptance of the motor vehicle. This will be completed by the indicated individual at the direction of the acquiring individual.
- Block (13): Sets forth general instruction to vehicle owners and towing / storage firms. Authorization to release will be completed by the acquiring individual.
- Block (14): Will be used to denote and record the signature, etc., of every individual who enters the chain of custody except the acquiring individual. This will be completed by the individual entering the chain of custody.
- Block (15): The original receipt will be returned from the impounding agency for final disposition. There is no record in Property when a vehicle is released to owner, sold, or junked by the towing agency.

9. Uniform Traffic Citation

a. Directions For Completion

County: Write in Monroe County.

Agency: Place an "X" in the "S.O." block to show the issuing agency.

Date of Offense: Print legibly the day of the week. The day of the week may be properly abbreviated. EXAMPLE: Mon., Tue., Wed., Thur., Fri., Sat., Sun. Then, write in numerics the month, day and year. EXAMPLE: Write 03-01-78 for March 1, 1978. After the date information, enter the time that the offense occurred indicating a.m. or p.m.

Violator's Name: Show the name of the violator exactly as it appears on his driver's license. If it is an out-of-state license with the last name listed first, change the order and show the name of the violator with the first name first, then the middle name or initial and then the last name. EXAMPLE: John Edward Doe or John E. Doe. In the event the violator does not have a driver's license, then show his FULL name. In the event the violator has an expired driver's license, show the name as it appears on the expired license.

NOTE: If the violator has changed his or her name since the issuance of the license, then the correct name should be shown upon the citation. Show the difference in the legal name and that shown on the driver's license in parenthesis. EXAMPLE: Jane Adams (Brooks). Her maiden name was Jane Adams which is on her current license. Her new (legal) name is Jane Adams Brooks.

Street Address: Show the violator's current street address. EXAMPLE: 518 North Main Street. Always ascertain from the violator his current address since there will be many cases in which he will have changed addresses since the issuance of his license. Check box if address is different than on license.

NOTE: If the violator is holding a Florida Driver's License and his correct address is different from that shown, advise the violator to notify the Department of his change of address.

City and State: Show the city and state in which the violator resides. Proper abbreviation of state is permissible. Show the Zip Code number. EXAMPLE: Key West, Florida 33040.

Birth Date: Enter full date of birth by MM/DD/YY (month / day / year) using numbers only. EXAMPLE: 04-16-44.

Race: Show the violator's race. Example: White (W), Black (B), Indian (I), Oriental (O), and Cuban (C). In the event the subject is not one of these, then you are to write-in the race. Abbreviations will be necessary due to space allocated. Example: Mexican (Mex).

Sex: Write (M) if Male and (F) if Female.

Height: Show the violator's height as shown on driver's license.

Driver's License #: Enter the driver license number as it appears on the license using the blocks on the top line. The Florida Driver License carrying driver's picture will have eleven numbers preceded by one alpha designation which is always the first letter in the driver's last name. If the driver license was issued by another state and more space is needed for entering the Numbers, use the extra blocks on the following line.

1) If the violator presents an expired license, enter the license number in the space provided and write in the word "expired" in the extra blocks below.

NOTE: On all Florida photo driver licenses (issued after 12/01/73), do not confuse the audit number which is in the top left corner in large numbers with the driver license number which is immediately below the audit number. All non-photo driver licenses issued prior to 12/01/73 will have fourteen numbers preceded by one alpha designation which is the first letter in the driver's last name.

State: Enter the state which issued the driver license.

Proper abbreviation of state is permissible. EXAMPLE: FL (Florida), GA (Georgia), etc.

Type: Enter either "operator", "chauffeur", or "restricted". The type is located in the upper right hand corner of the photo driver license or in the upper center portion of the non-photo license.

If the violator is holding a temporary permit, enter the permit number in place of the driver license number and write in the word "temporary" in the block for type.

If the violator does not have a drivers license, then write in the word "none" in the block for type.

Proper abbreviation of type of license is permissible. EXAMPLE: Op. (Operator), Chau. (Chauffeur), Res. (Restricted), Temp. (Temporary).

Year

License Expires: Enter the year license expires.

Year Tag Expires and State of Issuance: Show the year the tag expires. Next, show the name of the state that issued the registration (Tag). EXAMPLE: '79 Florida

Registration Number: Show the registration number (Tag) of the vehicle. EXAMPLE: ABC 123

Year of Vehicle: EXAMPLE: 1978.

Make of Vehicle: Show the make of the violator's vehicle. EXAMPLE: Buick, Ford, Chevrolet, Honda.

Style of Vehicle: Indicate whether the vehicle is a two-door, four-door, pickup truck, bus, truck, tractor-trailer, motorcycle, van, motorhome, etc.

Color of Vehicle: Show the color of the vehicle. General color designation is requested rather than the manufacturer's color name. If the color of the vehicle is two-tone, show both colors. EXAMPLE: Blue, Black, White / Blue

Owner: Enter the complete name of the owner of the vehicle. (Question the driver loosely about ownership.) Fill in the owner's correct address. Avoid post office box numbers, if possible. Use street addresses or rural route addresses. In the event the owner and driver are the same, indicate in the "owner" block the wording, "same as driver". The space marked "owner's address / or driver's additional address" can be used to show business address or phone of the driver.

If unable to determine the owner's name and address, indicate in the "owner" block the word "unknown".

Location: Show the state road number upon which the violation occurred. If not a state road, then list the county road number. If not a county road, then list the name of the street. If not named, then show county road or street unidentified. Next, give the distance and direction from the nearest town, then list the county and state. EXAMPLE: US 1, 3 miles North of Tavernier in Monroe County, Florida.

If the violation was within a city, enter the name of the city and county in the space provided. If in unincorporated Monroe County list the familiar name such as Big Pine Key, Rock Harbor, etc.

Charges(s): Place an "X" mark in the block on the left side of the violation committed. For example, if the charge is "Following Too Closely", simply place an "X" mark in the applicable block. Only one block should be checked.

If two charges are made against the same defendant, they must be on separate citations.

If the charge is "Violation of Right-of-Way", place an "X" mark in the applicable block and show in parenthesis in the "Other Violations" section the type of violation. EXAMPLE: (to emergency vehicle), (at yield intersection).

If the charge is "Unlawful Speed", place an "X" mark in the block on the left side of the words "Unlawful Speed". Show the speed of the violator's vehicle at the time of offense or the speed at which the vehicle was clocked. Next, show the speed applicable.

If the violation committed is "Unlawful Speed in a Posted Zone", place an "X" mark in the block on the left side of the words "Unlawful Speed". Show the speed of the violator's vehicle at the time of the offense and the speed applicable. Next, show (In a Posted Zone) in parenthesis in the "Other Violations" section.

Place an "X" in the appropriate block to show if the speed limit violation occurred on an interstate road or on a 4-lane highway with 20-foot median outside a business or residential district.

NOTE: The speed information is important due to the number of points assigned to a violator's driver license upon conviction depends on the number of miles per hour the vehicle was traveling or being driven over the lawful speed.

If the violation committed is "Driving While Under the Influence of Alcoholic Beverages, narcotic drugs, barbiturates or other stimulants.

If the violation committed is "Improper Use of Driver License", show charge in "Other Violations" section. Next, show how the license was improperly used. Example: "Improper Use of Driver License" (displaying another's).

Arrest Using
Airplane or Radar: When the airplane, radar or VASCAR units are used in making any arrest, the appropriate charge is to be indicated in the usual way as explained above. In addition, the word (Aircraft) or (Radar) in parenthesis is to be placed in the "Other Violation" section. After showing the word, then list in parenthesis the numerical code applicable: (1) Following, (2) Rear, (3) Opposite, (4) Intersection, (5) Stationary, (6) Other.

Other Violations
or Comments: Violations not listed on the citation must be placed in this space. Do not abbreviate. If a listed violation has been checked and the officer would like to add additional comments, care must be taken that the checked violation and comments are not conflicting so that the comments cannot be construed as an additional charge.

State Statute: Place an "X" mark in the block next to "State Statute". The "Local Ordinance" section is for municipalities' use.

State Statute
Section: List the statute number applicable to the violation committed.

Type
Accident Case: Enter the total dollar amount of all property damage including damage to all motor vehicles as well as other property damage. In addition to entering the amount of property damage, place a check in the block applicable for the type of accident case to show whether personal injury or fatal injury resulted from the accident. Check only the one considered most serious. Enter a zero in the property damage block if there was no property damage.

Arrest
(Delivered to): If the violator is arrested by a Sheriff's Deputy check the block and then show: Monroe County Sheriff's Office, Station 2, or Monroe County Jail.

Date of Arrest: If date of arrest is other than the date of offense, show date of arrest. List month, day and year. EXAMPLE: Driver of vehicle involved in hit and run accident apprehended on following day after accident.

Troop or Unit: Print your District Assignment, (i.e., District I, II, III).

Signature and Identity of Officer: Sign your name legibly. Should your signature be illegible then print your name below your signature. Show appropriate rank.

Badge Number: Print your radio ID Number.

Identification #: Print your permanent Office ID number.

Court Information: Must be filled out completely on every citation written regardless of whether the summons is payable or requires a Court appearance. Give date and time the court appearance is scheduled and name of court.

Criminal Violation or Infraction: In every case, the appropriate block must be checked to show if the case is a criminal violation and court appearance is required or if the citation is for an infraction and court appearance is required or if the citation is for an infraction which does not require appearance in court.

NOTE: If the case for a criminal violation and Court appearance is required, the back of the defendant's copy of the citation is not to be completed. It should be explained to the defendant that court appearance is required and the information on the back of the defendant's copy of the citation is to be disregarded.

If the citation is for an infraction and Court appearance is required, the same procedure should be followed as shown for a criminal violation.

If the citation is for an infraction which does not require appearance in Court, the backside of the defendant's copy of the citation is to be completed. Check the block applicable in the "Instruction" section of the defendant's copy to show if the infraction was a bicycle or pedestrian violation or if the infraction was a non-moving violation or moving violation. Options available to the defendant should be thoroughly explained, (i.e., electing to attend drive improvement school or requesting a court hearing rather than paying the prescribed penalty).

Signature of Defendant: In the space provided on the bottom line, have the violator sign his signature. NOTE: In order for a Notice to Appear (Summons) to be valid, the violator's signature must be affixed.

The defendant's signature shall be obtained in all cases. If the defendant is unable or refuses to sign his signature, show in the spaces provided for signature "Refused to Sign" or "Unable to Sign".

10. Field Contact Card

a. The Field Contact Card System has been developed as a tracking system for

1) Routine field contacts

2) Suspicious persons

- 3) Known offenders
- 4) Suspects
- 5) Potential criminal offenders
- 6) Suspicious vehicles
- 7) Any person, vehicle, boat or plane the Deputy or investigator wishes to document at a location, time and date
- 8) Memorandums of information received ("MOIR") and gang information (to be submitted directly to the Intelligence Officer)

b. Instructions for Completion

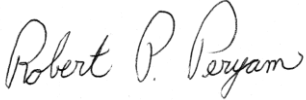
- 1) The card shall be printed using a black ball point pen.
- 2) A Deputy or Investigator should also remember that it is not necessary to have physical contact with a suspect in order to fill out a field contact card. If the identification of the subject is known, filling out the field contact card serves to document his/her presence at a location, and may become an investigation lead in the event an offense is discovered at a later date. In addition, this information may be entered into the intelligence system for tracking purposes.
- 3) A vehicle can be field contact documented, which is especially helpful in determining trends in the presence of certain vehicles connected with a location, perhaps suspected of drug dealing or for surveillance. It would be possible to turn the hours on a stakeout into meaningful statistics on vehicles easily inquired upon at a later time for charting patterns and routes for later investigation and use.
- 4) Filling out the field contact card:
 - a) Case #: enter the Sheriff's Office case number, if one exists.
 - b) Contact Number: This is a unique number used to identify the field contact for computer entry purposes; this number is preprinted on each card.
 - c) Name: Enter last name (in capital letters), first name, and middle initial.
 - d) Address: The subject's home address.
 - e) Hair Length: Mark the most appropriate length to describe the subject's hair.
 - f) Hair Color: Mark the appropriate color of the subject's hair.
 - g) Hair Style: Mark the appropriate hair style of the subject.
 - h) Nationality / Ethnicity: mark the appropriate nationality or ethnic background.
 - i) Date of Birth and Age: Enter the month, date, and year of the subject's birth and his/her current age.

- j)** Race: Mark the box which best describes the subject.
- k)** Sex: Mark the box that appropriately identifies the sex of the individual.
- l)** Height: Indicate the approximate height of the subject.
- m)** Weight: Indicate the approximate weight of the subject.
- n)** Complexion: Mark the box that most accurately describes the subject's skin complexion.
- o)** Build: Mark the box which most accurately describes the subject's body build.
- p)** Eyes: Mark the box which describes the color of the subject's eyes.
- q)** Face: Mark the box which describes any facial features.
- r)** Phone: Indicate the subject's telephone number with area code.
- s)** Driver's License Number: Write in the subject's driver's license number.
- t)** St: Write in the state of issuance of the subject's driver's license.
- u)** SSN: Write in the subject's Social Security number.
- v)** Scars, Marks, or tattoos: Indicate any scars, marks, or tattoos observed or advised of.
- w)** Clothing: Describe the clothing worn by the subject.
- x)** Location of Interview: Indicate the location where the field interview was conducted.
- y)** Date: Indicate the date of the field interview.
- z)** Time: Indicate the time of the interview in 24-hour time.
- aa)** Grid: Indicate the grid where the field interview was conducted.
- bb)** Division: Indicate the division where the field interview was conducted.
- cc)** Veh / Ves Color: Indicate the color of top and bottom of the subject's vehicle.
- dd)** Yr: Enter the year of the vehicle.
- ee)** Make: Indicate the make and year of the vehicle involved.
- ff)** Model: Indicate the model of the vehicle involved.
- gg)** Style: Indicate the body style of the vehicle involved.
- hh)** Tag Number: Indicate the tag number of the vehicle involved.
- ii)** Yr: Indicate the year of the tag on the vehicle involved.

- jj)** ST: Indicate the state where the vehicle tag was issued.
- kk)** Indicate Veh. Damage: This is a legend, with which the blocks in “mm)” below should be marked.
- ll)** Veh / Ves Remarks: Indicated any information for vehicle / vessel not provided for.
- mm)** Veh. Damage: Mark the appropriate box(es) using the legend in “kk)” above to identify the location(s) of damage to the vehicle.
- nn)** Yr: Indicate the year of the vessel.
- oo)** Make: Indicate the make of the vessel.
- pp)** Model / Hull: Indicate the model or hull type of the vessel.
- qq)** Reg. No.: Indicate the vessel registration or documentation number.
- rr)** Length: Enter the length of the vessel in feet.
- ss)** Reason for Interview: Indicate why contact was made with the subject.
- tt)** Person Receiving MOIR: Indicate the member to whom the MOIR is being sent.
- uu)** Subject Status: Indicate the status of the person being interviewed.
- vv)** Officer: Signature of the officer conducting the interview.
- ww)** Division: The conducting officer’s assigned division.
- xx)** ID No.: Officer’s four (4)-digit identification number.
- yy)** MOIR: If this information is for MOIR purposes, list the information to be passed on in the space provided on the back of page three(3) of the Field Contact Card, and send to the Intelligence Officer.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 90 - A		TITLE: Agency Form Control
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 1	AMENDED:
REFERENCE:		RESCINDS: Special Order: Agency Form Control 04.30.2007
 <hr style="width: 20%; margin: auto;"/> Sheriff of Monroe County		

PURPOSE: The purpose of this order is to establish policy and procedures for the creation of new forms used within the Sheriff's Office

POLICY: It is the Sheriff's policy that all forms created for use within the Sheriff's Office be consistent agency wide and that they are deemed necessary.

PROCEDURE:

Form Development

Any employee may draft a new form or modifications to an existing agency form to update it to meet the current needs of the agency or unit.

No form shall be created distributed or used prior to submission to Professional Standards for approval.

The submission shall contain the proposed form or modification and a written justification indicating the need for the form or modification.

Professional Standards will review the new form for accreditation concerns and potential conflict with agency policy and procedures.

If the form has no agency wide application, but is limited to the unit/component submitting it, and there are no accreditation or policy conflicts it will be approved as such without further review.

Forms with agency wide application will be staffed for comments by command staff.

After the proposed form has been cleared of any conflict with accreditation standards or existing policy and changes have made as may be applicable, the form will then be submitted to Professional Standards for approval.

The approved form will then be issued for use.

The forms will be issued for use in electronic format in Outlook under Public Folders, Forms Professional Standards approved. Only approved forms may be used.

CHAPTER ONE HUNDRED
INFECTIOUS DISEASE CONTROL POLICY

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CHAPTER ONE HUNDRED
INFECTIOUS DISEASE CONTROL POLICY

I. PURPOSE

The purpose of this directive is to establish guidelines for infectious diseases. Further, the purpose of this policy is to provide officers with the necessary information to increase their safety on the job. This policy was written in accordance with the universal precautions for preventing the spread of infectious disease in the work place developed by the National Center for Disease Control. the procedures and guidelines in this policy should be followed when handling any potentially infectious material.

II. DISCUSSION

It is the policy of the Monroe County Sheriff's Office to provide training and equipment as necessary to ensure the safety of it's members as it pertains to the prevention of exposure to infectious diseases while working in all areas of the office. The Monroe county Sheriff's Office and it's members shall adhere to all federal and state laws and local ordinances, legal opinions, and regulations pertaining to infectious diseases. This directive shall apply too all Monroe county Sheriff's Office members.

III. GLOSSARY OF TERMS

A. Definitions

1. Blood - human blood, human blood components, and products made from human blood.
2. Bloodborne pathogens - pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, hepatitis B. Virus (HBV) and human immunodeficiency virus (HIV).
3. Clinic Laboratory - a medical workplace where diagnostic or other screening procedures are performed on blood or other potentially infectious materials.
4. Contaminated - the presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.
5. Contaminated Laundry - laundry, which has been soiled with blood or other potentially infectious materials or may contain sharps.
6. Contaminated Sharps - any contaminated object that can penetrate the skin including, but not limited to, needles, scalpels, broken glass, broken capillary tubes, and exposed ends of dental wires.
7. Decontamination - the use of physical or chemical means to remove, inactivate or destroy bloodborne pathogens on a surface or item rendering the surface or item safe for handling, use or disposal.
8. Director - the Director of the National Institute for Occupational Safety and health, U.S. Department of health and Human Services or designated representative.
9. Engineering Controls - controls that isolate or remove the infectious hazard from the work place (i.e., sharps disposal containers, on-way valve masks for CPR, containers for the securing of syringes).
10. Exposure Incident - a specific contact with blood or other potentially infectious material that occurred during the normal performance of a member's duties (to the eye, mouth, any mucous membrane, non-intact skin, etc.).

11. Hand Washing Facilities - a facility providing an adequate supply of running potable water, liquid soap, and single use towels or hot air drying machines.
12. Licensed Healthcare Professional - a person whose legally permitted scope of practice allows him or her to independently perform the activities related to Hepatitis B. Vaccination and post-exposure evaluation and follow-up.
13. HBV - hepatitis B virus.
14. HIV - human immunodeficiency virus.
15. Occupational Exposure - reasonably anticipated skin, eye, mucous membrane or parenteral contact with blood or other potentially infectious materials that may result from the performance of a member's duties.
16. Other Potentially Infectious Materials -
 - a. The following human body fluids:
 - 1) Semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids.
 - b. Any unfixed tissue or other (other than intact skin) from a human (living or dead).
 - c. HIV-containing cell or tissue cultures, organ cultures, and HIV-or HBV-containing culture medium or other solutions and blood, organs or other tissues from experimental animals infected with HIV or HBV.
17. Parenteral - piercing mucous membranes or the skin barrier through such events as needle sticks, human bites, cuts, and abrasions.
18. Personal Protective Equipment - specialized clothing or equipment worn by a member for protection against a hazard. General work clothes (i.e., uniforms, pants, shirts or blouses) not intended to function as protection against a hazard, are not considered to be personal protective equipment.
19. Production Facility - a facility engaged in industrial-scale, large-volume or high concentration production of HIV or HBV.
20. Regulated Waste - liquid or semi-liquid blood or other potentially infectious material in a liquid or semi-liquid state if compressed, items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling, contaminated sharps, and pathological and microbiological wastes containing blood or other potentially infectious materials.
21. Research Laboratory - laboratory producing or using research laboratory scale amounts of HIV or HBV. Research laboratories may produce high concentrations of HIV or HBV but not in the volume found in production facilities.
22. Source Individual - any individual, living or dead, whose blood or other potentially infectious materials may be a source of occupational exposure to a member. Examples include, but are not limited to, prisoners, inmates in correctional facilities, hospital and clinic patients, clients in institutions for the developmentally disabled, trauma victims, clients of drug and alcohol treatment facilities, residents of hospices and nursing homes, human remains, and individuals who donate or sell blood or blood components.

23. Sterilize - the use of a physical or chemical procedure to destroy all microbial life including highly resistant bacterial endospores.
24. Universal Precautions - an approach to infection control in which all human blood and certain human body fluids are treated as if known to be infectious for HIV, HBV, and other bloodborne pathogens.
25. Work Practice Controls - controls that reduce the likelihood of exposure by altering the manner in which a task is performed (i.e., prohibiting recapping of needles by a two-handed technique).

IV. POLICY AND PROCEDURES

A. Policy Statement

1. In recognition of the special hazards associated with risk of exposure to and transmission of bloodborne pathogens, including but not limited to, HIV (human immunodeficiency virus) and HBV (hepatitis B virus), the following special policies and procedures are adopted for all work entailing such risk by the Monroe County Sheriff's Office.
2. For the purposes of this policy, the following classes of members shall be considered as performing tasks entailing reasonably anticipated exposure to blood or other potentially infectious material:
 - a. Sworn Sheriff Deputies
 - b. Sworn Detention Deputies
 - c. Crime Laboratory Members
 - d. Evidence and Property Members
 - e. Medical Staff Members

B. Infection Control Representative(s)

1. An Infection Control Representative or Representatives will be designated as responsible for the implementation of these policies and procedures. For the purpose of this policy, the commander of the Bureau of Administration or his/her designee will be designated as the responsible party for implementation of this policy.

C. Exposure Control Plan

1. In conjunction with use of these policies and procedures, an exposure control plan will be implemented to minimize or eliminate exposure to bloodborne pathogens. In this regard, area supervisors are encouraged to develop area specific control plans, which can be incorporated into this policy as addendums.

D. Universal Precautions

1. **ALL** blood and body fluids will be treated as infectious. Universal precautions will be used in all non-emergency work activities with any potential for exposure to blood or other body fluids.

E. Engineering and Work Practice Controls

1. Engineering and work practice controls shall be used to eliminate or minimize member exposure. Where occupational exposure remains after institution of these controls, personal protective

equipment shall be used. Engineering controls shall be examined and maintained or replaced on a regular schedule to ensure their effectiveness.

2. Hand Washing

- a.** Hand Washing facilities, which are readily accessible to members shall be provided. When provision of hand washing facilities is not immediately feasible, either an appropriate antiseptic hand cleanser in conjunction with clean cloth or paper towels or antiseptic towelettes will be provided. When antiseptic hand cleansers or towelettes are used, hands shall be washed with liquid soap and running water as soon as feasible.
- b.** Members shall wash their hands immediately or as soon as feasible after removal of gloves or other personal protective equipment. Members shall wash their hands and any other skin with liquid soap and water or flush mucous membranes with water immediately or as soon as feasible following contact of such body areas with blood or other potentially infectious materials.

3. Handling of Sharps

- a.** Contaminated needles and other contaminated sharps shall not be bent, recapped or removed. Shearing or breaking of contaminated needles is prohibited. Contaminated needles and other contaminated sharps shall not be recapped or removed unless no alternative is feasible or such action is required by a specific medical procedure which must be documented and approved by an Infection Control Representative prior to the use of such procedures. Recapping or needle removal or collection of sharps shall be accomplished by a mechanical device or one-handed technique; no shearing or breaking of contaminated needles will be performed.
- b.** Contaminated reusable sharps shall be placed in appropriate containers (puncture resistant, leakproof on sides and bottom, Bio-Hazard labeled) and SHALL NOT be stored or processed in a manner that requires members to reach by hand into the containers where these sharps have been placed.

4. Personal Habits and Food and Drink

- a.** Eating, drinking, smoking, application of cosmetics or lip balm, and handling contact lenses are prohibited in work areas with reasonable likelihood of occupational exposure to bloodborne pathogens.
- b.** Food and drink shall not be kept in refrigerators, freezers, shelves, cabinets or on counter tops or bench tops where blood or other potentially infectious materials are present.

All members will ensure that all cuts, abrasions, scratches or breaks in the skin are properly covered or bandaged before the start of work, and throughout the entire work day.

5. Specific Work Practices

- a.** All procedures involving blood or other potentially infectious materials shall be performed in such a manner as to minimize splashing, spraying, spattering, and generation of droplets of these substances. Mouth pipetting of blood or other potentially infectious materials is prohibited. No objects should be placed in the mouth. The nose, mouth, and eyes should not be touched during or after contact with any individual until property hand washing procedures have been followed. special care and precautions shall be taken at any time a member may have open cuts or sores or dermatitis that may compromise the barrier protection provided by skin. Specimens of blood or other potentially infectious materials shall be placed in a container, which prevents leakage during collection, handling, processing, storage, transport or shipping.

- b. The minimum number of members required shall be involved with any procedure entailing exposure to bloodborne pathogens and exposure time should be minimized.
- c. The Sheriff's office complies with Occupational Safety and Health Administration ("OSHA") articles concerning exposure of its members to the presence of infectious diseases or biohazardous materials.

6. Storage and Transport of Blood or Other Infectious Body Fluids

- a. The container for storage, transport or shipping (including freezers and refrigerators used for storage of blood or other potentially infectious materials) shall be Bio-Hazard labeled or color-coded with fluorescent orange or orange-red labels with lettering or symbols in a contrasting color affixed as close as feasible to the container by string, wire, adhesive or other method preventing loss or unintentional removal or in red bags substituted for labels (EXCEPT for containers of blood, blood components or blood products that are labeled as to their contents and have been released for transfusion or other clinical use) and closed prior to being stored, transported or shipped.
- b. If outside contamination of the primary container occurs, the primary container shall be placed within a second container which prevents leakage during handling, processing, storage, transport or shipping and is labeled or color-coded with fluorescent orange or orange-red labels with lettering or symbols in a contrasting color affixed as close as feasible to the container by string, wire, adhesive or other method preventing loss or unintentional removal or in red bags substituted for labels.
- c. If the specimen could puncture the primary container, the primary container shall be placed within a secondary container which is puncture-resistant in addition to the above characteristics.

7. Biohazardous Evidence

- a. Members will impound blood or body fluid stained property only in sufficient material quantities as may be needed for trial evidence; otherwise this type of property should be released to a responsible party at the scene.
- b. All aspirates and miscellaneous body fluids will be submitted directly to the Headquarters' Property Room during normal working hours.
 - 1) Liquid samples will be submitted in glass tubes.
 - 2) Each glass tube will be enclosed in a crushproof container.
 - 3) All samples from a single case will be sealed in a paper evidence bag.
 - 4) Biohazardous labels will be affixed to both sides of the evidence bag. The top two copies of the property receipt will have a biohazardous label attached.
 - 5) All evidence that may have been exposed to blood or a body fluid shall be turned over to the crime scene member who will remove the evidence to a secure area to dry the item if possible. If no such area is available, the crime scene member will transport the evidence personally to the headquarters' property Section, so that the item may be property dried.
 - 6) Currency and other valuables contaminated by blood or other biological fluids will be counted / inventoried while wearing rubber / latex gloves and other appropriate protection. The contaminated items will be sealed in a paper bag and transported personally to Headquarters' Property Section by the crime scene member.

8. Equipment Contaminated by Blood or Other Infectious Body Fluids

- a. Equipment which may become contaminated with blood or other potentially infectious materials shall be examined prior to servicing or shipping and shall be decontaminated as necessary unless unfeasible. If unfeasible, the reasons for inability to decontaminate the equipment shall be documented by a designated Infection Control Representative and those portions that have not been decontaminated shall be labeled or color-coded with fluorescent orange or orange-red labels with lettering or symbols in a contrasting color affixed as close as feasible to the container by string, wire, adhesive, or other method preventing loss or unintentional removal or in red bags substituted for labels. Further, a designated Infection Control Representative shall ensure that this information is conveyed to all affected members, the servicing representative or the manufacturer, as appropriate, prior to handling, servicing or shipping so that appropriate precautions shall be taken.

9. Personal Protective Equipment

- a. All members performing tasks entailing reasonable anticipated exposure to blood or other potentially infectious materials will be provided and are required to use appropriate personal protective equipment, such as, but not limited to, gloves, gowns, laboratory coats, face shields or masks and eye protection, and mouthpieces, resuscitation bags, pocket masks or other ventilation devices. Such equipment shall be repaired or replaced as needed to maintain its effectiveness at no cost to the member. Personal protection equipment will be considered "appropriate" only if it does not permit blood or other potentially infectious materials to pass through to or reach the member's work clothes, street clothes, undergarments, skin, eyes, mouth or other mucous membranes under normal conditions of use and for the duration of time which the protective equipment will be used.
- b. Under rare and extraordinary circumstances when it is in the member's professional judgement that in the specific instance use of protective clothing and equipment would have prevented the delivery of health care or public safety services or would have posed an increased hazard to the safety of the worker or co-worker, the member shall document these circumstances and inform a designated Infection Control Representative, who shall investigate the circumstances and determine whether changes can be instituted to prevent such occurrences in the future. The Infection Control Representative shall document all such occurrences.
- c. Appropriate personal protective equipment in the appropriate sizes shall be readily accessible at the worksite or issued to members. Hypoallergenic gloves, glove liners, powderless gloves or other similar alternatives shall be readily accessible to those members who are allergic to the glove normally provided.
- d. Any garment penetrated by blood or other potentially infectious materials, shall be removed immediately or as soon as feasible. All personal protective equipment shall be removed prior to leaving the work area. When personal protective equipment is removed, it shall be placed in an appropriately designated area or container for storage, washing, decontamination or disposal.
- e. Gloves shall be worn when it can be reasonably anticipated that the member may have hand contact with blood, other potentially infectious materials, mucous membranes, and non-intact skin and when performing vascular access procedures.
- f. Disposable (single use) gloves, such as surgical or examination gloves and utility gloves, shall be replaced as soon as practical when contaminated or as soon as feasible if they are torn, punctured or when their ability to function as a barrier is compromised and shall not be washed or decontaminated for re-use.
- g. Masks in combination with eye protection devices, such as goggles or glasses with solid side shields or chin-length face shields, shall be worn whenever splashes, spray, spatter or droplets of blood or other potentially infectious materials may be generated and eye, nose or mouth contamination can be reasonably anticipated.

- h.** Protective clothing such as, but not limited to, gowns, aprons, lab coats, clinic jackets or similar outer garments shall be worn in situations with reasonably anticipated exposure to blood or other potentially infectious materials. The type and characteristics will depend upon the task and degree of exposure anticipated.
- i.** Members who are reasonably anticipated to be exposed or may have clothing exposed, will maintain a spare uniform / jumpsuit or change of clothing. This will minimize personal risk and down time for decontamination. This change will be readily accessible, but not at risk for exposure.

10. Cleaning and Disinfection

- a.** The worksite shall be maintained in a clean and sanitary condition. The specific written schedules for cleaning and methods of decontamination outlined in the cleaning schedule shall be followed.
- b.** All equipment and environmental and working surfaces shall be cleaned and decontaminated after contact with blood or other potentially infectious materials.
- c.** Contaminated work surfaces shall be decontaminated with an appropriate disinfectant immediately or as soon as feasible when surfaces are overtly contaminated or after any spill of blood or other potentially infectious materials and at the end of the work shift if the surface may have been contaminated since the least cleaning.
- d.** Protective coverings, such as plastic wrap, aluminum foil or imperviously-backed absorbent paper used to cover equipment and environmental surfaces shall be removed and replaced as soon as feasible when they become overtly contaminated or at the end of the workshift if they may have become contaminated during the shift.
- e.** All bins, pails, cans, and similar receptacles intended for re-use which have a reasonable likelihood for becoming contaminated with blood or other potentially infectious materials shall be inspected and decontaminated according to the cleaning schedule and decontaminated immediately or as soon as feasible upon visible contamination.
- f.** Broken glassware which may be contaminated shall not be picked up directly with the hands. It shall be cleaned up using mechanical means, such as a brush and dustpan, tongs or forceps.
- g.** Reusable sharps that are contaminated with blood or other potentially infectious materials shall not be stored or processed in a manner that requires members to reach by hand into the containers where these sharps have been placed.
- h.** Contaminated sharps shall be discarded immediately or as soon as feasible in containers that are closable, puncture resistant, leakproof on sides and bottom and labeled or color-coded with fluorescent orange or orange-red labels with lettering or symbols in a contrasting color affixed as close as feasible to the container by string, wire, adhesive or other method preventing loss or unintentional removal or in red bags substituted for labels.
- i.** During use, containers for contaminated sharps shall be easily accessible to members and location as close as is feasible to the immediate area where sharps are used or can be reasonably anticipated to be found, maintained upright throughout use, and replaced routinely and not be allowed to overfill.
- j.** When moving containers of contaminated sharps from the area of use, the containers shall be closed immediately prior to removal or replacement to prevent spillage or protrusion of contents during handling, storage, transport or shipping and placed in a secondary container if leakage is possible. The second container shall be closable, constructed to contain all contents and prevent leakage during handling, storage, transport or shipping, and orange-red labels with lettering or symbols in a contrasting color affixed

as close as feasible to the container by string, wire, adhesive or other method preventing loss or unintentional removal or in red bags substituted for labels.

- k.** Reusable containers shall not be opened, emptied or cleaned manually or in any other manner which would expose members to the risk of percutaneous injury.

11. Medical Waste

- a.** Medical waste shall be considered any liquid or semi-liquid blood or other potentially infectious materials, dried blood or other potentially infectious materials in any form. This includes any items which may have such materials on them in any form with the exception of reusable equipment, instruments or personal protective clothing and equipment which undergoes property decontamination procedures.
- b.** Medical waste shall be placed in containers which are closable, constructed to contain all contents and prevent leakage of fluids during handling, storage, transport or shipping, and labeled or color-coded with fluorescent orange or orange-red labels with lettering or symbols in a contrasting color affixed as close as feasible to the container by string, wire, adhesive or other method preventing loss or unintentional removal to prevent spillage or protrusion of contents during handling, storage, transport or shipping.
- c.** If outside contamination of such containers occurs, it shall be placed in a second container. The second container shall be closable, constructed to contain all contents and prevent leakage of fluids during handling, storage, transport or shipping, and labeled or color-coded with fluorescent orange or orange-red labels with lettering or symbols in a contrasting color affixed as close as feasible to the container by string, wire, adhesive or other method preventing loss or unintentional removal or in red bags substituted for labels. This container shall be closed prior to removal to prevent spillage or protrusion of contents during handling, storage, transport or shipping.
- d.** Disposal of all sharps and medical waste shall be in accordance with applicable regulations of the United States, this state, and local ordinances.

12. Laundry Practices

- a.** Contaminated laundry shall be handled as little as possible with a minimum of agitation and shall be bagged or containerized at the location where it was used and shall not be sorted or rinsed in the location of use. Contaminated laundry shall be placed and transported in bags or containers labeled or color-coded with fluorescent orange or orange-red labels with lettering or symbols in a contrasting color affixed as close as feasible to the container by string, wire, adhesive or other method preventing loss or unintentional removal or in red bags substituted for labels. Universal precautions shall be used in the handling of all soiled laundry.
- b.** Whenever contaminated laundry is wet and presents a reasonable likelihood of soak-through or leakage from the bag or container, the laundry shall be placed and transported in bags or containers which prevent soak-through or leakage of fluids to the exterior.
- c.** All members who have contact with contaminated laundry shall wear protective gloves and other appropriate personal protective equipment.
- d.** Laundry shipped off-site shall be placed in containers which are labeled or color-coded with fluorescent orange or orange-red labels with lettering or symbols in a contrasting color affixed as close as feasible to the container by string, wire, adhesive or other method preventing loss or unintentional removal or in red bags substituted for labels.

F. Hepatitis B Vaccination

1. Hepatitis B vaccine and vaccination series shall be made available to all members with reasonably anticipated exposure to blood or other potentially infectious materials. The vaccination series will be given by the Human Resources Division via the Office's notification of physical program or during the orientation phase for all new hires or transfers at no cost to the member, at a reasonable time and place, and performed by or under the care of a licensed physician or under the supervision of another licensed healthcare professional. These shall be provided according to recommendations of the U.S. Public health service current at the time these evaluations and procedures take place. All laboratory tests are conducted by an accredited laboratory at no cost to the member.
2. The Training and Human Resources Division will work together to ensure that the Hepatitis B vaccination shall be made available after the member has received the Bloodborne pathogens Education Program, and within 10 working days of initial assignment to duties with reasonably anticipated exposure to blood or other potentially infectious materials, unless the member has previously received the complete Hepatitis B vaccination series, antibody testing has revealed that the member is immune or the vaccine is contraindicated for medical reasons. pre-screening is available to, but not required of, such members and is provided at no cost. If members initially declining the Hepatitis B vaccination, but at a later date decide to accept the vaccination, the Hepatitis B vaccination shall be made available according to the provision of this policy at that time.
3. All members who decline to accept Hepatitis b vaccination offered by the Monroe County Sheriff's Office, shall sign the Hepatitis B Vaccination Refusal Form.
4. Routine booster dose(s) of Hepatitis B vaccine as recommended by the U.S. Public Health Service shall be made available to members who at the time such recommendations are applicable have reasonably anticipated exposure to blood or other potentially infectious materials, at no cost to the members. The booster dose(s) shall be made available to the member at a reasonable time and place, and performed by or under the supervision of a licensed physician or by or under the supervision of another licensed healthcare professional.

G. Post-Exposure Evaluation and Follow-Up

1. After an exposure incident, a confidential medical evaluation and follow-up shall be made immediately available to the exposed member including:
 - a. Notice of injury form, supervisor's report, and offense report and/or supporting documents.
 - b. Documentation of the route(s) of exposure and the circumstances under which the exposure incident occurred.
 - c. Identification and documentation of the source individual (unless it can be established that identification is in-feasible or prohibited by state or local law).
2. All medical evaluations and procedures performed as part of post-exposure evaluation and follow-up, including prophylaxis, are:
 - a. Provide at no cost to the member.
 - b. Made available to the member at a reasonable time and place.
 - c. Performed by or under the supervision of a licensed physician or by or under the supervision of another licensed healthcare professional.

- d. Provided according to recommendations of the U.S. Public Health Service current at the time these evaluations and procedures take place. all laboratory tests are conducted by an accredited laboratory at no cost to the member.
3. The healthcare professional responsible for the member's hepatitis B vaccination shall be provided the Post-Exposure Assessment Package. This package includes a copy of the bloodborne Pathogens Rule, a description of the exposed member's duties as they relate to the exposure incident, documentation of the route(s) of exposure and circumstances under which exposure occurred, results of the source individual's blood testing, if available, and all medical records relevant to the appropriate treatment of the member including vaccination status which are the member's responsibility to maintain.
4. A copy of the evaluating healthcare professional's written opinion shall be obtained and provided to the member with 15 days of the completion of the evaluation. The healthcare professional's opinion for Hepatitis B vaccination shall be limited to whether Hepatitis B vaccination is indicated for a member and if the member has received such vaccination. The healthcare professional's written opinion for post-exposure evaluation and follow-up shall be limited to documenting that the member has been informed of the results of the evaluation and that the member has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment. All other findings or diagnoses shall remain confidential and shall not be included in the written report.
5. Based upon the recommendation of the healthcare professional providing the post-exposure evaluation, the source individual's blood shall be tested as soon as feasible and after consent is obtained in order to determine HBV and HIV infectivity. If consent is NOT obtained, it shall be established that legally required consent cannot be obtained. When the source individual's consent is not required by law, the source individual's blood, if available, shall be tested and the results documented. When the source individual is already known to be infected with HBV and HIV, testing for the source individual's known HBV or HIV status need not be repeated.
6. Based upon the recommendation of the healthcare professional providing the post-exposure evaluation, the exposed member's blood shall be collected as soon as feasible and tested after consent is obtained. If the member consents to baseline blood collections, but does not give consent at the time for HIV serologic testing, the sample shall be preserved for at least 90 days. If within 90 days of the exposure incident, the member elects to have the baseline sample tested, such testing shall be done as soon as feasible.
7. Post-exposure prophylaxis, when medically indicated, as recommended by the U.S. Public Health Service, shall be given by or under the supervision of the licensed physician or other licensed healthcare professional performing the post-exposure medical evaluation of the exposed member.
8. Counseling and evaluation of reported illnesses shall be provided to the exposed member by the licensed physician or other licensed healthcare professional performing the post-exposure medical evaluation of the exposed member as needed and indicated.

H. Bio-Hazard Labeling

1. 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 store, transport or ship blood or other potentially infectious materials, except that red bags or red containers may be substituted for labels. Containers of blood, blood components or blood products that are labeled as to their contents and have been released for transfusion or other clinical use are exempted from these labeling requirements. Individual containers of blood or other potentially infectious materials that are

placed in a labeled container during storage, transport, shipment or disposal are exempted from the labeling requirement.

2. Labels shall include the following legend:



and shall be fluorescent orange or orange-red or predominantly so, with letter or symbol in a contrasting color. Labels are required to be affixed as close as feasible to the container by string, wire, adhesive or other method that prevents their loss or unintentional removal. Such labels are required for contaminated equipment and shall also state which portion of the equipment remains contaminated.

I. Education and Training

1. All members with reasonably anticipated exposure to blood or other potentially infectious materials shall participate in the Division of Training's Bloodborne Pathogens Education Program at no cost to the member and during working hours. This shall occur at the time of initial assignment to tasks where occupational exposure may take place and at least annually thereafter.

Additional training when changes such as modification of tasks or procedures or institution of new tasks or procedures affect the member's occupational exposure shall be provided which may be limited to addressing the new exposures created.

J. Recordkeeping

1. An accurate medical record for each member with occupational exposure, in accordance with 29 CFR 1910.20, shall be maintained. This record shall include the name and social security number of the member, a copy of the member's Hepatitis B vaccination status including the dates of all the Hepatitis B vaccinations and any medical records relative to the member's ability to receive vaccination, a copy of all results of examinations, medical testing and follow-up procedures required as part of any post-exposure medical evaluation including the member's copy of the health care professional's written opinion, and a copy of the information provided to the healthcare professional as part of that evaluation.
2. Member's medical records will be kept confidential and not disclosed or reported without the member's express written consent to any person within our outside the workplace except as required by this section or as may be required by law. Such records shall be maintained in the Human Resources Division's medical files for at least the duration of employment plus 50 years in accordance with 29 CFR and Florida State law.
3. Training records shall be maintained and shall include the dates of the training sessions, contents or a summary of the training sessions, the names and qualifications of persons conducting the training, and the names and job titles of all persons attending the training sessions. Training records shall be maintained for 50 years from the date the member separates from the office.
4. All member's medical records or training records shall be made available upon request to the assistant secretary and the Director of the Occupational Safety and Health Administration (OSHA) for examination and copying.

5. Member's training records shall be provided upon request for examination and copying to the member, to member's representatives, and to the Director or assistant secretary in accordance with 29 CFR 1920.20 and Florida state Law.
6. Member's medical records shall be provided upon request for examination and copying to the subject member, to anyone having written consent of the subject member, and to the Director or the assistant secretary in accordance with 29 CFR 1910.20 and Florida State Law.
7. Requirements involving transfer of records set forth in 29 CFR 1910.20 and Florida State law (h) shall be followed.
8. The Director shall be notified at least three months prior if cessation of business occurs and there is no successor employer to receive and retain the records for the prescribed period. Such records shall be transmitted to the Director, if requested by the Director to do so, within that three month period.

K. Member's Responsibilities

1. In addition to specific responsibilities outlined above, members performing tasks with reasonably anticipated exposure to blood or other potentially infectious materials are required to inform a designated Infection Control Representative if proper protective clothing and equipment is unavailable or appears inadequate to provide appropriate protection from such exposure. members are required to report to a designated Infection Control Representative any incidents or observations suggesting inadequate use of personal protective clothing and equipment or other control measure by any member.
2. Members are REQUIRED to follow the requirements of these policies and procedures, including all work practice requirements. The use of universal precautions and the use of specific engineering control and protective equipment outlined is MANDATORY.
3. Members that do not follow these requirements are subject to disciplinary action up to and including discharge.

L. Exposure Threat to Bloodborne Pathogens

1. Level I
 - a. No exposure to bloodborne pathogens.
 - b. No personal protective equipment is necessary.
2. Level II
 - a. Limited exposure short period of time (zero to five minutes) to a small amount of a bloodborne pathogen (less than 3 ml).
 - 1) Latex gloves necessary.
 - 2) Safety glasses with safety slide shields necessary.
3. Level III
 - a. Exposure for brief period of time (five minutes to 30 minutes) to relatively small amounts (more than one pint) of blood and or body fluids both liquid and dried.

- 1) Double latex gloves necessary.
- 2) Full face shield necessary.
- 3) Face mask necessary.
- 4) Full long sleeve jumpsuit / disposable full body coverall necessary.
- 5) Disposable boot / foot covers necessary.
- 6) Disposable head covering necessary.

M. Contaminated Uniforms

(Revised 6/24/10)

- A. From this date forward officers who determine that their uniform and/or civilian attire has been contaminated as a result of coming into contact with bloodborne pathogens will do the following:
1. Remove the contaminated uniform and/or civilian attire items(s) carefully to avoid additional contact with the contaminating material.
 2. The contaminated uniform and/or civilian attire item(s) is to be placed in one of the office's supplied biohazardous material bags and sealed. The officer should put his/her name on the outside of the bag, and place the bag in their respective property / evidence room.
 3. This bag(s) is to be transported to the main detention medical unit within 72 hours by personnel in the Property / Evidence Section.
 4. Upon delivery at the main detention medical unit, the uniform and/or civilian attire item(s) will be properly disposed of using the medical unit's contracted company for such disposal.

N. Annual Review

1. The Exposure Control Coordinator is required to conduct an annual review of the exposure control plan with consideration for updating procedures designed to eliminate or minimize occupational exposure.
2. The annual review will be forwarded to the Undersheriff for review and assignment for implementation of changes as necessary.
3. A copy will be sent to Professional Standards.

V FORMS

**PROGRAM MANAGEMENT:
INFECTION CONTROL
REPRESENTATIVE(S)**

FORM 3A

Infection Control Representative(s)

The following individual(s) has (have) been designated as Infection Control Representative(s) to be responsible for the implementation and management of the Infection Control Program.

NAME	DATE
Risk Manager - Notifications	May 13, 1993
Training Director - Training	February 28, 1994
Human Resources Director - Medical Records	February 28, 1994
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**EXPOSURE CONTROL PLAN
SCHEDULE AND METHODS OF IMPLEMENTATION**

FORM 4A

Schedule of Implementation

	Rule (DATE)	Planned (DATE)	Actual (DATE)	By (INITIALS)
Exposure Determination	05/05/92	_____	_____	_____
Information / Training	06/04/92	_____	_____	_____
Recordkeeping	06/04/92	_____	_____	_____
Methods of Compliance	_____	_____	_____	_____
Universal Precautions	07/06/92	_____	_____	_____
Engineering / Work Practice Controls	07/06/92	_____	_____	_____
Personal Protective Equipment	07/06/92	_____	_____	_____
Medical Waste	07/06/92	_____	_____	_____
Housekeeping / Laundry	07/06/92	_____	_____	_____
HBV Vaccinations	07/06/92	_____	_____	_____
Post-Exposure Evaluation & Follow-Up	07/06/92	_____	_____	_____
Labels & Signs	07/06/92	_____	_____	_____

Method of Implementation

According to the schedule established, the section-by-section procedures described in the Bloodborne pathogens Compliance Package will be followed. These are described in the Implementation Procedures segment in each section.

**MODIFICATIONS TO SPECIAL
INFECTION CONTROL POLICY
AND PROCEDURE MANUAL**

FORM 5A

DELETION OR ADDITION		DATE	NAME

_____	____ / ____ / ____	_____	_____

_____	____ / ____ / ____	_____	_____

_____	____ / ____ / ____	_____	_____

_____	____ / ____ / ____	_____	_____

_____	____ / ____ / ____	_____	_____

_____	____ / ____ / ____	_____	_____

**DESCRIPTIONS OF WORK ACTIVITIES
ENTAILING EXPOSURE TO
BLOODBORNE PATHOGENS**

FORM 6A

The work tasks and activities identified on this form should be used to classify members into the categories required by Form 6b: JOB CLASSIFICATIONS IN WHICH ALL MEMBERS HAVE EXPOSURE and Form 6c: JOB CLASSIFICATIONS IN WHICH SOME MEMBERS HAVE EXPOSURE AND LIST OF TASKS AND PROCEDURES IN WHICH EXPOSURE OCCURS.

Exposure Definition: work tasks and activities should be listed which **necessarily and routinely involve reasonably anticipated skin, eye, mucous membrane or parenteral contact with blood or other potentially infectious material (including semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids)**. This **EXCLUDES** incidental exposures that may take place on the job and that are neither reasonably nor routinely expected and that the worker is not required to incur in the normal course of employment. Determination is made without regard to personal protective clothing and equipment used to protect a member from exposure.

1. Blood drawing, injection administration or establishment of intravenous lines.
2. Participation in invasive procedures of any type including, but not limited to, surgery, needle biopsy, endoscopy, colonoscopy, sigmoidoscopy, colposcopy, cystoscopy, arthroscopy, and laparoscopy.
3. Emergency and rescue activity involving provision of first-aid or CPR.
4. Dental work involving contact with mucous membranes, saliva or other blood or body fluids or with materials that have been contaminated with these including but not limited to dental or oral surgery, tooth extraction, orthodontic or endodontic work, teeth cleaning, filing or repair.
5. Patient care activities involving contact with blood or body fluids or with materials that have been contaminated with these.

**DESCRIPTIONS OF WORK ACTIVITIES
ENTAILING EXPOSURE TO
BLOODBORNE PATHOGENS**

Form 6A
Page 2

6. Housekeeping, laundry, maintenance activities involving the handling of medical waste or the cleaning or decontamination of surfaces or equipment contaminated with blood or other potentially infectious materials.

7. Handling of blood, body fluids, tissue or organs.

8. Other activities (describe) _____

9. Other activities (describe) _____

10. Other activities (describe) _____

11. Other activities (describe) _____

12. Other activities (describe) _____

13. Other activities (describe) _____

14. Other activities (describe) _____

15. Other activities (describe) _____

16. Other activities (describe) _____

**JOB CLASSIFICATIONS IN WHICH ALL
EMPLOYEES HAVE EXPOSURE**

FORM 6B

JOB CLASSIFICATION	TASK & PROCEDURES INVOLVING EXPOSURE (list number from FORM 6a)
Sworn Sheriff's Deputies	3,5,6
Sworn Detention Deputies	3,5,6
Crime Laboratory Members	7,6
Medical Staff Members	3,5,6
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
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_____	_____
_____	_____

JOB CLASSIFICATIONS IN WHICH SOME

By my signature below, I acknowledge that I have received information and training regarding:

1. Transmission of bloodborne pathogens.
2. Methods for recognizing activities with exposure to bloodborne pathogens.
3. Explanation of methods to prevent or reduce exposure including engineering.
4. Controls, work practice controls, protective equipment.
5. The types, use, location, handling, decontamination, and disposal of protective equipment.
6. Hepatitis B. vaccination.
7. Appropriate procedures for exposure incidents.
8. Labeling of Bio-Hazards
9. Methods for the disposal of medical waste.

I have received an explanation of the OSHA standard 1910.1030 Bloodborne Pathogens Rule and my employer's Exposure Control Plan and have been informed as to how I may obtain a written copy of these.

The training session was conducted by: _____

Qualifications of individual conducting training session: _____

NAME	JOB TITLE	TRAINING DATE	SIGNATURE
_____	_____	____/____/____	_____
_____	_____	____/____/____	_____
_____	_____	____/____/____	_____
_____	_____	____/____/____	_____
_____	_____	____/____/____	_____
_____	_____	____/____/____	_____
_____	_____	____/____/____	_____
_____	_____	____/____/____	_____
_____	_____	____/____/____	_____

These records shall be maintained for at least 50 years from the date when the member separates from the office and shall be made available upon request for examination and copying to members, member's representatives, and the director or assistant secretary in accordance with 29 CFR 1910.20 and Florida State Law.

**DOCUMENTATION OF FOLLOW-UP EDUCATION RELATED TO
CHANGES IN EXPOSURE OR WORK PRACTICES**

FORM 7B

The following changes in possible exposure, work practices or procedures have occurred since the last documented exposed member's training session:

The following members are potentially affected by these changes and have been provided education and training regarding how these changes may affect exposure to bloodborne pathogens.

Summary of contents of training session:

By my signature below, I acknowledge that:

I have received additional training regarding ways the above listed changes will affect my occupational exposure to bloodborne pathogens and the ways to prevent or reduce exposure.

The training session was conducted by: _____

Qualifications of individual conducting training session:

NAME	JOB TITLE	TRAINING DATE	SIGNATURE
_____	_____	____/____/____	_____
_____	_____	____/____/____	_____
_____	_____	____/____/____	_____
_____	_____	____/____/____	_____
_____	_____	____/____/____	_____
_____	_____	____/____/____	_____

These records shall be maintained for at least 50 years from the date when the member separates from the office and shall be made available upon request for examination and copying to members, member's representatives, and the director or assistant secretary in accordance with 29 CFR 1910.20 and Florida State Law.

DOCUMENTATION OF ANNUAL EDUCATION

FORM 7C

By my signature below, I acknowledge that I have received information and training regarding:

- 1. Transmission of bloodborne pathogens.
- 2. Methods for recognizing activities with exposure to bloodborne pathogens.
- 3. Explanation of methods to prevent or reduce exposure including engineering.
- 4. Controls, work practice controls, protective equipment.
- 5. The types, use location, handling, decontamination, and disposal of protective equipment.
- 6. Hepatitis B vaccination
- 7. Appropriate procedures for exposure incidents.
- 8. Labeling of Bio-Hazards
- 9. Methods for the disposal of medical waste.
- 10. Changes in exposures or exposure control methods.

The training session was conducted by: _____

Qualifications of individual conducting training sessions:

NAME	JOB TITLE	TRAINING DATE	SIGNATURE
_____	_____	____ / ____ / ____	_____
_____	_____	____ / ____ / ____	_____
_____	_____	____ / ____ / ____	_____
_____	_____	____ / ____ / ____	_____
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_____	_____	____ / ____ / ____	_____
_____	_____	____ / ____ / ____	_____

These records shall be maintained for at least 50 years from the date when the member separates from the office and shall be made available upon request for examination and copying to members, member's representatives, and the director or assistant secretary in accordance with 29 CFR 1910.20 and Florida State Law.

HEPATITIS B VACCINATION REFUSAL

FORM 8B

NAME: _____

SS#: _____ - _____ - _____

THE FOLLOWING **MUST** BE SIGNED BY THE MEMBER IF HEPATITIS B VACCINATION IS REFUSED.

I understand that due to my occupational exposure to blood or other potentially infectious materials, I may be at risk of acquiring hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with hepatitis B vaccine, at no charge to myself. However, I decline hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with Hepatitis B vaccine, I can receive the vaccination series at no charge to me.

Signature

_____/_____/_____
Date

BIO-HAZARD CLEANING SCHEDULE

FORM 10A

MONTH: _____ YEAR: _____

WORK AREA: _____

SURFACE/
ITEM: _____

DATE/TIME: _____

DATE/TIME: _____

DATE/TIME: _____

DATE/TIME: _____

DATE/TIME: _____

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DATE/TIME: _____

DATE/TIME: _____

DATE/TIME: _____

DATE/TIME: _____

DATE/TIME: _____

SPECIAL COMMENTS: _____

ENGINEERING CONTROLS

FORM 11B

Reviewer: _____ Date: ____ / ____ / ____

Work area(s) evaluated:

ENGINEERING CONTROLS _____ Not Needed _____ Needed

	Needed		Available	
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
	Sharps Containers (Puncture Resistant / Labeled / Leakproof)	___	___	___
Medical Waste Containers (Labeled / Leakproof)	___	___	___	___
Handwashing Facilities (with antiseptic soap)	___	___	___	___
Storage/Transport Containers (labeled)	___	___	___	___

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Other (specify: _____) — — — —

Other (specify: _____) — — — —

COMMENTS: _____

PROTECTIVE EQUIPMENT

FORM 11C

Reviewer: _____ Date: ____ / ____ / ____

Work area(s) evaluated:

ENGINEERING CONTROLS _____ Not Needed _____ Needed

	Needed		Available	
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
	Gloves (including hypo-allergenic gloves)	___	___	___
Protective Eyewear (safety glasses / eyeshields)	___	___	___	___
Lab Coats/Gowns/aprons (fluid-proof as needed)	___	___	___	___
Head/foot coverings	___	___	___	___
Mouth pieces / resuscitation bags / pocket mask / other ventilation devices) other ventilation devices	___	___	___	___
Other (specify: _____)	___	___	___	___
Other (specify: _____)	___	___	___	___

APPROPRIATE SIZES MUST BE AVAILABLE FOR EACH TYPE OF PROTECTIVE EQUIPMENT

COMMENTS: _____

WORK PRACTICES

FORM 11D

Reviewer: _____ Date: ____ / ____ / ____

Work area(s) evaluated:

_____	_____
_____	_____
_____	_____
_____	_____

USE OF ENGINEERING CONTROLS: Sharps containers, medical waste containers, storage and transport containers, splash guards, self-sheathing needles, etc.

USE OF PROTECTIVE EQUIPMENT: Gloves, eye wear, fluid-proof outerwear, face-shields, resuscitation or ventilation devices, etc., as appropriate.

WORK PRACTICES: Universal precautions, personal habits, food and drink, hand-washing, sharps handling (use and disposal and decontamination), minimizing splashing and spraying of infectious materials, use of transport and storage containers, medical waste disposal procedures, minimizing personnel in exposure activities, removal and decontamination of exposed protective equipment, **NO** mouth pipetting, etc.

MEDICAL WASTE HANDLING & DISPOSAL: Required containers with lids, double-bagging as necessary, sharps disposal and decontamination, glove and other protective equipment use, etc.

LABELING: Containers, Medical Waste containers, exposed equipment, etc.

HOUSEKEEPING & LAUNDRY: Clean and sanitary conditions maintained, exposed work surfaces and equipment cleaned and labeled, cleaning schedule used and followed. protective coverings removed and replaced as soon as feasible and at end of work shift, cleaning of bins and other receptacles, spill clean-up procedures followed, exposed or contaminated laundry handled with a minimum of agitation, placed in leakproof labeled containers, etc.

COMMENTS (note individual members and practices): _____

HOUSEKEEPING & LAUNDRY

FORM 11E

Reviewer: _____ Date: ____ / ____ / ____

Work area(s) evaluated:

WORK SURFACES EXPOSED/CONTAMINATED: _____ No _____ Yes

EQUIPMENT EXPOSED/CONTAMINATED: _____ No _____ Yes

LAUNDRY EXPOSED/CONTAMINATED: _____ No _____ Yes

_____ Appropriate decontamination procedures followed

_____ Clean & sanitary conditions maintained

_____ Exposed work Surfaces & equipment cleaned & labeled

_____ Cleaning schedule used & followed

_____ Protective coverings removed & replaced as soon as feasible & at end of work shift

_____ Cleaning of bins & other receptacles

_____ Spill clean-up procedures followed

_____ Exposed/Contaminated laundry:

_____ handled with minimum of agitation

_____ placed in leakproof containers and doubled bagged as necessary

_____ gloves and other protective equipment used as necessary

_____ Bio-Hazard labeled

COMMENTS (note individual members & practices): _____

BIO-HAZARD LABELING

FORM 11F

Reviewer: _____ Date: ____ / ____ / ____

Work area(s) evaluated:

_____	_____
_____	_____
_____	_____
_____	_____

Assessment is performed to determine items, containers, equipment, protective equipment or other materials that may be reasonably anticipated to contain or be contaminated by blood or other potentially infectious materials.

Items requiring bio-hazard labeling:

- _____ None
- _____ Specimen containers _____ Medical Waster containers
- _____ Equipment used for invasive procedures _____ Instruments used for invasive procedures
- _____ Sharps containers _____ Refrigerators & freezers for storage of blood or other infectious materials
- _____ Contaminated laundry
- _____ Other (specify): _____
- _____ Other (specify): _____
- _____ All identified items & materials requiring Bio-Hazard Labeling are appropriate labeled

COMMENTS: _____

**BLOODBORNE PATHOGEN
EXPOSURE INCIDENT INVESTIGATION**

FORM 12A

ORGANIZATION: _____

Member's Name: _____

SS#: _____ - _____ - _____

Occurrence date: ____ / ____ / ____

Reported date: ____ / ____ / ____

Description circumstances exposure incident (include route(s) of exposure):

Description of the member's duties as they relate to the exposure incident:

The following contributed to the exposure incident:

_____ failure to follow prescribed work practice procedures

_____ lack of control by engineering or work practice controls

_____ other

Describe: _____

Describe corrective or disciplinary action(s) taken (including education, member's actions, implementation of new or additional engineering or work practice controls):

Infection Control Representative (signature)

Date

**INFORMATION TO THE HEALTHCARE
PROFESSIONAL PROVIDING EVALUATION FOR
BLOODBORNE PATHOGEN EXPOSURE INCIDENT**

FORM 12B

TO: Physicians or other healthcare professionals evaluating members exposed to blood or other potentially infectious materials.

EXPOSED MEMBER: _____ SS#: _____ - _____ - _____

EMPLOYER CONTACT: _____ TITLE: _____

ORGANIZATION: _____

ADDRESS: _____ CITY: _____

STATE: _____ ZIP: _____

TELEPHONE NUMBER: (_____) _____ - _____

Enclosed you will find documents related to regulatory requirements regarding required evaluation, follow-up, and testing for individuals that may have been exposed to blood or other potentially infectious materials through an exposure incident during work activity. You should have the following documents:

FORM 12C BLOODBORNE PATHOGEN EXPOSURE INITIAL MEDICAL EVALUATION

FORM 12D BLOODBORNE PATHOGEN EXPOSURE MEDICAL FOLLOW-UP

A copy of 29 CFR 1910.1030 Bloodborne Pathogens Rule

Copies of relevant available medical records for the exposed member

Please follow the Post-Exposure Evaluation and Follow-up Guidelines described in the attached and fill out the **FORM 12C BLOODBORNE PATHOGEN EXPOSURE INITIAL MEDICAL EVALUATION** - the completed original should be returned according to the above and a copy should be given to the patient. If medical follow-up is indicated, please use the FORM 12D BLOODBORNE PATHOGEN EXPOSURE MEDICAL FOLLOW-UP for all follow-up visits.

Your report(s) should be limited to your opinion as to whether Hepatitis B vaccination is indicated, if the member has received such vaccination, documenting that the members has been informed of results of the evaluation, and documenting that the member has been told about medical conditions resulting from exposure to blood or other infectious materials which require further evaluation or treatment. All other findings or diagnoses shall remain confidential and shall not be included in the written report. Please consider indicated evaluation, treatment, and follow-up modalities and offer these to the exposed member according to the most recent recommendations from the U.S. Public health Service or CDC. The DCD telephone number is (404) 639-3311.

**BLOODBORNE PATHOGEN EXPOSURE
INITIAL MEDICAL EVALUATION**

FORM 12C

ORGANIZATION: _____

Member's Name: _____

SS#: _____ - _____ - _____

Occurrence date: _____ / _____ / _____ Reported date: _____ / _____ / _____

Description circumstances exposure incident (include route(s) of exposure):

Description of the member's duties as they relate to the exposure incident:

The following information should be determined and documented and provided to the exposed individual **UNLESS PROHIBITED BY STATE OR LOCAL LAW or unless it is infeasible to do so. If the information is given to the exposed individual, applicable state or local laws regarding the confidentiality of such information should also be described.**

Applicable state or local law(s) regarding identification and testing of source individuals AND feasibility of such identification and testing:

Name of **source individual**: _____

_____ Unknown

Status of **source individual**, if known or tested:

HbSag: _____

HIV: _____

**BLOODBORNE PATHOGEN EXPOSURE
MEDICAL FOLLOW-UP**

FORM 12D

ORGANIZATION: _____

Member's Name: _____

SS#: _____ - _____ - _____

HEALTHCARE PROFESSIONAL RECOMMENDATIONS

Healthcare professional Examination Date: _____ / _____ / _____

Recommended

Administered

_____ / _____ / _____ _____ / _____ / _____ Hepatitis B vaccination

This patient has been informed of the results of medical evaluation and told of any medical conditions which result from exposure to blood or other potentially infectious materials which required further evaluation or treatment. A copy of this document has been provided to the patient.

Follow-up required: Yes No - If yes, give date of next visit: _____ / _____ / _____

Healthcare Professional (Name/Signature)

Date

These records shall be maintained in a confidential medical file for the duration of the member's employment plus 50 years and will not be disclosed or reported to any person within or outside the workplace except as required by 1910.1030 or applicable law. The member's medical records will be provided upon request for examination or copying to the member or to anyone having written consent of the member, and to the director or assistant secretary in accordance with 29 CFR 1910.20.

**CERTIFICATION OF
CONTRACTOR COMPLIANCE**

FORM 13A

This is to certify that _____ has implemented an
Infection Control program in compliance with 1910.1030 (Bloodborne Pathogens Rule) including all members
working as contact employees to _____.

Print Name/Signature

_____/_____/_____
Date

Title

EXPOSURE INCIDENT FORM

1. IDENTIFICATION

- (Member:)
- 1. SSN _____
- 2. Department _____
- 3. Police/Rescue Report Number _____
- _____
- _____
- _____

2. EXPOSURE

- 1. Name _____
- 1. Date _____
- 2. Time _____
- 3. Body parts Exposed _____
- _____
- _____
- _____

3. IDENTIFICATION

- (Source If Known:)
- 1. Name _____
- 2. SSN _____
- 3. DOB: _____ 4. Sex: _____
- 5. Address: _____
- _____
- 6. Phone: _____
- 7. Transported To: _____

4. TYPE OF EXPOSURE

- 1. ___ No contact with blood or body fluid
- 2. ___ Needle stick from:
 - 1. ___ Recapping
 - b. ___ Injection
- 3. ___ Drawing Blood
 - d. ___ Starting IV
- 5. ___ In trash
 - f. ___ In linen
- 7. ___ Full needlebox
 - h. ___ Other: _____

- 10. ___ Exhaled air
- 11. ___ Other: _____
- _____
- _____

- 3. ___ Bitten by: _____
- 4. ___ Puncture by: _____
- 5. ___ Laceration (cut) by: _____
- 6. ___ Abrasion (rub or Grinding by): _____
- 7. ___ Splash to
 - 1. ___ Skin-no break in skin
 - b. ___ Skin-broken (explain): _____
 - _____
 - _____
 - _____

- 3. ___ Mouth
 - d. ___ Eye
- 5. ___ Ear
- f. ___ Nose
- 7. ___ Other: _____
- _____
- _____

8. ___ Inhalation

E. TYPE OF FLUID

- 1. ___ Blood
- 2. ___ Saliva
- 3. ___ Vomitus
- 4. ___ Mucus
- 5. ___ Semen
- 6. ___ Urine
- 7. ___ Feces
- 8. ___ Sweat
- 9. ___ Tears

6. AMOUNT OF EXPOSURE

- 1. ___ Less than one drop
- 2. ___ One drop to one teaspoon
- 3. ___ Over one teaspoon
- 4. ___ Unknown

7. INFECTIOUS RISK
(Believed To Be Present)

- 1. ___ HIV
- 2. ___ Hepatitis
 - a. ___ Type A
 - b. ___ Type B
 - 3. ___ Type C
 - d. ___ Type Unknown
- 3. ___ Syphilis
- 4. ___ Gonorrhoea
- 5. ___ Tuberculosis (TB)
- 6. ___ Meningitis
- 7. ___ Other: _____
- 8. ___ Unknown

8. PRE-EXPOSURE PROTECTION

Brief Description of Incident: _____

- 1. ___ Gloves
- 2. ___ Mask
- 3. ___ Eye protection
- 4. ___ Resuscitation mask
- 5. ___ None of the above

1. POST-EXPOSURE PRECAUTIONS

- 1. Washed exposed area after contact
 - 1. ___ with disinfectant
 - b ___ with soap
 - 3. ___ with other: _____
- 2. Other: _____

CHAPTER ONE HUNDRED ONE

HONOR GUARD

Purpose 101:1

Discussion 101:1

Policy and Procedure..... 101:1

Honor Guard 101:1

Uniforms for the HGCG 101:1

Monthly Training 101:1

Firing Party Commander..... 101:1

HGCG Team Leader..... 101:2

Schedule of Events 101:2

 Honor Guard Class "A" (full dress)..... 101:3

 Honor Guard Class "A" (dress) 101:3

 Honor Guard Class "B" (full dress) 101:3

 Honor Guard Class "B" (dress) 101:4

CHAPTER ONE HUNDRED ONE

HONOR GUARD

I. PURPOSE

The purpose of this Directive is to establish guidelines for the Honor Guard.

II. DISCUSSION

This General Order shall apply to all Monroe County Sheriff's Office members.

III. POLICY AND PROCEDURE

A. Honor Guard

1. Selection Process of the Honor Guard/Color Guard

- a. The Officer In Charge (OIC) will be selected by the Commander of Operations.
- b. The Honor Guard/Color Guard (HG/CG) members will be recommended through the division commanders; two members from each division will serve on the HG/CG Team.

B. Functions

1. Attendance

- a. In the event any HG/CG member has a request for leave/vacation, school (in or out of the county), training or extended compensatory time, the OIC must be notified well in advance.
 - c. Due to availability of personnel, it is imperative to have a certain number of personnel available for call-out for unscheduled events.
 - d. One HG/CG member from each division will be selected as a liaison for those events being held in their respective divisions. The OIC will delegate the responsibility to the division's liaison to make contacts, arrangements, and scheduling. The OIC will be notified and will make the final decision(s) regarding these events after notification of the appropriate supervisor(s) and the Commander of Operations.
 - e. All HG/CG members will be at scheduled events at least one hour prior to start time or when the OIC advises.
 - e. Non-attendance (20%) of functions or training sessions will result in a review of the member's further participation in the HG/CG.
2. A Firing Party Commander (FPC) will be selected for those events which require a firing party. The FPC will be responsible for all weapons, as well as, the firing party.
 - a. Firing party members and FPC will be selected by the OIC.
 3. Members selected to the HG/CG will have a team leader. The HG/CG Team Leader will be in charge of maintaining the units' flags, holders, stands, and other associated equipment.

- a. The HG/CG members will also be required to bring all issued items to training and/or rehearsals when advised and to all events (regardless if needed).
- b. The chain of command for the HG/CG is the Operations Commander, OIC, Executive Officer, Team Leader, and Team Member.

4. The following is a tentative schedule of events to be held annually:

- a. Police Memorial Day May
- b. Memorial Day May
- c. Flag Day June
- d. Veteran's Day November 11th
- e. Independence Day July 4th
- f. Officer/Member Awards Ceremonies TBA
- g. Officer/Member Memorial Funeral Services TBA
- h. Academy Graduations TBA

- 1) In all probability there will be other events than those listed above, some occurring on short notice. Additional events will require approval and notification of the OIC and Operations Commander; a minimum of one week in advance of the event requested (due to each member's primary duty schedule.)
- 2) More events will be included after exposure and recognition of the HG/CG. Availability for appearance at these events will be determined on a case by case basis by the Operations Commander.
- 3) All HG/CG members will be required to attend monthly training sessions, as well as, any other training/rehearsals required for specific events.

**C. Uniforms for the Honor Guard/Color Guard
(Refer to Chapter 9 (9:29) for Grooming and Hair styles)**

- 1. All HG/CG members will maintain all uniforms and accessories in proper order and repair any issued items in need of replacement and/or repair must be brought to the attention of the OIC.
 - a. Requisitions for issued items should be processed through the HG/CG.
- 2. The following is the uniform regulations to be followed by each member of the HG/CG:
 - a. Class A uniform hat with a gold braid (black beret for Color Guard), with Honor Guard hat device.
 - b. Each member will be required to have their uniform dry cleaned or pressed (self ironing is not acceptable).
 - c. White long sleeve uniform shirt with the appropriate aiguillette, ascot or tie, ribbons, name tag, whistle cord, collar brass, two pens, badge, and longevity stripes and/or stars. Any additions to the uniform will be approved by the OIC.
- 1) Collar brass "SHERIFF" will be placed on the right lapel with the last "F" touching the vertical stitch. Collar devices should be approximately a half to three quarters of an inch from top parallel to the collar crease.

- 2) The left lapel will have "Honor Guard" with the "H" touching the vertical stitch, also parallel to the collar crease. Collar devices should be approximately a half to three quarters of an inch from the top parallel to the collar crease.
 - 3) Whistle cord will connect with the right epaulet (shoulder board) button. The cord will then be placed into the right pocket (no whistle - due to appearance).
 - 4) Ribbons will be centered above the right pocket with the bottom edge touching the top of the pocket.
 - 5) Name tag will be centered on the right pocket flap with the top edge touching the second stitch line at the top of the pocket with or without ribbons.
 - 6) Badge will be placed in appropriate holes in the shirt above the left pocket.
 - 7) Each member will have two pocket pens in the left pocket in pen pouch. The pens will be all black, black and gold, or all gold.
 - 8) Longevity stripes and/or stars will be placed on the left sleeve as per current uniform regulations/policy in the operations manual.
 - 9) The appropriate ascot or tie (with the MCSO tie tack). The ascot will be tucked under a white v-neck t-shirt. A white v-neck t-shirt is required for uniform dress.
 - 10) The appropriate aiguillette will be attached to the left epaulet
- d. Two pairs of pants will be issued; one will be outfitted with gold striping, and one pair with black striping.
- 1) If possible, an Honor Guard hem should be utilized.
- e. White gloves (on hands or right shoulder epaulet when not worn).
- f. Each member will supply their own corfam (patent leather) shoes with black socks only.
- 1) Each member will be supplied "heel taps" or "clickers".
- g. Each member will maintain their own gun belt (leather with all appropriate brass buttons). Gun belts should be clean and in good condition (gun/holster, cuff case, magazine pouch, belt keepers). No other accessories are acceptable (including radio).
3. Honor Guard Class "A" (full dress):
- a. Uniform hat with gold braids (black beret for Color Guard), with Honor Guard hat device
 - b. White long sleeve uniform shirt
 - c. Gold ascot
 - d. Gold aiguillette
 - e. White gloves
 - f. Gold striped pants
 - g. Gun belt
 - h. Corfam shoes with black socks

4. Honor Guard Class "A" (dress):

- a.** Same as full dress, but with tie with MCSO tie tack instead of gold ascot.

5. Honor Guard Class "B" (full dress):

- a.** Uniform hat with gold braids (black beret for Color Guard), with hat device
- b.** White long sleeve uniform shirt
- c.** Black ascot
- d.** Black aiguillette
- e.** White gloves
- f.** Black striped pants
- g.** Gun belt
- h.** Corfam shoes with black socks

6. Honor Guard Class "B" (dress):

- a.** Same as full dress, but with tie with MCSO tie tack instead of black ascot.

7. Honor Guard Training Uniform

- a.** Approved Honor Guard polo shirt
- b.** Black striped uniform pants with underbelt
- c.** Black shoes and black socks

CHAPTER ONE HUNDRED AND TWO
MONROE COUNTY PERMANENT RESIDENT DECAL

Purpose 102:1

Discussion 102:1

Policy and Procedure..... 102:1

Procedure For Issuing Vehicle Decals..... 102:1

CHAPTER ONE HUNDRED AND TWO
MONROE COUNTY PERMANENT RESIDENT DECAL

I. PURPOSE

The purpose of this Directive is to establish guidelines for the Monroe County Permanent Resident Decal Program

II. DISCUSSION

This directive shall apply to all Monroe County Sheriff's Office members.

III. POLICY AND PROCEDURE

The Monroe County Sheriff's Office plays a primary role in ensuring the safety of the lives and property of everyone who resides in or visits Monroe County, Florida throughout the year. This task becomes extremely difficult during times immediately before and after natural disasters such as hurricanes. To speed up the return of Monroe County residents, property owners, and businessmen to their homes, real estate, and places of business after an evacuation; the Office has devised a procedure whereas citizens who live in the Upper, Middle, and Lower Keys can identify their vehicles with a decal in such a way that Deputies working traffic check points can immediately spot them and allow them to pass without further investigation.

The Office feels that the decal program will give sworn officers more control over who enters the Keys immediately following a natural or man-made disaster(s), because it will allow sworn officers to focus their attention on those who may be lost or have no business or purpose in the Keys immediately following such a disaster (i.e., sightseers, looters, criminals, and others). Further, the Office feels that the decal program will help alleviate long lines at the checkpoint.

A. Procedure For Issuing Vehicle Decals

1. To begin the program, the Monroe County Sheriff's Office will supply the "Hurricane Re-Entry Permits" to all Monroe County residents who make a request.
2. Monroe County Residents will be instructed to place the decal on their vehicle(s) on the inside of the windshield on the driver's side in the lower left hand corner. The decal will be valid for both commercial and private use and will have no expiration date.
3. The Office will furnish the decal to residents, business owners, and/or property owners free of charge.
4. Once the initial mailing is completed, a supply of these decals will be available to anyone who needs one at the local tag office and Sheriff Substations in the Lower, Middle, and Upper Keys throughout the year.
5. To obtain such a decal, individuals will be asked to show:
 - a. That they own a private or commercial vehicle registered in Monroe County, Florida or
 - b. Individuals who own and operate private or commercial vehicles registered outside of Monroe County may be eligible for a decal if they:
 - 1) Maintain a permanent or semi-permanent address in Monroe County, Florida.

2) Own property or real estate located in Monroe County, Florida.

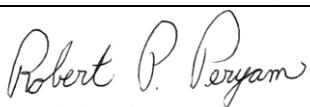
3) Work or conduct routine business in Monroe County, Florida on a regular basis.

Once the individual has satisfied one of these above mentioned requirements, a decal(s) shall be issued and instructions given about where the decal should be placed inside the vehicle.

- 6.** Deputies at traffic control points who identify individuals operating vehicles with no decal, which are otherwise eligible for such a decal, are authorized to allow reentry for the vehicle.
- 7.** On a quarterly basis, each Division Commander will determine the number of decals on hand at both is/her Office and the local tag office and place an order with the Commander of the Bureau of Administration sufficient to meet the needs of the District for the upcoming quarter.
- 8.** At least annually (March 31st) the Commander of the Bureau of Administration will conduct an audit of the number of decals on hand and make an order sufficient to ensure that decals are available as necessary.
- 9.** During the month of June, July, and August, the Director of the Community Relations Division will ensure that public service announcements (PSA) detailing the positive aspect of the program and encouraging participation are run in the local newspapers and on local television and radio throughout the Keys.
- 10.** Remember...the resident may reenter the Keys without a decal, but must show proper identification; such as a driver's license with a Monroe County address on it.

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 39		TITLE: All Hazard Plan
EFFECTIVE DATE: August 19, 2009	NO. PAGES: 11	AMENDED:
REFERENCE: CALEA 46.1.2 – 46.1.9 CFA 20.05		RESCINDS: Special Order: All Hazard Plan, 12.05.2007 General Order Chapter 39, Unusual Occurrences
 <hr style="width: 20%; margin: auto;"/> Sheriff of Monroe County		

PURPOSE: The purpose of this policy directive is to establish the National Incident Management System (NIMS) and the Incident Command System (ICS) as the method of response to organize both short-term and long-term field-level operations.

The ICS System is used as an “All-Hazards” approach to a broad spectrum of emergencies ranging from small to complex incidents, both natural and manmade.
[CALEA 46.1.2]

POLICY: It is the policy of the Monroe County Sheriff's Office to use the NIMS/ICS model of response to disasters and various critical incidents that require more than routine emergency response.

This policy describes the NIMS/ICS and explains the activation and functions of the incident command process. Additional procedures can be found in the Monroe County Sheriff's Office Emergency Operations Manual. Components of the Emergency Operations Manual are exempt from the Public Records Law pursuant to F.S. 119.07.

Not all components of NIMS/ICS will need to be activated when the system is operational.

Component activation and deactivation will depend upon changing circumstances; only those that are needed in the situation should be used, as determined by the Incident Commander (IC).

DEFINITIONS:

Agency Representative – An individual assigned to an incident from an assisting or cooperating agency who has the authority to make decisions about that agency's participation. Reports to the Liaison Officer.

Area Command (Unified Area Command) – Activated only if necessary, depending on the complexity of the incident and if the incident management span-of-control considerations so dictate. The purpose of an Area Command is to oversee the management of multiple incidents each being handled by a separate NIMS/ICS organization or to oversee the management of a very large, or complex incident that has multiple incident management teams engaged. Most often used when there are a number of incidents in the same area and of the same type that may compete for the same resources. Area Command becomes Unified Area Command when incidents are multi-jurisdictional.

Assisting Agency – An agency contributing tactical or other direct resources.

Base – The location at which primary logistics functions for an incident are coordinated and administered. There is only one base for an incident. The base may be co-located with the Incident Command Post.

Branch – The organizational level having functional or geographic responsibility for major parts of incident operations. For example, the Law Enforcement Branch composed of several sections (Operations, Planning, Logistics and Finance/Administration), reports to a higher division or group Operations Commander while

in a Unified Command operation, along with the Fire Suppression Branch, Public Works Branch, etc.

Casualty Collection Point (CCP) – A location near the incident, which provides an area to triage, treat and transport victims.

Check-In – The process through which resources first report to an incident. Check-in locations include the incident command post, staging areas, or directly on the site.

Chief – The NIMS/ICS title for individuals responsible for command of the five basic ICS functional sections (Command, Operations, Planning, Logistics and Finance/Administration).

Clear Text – The use of plain English in radio communications transmissions. (**CODES and SIGNALS ARE NOT USED**).

Command Post – See Incident Command Post

Command Staff – The ICS title for a group consisting of the Information Officer, Safety Officer, and Liaison Officer. They report to the Incident Commander.

Cooperating Agency – An agency assisting with other than tactical or other direct resources, includes but is not limited to the Red Cross, the telephone company, power company, etc.

Emergency Operations Center (EOC) - The EOC is a pre-designated facility that is designed to provide broad, overall direction and support for an incident. Tactical control and on-scene management remains, the responsibility of the Incident Commander.

Function – Under NIMS/ICS, the structure includes Command, Operations, Planning, Logistics and Finance/Administration functional sections

General Staff – The ICS title describing the incident management team that reports to the Incident Commander. Consists of the Chiefs of the four functional sections; Command, Operations, Planning, Logistics, and Finance/Administration.

Incident Action Plan (IAP) – An oral or written plan that contains objectives reflecting the overall incident strategy and specific tactical actions and supporting information for the next operational period. When written, there may be specific sub-plans for traffic, communications, safety operations, etc.

Incident Commander (IC) – The individual responsible for the management of all incident operations at the incident scene.

Incident Command Post (ICP) – The field location at which the primary tactical-level, on-scene command functions are executed. The ICP may be co-located with other incident facilities.

Incident Command System (ICS) - An integral tool for managing a critical incident. Which is designed to control personnel, equipment, supplies and communications at the scene of a critical incident involving one or more agencies for any emergency, regardless of type or size.

Incident Management Team (IMT) – The Incident Commander and appropriate Command and General Staff, as defined by this directive, assigned to the incident.

Information Officer (IO) – A member of the ICS command staff responsible for contact with the media or other agencies requiring direct information. There is only one IO per incident.

Joint Information Center (JIC) - A facility established to coordinate all incident-related public information activities. It is the central point of contact for all news media at the scene of the incident. Public information officials from all participating agencies should collocate at the JIC.

Liaison Officer (LO) – A member of the ICS command staff responsible for coordinating with representatives from cooperating and assisting agencies.

Managers – Under NIMS/ICS, individuals who are assigned specific responsibilities for certain activities; e.g. Staging Area Manager.

National Incident Management System (NIMS) - Provides a consistent nationwide approach for federal, state, local and tribal governments; the private-sector and nongovernmental organizations to work effectively and efficiently together to prepare for, respond to, and recover from domestic incidents, regardless of cause, size or complexity and for interoperability and compatibility among federal, state, local and tribal capabilities,

Operational Period – The time set for a given set of actions as specified in the Incident Action Plan. Can be of various lengths, but usually not over 24 hours.

Policy Group – Comprised of the County Manager, Sheriff, Emergency Management Director, etc.

Safety Officer (SO) – A member of the ICS command staff responsible for monitoring and assessing safety hazards or unsafe situations and for developing measures for ensuring the safety of assigned personnel.

Span of Control – The number of individuals a supervisor is responsible for, usually expressed as a ratio of supervisors to individuals. (Under NIMS, the recommended span of control is between 1:3 and 1:7)

Staging Area – Location (s) during an incident where resources can be placed while awaiting tactical assignment.

Transfer of Command – The process of moving the responsibility for incident command from one Incident Commander (IC) to another. It should be recognized that transition of command on an expanding incident is to be expected and the transfer does not reflect upon the competency of the current IC.

Unified Command – An application of NIMS/ICS used when there is more than one agency with incident jurisdiction or when incidents cross political jurisdictions. Agencies work together through the designated members of the UC, often the senior person or CEO from agencies and/or disciplines participating in the UC, to establish a common set of objectives and strategies and a single IAP. Unified Command allows agencies with different legal, geographic, and functional authorities and responsibilities to work together effectively without affecting individual agency authority, responsibility, or accountability.

Unity of Command – The principle that a subordinate reports to only one supervisor at any given time, providing a clear channel of authority and accountability.

PROCEDURE:

The Sheriff derives his authority to take action in emergency situations from Florida State Statute 30.15 (6)

The Sheriff retains responsibility for planning, organizing and directing all law enforcement activities during an emergency occurring within Monroe County.
[CALEA 46.1.1]

NIMS/ICS is a standardized management tool for meeting the demands of small or large emergency or non-emergency situations and ensures command, control and coordination of resources.

The concept of “Incident Command” is practiced routinely by both law enforcement deputies and supervisors as they respond daily to citizen calls for service:

- Small incidents are resolved by the on-scene deputy and/or supervisor as they respond to citizen calls for service.
- Larger, or more serious incidents, result in many deputies and/or units functioning under the command of a designated “Incident Commander”, who may elect to handle all elements of the NIMS/ICS, or appoint one or more persons to assist him/her.

NIMS/ICS may be used for planned events, or for a large range of critical incidents such as natural and man-made disasters, civil disturbances, mass arrests, bomb threats, hostage/barricaded person situations, acts of terrorism, and other unusual incidents.

Although the very nature of such unusual incidents preclude addressing every aspect of a given occurrence, additional information specific to these respective incidents are addressed within sections of this plan.
[CALEA 46.1.2]

NIMS/ICS operations are predicated upon the principles of:

- Protecting life and providing for the safety of emergency responders and the public;
- Stabilizing the incident by developing a strategy that will minimize the effect it has on the surrounding area,
- Conservation of property by minimizing the effect(s) on the environment while accomplishing the action plan developed to bring closure to the incident.

NIMS/ICS provides:

Unified Command – A common organizational structure across all agencies that can expand and contract as dictated by the situation, including:

- A modular organization

- A unified command structure
- Common terminology; e.g. during radio communications and for functional identities

Standardized emergency management principles that work across all types of emergency incidents, including:

- Integrated Communications
- A manageable span of control and unity of command
- Creation and distribution of Incident Action Plans in a common format
- Comprehensive resource management

Initial Action

Critical incidents must be managed by a sense of order, and in most cases, the first supervisor responder/incident commander must achieve order from chaos before life, safety or incident stabilization can occur.

The first responding supervisor must establish immediate control over all public safety responders, who, in turn will assist in gaining control over the general public.

First responding supervisors perform the following functions when responding to any unusual or critical incident:

- Assess the situation
- Notify communications of the incident
- Request any necessary assistance from Office resources or other agencies
- Establish a command post and staging area, if necessary.
- Initiate the NIMS/ICS
- Assume the role of the Incident Commander until relieved by a supervisor.

Incident Commander can change from agency to agency and is based upon how the incident develops or decreases. Changing the IC must be an orderly process, and a debriefing should

be done prior to a new Incident Commander assuming control, For Example:

- Fire and entrapment incidents places the Senior Fire Department Official in charge.
- Medical response places the Senior EMT in charge at the scene.
- All other incidents, including emergency disaster, fall under the Sheriff's Office

Secondary Response

Secondary responding personnel will follow the functions listed below as they respond to the critical or unusual incident:

- Assist responders - Respond as assigned and notify the Incident Commander upon arrival
- Dispatch personnel - will assign assistance as required and notify the proper supervisor personnel to respond.

Expanding The NIMS / ICS

The NIMS/ICS allows for the transfer of command to a more senior deputy when a senior deputy deems it necessary.

In the event a transfer of command takes place, it should be done in person and only after a detailed briefing has taken place.

The NIMS/ICS structure allows for the expansion of the system in order to deal with developing situations.

INCIDENT COMMAND STRUCTURE

The NIMS/ICS structure is extremely flexible and has the ability to expand or contract to meet demands faced in resolving an incident regardless of size of complexity.

The Incident Commander is responsible for overall incident management and oversees the functional areas of NIMS/ICS, which include:

- Command,
- Operations,

- Planning,
- Logistics, and
- Finance and Administration

INCIDENT COMMANDER

All events have an Incident Commander who is responsible until authority is transferred to another. The Incident Commander is responsible for activating the NIMS/ICS, designating staff, as necessary, and the subsequent management of all incident operations at the incident scene, including, but not limited to:

- Ensuring incident safety,
- Establishing an ICP
- Obtaining a briefing from the prior IC and/or assessing the situation,
- Establishing immediate priorities and directing initial arriving resources, [CALEA 46.1.3.a],
- Determining incident objectives and strategy (ies) to be followed,
- Establishing a staging area, when necessary, and maintain accountability for the safety of personnel and the public and for task accomplishment, and [CALEA 46.1.3 e, CALEA 46.1.3 g]
- Establishing the level of organization needed, and continuously monitoring the operation and effectiveness of that organization,
- Maintaining an effective span of control. In emergency planning, effective span of control is considered to be three to seven persons, with five being the optimal assignment; however, under less than ideal circumstances, the span of control may exceed these guidelines for short durations, as deemed necessary by the IC.
- Managing planning meetings, as required,
- Approving and implementing the Incident Action Plan (IAP) based on the concept of Management by Objectives,
- Coordinating the activities of the NIMS/ICS Command and General Staff,

- Approving requests for additional resources or for the release of resources, [CALEA 46.1.3 c]
- Establishing necessary liaison with other agencies and the Emergency Operations Center (EOC) or Sub-EOC, when activated. [CALEA 46.1.3 d]
- Directing the expansion or contraction of the NIMS/ICS organization based on the three priorities of life safety, incident stability and property conservation and activating other sections, as needed, e.g. Operations, Planning, Logistics or Finance/Administrative Sections.
- Identifying contingencies, which may affect ongoing operations and plan accordingly, making necessary notifications and requesting resources that could reasonably be expected to offset contingent actions.
- Ordering demobilization of the incident when appropriate,
- Ensuring incident after-action reports are complete.
- Transferring the command in an orderly manner and briefing the incoming commander on the incident status.

TRANSFER OF COMMAND

There are five important steps in effectively assuming command of an incident in progress:

STEP 1: The incoming IC should, if at all possible, personally perform an assessment of the incident situation with the existing IC.

STEP 2: The incoming IC must be adequately briefed by the current IC; the briefing will cover the following:

- Incident history
- Priorities and objectives
- Current plan (written or oral, depending on incident size, requirements)
- Resource assignments
- Incident organization
- Resources ordered/needed
- Facilities established
- Status of communications
- Any constraints/limitations

- Incident potential
- Delegation of authority

Use of ICS Form 201 will expedite exchange of the above information and provide written documentation of the incident.

STEP 3: Determine appropriate time for transfer of command

STEP 4: At the appropriate time, notice of change in IC shall be made to:

- Sheriff, Undersheriff and appropriate Bureau Chief via Central Communications
- ICS Command Staff, if designated
- ICS General Staff, if designated
- All incident personnel.

STEP 5: The incoming IC may give the outgoing IC another assignment within the incident thus providing the outgoing IC with first-hand knowledge at the incident site. In addition, this strategy allows the initial IC to observe the incident progress and gain experience for future critical incidents.

COMMAND STAFF

[CALEA 46.1.3]

Command Staff is assigned to carry out staff functions needed to support the Incident Commander and those not specifically identified in the General Staff functions.

These positions include designation of Liaison Officer (LO), a Safety Officer (SO) and an Information Officer (IO).

Additional assistants and command staff positions may be assigned, as determined by the Incident Commander.

The Command function addresses the following areas:

- Activating the incident command system [CALEA 46.1.3 a]
- Establishing a command post [CALEA 46.1.3 b]
- Initiating the notification and mobilization of additional agency personnel [CALEA 46.1.3 c]
- Obtaining support from other agencies [CALEA 46.1.3 d]

- Establishing a staging area, if necessary [CALEA 46.1.3 e]
- Providing public information and maintaining media relations [CALEA 46.1.3 f]
- Maintaining the safety of all affected personnel [CALEA 46.1.3 g]
- Preparing a documented after action report [CALEA 46.1.3 h]

GENERAL STAFF

General Staff is comprised of the respective Section Chiefs who oversee the remaining four functional areas of ICS: Operations, Planning, Logistics and Finance and Administration. The General Staff forms the incident management team and is responsible for reporting to the Incident Commander the status and needs of the following functions under their respective control:

OPERATIONS SECTION

[CALEA 46.1.4]

Operations Section Chief will address the following:

- Establish Perimeters [CALEA 46.1.4 a]
- Ensure the safety of assigned personnel
Conduct Evacuations [CALEA 46.1.4 b]
- Maintain command post and scene security [CALEA 46.1.4 c]
- Provide for detainee transportation, processing and confinement [CALEA 46.1.4 d]
- Direct and controlling traffic [CALEA 46.1.4 e]
- Conduct post-incident investigation[s] [CALEA 46.1.4 f]
- Direct and coordinate all tactical operations as required by the primary mission
- Request (or release) resources with the acknowledgement of the IC
- Implement the activities specified in the IAP.
- Keep the IC advised of the status of the situation and resources; resources are considered either:

- “Assigned” (to carry out some specific task),
- “Available” (in a staging area), or
- “Out of service” (for rest and recuperation).

PLANNING SECTION

[CALEA 46.1.5]

The Planning Section Chief is responsible for the collection, evaluation, dissemination and use of information about the development of the incident and the status of resources. The Planning Chief will address the following:

- Prepare a documented Incident Action Plan, which defines response activities and use of resources for a specified period of time [CALEA 46.1.5 a]
- Gather and disseminate information and intelligence [CALEA 46.1.5 b]
- Plan post-incident demobilization [CALEA 46.1.5 c]

The Planning Chief will be responsible for all aspects of the planning meeting.

LOGISTICS SECTION

[CALEA 46.1.6]

The Logistics Section provides manpower, facilities, services, and materials in support of the critical incident. The Logistics Chief will address the following:

- Communications [CALEA 46.1.6 a]
- Transportation [CALEA 46.1.6 b]
- Medical support [CALEA 46.1.6 c]
- Food Services and supplies [CALEA 46.1.6 d]
- Specialized team and equipment needs [CALEA 46.1.6 e]

In a large-scale and/or long term incidents, the Logistics Section Chief will identify a logistics base of operation. The Section may be further divided into support and service branches with subordinate units to provide facilities, ground support (vehicle/equipment repair), and a medical unit for the care of assigned personnel.

Logistics personnel shall develop a plan that will provide the necessary resources through the duration of the event/incident.

FINANCE/ADMINISTRATION SECTION

[CALEA 46.1.7]

The Finance/Administration Section Chief oversees:

- Recording personnel time [CALEA 46.1.7 a]
- Procuring additional resources [CALEA 46.1.7 b]
- Recording expenses [CALEA 46.1.7 c]
- Documenting injuries and liability issues [CALEA 46.1.7 d]
- Any other cost analysis/recuperation activities and compensation/claims

The Finance Section Chief is responsible for tracking incident costs and reimbursement accounting.

In large-scale and/or long-term incidents the Finance/Administration Section may be further divided into individual Time, Procurement, Compensation/Claims and Cost Units.

Some functions are especially important in order to provide documentation if the incident results in a *Disaster Declaration* and for the establishment and monitoring of cost-sharing agreements.

ACTIVATION OF THE NIMS / ICS

With a decision to implement the NIMS/ICS by the Bureau Chiefs or the Undersheriff, the Incident Commander may:

Identify a Safety Officer (SO), an Information Officer (IO) and a Liaison Officer (LO)

If this occurs, the SO is responsible for:

- The immediate safety of assigned personnel
- Correct unsafe acts through the chain of command; however, the SO may exercise emergency authority to stop unsafe acts when such action is immediately required to protect life.

The IO is responsible for:

- The agency's Public Information Officer will function in this role and will function as the agency's JIC liaison whenever the Unified Area Command is activated.

The LO is the primary contact for coordinating with agencies assisting in an incident. The LO will coordinate with the agency's Legal Advisor (if not already functioning in that capacity), who shall function as the agency's Court and Prosecutorial Liaison and advise the Sheriff on all legal matters.

With a decision to implement the NIMS/ICS by the Bureau Chiefs or the Undersheriff, the Incident Commander shall:

- Ensure notifications to the chain of command are instituted in accordance with existing procedures.
- Retain the elements of the Incident Command process unto himself/herself, or appoint one or more Section Chiefs to carry out the General Staff functions, if necessary, for the coordination of incoming resources.
- Oversee the development and implementation of an Incident Action Plan (IAP) to resolve the event/incident.
- Refer to existing written directives, Office's Emergency Operations Plan, the County's Comprehensive Emergency Management Plan (CEMP), and the Florida Incident Field Operations Guide.
- Consider the immediate implementation of emergency staffing configurations to better provide personnel and other resources.
- For short-term events, the IAP need not be written. A written plan is required when:
 - Resources from multiple agencies from within or outside the County are used.
 - Several jurisdictions are involved.
 - The incident is complex; i.e. changes in shifts of personnel or equipment are expected/required.
- If not already operating in that mode, ensure that all radio communications take place in "plain talk".
- Direct Communications to establish a radio channel to initially handle the event,

- Ensure that Communications advises any responding agencies of the channel being used,
- Remain mindful that electronic data communications (CAD to MDT) are not available to all agencies responding to a request of mutual aid assistance.
- Follow direction from the Area Command upon activation.
- The IC is responsible at the scene, while the Area Command is responsible for countywide or multiple jurisdictional activity.
- There can be more than one scene, and thus, more than one Incident Command Team reporting to the Area Command.
- Consider activation of Tactical Teams (SWAT, Bomb Disposal, Dive), as needed.
- At the appropriate time, plan for an orderly demobilization of all resources and the gathering of necessary documents and materials to provide the ability to closely review and evaluate operations.
- Command protocol will exist at all stages of the NIMS/ICS command structure and during the administration of the incident.
- Commanders shall be assigned as needed to ensure adequate supervision and authority, considering the need for rest and recuperation.
- Principles of span of control, unity of command and unified command shall be followed during NIMS/ICS operations.
- Incident Commanders will cooperate fully when functioning in a unified command mode.
- Various standard NIMS/ICS forms are available for use by the IC and functional Section Chiefs in order to manage the incident in an organized manner. These forms are available on Monroe County Sheriff's Office Intranet.

UNIFIED COMMAND UNDER NIMS/ICS

The National Incident Management System and the Incident Command System are designed to expand to include other county services, other jurisdictions, both inside and outside of the

county, and state and federal agencies, should the situation(s) dictate.

One or more functions of the NIMS/ICS structure may be placed into operation, as needed.

The incident command structure within this directive describes the Law Enforcement Branch of operations as represented by the Monroe County Sheriff's Office. Similar branches and sections exist for other services such as Fire/Rescue, medical, health and other support services.

Refer to Attachment A: *Unified Command Structure* for a sample diagram depicting the Unified Command concept for a major incident. In such cases, all agencies contribute to the command process and the management of resources in achieving the objectives of the Incident Action Plan (IAP).

In large-scale events, an Area Command may be established to coordinate the response to multiple events/incidents. The agency's Public Information Officer will function as the agency's Joint Information Center liaison whenever the Unified Area Command is activated.

LEGAL CONSIDERATIONS

The Sheriff or his/her deputies shall suppress tumults, riots, and unlawful assemblies and have the authority to raise the power of the county and command any person to assist them, when necessary.

The Monroe County Sheriff's Office shall act within the scope and authority provided in Chapters 30 and 870, Florida State Statutes.

The Sheriff may authorize the declaration of a state of emergency.

F.S. 870.043

Whenever the Sheriff or designated city official determines that there has been an act of violence or a flagrant and substantial defiance of, or resistance to, a lawful exercise of public authority and that, on account thereof, there is reason to believe that there exists a clear and present danger of a riot or other general public disorder, widespread disobedience of the law, and substantial injury to persons or property, all

of which constitute an imminent threat to the public peace or order and to the general welfare of the jurisdiction affected or a part or parts thereof, he/she may declare that a state of emergency exists within that jurisdiction or any part or parts thereof.

F.S. 870.044

The following acts are prohibited during the period of a state of emergency:

1. The sale of firearms or ammunition;
2. The display of firearms or ammunition by or in any store or shop;
3. The possession of a firearm in a public place, except by law enforcement or military personnel.

F.S. 870.045

During a state of emergency the Sheriff may order and promulgate all or any of the following in whole or in part:

1. Establish curfews, prohibit or restrict pedestrian or vehicular movement;
2. Prohibit the sale and distribution of alcoholic beverages;
3. Prohibit the possession of alcoholic beverages in a public place;
4. Close places of assemblage;
5. Prohibit the sale of gasoline or flammable or combustible liquids, except by delivery to gas tanks properly attached and necessary for propulsion;
6. Prohibit the possession of portable containers containing gasoline or any flammable or combustible gas;

The Sheriff shall upon activation of Monroe County's Comprehensive Emergency Management Plan (CEMP), coordinate all law enforcement activities in the County.

As the chief law enforcement official in Monroe County, Florida, the Sheriff shall exercise command and control over all law enforcement

resources committed to unusual occurrence/ large-scale critical incident operations within Monroe County, Florida.
[CFA 20.04]

MARTIAL LAW

All requests for military support shall be made through the Sheriff, in compliance with State Statute.

F.S. 250

Chapter 250 F.S. identifies the power of the Governor to preserve the public peace, execute the laws of the State, suppress insurrection, repel invasion, and respond to an emergency or imminent danger thereof.

DOCUMENTATION AND TRAINING

[CALEA 46.1.9]

Activation of the National Incident Management System and the Incident Command System requires the preparation of a written After-Action Report. [CALEA 46.1.3 h]

The report, explaining and evaluating the activation may either be separate from the standard after-action report required by existing directives, or it may be included as an identified section within the larger report about the incident/event.

If separate, it shall be submitted by the Incident Commander via chain of command to the Sheriff within fifteen (15) days of the conclusion of the event.

All personnel who may be called upon to participate in an event or incident as part of the All-Hazard Plan, should receive annual training to include tabletop, actual scenario exercises, and multiple agency involvement. The Training Division will document all such training.
[CALEA 46.1.9]

Each Deputy with the rank of Lieutenant and above shall be issued and will maintain a current up-to-date hard-copy of the All-Hazards Plan.

Electronic access to the plan will be available to all personnel through the agency's intranet.

EMERGENCY PLANNING

DEVELOPMENT

The MCSO is responsible for developing and maintaining an All-Hazards Plan in addition to and in augmentation of those provided in Monroe County's Comprehensive Emergency Operations Plan (CEMP) and to participate in any relevant Monroe County Emergency Management exercises.

The Sheriff assigns the task of developing and planning the office's response to critical incidents to the Undersheriff.
[CALEA 46.1.1]

Elements of the Comprehensive Emergency Management Plan shall be reviewed, coordinated and updated annually as required by the Florida Division of Emergency Management under the rules of the Florida Administrative Code.

The Bureau of Law Enforcement Chief or his/her designee shall be responsible for this review and will coordinate revisions as necessary, with Emergency Management Staff.

A current copy of the All-Hazards Plan shall be available in the Mobile Command Post via the webpage at keysso.net.

RESOURCE AVAILABILITY & READINESS

The Law Enforcement Bureau Chief or designee shall annually prepare a list of emergency equipment and resources used in emergency operations. This list shall show the numbers and locations of equipment and resources and shall be submitted annually to the Florida Department of Law Enforcement for inclusion in the State's Manpower, Assets and Resource System (MARS).

The Commander of the Division to which emergency equipment is assigned shall ensure that equipment for use in emergency operations is inspected quarterly and kept in good working order to ensure operational readiness.
[CALEA 46.1.8] [CFA 20.02]

UNUSUAL OCCURRENCES

With all unusual occurrences, including natural and man made disasters, civil disturbances,

emergency mobilization, mass arrest, contingency planning for emergency situations at all Monroe County Detention Centers, and planning for the aid to other jurisdictions in unusual occurrence situations, the Undersheriff and the involved Bureau Chief shall coordinate with all the District/Division Commanders, the Inspector General, the Office's General Counsel, and the Community Relations Director to formulate and annually update written unusual occurrence plans.

Each unusual occurrence plan shall address the following:

- Communications
- Field command posts
- Situation maps
- Supervisory authority to include all agencies or components involved
- Military support
- Traffic control
- Facility security
- Equipment requirements
- De-escalation procedures
- Court and prosecutorial liaison
- Legal authority
- Arrest, processing, transportation and confinement procedures
- Medical treatment
- Transportation
- Post-occurrence duties
- After-action reports
- Training
[CFA 20.01 A-Q]

Each unusual occurrence plan shall also include specific provisions and identify the position (s) responsible for the following:

- Casualty information
- Rumor control
- Community relations
- Public information
[CFA 20.03 A-D]