

Tampa Police Department

Standard Operating Procedures



November 22, 2011

302 LIMITED ENGLISH PROFICIENCY AND LANGUAGE ACCESS PLAN

I. PURPOSE: The purpose of this directive is to establish guidelines for the successful and correct communications between department personnel and limited English proficiency individuals in the community that we serve. All Tampa Police Department personnel shall provide free language services assistance to Limited English Proficiency (LEP) persons encountered or whenever an LEP person requests language services assistance. Department personnel will inform the public that free language assistance services are available and provide those services to LEP individuals.

II. DISCUSSION: The Tampa Police Department recognizes the importance of effective and accurate communication between its personnel and the community it serves. Language barriers can sometimes inhibit or even prohibit individuals with Limited English Proficiency (LEP) from accessing and/or understanding important rights, obligations, and services, or from communicating accurately and effectively in difficult situations. Hampered communication with LEP victims, witnesses, suspects, and community members can present the department with safety, evidentiary, and ethical challenges. Every effort to ascertain an individual's primary language will be made to ensure effective communication. Ensuring maximum communication ability between law enforcement and all segments of the community serves the interest of both.

I-Speak cards are posted in every police building with public access and extra forms are available in each district for officers to use in the field. Contracted in-person interpretation services shall be available to all personnel when interacting with LEP individuals. Supervisors are given liberal authority to approve the use of interpretation services to facilitate communications in the field. The communications center will be the central conduit for connecting personnel in the field to an appropriate interpreter.

III. DEFINITIONS:

A. Primary Language: An individual's native tongue or the language in which an individual most effectively communicates.

B. Limited English Proficiency (LEP): An individual whose primary language is not English and who has limited ability to read, write, speak, or understand English. LEP persons may be competent in certain types of communication (e.g., speaking or understanding), but still be LEP for other reasons such as reading or writing. Similarly, LEP designations are context specific: an individual may possess sufficient English language skills to function in one setting; however, these skills may be insufficient in other situations.

C. Interpretation: The act of listening to a communication in one language (source) and restating the words in another language (target) while retaining the same meaning.

- D. Translation: The replacement of written communication from one language (source) into an equivalent written communication in another language (target).
- E. Bilingual: The ability to use two languages with the same fluency.
- F. I-Speak Cards: Language identification cards that can be used to help an individual obtain interpretive services.
- G. Language Access Plan Coordinator (LAPC): The department's Hispanic Liaison responsible for coordinating and implementing all aspects of the department's Language Access Plan.

IV. PROCEDURE:

A. Call-Taker Responsibilities:

1. When a call-taker (911 or non-emergency) receives a call and determines the caller is LEP, to the best of their ability he/she will inform the LEP caller that an interpreter will be located and remain on the line. If an interpreter in the communications center is not readily available to assist, the call-taker will immediately connect with the 911 Language Line service. Once establishing a conference between the call-taker, LEP caller, and interpreter, the call-taker shall process the call (through the interpreter) by following the policies used for all calls for service.
2. For calls determined not be an emergency, the call-taker will locate an interpreter in the communications center (when present) to further process the call or if none are *on* duty, dispatch an officer to the scene to further assist the LEP caller.
3. When communications personnel interpreted a call, the bilingual call-taker will document it by logging it into the CAD system.

B. Dispatcher Responsibilities:

1. The dispatcher will review the list of interpreters available to respond to a call when a specified language interpreter is needed. An officer will be dispatched, even if the officer must be released or reassigned from a lower priority call. If there are no interpreters available within the district of the LEP call, the dispatcher will send a CAD message request to other district dispatchers. An officer from another assigned area will be dispatched after notifying the officer's supervisor of the need for an interpreter.

2. If no interpreters are on duty, an officer will be dispatched to handle the call and evaluate the need for an interpreter service to be called out.
3. When an officer in the field requests an interpreter, the procedure listed in #1 above will be followed.

C. Officer/Responder or Investigator Responsibilities:

1. Attempt to identify the LEP individual's primary language or sign language, use I-Speak cards if necessary.
2. Whether on an emergency or non-emergency call, request an interpreter through your assigned dispatcher.
3. If there are no interpreters on duty, the officer must immediately contact his/her supervisor for approval to use a contracted interpreter or sign language service. Upon approval, the officer will contact the communications center supervisor for assistance. The contracted in-person interpreter should be on location within two hours from the time of notification.
4. Examine the interpreter's employee identification. Record the interpreter's name, company affiliation, arrival, and departure times on the investigative report.
5. Develop and ask any questions through the interpreter. All services will adhere to established confidentiality clauses. Under no circumstances will an interpreter independently question an LEP individual. The interpreter's role is to serve as a neutral third party with no perspective.
6. If the officer/investigator believes that there is any conflict of interest or bias by the interpreter, the officer/investigator shall consult with their immediate supervisor. The supervisor will decide if another interpreter is warranted. If another interpreter is requested, the supervisor will submit a memorandum to the department's LAPC and make note on the daily incident log.
7. Whenever interpreter services either are used by department personnel or contracted services, the requesting officer must log it in the call via MDT as a Special Service request. Additionally, the interpreting party using the same method will track walk-ins to the district.
8. During the course of handling a call for service or investigation involving an LEP person, the officer/investigator may use his/her own bilingual skills, available translation website – www.translate.google.com – on the MDT, the online Hispanic Magazine, an interpreter, or the contracted

interpreter service. An additional resource to assist an LEP person is the Tampa Police Hispanic Magazine located on the department's website – www.tampagov.net – under information resources in Español.

9. Should an investigator need a note, letter, or other document translated for an investigation, a memo will be forwarded to the Special Support Division commanding officer, via the investigator's chain of command, with a copy of the original note, letter, or other document in need of translation.

D. Communications Supervisor Responsibilities:

1. Upon request, the communications supervisor will contact the applicable contracted interpreter or sign language services with the nature and location of the request and notify the officer with the estimated time of arrival.
2. Language interpretation services rendered by language line services, communications personnel, officers in the field, and contracted in-person interpreters will be extracted and compiled in a report by an assigned communications supervisor, which will be submitted monthly to the Special Support Division Commander.

E. Exigent and Non-Exigent Circumstances:

1. Personnel are expected to follow the general procedures outlined in this directive; however, exigent circumstances may require some deviation. In such situations, personnel are to use the most reliable, temporary interpreter available. Examples may include the need to obtain descriptive information on a fleeing suspect or identifying information of an injured person. Once an exigency has passed, all personnel are expected to revert to the general procedures outlined herein.
2. In situations other than exigent circumstances, personnel should only use family, friends, or bystanders for interpreting informal, non-confrontational context, and only to obtain basic information at the request of the LEP individual. Using family, friends, or bystanders to interpret could result in the breach of confidentiality, a conflict of interest, or an inadequate interpretation. Barring exigent circumstances, personnel should not use minor children to provide interpreter services.

F. Telephone Calls to Other Department Personnel:

1. Personnel receiving a telephone complaint from an LEP individual and are unable to determine the nature of the call or language of the person will immediately determine if an interpreter is readily available in their

assigned work area. If an interpreter is not present, transfer the call to the communications center. Remain on the line to provide as much information as possible to the answering communications technician. The caller should not be placed on hold.

G. Interrogation, Interviews, and Complaints:

1. Criminal Interrogations and Crime Witness Interviews potentially involve statements with evidentiary value upon which a witness may be impeached in court. As such, accuracy is a priority. A failure to protect the rights of LEP individuals during arrests and interrogations presents risks. Personnel must recognize that miscommunication during interrogations or witness interviews may have a substantial impact on the evidence presented in any related criminal prosecution. An interpreter shall be used for any interrogation or taking of a formal statement where the suspect or witness' legal rights could be adversely impacted.
2. Miranda Warnings and all other vital written materials will be available to the suspect or witness in his or her primary language. In the case of a language into which forms have not been translated or in the case of illiteracy, forms will be read to the suspect or witness in his or her primary language using an interpreter.
3. Complaint Procedures for LEP Persons: any LEP individual who wishes to file a complaint with the Tampa Police Department regarding language access or the discharge of law enforcement duties shall be provided with the translated Internal Affairs Bureau (IAB) complaint forms. IAB will provide written notice of the disposition of any LEP complaint in the complainant's primary language.

H. Accessing Document Translation Services:

1. The department shall maintain translated written forms and documents for the benefit of LEP individuals. The LAPC and Special Support Division Commander will classify the forms as vital or non-vital. Vital documents will then be translated into languages determined by the LAPC and SSD commander via demographic data and feedback from community based organizations. The Evidence Control Section will be responsible for storage and distribution of these forms, which are offered for use by LEP individuals.
2. In the case of illiteracy or languages into which materials have not been translated, such forms and documents will be translated for an LEP individual in their primary language using an interpreter. Though SSD is the central conduit for document translation, all personnel shall have access to this by identifying a document or form in need of translation and

forwarding a memo through their commanding officer to the commander of the SSD and LAPC. The LAPC will confirm the need for translation then process the request through the appropriate vendor.

I. Notifying the Public:

1. Signage: At each department building entry point or lobby, signage in the most common foreign language (Spanish) will be posted stating that interpreters are available free of charge to LEP individuals. Commanders of each division with public access will ensure the posting of signage is maintained and visible to the public.

J. Training Bureau Responsibilities:

1. Mandatory training regarding LEP policies will be conducted for new recruits, at in-service training, and at roll calls for officers at least every two years.
2. The LAPC will ensure that the competency of an authorized department interpreter is assessed using a structured survey tool, which will be conducted annually.

K. Special Support Division Commander Responsibilities:

1. Annual review of all new documents to assess whether they should be vital documents and translated.
2. In consultation with the Chief of Police, LEP contacts will be collected, demographic data assessed, contracted language access services reviewed, and community based organizations consulted for meaningful access to LEP persons to the services and benefits of the department provided all in all law enforcement duties.

Supersedes SOP 302, 12/09.

303 PARKING VIOLATION NOTICE

I. DEFINITION:

- A. Parking Violation Notice: A three-part form used for officially notifying a motorist that parking regulations have been violated, the fine for such violation, and the procedure for paying the fine.

II. PROCEDURE:

A. Citing the Offender:

1. Parking Violation Notices will be obtained and signed for in the officer's respective division.
2. Upon issuing a Parking Violation Notice, the officer will insert the yellow (second copy) information copy inside the yellow envelope and attach the envelope to the vehicle in a conspicuous place, preferably under the windshield wiper.
 - a. A parking citation issued on a rotation impound vehicle will be attached to the yellow, owner copy of the impound report. The owner will receive this copy and the citation when he claims the vehicle.
3. The original, first (white) copy of the Parking Violation Notice will be delivered by the officer to the in-basket of each District, where they are accumulated and routed to the Parking Division via Departmental Mail. The accumulated copies of Parking Violation Notices will be placed in a mailing envelope and routed to: City Parking Enforcement, Mail Code 375D.
4. Upon termination of employment of any officer, all unused Parking Violation Notices in the officer's possession will be turned in to his immediate supervisor, who will return the unused notices to the division storage location for re-issue/issue to another officer.

B. Cancellation:

1. To request cancellation of a Parking Violation Notice received by Departmental personnel while on official police business, the employee receiving the notice will submit it for cancellation to his immediate supervisor, along with a brief explanation justifying the request.
 - a. Only those notices received for violation of a metered parking space will be cancelled. This does not include those prohibited-metered spaces in the vicinity of the

downtown headquarters building. Parking violations in Loading Zones, No Parking Zones, etc., will not be cancelled unless some exigent circumstance necessitated parking there.

- b. Employees receiving Parking Violations Notices meeting the above criteria must turn them in for cancellation as soon as practical.
2. Upon approval of the immediate supervisor, the Parking Violation Notice and explanation will be properly routed to the Division Commander.
 3. Upon approval to cancel the Parking Violation Notice by the Division Commander, such Commander will initial the Parking Violation Notice in the space immediately above the number on the main portion of the notice.
 4. Those Parking Violation Notices appropriately approved for cancellation by the Division Commander will be submitted to their respective Assistant Chief's Office each Friday prior to 1700 hours.
 - a. Division Commanders may keep whatever record they feel necessary on Parking Violations Notices submitted for cancellation.
 5. Each Monday, each Assistant Chief will cause a "City of Tampa Parking Meter Violation Report and Request for Cancellation" form to be completed listing those notices received and forward the notices and cancellation form to the Office of the Director of the Parking Division.

C. Voiding:

1. To request the voiding of a Parking Violation Notice issued by an officer in error, or damaged, the requesting officer will write the word "void" across the face of the notice, secure all three parts of the form together, and submit the three parts of the Parking Violation Notice to the officer's immediate supervisor along with an explanation justifying the request.
2. The immediate supervisor will cause the three-part form to be routed to City Parking Enforcement, Mail Code 375D.

Supersedes SOP 303, dated 1/99.

307.6 MILITARY DESERTERS AND AWOLS:

I. Procedure:

- A. If a computer generated “hit” is received regarding a military deserter or one who is reported Absent Without Leave (AWOL), verify it by telephoning one of the following service representatives:
1. Army:
U.S. Army Deserter Information Point
Ft. Benjamin Harrison, Indiana
Call collect: (502) 626-3711
 2. Navy:
U.S. Navy Information Point
Washington, D.C.
1-800-336-4974
 3. Marine Corps:
Commandant
U.S. Marine Corps, Arlington, VA
Call collect (703) 696-2031, 2032
 4. Air Force:
MacDill Air Force Base
Security Police
6 SPS 7813 Hangar Loop Drive
MacDill AFB, FL 33621
(813) 828-3322
- B. If the “hit” is not confirmed as being active by one of the military service representatives, take no further action to apprehend the subject on the military warrant.
- C. If the “hit” is active, complete a Criminal Report Affidavit listing the offense as “Deserter” or “AWOL” followed by the branch of service concerned, i.e., “Deserter – U.S. Army.” The words “Administrative Pick-up” will be placed in the space provided for the statute number. Indicate in the probable cause section that the pick-up was based upon a military flyer or NCIC “hit” and importantly, the name and rank of the person confirming the “hit.” If a copy of the “hit” or flyer is available, attach it to the affidavit. If not, list the name and rank of the person who confirmed the warrant on the affidavit in the same manner as an officer would complete an affidavit for a warrant or capias.

- D. It is not necessary that the officer originate an offense report; however, a report number will be obtained regardless.
- E. If the officer does originate an offense report, it will be entitled “Military Deserter” or “Military AWOL” followed by the branch of service, i.e., “Military Deserter – U.S. Army.”

Supersedes SOP 307.6, dated 6/02.

307.7 CAREER CRIMINALS¹:

- I. PURPOSE: To establish a procedure for targeting those individuals which meet the criteria for enhanced prosecution under the Federal Armed Career Criminal Code or Florida State Statutes.
- II. DISCUSSION: Criminal justice studies have revealed that approximately 6 percent of the criminals (habitual offenders) commit approximately 70 percent of all violent crimes; thus, when habitual offenders are targeted for enhanced prosecution techniques and receive long term prison confinement, a significant reduction in crime will be the result. Successful prosecution with a tough sentencing of career criminals requires a well-coordinated and conscientious effort on behalf of all law enforcement and prosecuting agencies. The law enforcement officer represents the first vital link in the successful prosecution of habitual offenders.

This procedure will provide the Tampa Police Department personnel with the necessary information to establish the required elements for successful prosecution under the Federal Armed Career Criminal Code and the various state habitual offender statutes.

III. DEFINITIONS:

- A. Federal Armed Career Criminal: As defined by Federal Criminal Code, Title 18, §924(e)(1), an Armed Career Criminal is an individual who:
 1. Is a convicted felon in manual or constructive possession of a firearm or ammunition.
 2. Has three or more convictions by any court for violent felonies, serious drug offenses, or both, committed on separate occasions from one another.
 - a. The term “violent felony” means any crime punishable by imprisonment for a term exceeding one year, or any act of juvenile delinquency involving the use or carrying of a firearm, knife, or destructive device that would be punishable by imprisonment for such term if committed by an adult, that;
 - b. Has an element, the use, attempted use, or threatened use of physical force against the person of another; or
 - c. Constitutes burglary, arson, or extortion; involves the use of explosives; or otherwise involves conduct that represents a serious potential risk of physical injury to another.
 3. The term “conviction” includes a finding that a person has committed an act of juvenile delinquency involving a violent felony.

¹ CALEA [5th Edition] 42.1.5(a)(b)

4. If convicted in Federal Court as an “Armed Career Criminal,” the offender shall be sentenced to imprisonment for not less than 15 years, and a fine of no more than \$25,000.00, with no probation or parole.

B. Violent Career Criminal (F.S. §775.084: Violent Career Criminals includes Habitual Felony Offenders, Habitual Violent Felony Offenders, and Three-Time Violent Felony Offenders.

1. Definitions:

a. Habitual Felony Offender: a defendant for whom the court may impose an extended term of imprisonment, as provided in paragraph §775.084 (4)(a), if it finds that:

1) The defendant has previously been convicted of any combination of two or more felonies in this state or other qualified offenses.

2) The felony for which the defendant is to be sentenced was committed:

a) While the defendant was serving a prison sentence or other sentence, or court-ordered or lawfully imposed supervision that is imposed as a result of a prior conviction for a felony or other qualified offense; or

b) Within five years of the date of the conviction of the defendant’s last prior felony or other qualified offense, or within five years of the defendant’s release from a prison sentence, probation, community control, control release, conditional release, parole or court-ordered or lawfully imposed supervision or other sentence that is imposed as a result of a prior convictions for a felony or other qualified offense, whichever is later.

3) The felony for which the defendant is to be sentenced, and one of the two prior felony convictions, is not a violation of s.893.13 relating to the purchase or the possession of a controlled substance.

4) The defendant has not received a pardon for any felony or other qualified offense that is necessary for the operation of this paragraph.

5) A conviction of a felony or other qualified offense necessary to the operation of this paragraph has not been set aside in any post-conviction proceeding.

b. Habitual Violent Felony Offender: a defendant for whom the court may impose an extended term of imprisonment, as provided in paragraph §775.084 (4)(b), if it finds that:

1) The defendant has previously been convicted of a felony or an attempt or conspiracy to commit a felony and one or more of such convictions was for:

- a) Arson;
- b) Sexual battery;
- c) Robbery;
- d) Kidnapping;
- e) Aggravated child abuse;
- f) Aggravated abuse of an elderly person or disabled adult;
- g) Aggravated assault with a deadly weapon;
- h) Murder;
- i) Manslaughter;
- j) Aggravated manslaughter of an elderly person or disabled adult;
- k) Aggravated manslaughter of a child;
- l) Unlawful throwing, placing, or discharging of a destructive device or bomb;
- m) Armed burglary;
- n) Aggravated battery; or
- o) Aggravated stalking.

2) The felony for which the defendant is to be sentenced was committed:

- a) While the defendant was serving a prison sentence or other sentence, or court-ordered or lawfully imposed supervision that is imposed as a result of a prior conviction for an enumerated felony; or
 - b) Within five years of the date of the conviction of the last prior enumerated felony, or within five years of the defendant's release from a prison sentence, probation, community control, control release, conditional release, parole, or court-ordered or lawfully imposed supervision or other sentence that is imposed as a result of a prior conviction for an enumerated felony, 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 paragraph.
- 4) A conviction of a crime necessary to the operation of this paragraph has not been set aside in any post-conviction proceeding.
- c. Three-Time Violent Felony Offender: a defendant for whom the court must impose a mandatory minimum term of imprisonment, as provided in paragraph §775.084 (4)(c), if it finds that:
- 1) The defendant has previously been convicted as an adult two or more times of a felony, or an attempt to commit a felony, and two or more of such convictions were for committing, or attempting to commit, any of the following offenses or combination thereof:
 - a) Arson;
 - b) Sexual battery;
 - c) Robbery;
 - d) Kidnapping;
 - e) Aggravated child abuse;
 - f) Aggravated abuse of an elderly person or disabled adult;
 - g) Aggravated assault with a deadly weapon;

- h) Murder;
 - i) Manslaughter;
 - j) Aggravated manslaughter of an elderly person or disabled adult;
 - k) Aggravated manslaughter of a child;
 - l) Unlawful throwing, placing, or discharging of a destructive device or bomb;
 - m) Armed burglary;
 - n) Aggravated battery;
 - o) Aggravated stalking;
 - p) Home invasion/robbery;
 - q) Carjacking; or
 - r) An offense which is in violation of a law of any other jurisdiction if the elements of the offense are substantially similar to the elements of any felony offense enumerated in sub-subparagraphs a. – q.; or an attempt to commit any such felony offense.
- 2) The felony for which the defendant is to be sentenced is one of the felonies enumerated in sub-subparagraphs 1.a – q. and was committed:
- a) While the defendant was serving a prison sentence or other sentence imposed as a result of a prior conviction for any offense enumerated in sub-subparagraphs 1.a. – r.; or
 - b) Within five years after the date of the conviction of the last prior offense enumerated in sub-subparagraphs 1.a. - r., or within 5 years after the defendant's release from a prison sentence, probation, community control, or other sentence imposed as a result of a prior conviction for any offense enumerated in sub-subparagraphs 1.a. - r., 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 paragraph.
 - 4) A conviction of a crime necessary to the operation of this paragraph has not been set aside in any post-conviction proceeding.
- d. Violent Career Criminal: a defendant for whom the court must impose imprisonment pursuant to paragraph §775.084 (4)(d), if it finds that:
- 1) The defendant has previously been convicted as an adult three or more times for an offense in this state or other qualified offense that is:
 - a) Any forcible felony, as described in s.776.08;
 - b) Aggravated stalking, as described in s.784.048(3) and (4);
 - c) Aggravated child abuse, as described in s.827.03(2);
 - d) Aggravated abuse of an elderly person or disabled adult, as described in s.825.102(2);
 - e) Lewd or lascivious battery, lewd or lascivious molestation, lewd or lascivious conduct, or lewd or lascivious exhibition, as described in s.800.04 or s.847.0135(5);
 - f) Escape, as described in s.944.40; or
 - g) A felony violation of chapter 790 involving the use or possession of a firearm.
 - 2) The defendant has been incarcerated in a state prison or a federal prison.
 - 3) The primary felony offense for which the defendant is to be sentenced is a felony enumerated in subparagraph 1. and was committed on or after October 1, 1995, and:
 - a) While the defendant was serving a prison sentence or other sentence, or court-ordered or lawfully imposed supervision that is imposed as a result of a prior conviction for an enumerated felony; or

- b) Within 5 years after the conviction of the last prior enumerated felony, or within five years after the defendant's release from a prison sentence, probation, community control, control release, conditional release, parole, or court-ordered or lawfully imposed supervision or other sentence that is imposed as a result of a prior conviction for an enumerated felony, 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 paragraph.
- 5) A conviction of a felony or other qualified offense necessary to the operation of this paragraph has not been set aside in any post-conviction proceeding.
- e. Qualified Offense: any offense, substantially similar in elements and penalties to an offense in this state, which is in violation of a law of any other jurisdiction, whether that of another state, the District of Columbia, the United States or any possession or territory thereof, or any foreign jurisdiction, that was punishable under the law of such jurisdiction at the time of its commission by the defendant by death or imprisonment exceeding 1 year.
 - 1) For the purposes of this section, the placing of a person on probation or community control without an adjudication of guilt shall be treated as a prior conviction.

IV. PROCEDURES:

- A. Whenever an officer is investigating any type of offense involving a firearm, ammunition or weapon, which does not meet referral guidelines, the investigating officer will submit the evidence utilizing proper handling techniques.
 - 1. If necessary, the investigating officer will submit a request to the Forensic Investigations Unit to have the firearm, ammunition or weapon processed for latent fingerprints and comparison of identifiable fingerprint(s) to any known suspect(s).
 - 2. If the investigation meets referral guidelines, it will be the responsibility of the assigned detective to have the weapon processed by the Forensic Investigations Unit for latent fingerprints and comparison of identifiable fingerprint(s) to any known suspect(s).
- B. Any time contact is made with an individual who has been designated a Career Criminal, the officer will complete the required report or a field interview.

- C. As time permits, street units will conduct checks on Career Criminals living within their assigned work zones to ensure the offenders are in compliance.
- D. Case Tracking and Inter-Agency Coordination: The Criminal Tracking Unit shall be responsible for:
 - 1. Maintenance of a file and current list of Career Criminals who reside within the City of Tampa limits.
 - 2. A commitment to assist the prosecuting attorney in all phases of case preparation and prosecution, including:
 - a. Locating witnesses and victims;
 - b. Notifying officers of short notice appearances;
 - c. Assessing crime scenes and evidence processing;
 - d. Attending court proceedings when requested by the state attorney or by subpoena; and
 - e. Providing the prosecutor with any reasonable requests to ensure a successful prosecution and a maximum penalty upon conviction.
 - 3. The Criminal Tracking Unit will ensure that the prosecutor is not forced into a plea bargaining agreement due to a deficiency in the case, which was caused by or could have been corrected by the Tampa Police Department.
 - 4. The Criminal Tracking Unit will hold regular meetings with a representative from the Hillsborough County State Attorney's Office. New cases involving Career Criminals will be discussed.
 - 5. The Criminal Tracking Unit will create a "flag" for each Career Criminal in the Tampa Police Department Versadex system which will alert officers or dispatchers when they run the name of a Career Criminal through the system.

Supersedes SOP 307.7, dated 12/06.

308 TAMPA POLICE DEPARTMENT WEB SITE: MOST WANTED AND UNSOLVED CASES

- I. PURPOSE: In an effort to reach out to the public for assistance in locating wanted criminals and to gain information on cold cases; a section on the TPD Web Site has been established to allow viewing of photographs and other information via the World Wide Web on selected cases. The public can contact the Tampa Police Department to provide information on these cases by the designated telephone number or via the Internet. This policy establishes a procedure to use and monitor this section of the Tampa Police Department's web site which hosts our "Most Wanted" and Cold Case information.

- II. DISCUSSION: When a latent investigator or case agent feels that soliciting the public to locate a suspect for whom a warrant has been issued, or requires information for an unsolved case, the investigator has, with the concurrence of the Major Crimes captain, the option of using the Tampa Police Department's web site for assistance.

- III. PROCEDURE:
 - A. Wanted Individuals/ Unsolved Cases:
 1. Once a warrant has been issued for a suspect or if an unsolved case would benefit from being posted on the website, the latent investigator or case agent will provide the pertinent information to a CIB analyst. This information will include:
 - a. TPD case number;
 - b. warrant charges;
 - c. a photograph of the suspect;
 - d. (if applicable) any other helpful information such as video, a brief summary of the incident, and;
 - e. a specific contact number for the investigator or case agent.
 2. The latent investigator or case agent will indicate in the police report that the information was posted on the web site. The web site posting will also indicate the method of contacting the Tampa Police Department via the Internet.
 3. The CIB analyst will forward the information to the TPD Technology Bureau's Web Team for posting to the web site. The

Web Team e-mail address:tpd-webteam@tampagov.net and phone number is (813) 276-3455.

5. The TPD Technology Bureau will be responsible for posting the information on the web site. The information on a particular individual will include the initial posting date.
6. If there is a change in status on the case, e.g. an arrest is made, the warrant has been rescinded or other issues where the suspect is no longer wanted, the latent investigator, case agent, or investigator's supervisor will within ten working days notify the CIB analyst to remove the information. The CIB analyst will contact the Technology Bureau Web Team to have the information removed from the Tampa Police Department web site.¹
7. If there is no change in status on the case, the latent investigator or case agent who initiated placing the information on the website will evaluate monthly the need for the information to remain on the website. If there is no change in status after six months, the latent investigator or case agent will notify CIB to have the information removed from the web site. (Exceptions can be made to keep the information on the website, such as cold case homicide investigations, with the approval of the investigator or case agent's designated Captain. The designated Captain can authorize additional evaluation dates for an extended period of time or until the case is resolved. This will be indicated in the police report.)
8. The Captain of the Major Crimes Bureau will be responsible for the material posted by the latent investigators and case agents. The "Technology Bureau Web Team is responsible for notifying the Major Crimes Bureau Captain of any posted items that are past due per policy. The Major Crimes Bureau Captain will make the proper notifications to ensure compliance."²

¹ CALEA [5th Edition] 42.1.6(c)

² CALEA [5th Edition] 42.1.6(c)

308.1 COLD CASE INVESTIGATIONS¹:

- I. PURPOSE: To conduct latent investigations of unsolved homicide and capital sexual battery cases that have remained inactive for at least two years.²
- II. DISCUSSION: The Cold Case latent investigator will continue the work initiated by the originating detectives. The investigator will evaluate all remaining viable leads and attempt to develop new leads and witnesses with the goal of developing a suspect and making an arrest.

- D. The assigned detective will also attempt to locate any witnesses documented in the original case file or who were identified through new or updated information.
- E. The assigned detective should also look at any gaps of information in the case, including people mentioned and statements that do not have a corresponding interview report in the case file, undocumented investigative actions such as search warrants without documentation of service, and so forth.
- F. After re-interviewing significant witnesses and working all viable leads, if no suspect can be identified, the assigned detective writes a summary documenting the follow-up investigation and recommending either further investigation or inactivation.
- G. If the assigned detective is able to obtain enough evidence to establish probable cause for an arrest, the case will first be presented to the Hillsborough County State Attorney's Office for review. If the State Attorney's Office gives approval, then an arrest will be made.
- H. A case may be closed administratively if the suspect for which the department has probable cause for an arrest has either died or has been prosecuted for another crime and is behind bars for life.
- I. The cold case investigator will document all investigative actions or activities.⁵

⁵ CALEA [5th Edition] 42.2.9(b)(c)

309 **SEXUAL PREDATORS AND OFFENDERS**

I. Discussion: Sexual predators and offenders often rely on secrecy and the ability to blend into the community in order to select victims. These offenders pose a serious threat to our community, thus making it necessary for law enforcement to monitor their whereabouts. The Public Safety Information Act gives law enforcement the responsibility of accessing and sharing critical information about sexual predators and offenders. In the interest of public safety, the Tampa Police Department will make all necessary notifications in regards to sexual predators as defined by Florida Statute.

II. Definitions:

A. Sexual Predator: An individual who, is found by a court to meet the criteria set out in F.S. § 775.21(4) upon issuance of a written court order designating the individual a sexual predator.

B. Sexual Offender: Any person convicted of one or more of the sexual offenses in F.S. §943.0435(1)(a), but who has not been designated by a Florida Court as a sexual predator.

III. Procedure: The status of sexual predators will be checked through FDLE on a daily basis by the Sexual Predator Identification and Notification (S.P.I.N.) coordinator. To maintain uniformity and to ensure that information is properly disseminated, the following procedures will apply:

A. Sexual Predator Identification and Notification Program Coordinator:

1. It is the responsibility of the S.P.I.N. coordinator to conduct all latent investigations regarding violation of sexual predator or offender registration and/or parole and probation requirements. Because these offenses will many times be the result of an additional crime, the coordinator will be notified upon the arrest of any sexual predator or offender in order to assist the arresting officer with any additional potential charges.
2. To ensure that accurate records are kept, the coordinator will act as the liaison between the Tampa Police Department, and all other law enforcement agencies.
3. Each day, the coordinator will check the FDLE Internet web site and incoming teletypes to verify the status of predators that reside within the city.
4. If new information becomes available, the coordinator will verify the information by contacting the Department of Corrections,

and/or the Florida Department of Law Enforcement, if applicable. The information will be added to amend the files that are maintained within this office.

- 5 When the Tampa Police Department is notified by FDLE that a sexual predator has moved into the City limits, the coordinator will verify the listed address and status of the sexual predator. Once verification has been made, the coordinator will conduct community notification by causing a reverse 911 message to be sent to all listed telephone numbers within an approximately one mile radius of the predator's address.

B. District Officer:

1. All officers are encouraged to become familiar with the sexual offenders and predators who reside within the city limits, especially those in their assigned zones. A list of all sexual predators' and offenders' names and addresses will be forwarded by the S.P.I.N. Coordinator to the respective districts for zone officer review and knowledge. When an officer comes in contact with such an individual, the FCIC/NCIC response will alert the officer to the status of the offender. The officer will complete a Street Check in the manner described in Section III. B. 3., documenting the circumstances of the encounter.
2. Crime Prevention officers will be responsible for conducting the initial verification contact of sexual predators and offenders who live in their assigned district. Additionally, officers will conduct a minimum of one (1) check quarterly on sexual predators and one (1) check annually on sexual offenders. Additional checks will be done at the direction of the S.P.I.N. Coordinator. This is to ensure that the Department maintains current information on sexual predators and offenders for public safety and investigative purposes.
3. When assigned a verification contact, the officer will respond to the address of the sexual predator or offender and conduct a thorough interview. The meeting will be recorded via a Street Check/Field, to document the individual's personal information, and any changes that may occur. The officer will select "Sexual Predator/Offender" for the type and reason of the contact when completing the street check form. Based upon the circumstances of the contact (i.e., presence of children), the officer will contact the SPIN Coordinator or after-hours, a supervisor, to determine if the S.P.I.N. Coordinator should respond.

4. If it is determined that the sexual predator or offender has absconded, (house abandoned/officer determines subject no longer lives at registration address), the officer will complete a Street Check under the offender's name, listing the offender's address as "at large." The officer will document the facts of the contact that will support the belief that the predator or offender no longer lives at that address.
5. Public information concerning sexual predators/offenders may be obtained by calling FDLE at 1-888-357-7732, or checking the Internet at www.FDLE.STATE.FL.US. Officers will give this information to citizens upon request.

NOTE: The information contained on this website is electronically gathered and not independently verified by FDLE. No Parole and Probation information is contained on this website and therefore terms and conditions of probation cannot be verified by FDLE. In the event of an after-hours emergency, Parole and Probation maintains a list of on-call supervisors, who can assist in determining the subject's probation status, if needed. If an officer believes that an after hours contact is needed, it should be done at the discretion of a supervisor. The after-hours contact number is (727) 942-5420.

6. Arrest situations: Florida Statutes §775.21(6)(f) and §943.0435(3) require that all sexual predators and offenders initially register with their local sheriff's office within forty-eight hours following release and, within forty-eight hours of initial registration, register in person with DHSMV to obtain a valid and updated identification in the form of a driver's license or identification card. Failure to maintain, acquire, or renew a driver's license or identification card; or failure to comply with registration requirements is a third degree felony or second degree felony depending on specific circumstances. See F.S. § 943.0435 (offenders) or § 775.21(6) (predators) for specific charges.
7. Officers coming into contact with individuals whom they believe to be in violation of the sexual predator/offender status will detain the individual in order to confirm their registration status. Both the FCIC/NCIC **and** DHSMV information should reflect the sexual predator/offender flag. If the records do not match, and the officer cannot verify the sexual offender status of the subject, the officer should complete a detailed street check or information report on the subject **only**. The report will then be routed to the SPIN coordinator for investigation.

8. If the sexual offender or predator flag is shown on both FCIC/NCIC and DHSMV, the officer should then determine whether the registered address is the current address where the subject resides. If the officer finds that the offender or predator has moved from the registered address, and is in violation of the 48 hour registration requirement, then the officer should arrest the subject for Failure to Register, using 775.21 for predators or 943.0435 for offenders. Officers will seize the subject's driver's license and book it into evidence.

NOTE: If the predator/offender verbally indicates that they have moved from the registered address, the officer should make every attempt to obtain additional corroborating evidence to substantiate the fact that the offender has moved. Such evidence would be other documents or identification showing a different address, a signed statement, or possibly another unit responding to the address for confirmation, if practical.

Note: For additional information, refer to S.P.I.N. Program IDPs.

Supersedes SOP 309, dated 7/05.

310 HATE CRIMES

- I. Discussion: The Florida State Legislature has recognized the great individual and societal harm created by crimes based on prejudice. As a result, the Legislature has made provisions for enhanced penalties in charging groups or individuals for such crimes. The Tampa Police Department will maintain a zero tolerance towards these types of crime and regards the investigation and prosecution of these crimes as serious regardless of the circumstances.

The purpose of this document is to assist in the identification and investigation of bias or hate motivated crimes.

II. Definitions/Statutory Reference:

- A. A hate crime is any committed or attempted criminal act against another person or another person's property motivated by hatred toward the victim based on the race, color, ancestry, ethnicity, religion, sexual orientation, national origin, mental or physical disability, or advanced age of the victim.
- B. F.S. §775.085 evidencing prejudice while committing offense; reclassification.

1. a. The penalty for any felony or misdemeanor shall be reclassified as provided in this subsection if the commission of such felony or misdemeanor evidences prejudice **based on the race, color, ancestry, ethnicity, religion, sexual orientation, national origin, mental or physical disability, or advanced age of the victim**:

b. As used in paragraph (a), the terms:

1. Mental or physical disability means that the victim suffers from a condition of physical or mental incapacitation due to a developmental disability, organic brain damage, or mental illness, and has one or more physical or mental limitations that restrict the victim's ability to perform the normal activities of daily living.
2. Advanced age means that the victim is older than sixty-five years of age.
2. **It is an essential element of this section that the record reflects that the defendant perceived, knew, or had reasonable grounds**

to know or perceive that the victim was within the class delineated in this section.

- C. The key to hate crime classification is the motivation of the perpetrator. If the criminal act was motivated simply by the perpetrator's prejudice or hatred of the victim because of the victim's perceived race, religion, ethnicity, or sexual orientation, the criminal act qualifies as a hate crime. Conversely, if the primary motivation for the offense is something else, for example, monetary gain, the offense is not a hate crime. This would apply even if individuals of different races (etc.) are involved in the incident or demeaning slurs are spoken during the commission of the offense. Again, the perpetrators' primary motivation for committing the offense is the key to proper classification.

III. Procedure:

- A. Should the investigative procedures determine the incident constitutes a hate motivated crime, the officer will charge based on statutory guidelines.
- B. When investigating a possible hate crime, the officer should document all circumstances which suggest prejudice and hatred as a motive, including:
1. Statements of the perpetrator(s);
 2. The use of symbols associated with prejudice, i.e., graffiti, tattoos;
 3. The nature of the offense itself;
 4. Circumstances leading up to the offense; and
 5. The existence of another apparent motive.
- C. If graffiti or tattoos are noted and support a link to the suspect's prejudicial nature or group affiliation, they should be photographed at the scene.
- D. All reports should continue to list the primary underlying crime, and if circumstances indicate a probable hate crime has occurred, the words *Hate Crime* should appear parenthetically thereafter. For example: *Battery (Hate Crime)*.
- E. A copy of the report will be referred to the Criminal Intelligence Bureau who will be responsible for any latent investigation in regards to the defendant's possible affiliation with extremist groups.

- F. Records will be responsible for reporting hate crimes to the Florida Department of Law Enforcement as set out by F.S. §877.19, Hate Crimes Reporting Act.

Supersedes SOP 310, dated 5/00.

312 POLICE CANINE TEAMS¹

- I. Purpose: To establish guidelines for the utilization, operation, training, and supervision of police canine (K-9) teams.
- II. Discussion: The primary goal of the K-9 Unit is to enhance the police department's objectives in providing quality law enforcement service to the community. Police K-9 teams are valuable tools in accomplishing law enforcement objectives of criminal apprehension and search and seizure. Furthermore, the police K-9 have an important role concerning officer safety in hazardous field situations.²
- III. Definitions:
 - A. Canine (K-9): A working class dog which has been procured and specially trained to execute a number of specific tasks which make use of its acute senses, agility, and speed.
 - B. Canine (K-9) Officer: A police officer specially trained in the care, handling, and training of a K-9 for law enforcement use.³
 - C. Canine (K-9) Team: The terminology used to refer to a K-9 officer functioning with his assigned K-9.⁴
 - D. EOD Detector -K-9: A specially trained K-9 used to search for explosive ordinances or devices.⁵
 - E. Narcotic Detector K-9: A specially trained K-9 used to search for specific narcotics.⁶
 - F. Bloodhound: A specially trained K-9 that is used to locate criminal and non-criminal subjects.⁷
- IV. Organization⁸:
 - A. The Tampa Police Department K-9 Unit shall be supervised by a police sergeant and shall be an organizational unit of the Special Support Division, with citywide responsibilities.
 - B. The K-9 Unit Sergeant shall complete or have completed the 480 hour basic K-9 school. The sergeant will be trained in, and maintain proficiency in, K-9 law

¹ CALEA [5th Edition] 41.1.4 (a)

² CALEA [5th Edition] 41.1.4 (a)

³ CALEA [5th Edition] 41.1.4 (b)

⁴ CALEA [5th Edition] 41.1.4 (b)

⁵ CALEA [5th Edition] 41.1.4 (b)

⁶ CALEA [5th Edition] 41.1.4 (b)

⁷ CALEA [5th Edition] 41.1.4 (b)

⁸ CALEA [5th Edition] 41.1.4 (b)

enforcement operations.⁹ The sergeant will function as the unit supervisor for all personnel assigned to the K-9 Unit.

- C. The K-9 Corporal will have completed the basic 480 hour K-9 school and be a certified C.J.S.T.C. K-9 instructor. The corporal will be trained in, and maintain proficiency in, K-9 law enforcement operations.¹⁰ The corporal will function as the unit supervisor for all personnel assigned to the K-9 Unit in the absence of the K-9 Sergeant.
- D. Master Trainer: A member of the K-9 unit for a minimum of five (5) years. An active C.J.S.T.C. certified K-9 instructor. Has trained or assisted in training at least five (5) K-9 teams to pass F.D.L.E. certification standards.¹¹

V. Law Enforcement K-9 Applications:¹²

A. Tracking Operations:

- 1. The bloodhound may be utilized for criminal and non-criminal applications. The deployment criteria for non-criminal events will be any situation that dictates the use of the bloodhound to locate persons that are believed to be lost, missing or endangered to include Amber alerts.
 - a. The K9 Sergeant will contact the bloodhound handler when Amber alert is initiated or if the person is an adult and believed to be missing or endangered and meets the criteria for deployment.
 - b. The bloodhound may also be utilized to track felony criminal suspects. In situation where the bloodhound is utilized to track violent felony suspect(s) a duo purpose K-9 team will also be deployed for handler protection when available. This team will be deployed due to the normally non-aggressive behavior of the bloodhound.
 - c. The bloodhound teams may occasionally be called upon to assist in misdemeanor investigations. The abilities of the bloodhound to assist in locating a misdemeanor suspect could greatly benefit the department in an investigation. An example of a qualified misdemeanor response would be; a specific felony crime pattern, such as burglaries that have been established in a specific area. Officers receive a suspicious person call in that pattern area and the suspect flees from them upon arrival. The handler will utilize extreme caution in an attempt to minimize the possibility of contact between the bloodhound and the suspect. All misdemeanor

⁹ CALEA [5th Edition] 33.6.1 (a)(b)

¹⁰ CALEA [5th Edition] 33.6.1(a)(b)

¹¹ CALEA [5th Edition] 33.6.1(a)(b)

¹² CALEA [5th Edition] 41.1.4 (a)

searches will be approved by the K-9 Sergeant or in their absence a supervisor possessing the rank of a lieutenant or above.

- d. K-9 teams will normally only be utilized for felony investigations and to locate missing/lost persons, except in special circumstances. See (V) (F, 1 and 2).¹³
2. All area searches will be conducted on-lead unless the search area is completely surrounded by a restrictive barrier, e.g., a fence or an open area of sufficient size to reasonably ensure that the K-9 will not encounter citizens or perimeter units.¹⁴
3. The bloodhound will normally be utilized for non-criminal applications. The deployment criteria will be the Amber alert, or any situation that dictates the use of the bloodhound to locate lost or missing persons.¹⁵ The K-9 Sergeant will contact the bloodhound handler when an Amber alert has been initiated, or if an adult meets the requirements for the utilization of the bloodhound.

B. Building Searches:

1. K-9 teams will be utilized to search structures believed burglarized and structures utilized by a felony suspect to escape police apprehension.¹⁶
2. Utilizing the K-9 team to search a structure minimizes the probability of an officer being injured. Patrol units will not search a structure if a K-9 team is responding. An officer may inadvertently contaminate the suspect's scent making it more difficult to use the K-9 for tracking. Prior to utilizing a K-9 team for a structural search, patrols units will secure the perimeter of the building.¹⁷
3. The K-9 officer must be reasonably certain that the structure to be searched is clear of innocent persons. Prior to searching the structure for the purpose of apprehension of a suspect, the K-9 officer shall afford the violator the opportunity to surrender by giving the essence of the following verbal announcement:

“THIS IS THE TAMPA POLICE DEPARTMENT K-9
UNIT, IDENTIFY YOUR PRESENCE AND
SURRENDER IMMEDIATELY OR I WILL RELEASE
A TRAINED POLICE DOG TO FIND AND
APPREHEND YOU.”¹⁸

¹³ CALEA [5th Edition] 41.1.4 (a)

¹⁴ CALEA [5th Edition] 41.1.4 (a)

¹⁵ CALEA [5th Edition] 41.1.4 (a)

¹⁶ CALEA [5th Edition] 41.1.4 (a)

¹⁷ CALEA [5th Edition] 41.1.4 (a)

¹⁸ CALEA [5th Edition] 41.1.4 (a)

This announcement will be given in a loud and clear voice at the team's entry point. The announcement is not required in situations of fresh pursuit or where a suspect reasonably believed to be armed may pose an additional threat to the officer or K-9 because of the warning.

- C. Felony Arrest: K-9 teams may be utilized to effect felony arrests and to prevent the escape of a person whom the officer reasonably believes committed a felony. The utilization of a K-9 must be progressive force where lesser force could not reasonably accomplish the arrest.

K-9 officers must consider possible dangers prior to releasing the K-9 for a felony apprehension (bystanders, other police officers, vehicular traffic, etc.).¹⁹

- D. Protection of the Officer or Other Persons: The K-9 may be utilized to protect the handler, other police officers, and other persons from injury or death.

- E. Search and Seizure: K-9 teams may be utilized to search and seize evidence when all legal requirements for such searches and seizures have been met.

- F. Special Circumstances:²⁰

- 1. A supervisor shall consult with the K-9 officer prior to directing the tactical use of the K-9. Instances in which the capabilities of the K-9 is a significant consideration in the success of a task shall be guided by the opinion of the K-9 officer, or K-9 supervisor, if available, as to the ability of the K-9 to perform the required assignment.

- 2. K-9 Teams may occasionally be called upon to assist in misdemeanor investigations. (Example – A specific felony crime pattern has been established in a specific area. Officers have received calls reference a suspicious person in that specific area and the suspicious person fled upon the arrival of units to the area.) The abilities of the K-9 to assist in the location of this misdemeanor suspect will greatly benefit the police in their investigation, and add to protection of the citizens of Tampa. This handler will utilize extreme caution, in an attempt to minimize the possibility of contact between the K-9 and the suspect. All misdemeanor searches will be approved by the K-9 supervisor or in their absence a supervisor possessing at least the rank of lieutenant.²¹

- 3. Deployment of K-9 teams for crowd control in situations of civil disorder may not be conducted without specific authority of the Chief of Police or a designee possessing at least the rank of captain.²²

¹⁹ CALEA [5th Edition] 41.1.4 (a)

²⁰ CALEA [5th Edition] 41.1.4 (a)

²¹ CALEA [5th Edition] 41.1.4 (a)

²² CALEA [5th Edition] 41.1.4 (a)

VI. Operational Procedures:

A. Deployment:

1. K-9 teams shall be deployed at specific times and locations that provide optimal and uniform response throughout the city.
2. K-9 teams shall, while on duty, respond to all felony crimes in-progress within their assigned areas without specific dispatch, and shall assist patrol units in potentially violent situations.
 - a. As a general rule, K-9 teams should not be assigned as a primary unit to investigatory calls unless so authorized by a K-9 supervisor or shift commander.
 - b. Dispatch to particular in-progress calls should be made in conjunction with the zone or area unit(s).
 - c. E.O.D. K-9 units may be deployed to search nonspecific threats such as special events when deployment is for pre-emptive security measures. These searches do not require the presence of an E.O.D. technician. An E.O.D. K-9 unit may also be deployed at the request of the E.O.D. commander or any E.O.D. technician.²³
 - d. E.O.D. technician(s) will be dispatched in conjunction with all E.O.D. K-9 calls for assistance outside of the city limits of Tampa.
 - e. The Communications Bureau supervisor shall notify the E.O.D. commander and the K-9 supervisor of any requests for an E.O.D. K-9.
 - f. The K-9 supervisor shall determine which E.O.D. K-9 is to be dispatched to any E.O.D. call or request.
 - g. Nothing in this section is to prohibit an E.O.D. technician from accompanying any E.O.D. K-9 team while conducting a search, whether a specific threat or a sweep for pre-emptive security measures.
3. Requests for assistance from outside agencies shall be forwarded to the K-9 supervisor. Emergency requests shall be forwarded to a district shift commander in the absence of the K-9 supervisor.

- B. Responsibilities of K-9 Officers: K-9 officers shall be responsible for adhering to the practices and procedures documented in the duties and responsibilities

²³ CALEA [5th Edition] 41.1.4 (a)

procedures for K-9 officers and handlers and other protocol. Handlers will at all times be responsible for the actions of their assigned canines.

C. Duties of Responding Units: In order to achieve maximum effectiveness in utilizing K-9 teams, officers shall adhere to the following:²⁴

1. Evaluate the need for a K-9 team at the earliest possible time, and call for K-9 assistance without delay.
2. Avoid contaminating the area to be searched.
3. If police personnel or others have entered a search area or structure prior to the K-9 team's arrival, officers shall ensure that all personnel are cleared from the area prior to the K-9 search. The nature of the scene contamination shall be described to the K-9 officer.
4. Police officers shall maintain a perimeter of any area or structure to be searched by a K-9 team. Area perimeters involving several field units shall be coordinated by a squad supervisor.
5. Officers on perimeter assignment will not enter or permit anyone to enter the search area until the search has been completed, or unless advised otherwise by the ranking officer at the scene. The K-9 handler at the scene will be notified before anyone is allowed to enter the search area.
6. When a K-9 team enters a structure or search area, another officer(s) may be assigned to accompany the team, at the discretion of the K-9 officer. The officer's responsibility will be to provide cover to the K-9 team.

D. Training:²⁵

1. The state approved K-9 course shall be completed prior to the deployment of any new K-9 officer.
2. K-9 teams must engage in sufficient ongoing training on a weekly basis so as to maintain the state standards set by F.D.L.E. They must be able to demonstrate these standards at least quarterly or at any time requested by the K-9 supervisor.
3. The K-9 supervisor or designee shall be responsible for developing and implementing the weekly training curriculum.

E. Public Relations Demonstrations and Exhibitions:

²⁴ CALEA [5th Edition] 41.1.4 (a)

²⁵ CALEA [5th Edition] 41.1.4 (b)

1. Requests for K-9 demonstrations and exhibitions shall be forwarded to, and coordinated by, the K-9 supervisor or designee.
2. Demonstrations and exhibitions shall be limited to locations within Hillsborough County unless specifically authorized by the Special Support Division Commander.
3. K-9 officers shall not engage in impromptu demonstrations of K-9 apprehension abilities unless individually authorized by the K-9 supervisor.

F. Professional Standards:

1. K-9 officers, regardless of assignment, shall immediately notify the K-9 supervisor of all K-9 bites or injuries, whether on or off-duty, regardless of the location of the incident.
2. The K-9 supervisor shall notify the affected shift commander and the K-9 chain of command of all injuries or unusual events concerning a K-9 situation.
3. The K-9 management chain of command shall evaluate the particular situation and initiate appropriate action (e.g., coordinate departmental review via the Internal Affairs Bureau, cause the necessary department notifications).
4. K-9 officers shall complete their required departmental documentation (i.e., report supplement, custody memo, intra-division memorandum) concerning K-9 bite or injury prior to securing from their tour of duty.
5. The K-9 supervisor shall route a copy of all K-9 apprehensions resulting in injury caused by the K-9, to the Internal Affairs Bureau.

Supersedes SOP 312, dated 5/08.

312.1 CANINE DRUG DETECTION TRAINING AIDS¹

- I. DISCUSSION: The Tampa Police Department has established a canine drug detection program. The drug detection canine requires continuous training to maintain the proficiency of the canine. This directive will set forth the procedures for the acquisition, use and storage of the drug-training aids used in the training of the Tampa Police Department's drug detection teams.²

- II. RESPONSIBILITIES: The Strategic Investigations Bureau Commander will have the responsibility for the supervision and control of this policy.
 - A. The Strategic Investigations Bureau Commander will designate a Strategic Investigations Bureau detective as the program coordinator.

 - B. The program coordinator will maintain all logs and follow the guidelines set forth in the directive for the acquisition and distribution of the training aids.

- III. DEFINITIONS:
 - A. Control Log: A Tampa Police Department report that lists all the available training aids and all documented activity taking place with the training aids.

 - B. Program Administrator: The police captain assigned to the Special Operations Bureau will implement the procedures set forth in this directive.

 - C. Training Aids: A sealed container containing controlled substances used in the training of drug detection canines.

 - D. Hard Training Aids: Any training aid that contains cocaine, heroin, or methamphetamine.

 - E. Soft Training Aids: Any training aid that contains THC, marijuana, hashish, or hashish oil.

 - F. Drug Safe: A secured safe, with a combination lock, used to store only training aids.

 - G. Certified Training Aids: Training aids tested and sealed for the continuous training of canine drug detection teams.

 - H. Secured Area: A room where the perimeter doors are alarmed to a monitored facility.

¹ CALEA [5th Edition] 84.1.4

² CALEA [5th Edition] 84.1.4

- I. Motivational Training Aids: Four training aids not to exceed 5 grams each issued to narcotic detector dog handlers. These aids shall be used to provide motivational and/or maintenance training as required during a shift.
- J. DEA Form 225A: A form used to annually renew the Tampa Police Department's DEA identification number.
- K. DEA Form 222: A DEA form required to obtain certified training drug from the Drug Enforcement Administration.
- L. Lead K-9 Instructor: A sworn Tampa Police Department member, appointed by staff, meeting the required training and certification protocol, to conduct K-9 narcotics training.

IV. PROCEDURES:³

- A. One control log will be initiated for the control and tracking of drug training aids. Any activity, use, damage, inspection, loan, destruction, or audit will be documented on a report. The original of the report will be filed with the Records Section. A copy will be routed to the program administrator to be placed into the control log.
- B. The program administrator will maintain a copy of the original control log.
- C. DEA Form 225A and DEA Form 222:
 - 1. The Drug Enforcement Administration requires that law enforcement agencies maintain a protocol established under the Controlled Substance Act of 1970. This requires the annual renewal of a DEA registration number using DEA Form 225A.
 - 2. The Tampa Police Department currently holds a DEA registration number and is allowed to possess and acquire controlled substances for the training of the K-9 drug detection teams.
- D. Certified Training Drug Aids:
 - 1. Training aids will be prepared yearly from narcotics set for destruction at the Tampa Police Department's Evidence Control Section. The Strategic Investigations Bureau Commander will select the weights and types of narcotics to be designated as training aids with suggestions from the K-9 supervisor.

³ CALEA [5th Edition] 84.1.4

2. The training aids will be presumptive tested to be sealed. Once completed, the program coordinator will issue the training aids as required. NO single training aid will exceed 28 grams.
3. The training aids will be assigned an individual control number that will be permanently affixed to the training aid. The control number will only be used once. The type of training aid and the gross weight will be affixed to the outside of the training aid. Each control number will begin with a letter or letters indicating the type of drug, followed by an assigned number in consecutive order. Below are examples of control numbers:

Cocaine	C-number
Heroin	H-number
Methamphetamine	ME-number
Marijuana	M-number

E. Storage of Training Drugs:⁴

1. The training aids will be stored in an alarmed room of the K-9 Unit inside secure safes. Each safe will be designated for hard or soft training aids.
2. The training aids containing cocaine, heroin, and methamphetamine will be stored in separate airtight containers inside safe number one. Training aids containing THC will be stored in airtight containers inside safe number two.
3. Hard and soft training aids will never be stored together.
4. Access to the safes containing the K-9 training aids will be limited to personnel designated by the chief of police.
5. The K-9 supervisor or K-9 lead trainer making the drop will ensure that the training aids are placed into the correct safe.

F. Issuance of Training Aids:⁵

1. The program coordinator will issue training aids as needed.
2. The program coordinator will issue training aids only to the K-9 supervisor or lead K-9 trainer.
3. The program coordinator will issue the motivational training aids to each individual narcotic detector dog handler.

⁴ CALEA [5th Edition] 84.1.4

⁵ CALEA [5th Edition] 84.1.4

4. The program coordinator will log all training aids checked out of the K-9 safes in a checkout log. The checkout log will be kept inside each of the safes.
 5. Each training aid checked out will be weighed for gross weight and witnessed by the K-9 supervisor or lead trainer receiving the training aid. The K-9 supervisor or lead trainer receiving the training aid will acknowledge receipt of the training aids by signing the checkout log.
 6. Training aids will not be checked out for more than 24 hours. Only the commander of the Strategic Investigations Bureau may grant permission to extend the checkout period.
 7. Motivational training aids will be kept secured in a narcotic safe affixed to the K-9 vehicle when not in use. Monthly inspection will be completed by a K-9 supervisor and quarterly inspections completed by the program administrator.
 - a. Should a motivational aid be lost or damaged notifications will be as for all training aids, and standard protocol will be followed.
 - b. No more than four motivational training aids will be issued to individual handlers.
- G. Destruction of Training Aids: Training aids will be destroyed in accordance with established department procedure with respect to narcotics upon receipt of new training aids as referenced in IV, D, 1.
- H. Exclusive Use: Due to the nature of acquisition, procedure for, and necessity of continued availability of training aids, canine drug detection training aids shall not be used for any other purpose or investigation.
- I. Bulk or Large Quantity Training Aids: Effective training of drug detecting canines will require the use of controlled substances in a quantity larger than the available training aids. To accomplish this training:
1. The K-9 supervisor will contact the Strategic Investigations Bureau commander for temporary issuance of large quantity training aids.
 2. The Strategic Investigations Bureau commander will provide large quantity training aids and be responsible for its return to the Evidence Control Section.
 3. The Strategic Investigations Bureau commander will arrange for the K-9 supervisor to receive and return the requested controlled substance only during the normal operating hours of the Evidence Control Section.

4. Reverse controlled substances will be documented and accounted for in accordance with procedures established in IDP 704.23.
5. Reverse controlled substances shall not be altered in any fashion from the original weight or packaging for training purposes.

J. Damaged or Lost Training Aids:⁷

1. The K-9 supervisor or lead K-9 trainer will immediately notify the program administrator and Strategic Investigations Bureau Commander if a training aid is damaged. In case of damage resulting in the loss of controlled substances, the program administrator will respond to the scene. The program administrator will take possession of the damaged training aid. The program administrator will reseal and reweigh the training aid, initiate a supplement indicating the damage, and document the loss of any controlled substances. A copy of the supplement will be forwarded to the commander of the Strategic Investigations Bureau for review. The K-9 supervisor or lead K-9 trainer that checked out the damaged training aid will initiate a TPD supplement describing the circumstances surrounding the damaged training aid. A copy of the supplement will be placed into the control log.
2. In the case of lost controlled substances during training or other circumstances and not as a result of damage to a training aid, the K-9 supervisor or lead K-9 trainer will:
 - a. Secure the scene, vehicles, personnel, and;
 - b. Immediately notify the program administrator and the Strategic Investigations Bureau Commander.
3. It will be the responsibility of the Strategic Investigations Bureau commander to evaluate the circumstances and confer with the Internal Affairs Bureau commander who will be responsible for any investigation at the direction of the chief of police.
4. Regardless of the formal inquiry, for accountability and audit purposes, the K-9 supervisor or lead K-9 trainer will document the circumstances resulting in the loss of the controlled substance on a TPD report. The supplement will be routed through the officer's chain of command, with copies being sent to the program administrator and the commander of the Strategic Investigations Bureau. The program administrator will place a copy of the letter into the control log and make any corrections to the control log inventory.

⁷ CALEA [5th Edition] 84.1.4

K. Monthly Audit:⁸

1. On a monthly basis, the Special Operations Bureau captain and a supervisor from the Strategic Investigations Bureau will audit all the training aids currently stored in the two safes.
2. The Strategic Investigations Bureau Commander or designee will randomly weigh training aids and perform presumptive tests on any training aid, which appears to have been damaged, or the seal altered.
3. An inventory log will be maintained inside each safe. The program administrator and supervisor conducting the inventory will sign the log.

L. Audit: An audit of canine drug detection training aids shall be conducted annually or more frequently at the direction of the chief of police by the Strategic Investigations Bureau and the Internal Affairs Bureau under the supervision of the bureau commanders or their designees.⁹

Supersedes SOP 312.1, dated 5/08.

⁸ CALEA [5th Edition] 84.1.4

⁹ CALEA [5th Edition] 84.1.4

313 JUVENILE PROCEDURES-GENERAL¹

- I. DISCUSSION: The Circuit Court has jurisdiction over cases in which a child is alleged to have committed a violation of law, a felony traffic offense, or is dependent. A criminal report affidavit will be utilized as the charging instrument in Circuit Court cases.

The County Court has jurisdiction over all traffic cases except those punishable as felonies. A traffic citation will be utilized as the charging instrument in County Court cases.

Chapters 39 and 984, Florida Statutes, also known as the Florida Juvenile Justice Act, govern the handling and treatment of juveniles. Among the many provisions of Chapter 39 is the option, which allows police officers to deliver a child alleged to be dependent to the Child Protective Investigative Unit. Children alleged to be delinquent, who meet the criteria for detention established in F.S. §39.044, may be released to Detention Screening. Children alleged to be dependent will not be released to Detention Screening. Any transportation required after delivery of the child to Detention Screening is the responsibility of the screening officer, e.g., return trip home, placement in a shelter. Any child requiring medical treatment will be treated prior to delivery to Detention Screening.² Refer to SOP 313.1.

The Florida Department of Children and Families (DCF) is responsible for virtually all state sponsored health and social service programs. Included among those responsibilities are: the planning, development, and coordination of a state-wide comprehensive youth services program for the prevention, control, and treatment of juvenile delinquency; the protection of dependent children, including the provision of emergency and long term living arrangements; and, providing services for the status offenders and their families.³

In view of the statutory responsibilities of (DCF), it is the intent of this department to cooperate with DCF in an effort to accomplish the purposes of the Florida Juvenile Justice Act. The responsibility of furthering department goals with respect to juvenile problems, both criminal and non-criminal, is shared by all personnel.⁴

DCF maintains a records system, which includes the names of all children that have been referred to that agency from any source. Information is available to all officers by calling DCF Detention Screening.

A personal history record, which contains all entries for which a juvenile is fingerprinted and photographed, is maintained within the Forensic Investigations Unit.

¹ CALEA [5th Edition] 44.1.2

² CALEA [5th Edition] 44.1.2; 44.2.1(c); 44.2.2 (a)(b)

³ CALEA [5th Edition] 44.1.2; 44.2.2(a)

⁴ CALEA [5th Edition] 44.1.1; 44.1.2

II. DEFINITIONS:

- A. Child:⁵ Means any unmarried person under the age of 18 alleged to be dependent, 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 18 years.
- B. Violation of Law: Means a violation of law of the United States or of the State of Florida which is a misdemeanor or a felony; or a violation of a county or municipal ordinance punishable by incarceration if the violation were committed by an adult.
- C. Dependent Child:⁶ Means a child who has been abandoned, abused, or neglected by his or her parents or other custodians; is suffering from illness or injury, or is in immediate danger from his or her surroundings and that his or her removal is necessary to protect the child.
- D. Child in Need of Services (CINS)/Family in Need of Services (FINS): Means child or the family of a child for whom: there is no pending departmental investigation in an allegation or suspicion of abuse, neglect, or abandonment; no pending referral alleging the child is delinquent; and no current supervision by the State for an adjudication of dependency or delinquency. The court must also find that the child:
1. Persistently runs away from his or her 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;
 2. Is habitually truant from school, while subject to compulsory school attendance, despite reasonable efforts to remedy the situation pursuant to F.S. §232.19, and through voluntary participation by the child's parents or legal custodians and by the child in family mediation, services, and treatment offered by the department; or
 3. Persistently disobeys the reasonable and lawful demands of the child's parents or legal custodians, and is 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.
- E. Child Abuse or Neglect: Means harm or threatened harm to a child's physical or mental health or welfare by acts or omissions of the parents or other person responsible for the child's welfare.

⁵ CALEA [5th Edition] 44.2.2 (a)(b)

⁶ CALEA [5th Edition] 44.2.2 (a)(b)

- F. Neglect:⁷ Occurs when a parent or other legal custodian deprives a child of, or allows a child to be deprived of, necessary food, clothing, shelter, or medical treatment, or allows a child to live in an environment when such deprivation or environment causes the child's physical, mental, or emotional health to be significantly impaired or to be in danger of being significantly impaired.
- G. Abandoned:⁸ Means a situation in which a parent who, while being financially able, makes no provisions for the child's support and makes no effort to communicate with the child for a period of time sufficient to indicate a willful rejection of parental obligations.
- H. Taken into Custody:⁹ Means that status of a child immediately when temporary physical control over the child is attained by a person authorized by law, pending the child's release, detention, placement, or other disposition as authorized by law.
- I. Juvenile Arbitration Program:¹⁰ Is a program which is designed for children who commit misdemeanors and certain third degree felony offenses to be dealt with in a speedy and informal manner at the community or neighborhood level. In order to be eligible for arbitration, the child and his or her parents or guardian must agree to arbitration. The arbitrator will set whatever sanctions and/or restitution deemed suitable to impress upon the child the seriousness of the offense. (See F.S. §39.026)
- J. Detention Screening:¹¹ Is a service provided by the Juvenile Assessment Center (JAC) for the processing of juveniles taken into custody for a delinquent act that meets the detention criteria established in F.S. §39.044. Detention Screening is staffed by the Hillsborough County Sheriff's Office in the Secure Centralized Adolescent Facility (SCARF) located at the Juvenile Assessment Center. The facility is open on a 24-hour basis.
- K. Child Protection Investigative Unit:¹² Is a service provided by DCF for the processing of dependency cases where it is believed that a child has been abandoned, abused, or neglected, is suffering from illness or injury or is in immediate danger from his surroundings. This unit provides emergency shelter to dependent children except for runaways. When emergency shelter is required, the investigating officer must first contact the Child Protection Investigative Unit to determine proper placement of the child.

III. PROCEDURE:¹³

⁷ CALEA [5th Edition] 44.2.2(a)(b)

⁸ CALEA [5th Edition] 44.2.2(a)(b)

⁹ CALEA [5th Edition] 44.2.2(a)(b)(d)

¹⁰ CALEA [5th Edition] 1.2.6

¹¹ CALEA [5th Edition] 44.2.2(a)

¹² CALEA [5th Edition] 44.2.2(a)(b)

¹³ CALEA [5th Edition] 1.2.5(a); 1.2.6

A. Alternatives to Incarceration:

1. Officers are encouraged to use discretion and diversionary programs as alternatives to avoid placing juveniles into the traditional juvenile justice system in the event that it is possible to modify delinquent behavior through parental control or participation in community-based alternatives.
2. The following factors should always be considered when evaluating whether to exercise discretionary or diversionary options:
 - a. Age of child;
 - b. Whether the child has had previous contact with the juvenile justice system;
 - c. Nature and severity of charges;
 - d. Degree of parental control and ability to supervise; and
 - e. The probability the child will make an appearance in court to answer charges.

B. Discretionary Alternatives:

1. Officers are afforded the use of discretion with respect to charging suspects, whether juvenile or adult, whenever they are conducting criminal investigations and may make an elective decision, many times in concert with the complainant and/or victim, concerning the need to physically arrest suspects and file formal charges.
2. There are numerous criteria which must be taken into consideration whenever conducting an investigation which may culminate in the physical arrest of a juvenile and/or filing of charges. An officer may exercise one, or a combination, of the many discretionary options which are typically available in such situations. Among the more commonly available options are:
 - a. In most minor cases, electing not to file charges and effecting immediate release accompanied by a verbal warning to the juvenile as to the possible consequences of the present violation and continuing delinquent behavior.
 - b. Exercising temporary custody for the purpose of returning juveniles directly to a parent, guardian, or legal custodian or transporting them to Juvenile Assessment Center where they will remain under constant supervision to await the arrival of same. Making responsible persons aware of potential problems and arranging for corrective action, whether charges will be filed or

not, is usually the purpose of taking either such action.

C. Arranging for an informal referral to a social service agency or other suitable program, in lieu of filing charges, which is aimed at modifying delinquent behaviors. Initiating this procedure should also involve parents or legal guardians.

D. Minimum Age for the Arrest of a Juvenile:¹⁴

1. While Florida law does not specifically set a minimum age at which children may be presumed to have formed a criminal intent, certain guidelines have been established with this department. Generally, children under eight years of age will not be arrested and processed for any criminal act.¹⁵ Should a situation arise wherein the investigating officer feels an exception should be made, he or she shall, through the proper chain of command, consult with the shift or bureau commander. The shift or bureau commander shall consider the totality of the circumstances and make the decision as to whether or not an arrest will be made.
2. When a child under the age of eight is a suspect in a criminal offense, the child shall be listed as the suspect in the report and the case shall be referred to the Criminal Investigations Division for consultation with DCF and the State Attorney. A Criminal Report Affidavit need not be made; however, complete identifying information on the suspect should be listed in the report.¹⁶

E. Confidentiality of Juvenile Records:¹⁷

1. Juvenile records shall not be open for public disclosure and/or inspection. Records will be made available to other law enforcement agencies, DCF, the State Attorney's Office, the courts, the child, the parents or legal guardian of the child, the child's attorney, or other persons authorized by court order.¹⁸
2. All juvenile traffic records shall be open to inspection and publication in the same manner as adult traffic violations.¹⁹
3. Refer to the Media Relations policy for additional information on release of information relative to juveniles.²⁰

F. Required Reports:²¹

¹⁴ CALEA [5th Edition] 1.2.5(a); 1.2.6

¹⁵ CALEA [5th Edition] 1.2.6

¹⁶ CALEA [5th Edition] 1.2.5(a); 1.2.6

¹⁷ CALEA [5th Edition] 44.1.2; 82.1.1(c)

¹⁸ CALEA [5th Edition] 44.1.2; 82.1.1(c)

¹⁹ CALEA [5th Edition] 44.1.2; 82.1.1(c)

²⁰ CALEA [5th Edition] 44.1.2; 82.1.1(c)

1. A report will be originated if:²²
 - a. A child is alleged to have committed a violation of law, regardless of the disposition of the case;²³
 - b. A child is alleged to be the victim of child abuse or neglect;²⁴
 - c. A child is taken into custody for another jurisdiction;²⁵
 - d. A child is alleged to be dependent, except those cases in which the only complaint is truancy or lack of control.²⁶
 - 1) Incidents of truancy will be referred directly to the school principal or dean. Complaints received from parents that their child is a persistent truant will be referred directly to DCF.²⁷
 - 2) Complaints received from parents or legal guardians that their child is ungovernable and persistently disobeys reasonable and lawful demands will be referred directly to DCF.²⁸
2. This department will investigate reports of escape from the Hillsborough Regional Detention Center or any detention facility located within the city limits, operated by HCSO and/or DCF. Escape from any secure detention facility or a restrictiveness level of VI or above by a child held for delinquent acts or violations of law is a third degree felony under F.S. §39.061. Any child who escapes while temporarily away from such a facility, e.g., court, psychological evaluation, or medical treatment will be considered to have escaped from the facility. Dependent children who leave detention will not be charged with a crime but will be treated as runaways.²⁹
3. The department will accept reports on missing or runaway children from DCF emergency shelters and foster homes. Children placed in this type facility, even though the placement may be court ordered, are dependent and are not on any level of detention status.³⁰

²¹ CALEA [5th Edition] 1.2.5(a); 44.1.2

²² CALEA [5th Edition] 1.2.5(a); 44.1.2

²³ CALEA [5th Edition] 1.2.5(a); 44.1.2

²⁴ CALEA [5th Edition] 1.2.5(a); 44.1.2

²⁵ CALEA [5th Edition] 1.2.5(a); 44.1.2

²⁶ CALEA [5th Edition] 1.2.5(a); 44.1.2

²⁷ CALEA [5th Edition] 1.2.5(a); 44.1.2

²⁸ CALEA [5th Edition] 1.2.5(a); 44.1.2

²⁹ CALEA [5th Edition] 1.2.5(a)

³⁰ CALEA [5th Edition] 1.2.5(a); 41.2.6(a)

4. Child and Family Counseling and Residential Program is not a DCF facility and is operated as a program of the Hillsborough County Department of Children's Services. This department will accept runaway reports from parents, legal guardians, or DCF caseworkers of children who runaway from the Child and Family Counseling and Residential Program provided the child or either parent is a resident of the City of Tampa. Reports will not be accepted from the Department of Children's Services childcare workers. In a case of out-of-city runaways who leave Child and Family, the Department of Children's Services personnel will be advised to contact the child's parents or legal guardians who in turn should report the child runaway to their local law enforcement agency.³¹
5. This department will accept runaway reports from parents, legal guardians, or DCF caseworkers of children who run away while being confined to a hospital. Reports will not be accepted from hospital personnel.³²
6. Nothing contained herein should be construed to mean that this department will not make every reasonable effort to locate missing children. Rather, it is merely intended to outline the proper method of entering the missing status of a child into the law enforcement system. Officers will assist a person reporting a missing child in any way practical to see that the person is successful in getting the report properly filed.³³

G. Custodial Interrogation of Juveniles:³⁴

1. As a matter of routine, when a member of the Tampa Police Department takes a juvenile into custody for a violation of the law and an interrogation occurs, the investigating officer will make a reasonable effort to confer with the juvenile's parent or legal guardian as soon as practical.³⁵
2. Miranda warnings will be given to any child suspected of committing a violation of law. It is important to remember that juveniles have all the basic rights of adults. While it would be ideal to have a parent present during interrogation of a juvenile, appellate courts have held that admissibility of statements made by juveniles during interrogation depends upon whether:³⁶
 - a. A Miranda warning was properly given;³⁷ and,
 - b. The child understood the warning;³⁸ and

³¹ CALEA [5th Edition] 1.2.5(a); 41.2.6(a)

³² CALEA [5th Edition] 1.2.5(a); 41.2.6(a)

³³ CALEA [5th Edition] 41.2.6(a)(f)

³⁴ CALEA [5th Edition] 1.2.5(a); 44.2.2(c)

³⁵ CALEA [5th Edition] 44.2.2(c)

³⁶ CALEA [5th Edition] 44.2.2(c)

³⁷ CALEA [5th Edition] 44.2.2(c)

³⁸ CALEA [5th Edition] 44.2.2(c)

- c. He or she waived his or her rights and made the statement freely, voluntarily, knowingly, and intelligently.³⁹
3. Generally, there will be no more than two police officers present during the interrogation of a juvenile who is accused of a violation of the law. If circumstances warrant, a supervisor may authorize additional officers to sit in on an interrogation of a juvenile, but the number of interrogators will be limited to two investigators.⁴⁰
4. In conjunction with an interrogation of a juvenile charged with a violation of the law, the investigating officer should explain subsection G. below to the juvenile and answer any questions regarding the juvenile's disposition.⁴¹
5. Like adults, juveniles must be given the full Miranda Warning and requested to sign the waiver statement if rights are waived. Because the state will have the burden of proving the waiver was knowingly and voluntarily made, special efforts should be made, preferably on tape, to explain the rights to the juvenile in custody.⁴²
6. Any arrest must be in compliance with Chapter 901, F.S., laws of arrest, which apply equally to juveniles as adults.⁴³
7. Custodial interrogations of juveniles will not be conducted by detectives at the suspect's school without approval of the principal, assistant principal, or his designee.

H. Misdemeanor Complaint Procedure:⁴⁴

1. A juvenile will be referred to the Clerk of the Circuit Court by means of a Misdemeanor Complaint where there is sufficient probable cause to support a misdemeanor law violation and the officer cannot effect an arrest under Chapter 901.⁴⁵
2. Parents or legal guardians should be notified that the child is being referred to DCF on a Misdemeanor Complaint.⁴⁶
3. If the parents are notified of the referral and there is no latent investigation required, the case should be exceptionally cleared by the originating division.⁴⁷

³⁹ CALEA [5th Edition] 44.2.2(c)

⁴⁰ CALEA [5th Edition] 44.2.2(c); 44.2.3(b)

⁴¹ CALEA [5th Edition] 44.2.2(c)

⁴² CALEA [5th Edition] 1.2.5(a); 41.2.6(f); 44.2.2(c)

⁴³ CALEA [5th Edition] 1.2.5(a); 41.2.6(f); 44.2.2(c)

⁴⁴ CALEA [5th Edition] 1.2.6; 44.2.1(c)

⁴⁵ CALEA [5th Edition] 1.2.6; 44.2.1(c)

⁴⁶ CALEA [5th Edition] 1.2.6; 44.2.1(c); 44.2.3(a)

4. If the parents cannot be notified, or latent investigation is required, the case should be referred to the Criminal Investigations Division.⁴⁸

I. Determining Adult Status of a Juvenile:⁴⁹

1. A child may be subject to criminal prosecution as an adult under the provisions of F.S. §39.022(5) and 39.052(2). Once convicted and sentenced as an adult, the child is thereafter treated as an adult for any subsequent violations of Florida law (with limited exceptions).⁵⁰
2. Officers taking juveniles into custody for committing a violation of law will call the Detention Screening office in order to determine the child's present status as either a juvenile or an adult.
3. If the Detention Screening office is in possession of a copy of the record that reflects the child has been previously convicted and sentenced as an adult, the officer will obtain a copy of the record, attach the copy to a criminal affidavit, and book the child into Central Booking.
4. In those cases where the State Attorney's Office files a direct information on a juvenile as an adult and a *capias* is issued, the child will be booked into Central Booking.

J. Disposition of Juveniles Charged with Committing a Violation of Law:⁵¹

1. Law enforcement plays no role in determining detention of a child committing a violation of law. If a child does not meet the detention criteria set forth in F.S. §39.044, the child cannot be detained. For a juvenile to be admitted, he or she must meet the following criteria:⁵²
 - a. The child is alleged to be an escapee or an absconder from a commitment program, a community control program, furlough, or aftercare supervision, or the child is wanted in another jurisdiction for an offense which, if committed by an adult, would be a felony;⁵³
 - b. The child has been charged with a delinquent act or violation of law and requests in writing through legal counsel to be detained for protection from an imminent physical threat to his or her personal safety;⁵⁴

⁴⁷ CALEA [5th Edition] 1.2.6; 44.2.1(c)

⁴⁸ CALEA [5th Edition] 1.2.6; 44.2.1(c)

⁴⁹ CALEA [5th Edition] 44.1.2

⁵⁰ CALEA [5th Edition] 44.1.2

⁵¹ CALEA [5th Edition] 1.2.5(a); 44.2.1(c)

⁵² CALEA [5th Edition] 1.2.5(a); 44.2.1(c)

⁵³ CALEA [5th Edition] 1.2.5(a); 44.2.1(c)

⁵⁴ CALEA [5th Edition] 1.2.5(a); 44.2.1(c)

- c. The child is charged with a capital felony, life felony, felony of the first degree, felony of the second degree, or a felony that is also a crime of violence;⁵⁵
 - d. The child is charged with one of the following misdemeanor violations:⁵⁶
 - 1) Reckless display of a firearm;⁵⁷ or
 - 2) Unlawful discharge of a firearm.⁵⁸
 - e. The child is charged with a serious property crime as described in F.S. §810.02(2) or (3) [burglary, third-degree] or F.S. §812.014(2)(c) 4 [grand theft auto], any offense involving the use of a firearm, or any second-degree or third-degree felony involving a violation of Chapter 893 [controlled substance offense], and (one of the following must be present):⁵⁹
 - 1) The child has a record of failure to appear at a court hearing after being properly notified in accordance with the Rules of Juvenile Procedure;⁶⁰
 - 2) The child has a record of law violations prior to court hearings;⁶¹
 - 3) The child has already been detained or has been released and is awaiting final disposition of his case;⁶² or
 - 4) The child has a record of violent conduct resulting in physical injury to others.⁶³
2. Unless otherwise ordered by the court, a child charged with committing a violation of law shall be released to a parent, or legal custodian. If they are unavailable, unwilling, or unable to provide supervision for the child, the child will be placed into custody (per F.S. §39.038[2][a]). The person to whom the child is released shall agree to inform DCF or this department of any change in the child's address and to produce the child in court as directed.⁶⁴

⁵⁵ CALEA [5th Edition] 1.2.5(a); 44.2.1(c)

⁵⁶ CALEA [5th Edition] 1.2.5(a); 44.2.1(c)

⁵⁷ CALEA [5th Edition] 1.2.5(a); 44.2.1(c)

⁵⁸ CALEA [5th Edition] 1.2.5(a); 44.2.1(c)

⁵⁹ CALEA [5th Edition] 1.2.5(a); 44.2.1(c)

⁶⁰ CALEA [5th Edition] 1.2.5(a); 44.2.1(c)

⁶¹ CALEA [5th Edition] 1.2.5(a); 44.2.1(c)

⁶² CALEA [5th Edition] 1.2.5(a); 44.2.1(c)

⁶³ CALEA [5th Edition] 1.2.5(a); 44.2.1(c)

⁶⁴ CALEA [5th Edition] 1.2.5(a); 1.2.6; 44.2.1(c); 44.2.2(a)(d)

When a parent or legal custodian or other responsible adult is unavailable the Delinquency Case manager at Detention Screening will be contacted. Detention Screening will determine proper placement for the child.⁶⁵

3. A parent cannot legally refuse to take custody of a child. If they do so, they should be charged with child neglect by the officer, under F.S. §827.05, “Negligent Treatment of Children.”⁶⁶
4. If a child is detained, the officer will make a reasonable effort to notify parents or custodians of the child’s location and charges against the child.
5. A child shall not be presented to Detention Screening unless he/she meets the criteria for detention.⁶⁷

K. Disposition of Juveniles Alleged to be Dependent:⁶⁸

1. Dependent children that have been taken into custody as the result of having been abandoned, abused, or neglected, or because they are suffering from illness or injury, or because they are in immediate danger from their surroundings, may be released:⁶⁹
 - a. To the Child Protective Investigation Unit, (the officer must first contact the Child Abuse Registry at 1-800-962-2873 and give and abuse/neglect report);⁷⁰ or,
 - b. Into emergency shelter care after contacting child protective investigators to determine into which shelter to place the child. If a child is placed into an emergency shelter:⁷¹
 - 1) Addresses and telephone numbers of emergency shelters are not to be given to parents, relatives, or acquaintances of the child;⁷²
 - 2) Relatives or acquaintances of the child shall not accompany the child to the emergency shelter;⁷³ and
 - 3) Any inquiries as to the location of the child shall be referred to Detention Screening.

⁶⁵ CALEA [5th Edition] 1.2.6; 44.2.1(c); 44.2.2(a)(d)

⁶⁶ CALEA [5th Edition] 44.2.1(c); 44.2.2(a)(d)

⁶⁷ CALEA [5th Edition] 44.2.1(c); 44.2.2(a)(d)

⁶⁸ CALEA [5th Edition] 44.2.1(b)(c); 44.2.2(a)(b)

⁶⁹ CALEA [5th Edition] 44.2.1(b)(c); 44.2.2(a)(b)

⁷⁰ CALEA [5th Edition] 1.2.5; 44.2.2(a)(b)

⁷¹ CALEA [5th Edition] 44.2.2(a)(b)

⁷² CALEA [5th Edition] 44.2.2(a)(b)

⁷³ CALEA [5th Edition] 44.2.2(a)(b)

2. Runaways that have taken into custody may be released:⁷⁴
 - a. To parents, legal guardians, responsible adult relatives, or any responsible adult known to the family. If not available, the officer should call the Children and Family Counseling and Residential Program at (813) 272-6606 or (813) 264-3807 ext. 163, and make arrangements to deliver the runaway to that center.⁷⁵
 - b. If the youth is already under the custody of DCF, the youth will be returned to the responsible counselor, or the licensed foster or shelter home/facility (such as the Children's Home or Lake Magdalene Shelter). If the officer cannot transport to the facility and if the youth's caregiver cannot pick up the youth, the officer will deliver the youth to the Placement Unit, during normal business hours (between 0800 and 1700 hours, Monday through Friday). After hours and on weekends, notify the case manager at Detention Screening. The case manager will dispatch the DCF on-call investigator to take custody of the youth.⁷⁶
3. Truant students will be delivered to the T.R.I.P. Center (refer to SOP 313.9).⁷⁷

L. Disposition of Juveniles Charged with a Traffic Offense:⁷⁸

1. A juvenile charged with a non-criminal infraction will be issued a traffic citation and released on his or her own recognizance.⁷⁹
2. A juvenile charged with a criminal traffic offense or a violation of Chapter 322 may be released by issuing a traffic citation and⁸⁰:
 - a. Releasing the child on his or her own recognizance;⁸¹
 - b. Releasing the child to a parent, guardian, or other responsible adult known to the family;⁸² or,
 - 1) Should a juvenile being sent to Detention Screening require medical attention he or she will be treated as outlined in SOP 313.1.⁸³

⁷⁴ CALEA [5th Edition] 44.2.1(a); 44.2.2(a)(b)

⁷⁵ CALEA [5th Edition] 44.2.1(a); 44.2.2(a)(b)

⁷⁶ CALEA [5th Edition] 44.2.2(a)(b)(d)(e)

⁷⁷ CALEA [5th Edition] 44.2.2(a)(b)(d)(e)

⁷⁸ CALEA [5th Edition] 1.2.6; 44.2.1(b); 44.2.2(a); 61.1.3(b)

⁷⁹ CALEA [5th Edition] 1.2.6; 44.2.1(b); 44.2.2(a); 61.1.3(b)

⁸⁰ CALEA [5th Edition] 1.2.5(a); 1.2.6; 44.2.1(b); 44.2.2(a); 61.1.3(b)

⁸¹ CALEA [5th Edition] 1.2.5(a); 1.2.6; 44.2.1(b); 44.2.2(a); 61.1.3(b)

⁸² CALEA [5th Edition] 1.2.5(a); 1.2.6; 44.2.1(b); 44.2.2(a); 44.2.3(a); 61.1.3(b)

⁸³ CALEA [5th Edition] 1.2.5(a); 1.2.6; 44.2.1(b); 44.2.2(a); 61.1.3(b)

3. Juveniles arrested for a felony traffic offense may be released by charging the child using a criminal report affidavit.⁸⁴
 4. Juveniles charged with a felony traffic offense will also be issued a traffic citation for the offense. The citation will then be attached to the criminal report affidavit and routed per SOP.⁸⁵
 5. Booking procedures for juveniles with an active warrant for violation of probation for traffic charges are as follows:⁸⁶
 - a. A CRA (Criminal Report Affidavit) will be completed;
 - b. DCF will be contacted as well as the juvenile's parents;
 - c. The juvenile will be transported to Central Booking;
 - d. A report number will be obtained since the affidavit will serve as the report. However, if the officer determines there is a need for an Incident Report to be originated, it will be entitled Assist Other Agency.
- M. Interview and/or Arrest Within a School: When conducting an investigation within a school, or if it becomes necessary to interview or arrest a student at a school, the investigating officer shall always notify the school principal, dean, or other appropriate person in charge. In schools where Resource Officers are assigned, the investigating officer will make an effort to contact the Resource Officer and coordinate the investigation through the SRO.
- N. Transporting Juveniles:
1. A juvenile will not be transported in a police vehicle or other vehicle, which contains an adult prisoner unless the juvenile and adult are involved as perpetrators in the same offense.
 2. By federal law, juveniles must at all times be totally separated (both sight and sound) from adult prisoners except when the juvenile and adult are involved as perpetrators in the same offense.
 3. Juveniles will be transported to the appropriate intake facility without delay unless in need of medical attention.⁸⁷

Supersedes SOP 313, dated 1/10.

⁸⁴ CALEA [5th Edition] 1.2.5(a); 1.2.6; 44.2.1(b); 44.2.2(a); 61.1.3(b)

⁸⁵ CALEA [5th Edition] 1.2.5(a); 1.2.6; 44.2.1(b); 44.2.2(a); 61.1.3(b)

⁸⁶ CALEA [5th Edition] 1.2.5(a); 44.2.2(a); 61.1.3(b)

⁸⁷ CALEA [5th Edition] 44.2.2(d)

313.1 MEDICAL TREATMENT FOR JUVENILES

- I. Discussion: F.S. §39.046(5) states (in part), “a physician shall be immediately notified by the person taking the juvenile into custody or the person having custody if there are indications of physical injury or illness, or the child shall be taken to the nearest available hospital for emergency care.” F.S. §39.038(2)(e), states (in part), “If the child appears to be intoxicated... or is incapacitated by substance abuse...” a law enforcement officer should deliver the child to a hospital, addictions receiving facility, or treatment resource center. A child may be provided mental health or retardation services, in emergency situations, pursuant to the procedure and criteria contained in 394.463(1) or Chapter 393, whichever is applicable.

If the injury or illness of a child is the result of suspected child abuse, follow procedures in SOP 313.7.

II. Procedure:

A. Physical Injury or Illness¹:

1. Unless extenuating circumstances prohibit, any juvenile in custody of this Department who is suffering from a physical injury or illness shall be taken to Tampa General Hospital (TGH) for treatment.
 - a. Any juvenile taken into custody by the Department that appears to be heavily under the influence of alcoholic beverages, or to be suffering from a drug overdose, will be considered as suffering from a physical illness and shall be taken to TGH for treatment.
 - b. In non-emergency situation, the child may be delivered and released to the detoxification center of the Agency for Community Treatment Services (A.C.T.S.), 8620 N. Dixon Avenue, or taken to Tampa General Hospital for treatment.
2. Upon the officer’s arrival at TGH or (A.C.T.S.), or as soon as possible, the child’s parents or legal guardian shall be notified. If the charge against the child is such that the child can be released into the custody of the parents or guardian, every effort should be made to do so.
3. If the child does not require hospitalization and cannot be released into the custody of a parent, guardian, or responsible adult, the

¹ CALEA [4th Edition] 1.3.5

officer will contact Detention Screening via telephone. The case manager will assist in placement of the child.

4. If the child is hospitalized, the procedure will be followed as set forth in B.3. and 4.

B. Emotional Disorder:

1. The only statutory responsibility vested in the Tampa Police Department for emergency treatment of a child suffering from an emotional disorder is the Baker Act.
2. If, in the officer's opinion, the child's condition meets criteria for evaluation under the Baker Act, a Form 52 will be completed on the child and presented along with the child to a mental health receiving facility.
3. Officers shall make every reasonable effort to notify the child's parents or legal guardians of the charges, if any, and the child's location.
4. In this situation, the child will be considered released into the custody of the Intake Officer. A criminal report affidavit will be completed listing the child as "child in need of services." A report number will be obtained and the affidavit will serve as the report. However, if the officer determines there is a need for an incident report to be originated, it will be entitled "Mentally Ill Person."

Supersedes SOP 313.1, dated 2/01.

313.2 FINGERPRINTING AND PHOTOGRAPHING OF JUVENILES¹

- I. **DISCUSSION:** F.S. §985.11 states that law enforcement agencies may fingerprint and photograph a child taken into custody upon probable cause that such child has committed a violation of the law. Such fingerprint records and photographs shall be retained by the law enforcement agency in a separate file, and these records and all copies thereof shall be marked “juvenile confidential.” If the violation of law for which the child has been taken into custody would be a felony had it been committed by an adult, the child’s fingerprints must be submitted to F.D.L.E. as provided in F.S. §943.051(3)(a). Prints of minors arrested for certain misdemeanors must also be submitted to F.D.L.E. pursuant to F.S. §943.051(3)(b).

- II. **PROCEDURE:**
 - A. A juvenile arrested and released to the Juvenile Assessment Center (J.A.C.), 8620 N. Dixon Avenue, will be processed for fingerprints and photographs by Hillsborough County Detention deputies at that facility.

 - B. When a juvenile is taken into custody for a violation of law and will not be released to the J.A.C., the officer shall transport the juvenile to headquarters and contact the Forensic Investigations Unit to arrange for processing. The officer shall remain with the child during processing.

 - C. A juvenile’s fingerprints and photograph may not be released except under very limited circumstances. All requests for such records from anyone outside the criminal or juvenile justice system should be referred to the Public Records Coordinator.

Supersedes SOP 313.2, dated 12/06.

¹ CALEA [5th Edition] 1.2.5(b)(c); 82.1.1(a)(c)

313.3 DIVERSION OF JUVENILES¹

- I. Discussion: A juvenile offender may be released without charges and diverted from entry into the criminal justice system in accordance with the procedures outlined below.
- II. Procedure:
 - A. An arresting officer's supervisor may approve diversion of a juvenile who has committed a misdemeanor law violation, provided that the circumstances meet the following criteria:
 1. The offense must be a misdemeanor in which the officer could effect an immediate arrest;
 2. The child has no record of previous delinquency;
 - a. The Department of Children and Families Services (DCF) maintains a records system to provide this information to assist the officer;
 - b. Criminal Investigations Division records are available during normal working hours;
 3. The juvenile admits to committing the offense;
 4. The child has an attitude conducive to rehabilitation; and
 5. The attitude of the parents or legal custodian is positive and supportive toward correction.
 - B. A juvenile who has committed a felony offense may be diverted with the approval of a Lieutenant or higher when all of the above criteria are met.
 - C. The diversion of a juvenile who meets the above criteria will be accomplished by the officer writing request for diversion on the top of the affidavit.
 1. Diverted cases will be retained by the originating division and exceptionally cleared.
 2. Should the Criminal Investigations Division have additional information on the subject juvenile which was not available to the arresting officer, the case may be reopened and the juvenile entered into the criminal justice system.

Supersedes SOP 313.3, dated 6/06.

¹ CALEA [4th Edition] 1.2.6; 1.2.7; 44.2.1

313.4 JUVENILE CIVIL CITATION¹

- I. **DISCUSSION:** F.S. §985.12 states that law enforcement agencies may established a juvenile civil citation process for the purpose of providing an efficient and innovative alternative to custody by the Department of Juvenile Justice of children who commit non-serious delinquent acts and to ensure swift and appropriate consequences. This must be done with the concurrence of the chief judge of the circuit, state attorney, public defender, and the head of each local law enforcement agency involved.

The Tampa Police Department, the Chief Judge of the 13th Judicial Circuit, the State Attorney of the 13th Judicial Circuit, and the Public Defender's Office of the 13th Judicial Circuit have agreed to establish a Juvenile Civil Citation process for students enrolled at all public schools within Hillsborough County.

Unlike other forms of juvenile diversion, upon successful completion of the program, there is no arrest record. And, the juvenile offender will have taken responsibility for his/her actions, made a contribution to the community, received positive reinforcement, and been linked to other needed services or supports. Accountability is not sacrificed with this approach.

The Juvenile Civil Citation is the first step in the continuum of the Juvenile Justice process. The civil citation does not decriminalize the juvenile's actions. This program is a pre-arrest diversion intervention. Juveniles participating in the program will be required to complete community service hours and any counseling deemed appropriate by the Juvenile Diversion Office.

II. **POLICY:**

- A. The issuance of a civil citation is limited to juveniles who have never been arrested before or have only one prior misdemeanor arrest or have been previously issued one civil citation.
- B. A juvenile is not eligible for a civil citation if they have ever been arrested for a felony.
- C. A civil citation may only be issued to a juvenile for the following misdemeanors:
1. Theft (values less than \$300);
 2. Criminal Mischief (damage less than \$1000);
 3. Trespassing;
 4. Simple Battery/Assault;
 5. City/County Ordinances;

¹ CALEA [5th Edition] 1.2.7; 44.1.1; 44.1.2; 44.2.1; 44.2.2

6. Disorderly Conduct;
 7. Disruption of a School Function;
 8. Affray; and
 9. Simple Possession of Alcohol (Student not Intoxicated).
- D. If the child is being charged with more than one offense, even if both charges are eligible for a civil citation, the child is ineligible to participate in this diversion program and will be charged in accordance with departmental procedures.
 - E. The juvenile's parent or legal guardian must agree to the intervention. The juvenile's parent or legal guardian shall be notified of the allegation immediately and be willing to sign the citation within 48-hours of the incident responsible for generating the citation.
 - F. If the parent or legal guardian does not agree with the intervention or the officer is unable to make contact with the parent or legal guardian within a reasonable amount of time, then the officer will not issue the civil citation. Instead, the officer will proceed with the established departmental guidelines for handling a juvenile law violation.
 - G. In all instances, the juvenile must accept responsibility for their actions and must agree to participate in the program.
 - H. For the first offense, the officer will assess ten (10) hours of community service. (Officer may add up to an additional five (5) hours based on the severity of the offense or for those juveniles who provide false information or in any way obstruct the investigation or fail to cooperate.)
 - I. For the second offense, the officer will assess twenty (20) hours of community service. (Officer may add up to an additional five (5) hours based on the severity of the offense or for those juveniles who provide false information or in any way obstruct the investigation or fail to cooperate.)

III. PROCEDURES:

- A. When the officer establishes probable cause that a juvenile has committed one of the nine listed offenses, the officer shall issue the child a civil citation in lieu of arrest or the filing of a juvenile misdemeanor complaint.
- B. If the officer believes that the juvenile should not receive a civil citation due to mitigating or aggravating factors, the officer must receive supervisory approval in order not to issue a civil citation.

- C. The officer will verify the juvenile's eligibility by either accessing the Department of Juvenile Justice's database or by contacting the Juvenile Assessment Center (JAC) at (813) 936-9099.
- D. The officer will contact the parent or legal guardian of the juvenile offender and make arrangements to meet so that the civil citation can be signed.
- E. Upon acceptance of the civil citation by the juvenile and the parent or legal guardian, the officer will assigned the appropriate amount of community service hours.
- F. If the parent is unavailable to meet the officer and sign the civil citation, the officer will make arrangements to meet with the parent or legal guardian within 48-hours.
 - 1. In the event the parent or legal guardian is unable to meet within the prescribed time, the officer will proceed with the established departmental guidelines for handling a juvenile law violation.
- G. The officer will originate an offense report titled Juvenile Civil Citation-(appropriate charge). The juvenile offender will be listed as a suspect, not as a defendant.
- H. The officer will make a copy of the civil citation and provide it to the parent or legal guardian of the juvenile offender.
- I. The officer will fax a copy of the civil citation to the Juvenile Diversion Program at (813) 301-3715 before the end of shift.
- J. The original copy of the civil citation will be submitted to be scanned and kept in TPD records.
- K. The report shall be closed in accordance with UCR guidelines as "Closed by Arrest".
- L. In the event that the juvenile does not successfully complete the pre-arrest diversion program, the Juvenile Diversion Officer will notify the supervisor of the officer that issued the citation. The officer will then complete a supplement re-titling the offense to the original offense title, and submit a misdemeanor complaint to the State Attorney's Office for prosecution.

313.6 CHILD CUSTODY DISPUTES

- I. Discussion: Police officers are frequently called upon to investigate cases involving disputed custody of a child. These types of cases are commonly referred to as *parental kidnapping* or *child snatching* cases.

Child custody cases are often not clear cut criminally and are mired in civil paperwork. The potential for civil liability being imposed on the officer and the agency for wrongly removing the child can be great. It is very important that the officer remember that the welfare and security of the child must be in the forefront of all decisions that are not clearly defined by state law or current civil orders.

II. Statutory References and Guidelines:

A. F.S. §744.301(1) Natural Guardians:

1. The mother and father are the natural guardians of their own children and of their adoptive children, during minority. If one parent dies, the natural guardianship shall pass to the surviving parent, and the right shall continue even though the surviving parent remarries. If the marriage between parents is dissolved, the natural guardianship shall belong to the parent to whom the custody of the child is awarded. If the parents are given joint custody, then both shall continue as natural guardians.
2. If the marriage is dissolved and neither the mother nor the father is awarded custody of the child by the courts, neither shall act as natural guardian of the child.
3. The mother of a child born out of wedlock is the natural guardian of the child. That means she has sole custody rights and responsibilities against all other people including the father. This remains true regardless of the listing of the father on the birth certificate. If the father wants legal rights with the child he must go to court and obtain custody orders establishing paternity and visitation/custody rights. If the alleged father (in the absence of custody papers) takes the child from the mother and refuses to return the child, an Interference with Child Custody case shall be initiated.

- B. Custody Orders: When retaking a child on the power of custody papers only, the officers must be certain they are dealing with the most recent custody order filed in the case before removing a child from the custody of the other party. Deal with originals or certified copies of orders and not photostatic copies. The Clerk of the Circuit Court can provide a letter to

the person requesting that we retake the child certifying that the order is the most recent custody order on file (this is even a good idea when recent custody orders are presented). On requests that come from outside Hillsborough County it is **mandatory** that the person requesting the retake of a child register with the Clerk of the Circuit Court and have an emergency hearing scheduled with the judge. The judge will review the custody papers and issue a pick-up order from Hillsborough County allowing an officer to legally (without liability) retake a child.

1. F.S. §61.503(3): *Child Custody determination* means a court decision and court orders and instructions providing for the custody of a child, including visitation rights, including permanent, temporary and initial determinations as well as modification orders.
2. F.S. §61.503(8): *Initial decree* means the first custody decree concerning a particular child.
3. F.S. §61.503(11): *Modification order* means a custody decree which modifies or replaces a prior decree, whether made by a court which rendered the first decree, or by another court.
4. F.S. §61.503(13): *Person acting as a parent* means a person, other than the parent, who has physical custody of the child and who has either been awarded custody by a court or claims a right to custody. Claims of custody often come from grandparents, relatives, or friends who were “given” the child for extended periods of time and have been serving as caretaker and provider in the parents’ absence. Sometimes they have a notarized paper from the parent giving power of attorney for the child. Officers are called in when the parent returns to claim the child from person acting as a parent. In the absence of specific court papers, the determination of where the child should be placed is a very gray area that is often a judgement call for the responding officer based on the fitness of the parent that has reappeared to reclaim the child and the fitness of the person acting as a parent. Preference should be given to the biological parent, unless the officer can show that they are clearly unfit. If the person acting as a parent is desiring to seek legal temporary custody then they would be advised to get legal advice and file for custody. **Certain relatives may obtain temporary formal custody under Florida Statutes Chapter 751.**
5. F.S. §61.503(14): *Physical custody* means actual possession and control of the child.

C. Interference with Child Custody:

1. F.S. §787.03(1): Whoever, without lawful authority, knowingly, or recklessly takes or entices any child seventeen years of age or under or any incompetent person from the custody of his parent, guardian, or other lawful custodian commits the offense of interference with custody and shall be guilty of a felony of the third degree. This paragraph is used for parents in violation of custody orders within the state; cases of adults harboring known runaways; or an adult boyfriend or girlfriend concealing a child girlfriend or boyfriend from the parents or legal guardian.
 2. In the case of the parents' separation, with legal papers, where custody of their children has not been determined by the court or in an unofficial separation of parents – both parents have the same legal rights to the child and the officer should not take the child from the parent having present physical custody unless the child is endangered. Interference with Child Custody 787.03(2) would become an issue here only if one parent, “takes, detains, conceals, or entices that child or incompetent person within or without the state, with malicious intent to deprive another person of his right of custody. Paragraph #2 is only used if there are no papers determining custody with parents. Commonly this is used when one parent takes and conceals the child and refuses to tell the other parent and/or law enforcement where the child is staying, thus depriving the other parent of the right to custody.
 3. Interference with Child Custody shall not apply in cases where a spouse who is a victim or reasonably believes he or she is about to become a victim of domestic violence, as defined in 741.30, or believes that his or her actions were necessary to protect the child or incompetent person from danger to his or her welfare seeks shelter from such acts and takes the child or incompetent person with him or her, but only if:
 - a. The sheriff or state attorney is notified within 10 days after taking the child;
 - b. The taking parent commences a custody case in court; and
 - c. The sheriff or state attorney is kept informed of any address or phone number change for the child.
- D. Violation of Visitation Agreement in Custody Orders: This is a civil matter, unless the offending parent “knowingly or recklessly takes,” per 787.03(1), the child away from the other parent contrary to the court order. If the offending parent is just late in returning the child from visitation and

there is no attempt to conceal or deprive the other parent of custody, the officers will refer the aggrieved party back to the court that issued the custody decree for the issuing judge to decide contempt. **Except where the safety of the child is immediately in question, officers should endeavor to stay out of custody disputes involving the interpretation of court orders.**

E. Removing Minors from the State or Concealing Minors Contrary to Court Order:

1. F.S. §787.04(1): It is unlawful for any person, in violation of a court order, to lead, take, entice or remove a child beyond the limits of this state, or to conceal the location of a child, with personal knowledge of the order (Felony of the third degree).
2. F.S. §787.04(2): It is unlawful for any person, with criminal intent, to lead, take, entice, or remove a child beyond the limits of the state, or to conceal the location of a child, during the pendency of any action or proceeding affecting custody of the child, after having received notice as required by law of the pendency of the action or proceeding, without permission of the court in which the action or proceeding is pending (Felony of the third degree).

F. F.S. §39.401: Taking a Child Alleged to be Dependent into Custody: A child may be taken into custody:

1. Pursuant to an order of the Circuit Court, or
2. By a law enforcement officer, or an authorized agent of DCF, (a.) if the officer or agent has probable cause to believe that the child has been abandoned, abused, or neglected, is suffering from illness or injury, or is in immediate danger from his surroundings and that his removal is necessary to protect the child.; (b.) the parent or legal custodian has materially violated a condition of placement imposed by the court; or (c.) the child has no parent, legal custodian or responsible adult relative immediately available to provide supervision and care.

(Refer to SOP 313 – Juvenile Procedures regarding the taking of a dependent child into custody.)

III. Procedure:

- A. Officers investigating reports of missing children will handle the case as outlined in SOP 333 – Missing Persons and SOP 313 – Juvenile

Procedures until such time as a determination is made that the child is the subject of a custody dispute.

- B. The investigating officer will immediately attempt to make a determination that the child involved in the custody dispute is safe and which person has legal custody of the child.
- C. If the issue of legal custody is not questionable, the child will be left in the physical custody of the person having legal custody.
- D. If the issue of legal custody is questionable, the child will be left in the physical custody of the person claiming legal custody who had physical custody of the child prior to police involvement, if a reasonable probability exists that the child could belong with that person and the safety and welfare of the child are assured.
- E. If legal custody has been determined and a person not having legal custody has fled with the child contrary to Florida State Statute, pick-up orders will be placed on both the suspect and the child.
- F. If in the determination of the investigating officer there is some indication that the child taken contrary to Florida State Statute might be in danger then his supervisor will be notified and the Sex Crimes Sergeant will be contacted.
- G. All cases in which legal custody cannot be determined or any pick-up orders were placed will be referred to the Criminal Investigations Division.
- H. The Department of Children and Families Services will be notified by telephone of all disputed custody cases.
- I. Officers involved in any custody dispute will fully document the incident and, if possible, obtain copies of applicable court orders. Alternatively, court orders or other documents shall be identified by title in the report. However, where any police actions is taken based upon a court order, a copy of the order **must** be obtained.

Supersedes SOP 313.6, dated 7/06.

313.7 CHILD ABUSE INVESTIGATIONS¹

- I. Discussion: Chapter 827, Florida Statutes, provides for the detection and correction of the abuse or maltreatment of children who are unable to protect themselves. Such abuse or maltreatment includes any willful or negligent acts, which result in neglect, malnutrition, sexual abuse, physical injury, mental injury, or failing to provide necessary services. The statute specifies the responsibilities of affected governmental agencies as well as requires any person having knowledge of suspected child abuse to notify Children and Family Services (CFS) immediately.

To facilitate the medical portion of the investigation, the majority of sexual abuse examinations of children will be conducted by the Child Protection Team. Their facility the Children's Justice Center, is located at 2806 N. Armenia Avenue, Suite 500; main telephone number during normal business hours is (813) 250-6670. During non-business hours the pager for the on-call Child Protection Team Member is answered 24-hours a day at (813) 216-0202. The Communications Bureau will contact the non-business hours 24-hour pager.

II. Definitions:

A. Urgent vs. Deferred Medical Need:

1. Urgent medical need is defined as cases wherein a victim is suspected of having been in acute genital trauma and/or physical trauma.
2. Deferred medical care is defined as cases wherein the children are suspected of having been sexually molested, who have physical symptoms which may be associated with this complaint such as vaginal or penile discharge.

B. Acute vs. Delayed Cases:

1. Acute cases are defined, for these purposes, as those wherein the latest alleged incident occurred within 72 hours of the report.
2. Delayed cases are defined, for these purposes, as those wherein the latest alleged incident occurred greater than 72 hours prior to the report.

III. Procedures:

A. Physical and/or Sexual Abuse:

1. Child Abuse Investigators (CAI) will be used to investigate or augment the on-scene officers' investigation of physical and/or sexual abuse.

¹ CALEA [5th Edition] 44.2.2(b)

- a. On occasion, a Hillsborough County Child Protection Team member will be present on the call. They may have initiated the call for police services. Their role in the investigation is the immediate and further care of the child. They may also offer family services to those involved and help with placement if the child or siblings will need to be removed and placed in a foster setting. The law enforcement officer is to conduct the criminal investigation and should be asking the questions to determine if a crime has been committed.
 - b. If a crime has not been determined to occur, the investigating officer will document what took place on an Information Report – Child Abuse Investigation and route or notify a copy to the Sex Crimes handle.
2. In all cases of suspected physical or sexual abuse the on-scene officer or the CAI will notify CFS (Children and Family Services) Abuse Registry at 1-800-96-ABUSE (1-800-962-2873) and doc

5. Physically abused children who are in need of non-emergency medical treatment will be taken to the Child Protection Team located at 2806 N. Armenia Avenue for assessment and treatment during normal business hours, Monday through Friday, 0800 to 1700 hours. This will be arranged by the assigned detective.
 - a. For after hours emergency assessment and treatment, the child will be taken to the Tampa General Hospital Pediatric Emergency Room.
6. Sexually abused victims will be examined by the Child Protection Team located at 2806 N. Armenia Avenue, Suite 500, (813) 250-6670, Monday through Friday, 0800 to 1700.

NOTE: Contact numbers change frequently, contact communications if telephone numbers are no longer in service.

- a. The Child Protection Team will perform sexual abuse examinations of juveniles under the age of 18, which do not meet the acute case criteria and do not require urgent medical care.
 - 1) Appointments for this type of examination will be made and carried out by the assigned case detective as part of the latent investigation.
- b. In acute cases, the Child Protection Team will perform sexual abuse examinations on juveniles under the age of 13, which meet the acute case criteria and where no apparent trauma or complaint of trauma exists, during normal business hours Monday through Friday, 0800 to 1700 hours. After hours, the Child Protection Team will perform acute case examinations by notifying them on their 24-hour emergency beeper at 216-0202.
- c. If the case is acute (within 72 hours), and the victim (male or female) is 13 years or older, they will be transported to the Hillsborough County Crisis Center, Nurse Examining Office located at 1 Crisis Center Plaza on Bearss Avenue.
- d. Officers should call the Child Protection Team facility at 250-6670 or contact communications and they will call the 24-hour emergency beeper, 216-0202, to notify them of their imminent arrival and request an examination room and staff. A quiet, private room is available for law enforcement/child protection investigator to interview the child.

- e. The officer should note in the original police report that the exam has been conducted and forward the exam forms to the Criminal Investigations Division with the report number written on the envelope. **Exam forms will not be placed into evidence with the exam kit. Do not scan child protection team exams or any medical records into Versadex.**
7. Victims to be examined at Tampa General Hospital Pediatric Emergency Department (24 hours a day).
 - a. Acutely assaulted victims requiring urgent medical care.
8. A law enforcement officer will accompany the victim for examination regardless of the facility used in order to sign the necessary paperwork for Crime Compensation reimbursement.
9. Abused children who are in need of emergency medical care will be taken to the nearest practical treatment facility. The attending physician will be apprised of the situation and requested to conduct a complete examination to determine the extent of physical abuse.
10. Additional examinations may be conducted at the discretion of the assigned latent investigator.
11. In those instances where physical indications of abuse do not exist, and/or witness or victim's statements do not provide reasonable suspicion a crime has occurred, an information report will be originated.

B. Neglected Children:

1. A CAI will be utilized in cases of severe neglect where injuries have occurred to the child or the on-scene supervisor feels the CAI's presence will enhance the investigation.
2. When it has been determined that a child has been neglected, the investigator will notify Child and Family Services Abuse Registry at 1-800-96-ABUSE (962-2873) and document this in the report.
3. The investigating officer will ensure sufficient photographs are taken of the child's environment, as well as any photographs necessary to show physical abuse if it has also occurred. Physical abuse photos will be handled as in 4a, b.
4. If some aspect of the case requires the immediate presence of a latent investigator, the on-scene officer's supervisor will contact the shift commander who will in turn contact the Sex Crimes Sergeant.

C. Child Deaths:

1. A CAI will be utilized to investigate all child deaths stemming from neglect, abuse, or unexplained circumstances.
2. The Sex Crimes/Child Abuse Squad supervisor will be notified in all child death cases, except where a physician will sign the death certificate.

Supersedes SOP 313.7, dated 10/06.

313.8 JUVENILES WANTED BY OTHER JURISDICTIONS

I. Procedure:

- A. When a juvenile is arrested for a law violation on the strength of a pickup order or a teletype from **another jurisdiction within the state**, the arresting officer shall:
1. Follow department procedure in verifying if the hit or pickup order is still valid.
 2. Document the circumstances on a General Offense Report, titled *Assist Other Jurisdiction*.
 3. Complete and have notarized a Criminal Report Affidavit.
 - a. The first line of the affidavit titled *offense* shall reflect the charges as listed on the pickup order and the issuing agency, e.g., *grand theft – Dade County*. The issuing agency will be listed as the victim and the complaining witness in the spaces provided on the affidavit.
 - b. The affidavit, along with a copy of any available documentation (teletype, computer printout, etc.), shall be delivered with the juvenile to the Juvenile Assessment Center (JAC). The JAC will make a copy of the Criminal Report Affidavit and return all originals to the officer.
 - c. The white and green copies will be routed to the Records Section for accountability. The canary copy will serve as the report and will be routed to the Records Section for filing. The pink and goldenrod copies will be destroyed.
- B. When a juvenile is arrested on the strength of a pickup order or teletype from an **out-of-state agency**, for a law violation, the arresting officer shall:
1. Follow department procedure in verifying if the hit or pickup order is still valid.
 2. Document the circumstances on a General Offense Report, listing the juvenile as a fugitive.
 3. Complete and have notarized a Criminal Report Affidavit.
 - a. The titled offense shall reflect the charge of *fugitive*. The issuing agency will be listed as the victim and complaining witness in the spaces provided.
 - b. The affidavit, along with a copy of any available documentation (teletype, computer printout, etc.), shall be delivered with the

juvenile to the JAC. The JAC will make a copy of the Criminal Report Affidavit and return all originals to the officer.

- c. The white and green copies will be routed to the Records Section for accountability. The canary copy will serve as the report and will be routed to the Records Section for filing. The pink and goldenrod copies will be destroyed.
- C. When a juvenile is taken into custody as a runaway from another jurisdiction, the officer shall:
1. Confirm the juvenile's status with the other jurisdiction and document the circumstances on a General Offense Report.
 2. The offense line of the report shall reflect the charge of *runaway*. The issuing agency will be listed as the victim and the complaining witness if the names of the parents cannot be obtained.
 3. When the juvenile cannot be released to the parents or guardian, a copy of the available documentation, e.g., teletype, computer response, will be delivered with the juvenile to the Haven Poe Center.
- D. When a juvenile is taken into custody on the strength of a pickup order placed by the Department of Children and Family Services (DCF), unless the pickup order states a specific charge, the pickup order will be considered an administrative order and the officer shall first verify whether the pickup order is still valid by contacting DCF Single Intake.
1. If the order is still valid, the officer will complete a Criminal Report Affidavit, listing the offense as *Administrative Pickup DCF*, (or the specific charge if one was stated on the pickup order). The issuing agency (DCF) will be listed as the victim and the complaining witness on the affidavit.
 2. The child will then be delivered with a Criminal Report Affidavit and copy of the computer response, to a receiving facility determined by DCF.
 3. A General Offense Report will be originated.
- E. When a juvenile is taken into custody based on a pickup order from some other agency, that agency should be notified as soon as possible for verification of the order and contact information for parents.
- F. The General Offense Report may be retained or referred based on whether some latent investigation is required.

Supersedes SOP 313.8, dated 6/00.

313.9 THE TRUANCY INTAKE CENTER¹

I. DISCUSSION: The Truancy Intake Center (TIC) is a cooperative effort between the Tampa Police Department and the School District of Hillsborough County (SDHC), in conjunction with the Hillsborough County Sheriff's Office (HCSO), Agency for Community Treatment Services (ACTS) and Hillsborough County Department of Children's Services (CINS/FINS). The program is designed to reduce truancy by taking truants into custody for the purpose of delivering them to a designated truancy intake center for processing, where the youth and family receive immediate attention and intervention services. The program is an effective crime prevention tool that enables law enforcement officers to get truant students back in school and off the streets where they may become involved in criminal activity or themselves a victim of crime.

II. DEFINITIONS:

A. Truant: Any student, under the age of 18, who is required to attend to school and is subsequently found not to be enrolled or absent from school during school hours without being excused.

III. PROCEDURE:

A. General:

1. The Truancy Intake Center will accept truants age six (6) through fifteen (15), who are required by the compulsory school attendance laws to attend public schools in Hillsborough County's School District. The Truancy Intake Center will not accept truants from other school districts, private schools or home school programs.
2. When an officer comes into contact with a school age child during school hours, the officer will make every effort to determine if the child is truant or has officially withdrawn from school. Only those juveniles 16 and over can officially withdraw from school.
 - a. Verification of enrollment can be made either by contacting the Truancy Intake Officer (Unit 857) via police radio on D-Main, telephoning the Truancy Intake Center (TIC) at (975-2019 or by contacting the School Resource Officer (SRO). Another option for verifying a child's enrollment is by telephoning the student's school administration office.
 - b. During school hours, students ages six (6) through fifteen (15), who are suspended or expelled from school and are not at home or

¹ CALEA [5th Edition] 41.1.2; 44.2.2(a)(b)

in the company of a parent or other responsible adult, are considered to be truant and may be delivered to the Truancy Intake Center.

- c. Under certain circumstances, the truant may be returned to the school by the officer (e.g. a location where the child was found is in close proximity to the school, etc.). If the officer is taking the truant to the school, the officer shall contact the School Resource Officer (SRO) to verify if they are available at the school to take custody of the child. If the School Resource Officer is not available, the officer shall deliver the child to the Truancy Intake Center. **THE TRUANCY INTAKE CENTER (TIC) SHALL BE THE PREFERRED RELEASE LOCATION.**
 - d. When an officer encounters a truant who is sixteen (16) or seventeen (17) years of age, the officer will determine if the student is enrolled in school. If the student is currently enrolled the officer, when practical will make a reasonable effort to return the student to school and release the student to the *School* Resource Officer. If the School Resource Officer is not available, the child should be released to a school administrator. In the absence of the School Resource Officer, the child will not be released to the school without the consent of a school official. If the 16 or 17 year old student is operating a vehicle, the officer should complete a *Street Check* titled *Truant*. The 16 or 17 year old will be released and instructed to return to school. The vehicle will **not** be impounded.
 - e. If an officer encounters a suspected truant who makes a claim of being 16 or 17 years of age and withdrawn from school, the officer will make a reasonable effort to determine the validity of the claim. If a determination can not be made, the officer will complete a *Street Check* and the juvenile will be released.
3. The Tampa Police Department recognizes that there will be instances when school board personnel or parents will request our assistance in dealing with truant children who are at home. The procedure for handling these cases will be as follows:
- a. When an officer is requested to respond to a home for the purpose of taking a child into custody for truancy, the officer must be invited and must have permission to enter the home.
 - b. Once an officer has met the legal requirements to enter the home of a truant child, the officer is within his legal authority to take the

child into custody for the purpose of delivering the child to the Truancy Intake Center.

- c. When an officer is acting within his legal authority for the purpose of taking a child into custody for truancy and the child refuses to comply with the lawful demands made by the officer, the officer is within his authority to arrest the child for resisting an officer with or without violence whichever charge is the most appropriate.
4. Students who meet the guidelines to be taken into custody for truancy will be transported to the Truancy Intake Center (TIC) located at 8620 N. Dixon, the Agency for Community Treatment Services (ACTS) Building (2nd floor), between the hours of 0800 and 1500 on weekdays excluding school holidays.
 - a. The Truancy Intake Center (TIC) will accept truants only. Juveniles who are charged with a criminal offense, wanted on a capias, or administrative pickup **will not** be taken to the center, but will be dealt with through normal procedures. All truants will be searched and a warrants check will be completed prior to their delivery to the Truancy Intake Center.
 - b. Officers shall complete a Street Check titled Truant. Additionally, any officer that comes in contact with a truant child that has access to Esponder shall enter the child in the Truancy log in Esponder.
 - c. Procedures regarding the transportation of juveniles will be followed as outlined in SOP 313.

B. Truancy Intake Center (TIC) Operational Duties:

1. The Truancy Intake Officer shall initiate a truant custody log entry and complete a school referral slip once a child is remanded to his or her custody.
2. The Truancy Intake Officer shall be responsible for contacting the child's parent(s) or legal guardian(s).
 - a. The child's parent(s) or legal guardian(s) must be advised to respond to the Truancy Intake Center to take custody of the child prior to closing time.
 - b. If the parent(s), legal guardian(s), or another responsible adult cannot be located or does not respond to pick up the child by the end of normal operating hours for the Truancy Intake Center, the

child will be released in the custody of the Agency for Community Treatment Services (A.C.T.S.).

3. Once the parent(s)/legal guardian(s) arrives at the Center to pick up the child, the Truancy Intake Officer will notify the Social Worker of the parent(s) or legal guardian(s) arrival.
 - a. The parent(s)/legal guardian(s) shall be apprised of the Florida Law regarding compulsory school attendance and the parent(s)/legal guardian's responsibility in that regard.

Supersedes SOP 313.9, dated 7/05.

314 SEXUAL BATTERY INVESTIGATIONS

I. DISCUSSION: Sexual Battery is a crime that may result in both physical and emotional injury to the victim. The Tampa Police Department views this violent criminal act as a heinous crime. All available resources, including the Sexual Battery Team when certain criteria have been met, should be utilized in the department's effort to arrest any person responsible for committing this crime.

II. DEFINITIONS:

A. Sexual Battery Team: An investigative team consisting of the sex crimes supervisor and sexual battery detectives from the Criminal Investigations Division, Major Crimes Bureau. The team operates on an on-call status, and responds to the scene of a sexual battery that fits the guidelines of the procedure provided below (III. Procedures).

B. Sex Crimes Matrix: A report detailing pertinent facts about offenses of a sexual nature. The Matrix will document certain facts contained in reports to include suspect information, suspect vehicle information, location, and method of operation. The Matrix will be maintained and updated by an analyst from the Criminal Intelligence Bureau. The Analyst will input the Matrix information into the computer in a program that is easily accessible to all employees.

III. PROCEDURES:

A. The investigating officer will:

1. Secure the crime scene and interview the victim.
2. Issue temporary alerts and pick-ups as necessary.
3. Notify his/her immediate supervisor of the crime.
4. Utilize the Canine Unit for tracking purposes when feasible.
5. Protect the crime scenes and process as directed by the on-scene supervisor.
 - a. If the Sexual Battery Team is to be utilized, the area will be secure of all unnecessary contamination and the Forensic Investigative Unit personnel should only be notified to respond after the team is enroute. This will prevent occupying the crime lab longer than necessary.
 - b. Photos should be taken of a victim's physical injuries - e.g., bruises and cuts. Every effort should be made to have the photos taken by the crime scene technicians. All injuries to

sexual organs will be noted during the medical exam by the nurse examiner and will not be photographed by officers or the crime scene technicians.

6. Transport the sexual assault victim to the appropriate medical facility for an examination. Victims will not be detained at crime scenes for prolonged periods of time.
 - a. If the case is acute (within 72 hours) and the victim (male or female) is under the age of 13 or non-acute under 18 years, the medical exam should be handled as outlined in SOP 313.7, Child Abuse Investigations.
 - b. All acute victims, both male and female, 13 years of age or older are examined by the Hillsborough County Crisis Center Nurse Examiners. Non-acute cases of males or females 18 years or older are also done by nurse examiners. Those victims not needing emergency medical clearance will be examined at the Crisis Center at 1 Crisis Center Plaza at 202 W. Bearss Avenue.
 - c. The officer will contact TPD communications to obtain current contact information for the nurse examiners. They will need to know the estimated time of the officer's arrival at the facility, name of victim and age of victim. The nurse examiners generally have a 60-minute response time. It is important to note that the Nurse Examiner can refuse to conduct exams when the offense occurred outside of Hillsborough County. If the officer is advised that the Nurse Examiner will not respond, he/she will advise the immediate supervisor of this information and document the name of the person who was contacted and refused to respond.
 - d. Officers will ensure that the victim has transportation from the medical facility, post exam, to their home or a safe place (shelter, relative, etc.). This does not necessitate officers stand-by during the exam, but it does require transportation arrangements be made prior to the officer leaving the victim. During the hours of 1900 to 0600 hours and on weekends (non-business hours) the officer may be asked to stand-by with the victim and the nurse examiner for security reasons. This will be accommodated, if requested.
7. Interview available witnesses and conduct neighborhood surveys.
8. Originate the Offense Report.

- a. The officer's copy (yellow) of the sexual battery exam results form will be forwarded to the Criminal Investigations Division with an advance copy of the report without delay. The results form will not be placed into evidence by the officer. They will be sent to the detective to review. No medical forms or records of any type will be imaged into Versadex.
- B. The On-Scene Supervisor will:
1. Obtain the details of the crime from the investigating officer.
 2. Contact the shift commander and inform him/her of the facts surrounding the investigation.
 3. Be responsible for the supervision of the investigation. If a supervisor assigned to the Criminal Investigations Division appears on the scene, responsibility for the supervision of the investigation will be transferred to the Criminal Investigations Division supervisor.
- C. The Shift Commander will:
1. Maintain communications with the on-scene supervisor and gather the facts with reference to the investigation.
 2. Determine if the Sex Crimes sergeant is to be notified.
 3. Notify the Sex Crimes sergeant if it is immediately apparent that the report is not delayed; and
 - a. The crime fits a pattern of like crimes; or
 - b. The victim was sadistically treated or seriously injured; or
 - c. The circumstances surrounding the offense are of an unusual nature, e.g., there is a need for a search warrant at the crime scene; the offender is arrested at the scene and wishes to talk to a detective to give information on additional offenses; the on-scene supervisor feels that a detective's presence will enhance the investigation.
- D. The Sex Crimes supervisor will make the final determination on the utilization of resources based on information provided by the shift commander and the on-scene supervisor.

Supersedes SOP 314, dated 11/03.

314.1 ASSAULTS INVESTIGATIONS

I. DISCUSSION: To provide a procedure for improving service to those victims interested in proceeding with criminal charges against suspect(s) in all types of assault investigations. Misdemeanor assault investigations include the use of two forms, the Request for Prosecution by Complainant and the Assault Victim Instructions Form.

II. DEFINITIONS:

- A. Assault Victim Instructions Form (TPD 596): A form provided to an assault victim by the investigating officer. The form contains instructions for a complainant who is interested in prosecuting the suspect in a misdemeanor assault/battery case or improper display of dangerous weapons.
- B. Assault Detail File Case: A thirty-day “tickler” or holding file system utilized for those cases that are referred for latent investigation involving the Assault Victim Instructions form.
- C. Assault Detail Desk: An DLIS investigative aide will be assigned to staff the office on a daily basis to speak with complainants who call or appear in person, per the instruction form, during normal business hours.
- D. Request for Prosecution by Complainant (SAO Form #177,): A form provided by the State Attorney’s Office to be issued by Tampa Police Department personnel for a misdemeanor case wherein the suspect is an adult and who has been positively identified by name, date of birth and address. The form contains instructions for a complainant who is interested in prosecuting the suspect in an assault case.

III. PROCEDURES: Felony Assaults:

- A. All felony assault/battery cases and throwing/shooting deadly missile cases with life threatening or serious injuries will be referred to the Homicide Squad for latent follow up.¹
- B. All felony assault/battery cases and throwing/shooting deadly missile cases with minor injuries and investigative leads will be referred to the Homicide Squad for latent follow up.²
- C. All felony assault/battery cases and throwing/shooting deadly missile cases with minor injuries, where an arrest is made and there is no need for latent investigation, will be closed by arrest.

¹ CALEA [5th Edition] 42.1.4

² CALEA [5th Edition] 42.1.4

- D. All felony assault/battery cases and throwing/shooting deadly missile cases with minor injuries and no investigative leads will not be referred.

IV. PROCEDURES: Misdemeanor Assault/Battery/ Improper Display Dangerous Weapon

- A. Officers will continue to respond to misdemeanor complaints and conduct the appropriate investigation.
- B. When circumstances indicate an offense has occurred, the appropriate report will be initiated. If the complainant sustained minor injuries and there are no investigative leads, the report will not be referred.
- C. Officers are authorized to arrest suspects for misdemeanor battery upon developing probable cause even if the misdemeanor did not occur in the officer's presence per F.S. §901.15(9)(a).
- D. All domestic violence cases not involving arrests will be referred to the Criminal Investigations Division and investigated per policy. Officers will not issue a "Request for Prosecution by Complainant", an "Assault Victim Instructions Form" or a "Notice to Appear" in domestic violence cases.
- E. Request for Prosecution by Complainant (SAO 177):³
 - 1. If the investigation determines there is probable cause to believe a crime was committed and the suspect is a known, the officer while at the scene, will complete the "Request for Prosecution by Complainant."
 - 2. Officers must obtain sufficient information about the suspect to complete the form. This information includes a name, date of birth, and address.
 - 3. Officers will inform the complainant of the proper filing procedure with the SAO per the instructions on the form and provide the complainant with their copy of the form.
 - 4. Officers will originate a police report and the supervisor will refer the case to the designated DLIS squad for follow up with the SAO.
 - 5. When the "Request for Prosecution by Complainant" form is utilized the Assault Victim Instructions Form is not to be issued.
- F. Assault Victim Instructions Form (TPD 596):⁴
 - 1. If the investigation determines there is probable cause to believe a crime was committed and the suspect is not known, but there are investigative

³ CALEA [5th Edition] 42.1.4

⁴ CALEA [5th Edition] 42.1.4

leads, then the following procedure using the Assault Victim Instructions Form will be utilized:

- a. A police report will be originated. The investigative officer will attempt to obtain all possible investigative leads including e.g., name, nickname, possible address of suspect, employment, tag number, etc., that might lead the investigator to the identity of the perpetrator of the crime. This information will be documented in the General Offense Report.
- b. In misdemeanor cases, the General Offense Report will reflect the issuance of the Assault Victim Instructions form on the last line of the "case summary" section by the officer including "Assault Form 596 issued."
- c. In those cases that the investigating officer has doubts as to the referral of the case, the officer should issue the Assault Victim Instructions form to the complainant.
- d. The police report will be referred to the designated DLIS Squad.
- e. The investigating officer will fill in the required information on the Assault Victim Instructions form (TPD 596). This includes indicating the offense, the complainant's information, date, address and offense number. The officer will then check the appropriate district for the complainant to contact. The officer will then provide the complainant the Assault Victim Instructions Form.
- f. When issuing the form, officers are not to advise the complainant that the investigative aide will contact them. The victim must comply with the instructions indicated at the bottom of the form and contact the Assaults Detail Desk after three (3) days but within ten (10) days, in person or by telephone.
- g. The Assault Victim Instructions form should only be issued to complainants of misdemeanor assault/battery or in cases of improper display of dangerous weapons/firearms. Do not issue forms to the victims of domestic violence, felony assault/battery, robbery, sexual battery, larceny, or cases in which an assault was a companion crime, e.g., robbery/aggravated assault.

2. A DLIS Supervisor will ensure the following:⁵

⁵ CALEA [5th Edition] 42.1.4

- a. Each working day during normal business hours (8:00 a.m. to 4:00 p.m.) an investigative aide will be assigned to the Assault Detail Desk.
- b. The investigative aide will be assigned the responsibility of latent investigation of misdemeanor cases in which complainants have responded to the Assault Instructions form.
- c. The investigative aide will assign the case by self-assignment in the computer system as "active."
- d. The investigative aide will purge the Assault Detail Case File of those cases in which complainants did not contact the Assault Detail Desk within 30 days.
 - i. Those cases will be closed per the Crime Information System guidelines.
 - ii. The cases will also be re-entered into the TPD computer system and changed to "not active."⁶

Supersedes SOP 314.1, dated 12/06.

⁶ CALEA [5th Edition] 42.1.3(e)

314.2 DOMESTIC VIOLENCE

- I. Discussion: This directive provides officers with procedures for enforcing the domestic violence laws and informing victims of their legal rights and remedies.

Domestic violence is a learned, coercive pattern of behavior used to control a victim. This pattern frequently becomes more violent with each new episode, thus increasing the potential for serious injury to the victim as well as to the officer.

It is imperative that this pattern be stopped immediately. As a law enforcement officer, you are frequently the first person outside of the household to interrupt the cycle of violence.

This department supports the philosophy that an arrest is the preferred method of stopping violence and sending the message that the violent behavior will not be tolerated. It is the officer's responsibility to ensure the safety of the victim by bringing the perpetrator under the control of the criminal justice system.

II. Definitions:

- A. Domestic Violence: Pursuant to F.S. §741.28, any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any crime resulting in physical injury or death of one family or household member by another family or household member.
- B. Family or Household Member: Pursuant to F.S. §741.28, a spouse, former spouse, person related by blood or marriage who reside together as a family or who have resided together as a family, persons who live or who have lived together as a family, and persons who have a child in common, regardless of whether they have been married. (Note: Roommates who are not involved in an intimate relationship would not fall under the domestic violence statutes.)
- C. Victim's Notice of Legal Rights and Remedies: Forms issued reflecting the availability of a domestic violence center, the right to file criminal charges with the State Attorney's Office, and the right to file a petition requesting an injunction for protection from domestic violence.
- D. Domestic Violence Center: The Spring of Tampa Bay, Inc., Tampa, FL, (813) 247-7233.
- E. Arrest Without Warrant: When a law enforcement officer investigates an allegation of an incident of domestic violence, as defined in F.S. §741.28, the officer shall handle the incident pursuant to the arrest policy provided

under F.S. §901.15, which authorizes an officer to make a warrantless arrest when there is probable cause to believe that:

1. A person has committed an act of domestic violence;
2. The act was a criminal violation of an injunction (refer to SOP 314.4 and F.S. §741.31(4)); or
3. The act was a violation of a pre-trial release condition (refer to F.S. § 903.047; 741.29(6); and 901.15).

III. Procedure:

A. Investigation:

1. Calls reporting domestic violence in progress or having just occurred shall **not** be cancelled for any reason prior to the arrival at the scene and initial investigation by responding officers.
2. Officers responding to a domestic violence incident shall first stabilize the scene and separate the involved parties. Because it is often a power and control situation, it is incumbent upon the officers to ensure that the parties are out of sight and hearing of each other, while always keeping officer safety a priority.
3. Whenever possible, the officer will obtain a sworn written statement from the victim, witnesses (including children), and defendant concerning the alleged domestic violence. If necessary, the officer should write the statement for the victim or witness, confirm the accuracy of the statement, and have the victim or witness sign it after being sworn. All written statements must be imaged into Versadex and then placed into evidence. If the statements cannot be imaged into Versadex by the officer, then a copy will be made and sent to the Family Violence/Sex Crimes Unit (Domestic Violence) for the detective to image the statement into Versadex. Note on the **copy** of the statement that it has not been imaged into Versadex.¹
4. Florida Statute §921.0024(1)(b) provides an enhanced penalty for domestic violence crimes committed in the presence of a household member who is under the age of sixteen years old. It is important that officers investigating domestic violence crimes determine whether any children may have witnessed all or part of a criminal act and determine the age of the child; if under sixteen, determine whether the child is a household member as defined in

¹CALEA [4th Edition] 42.2.1(b)

F.S. §741.28(3); obtain a sworn statement from the child, if possible; and fully document the above information for use by the State Attorney in sentencing. If a child witnesses domestic violence, CFS must be notified at 1-800-96-ABUSE (1-800-962-2873).

5. Officers will contact the Communications Section and speak to the call taker to determine if the 9-1-1 tape might be of evidentiary value, i.e., spontaneous statements from the victim about the offense. The officer will document in the report if the 9-1-1 tape may or may not be of evidentiary value for follow-up by latent investigators and the State Attorney's Office. Officers will not routinely request copies of the 911 tape from the Communications Section unless they receive a subpoena requiring them to do so.
6. Officers shall *take* digital photographs of the victim, offender, crime scene, etc., at every domestic violence incident regardless of the extent of injury and/or damage. In the event of serious injuries (i.e., broken bones, burns, stab wounds, etc.) a crime scene technician shall be called.
7. During the course of the investigation, the officer shall provide the victim with documents pertaining to their legal rights and remedies (i.e., domestic violence pamphlet, information on the Spring, and procedures for obtaining an injunction for protection).²
8. Officers shall attempt to verify whether there are pending Battery (Domestic Violence) cases between the victim and suspect, and whether there are any pre-trial condition violations as a result of the current incidents.
9. Third party allegations of domestic violence shall be as fully investigated at the district level as first party allegations.

B. Arrests:

1. Officers shall effect an arrest in cases of misdemeanors not committed in the officer's presence pursuant to the guidelines set forth in §II (E) and F.S. §901.15(7).
2. Officers shall effect an arrest upon developing probable cause in felony cases pursuant to F.S. §901.15(2) and in cases where a misdemeanor or felony is committed in the officer's presence pursuant to F.S. §901.15(1).

² CALEA [4th Edition] 55.2.3

3. If the officer's investigation reveals probable cause to arrest both participants in a domestic violence situation, both may be arrested. However, if the investigation further indicates that one participant was the primary aggressor the officer should only arrest the primary aggressor. If the primary aggressor alleges that he was also a victim of domestic violence, then it is imperative that the officer thoroughly investigates the allegation to determine whether it was an act of self-defense or an act of aggression. If it was a separate act of aggression, then the officer shall direct file on the secondary aggressor. The officer shall take every possible step to determine the primary aggressor, and whether the second act was aggressive or defensive. The officer shall document in the report the grounds not to arrest the primary aggressor or the decision to arrest two or more parties.
4. There is no longer a requirement that a domestic violence arrest be supported by corroborating eyewitnesses or visible evidence of injury to the victim. This does not, however, relieve the officer of the duty to establish probable cause to support every arrest.
5. The decision to arrest and charge shall not require the consent of the victim. A Complaint Withdrawal will not be accepted in domestic violence cases.
6. If the arrest criteria in II.E are met and the suspect can be located, officers are to continue the case and effect the arrest, regardless of whether the incident is a felony or misdemeanor. These cases will be closed by arrest and retained at the district level. However, all cases involving sexual battery or child abuse shall be referred to the Criminal Investigations Division (to the Family Violence/Sex Crimes Unit – Sex Crimes Handle).
7. If the allegation is a misdemeanor, and the suspect is known but unavailable for lawful arrest, the officer shall complete a Criminal Report Affidavit for direct file. The officer shall forward the affidavit and copies of all written statements to the Family Violence Unit, Domestic Violence. The copy will be appropriately marked if it was imaged or not.

Nothing in this section shall prohibit a supervisor from authorizing a probable cause pickup for a misdemeanor act of domestic violence in cases where the suspect has fled the scene, and there is reasonable belief that he may return in the near future and commit further acts of domestic violence. This shall not be a routine practice and is restricted to those cases where exigent circumstances exist. F.S. §741.30(6) (c)(2).

8. If the allegation is a felony and probable cause exists for an arrest, but the suspect cannot be located, the investigating officer shall complete a criminal affidavit and place a pickup with the Pick-up Desk. All cases with pickups shall be referred to the Criminal Investigations Division (Family Violence/Sex Crimes Unit, Domestic Violence). The decision not to place a pick-up requires Shift Commander approval.

C. Reports:

1. Whether or not an arrest is made, the officer shall make a police report of all alleged incidents, including third party complaints, indicating that the alleged offense was an incident of domestic violence.
2. The Offense/Incident section of the police report shall include not only the alleged charge, but also the words DOMESTIC VIOLENCE in parentheses, i.e., “Battery (Domestic Violence)”.
3. Officers will not issue TPD Form 596, Assault Victim Instructions Form, to domestic violence victims.
4. A Tampa Police Department “Domestic Violence Attachment” will be completed for each domestic violence incident. An attachment will be completed for each victim and offender of domestic violence.
5. It will be noted in the report if a child witnessed the offense and that the 96-ABUSE line was advised.
6. Officers will ensure that the following is documented in the report:
 - a. **Any** spontaneous statements or excited utterances pertinent to the case to further assist in prosecution will be documented in the narrative portion;
 - b. The emotional condition of all parties involved in the case will be documented in both the narrative portion of the report as well as the Domestic Violence Attachment; and
 - c. The exact words used by the victim, suspect, and witnesses will be documented in the interview portion of the narrative of the report. Writing statements such as: the witness stated the same as the victim, etc., are not acceptable.

- D. Public Records Exemption Form: Florida Public Records Law allows for certain information to be exempt from disclosure for up to five years. Crime victims, under certain circumstances, are able to request that information on police reports be kept confidential. The person making the request must have been a victim of one of the following crimes: sexual battery, aggravated battery, aggravated child abuse, aggravated stalking, harassment, or domestic violence. The victim must request in writing that the information be kept confidential. The purpose of the form is to protect domestic violence victims who have fled their abuser and do not wish their new location to be known. Officers should explain the form to any domestic violence victim whose relocation address will be on the offense report. Although the form is meant primarily for domestic violence, it may be used for any of listed offenses.

Officers will have the victim complete the Public Records Exemption Forms. The officer will note in his report that the victim completed the Public Records Exemption Form. The original copy of the form will be imaged and stamped by district personnel prior to being forwarded to Records. A copy of the form will be forwarded to the Domestic Violence Section. The copy will be noted if it was imaged or not.

Supersedes SOP 314.2, dated 1/06.

314.3 VICTIM ADVOCATE PROGRAM¹

- I. Purpose: To provide a Victim Advocate Program in conjunction with the State Attorney's Victim Assistance Program, pursuant to F.S. § 960.001.
- II. Discussion: This program provides comprehensive services to those who have been victims of crime, next-of-kin to homicide victims, as well as assistance to essential witnesses. The goal of the program is to alleviate or minimize victim and witness traumatization. Florida Statutes, Chapter 960, enumerates all victim/witness rights.

Services available through the Victim Advocate Program include, but are not limited to:

- A. Providing crisis intervention for the victim and/or secondary victim;
- B. Assessing emergency needs of victims such as food, shelter, and clothing;
- C. Coordinating social service efforts and referrals on the basis of specific victims' needs;
- D. Assisting with Florida Victim Compensation Claims;
- E. Providing information and assistance regarding protection for victims or witnesses from intimidation or physical injury;
- F. Assisting in the return of property no longer needed as evidence;
- G. Assisting in obtaining restitution when appropriate;
- H. Providing court related victim/witness services such as:
 1. Information about the criminal or judicial system and the victim's role therein, including the right to be present at most crucial stages of the proceeding;
 2. Notice of progress and final disposition of the case;
 3. Assistance in solving problems caused by the necessity of court appearances;
 4. Escort to courtroom, depositions, and disposition hearings when requested; and
 5. Assistance with victim impact statement(s) for sentencing.

¹ CALEA [4th Edition] 55.1.3(a)

- I. Providing post-conviction services;
 - J. Providing in-service training for Tampa Police Department personnel in victim related areas, crisis intervention, community resources, and the Florida Victims' Compensation Law;
 - K. Serving as liaison between the department and the public/media by making presentations to the community and service organizations;²
 - L. Serving as liaison between the victim and the department, the courts, social service agencies, and the State Attorney's Office;³
 - M. Upon request, serve on the department's Critical Incident Stress Debriefing Team to assist agency personnel and their families following line-of-duty deaths or serious injuries;⁴ and
 - N. Assisting the department with death notification services for employees, their families, and the public (when police service is requested).⁵
- III. Procedure:
- A. Preliminary Investigative Responsibilities:⁶
 - 1. Assess the need for immediate response of a victim advocate. Circumstances under which the advocate can reasonably be expected to respond are:
 - a. Homicides, when the next-of-kin are on-scene or local;
 - b. Violent crimes in which the victim suffers injury, i.e., robbery, aggravated battery;
 - c. Domestic violence;
 - d. Sexual battery (only if a sexual abuse treatment counselor does not respond); and
 - e. Other crimes of significant impact on the victim or next-of-kin.

² CALEA [4th Edition] 55.1.3(c)

³ CALEA [4th Edition] 55.1.3(d)

⁴ CALEA [4th Edition] 22.2.6

⁵ CALEA [4th Edition] 55.2.6

⁶ CALEA [4th Edition] 55.2.3

2. If the officer believes that the victim, next-of-kin, or a crucial witness requires immediate assistance from the victim advocate, the officer shall contact his supervisor who will evaluate the request. The street supervisor shall determine whether utilization of the advocate is appropriate based upon the type of crime and the needs of the victim.

Note: All requests for victim advocates shall be made via the Communications Section, which maintains a 24-hour call out schedule.

3. If the officer does not believe the situation requires the immediate response of a victim advocate, the following information shall be provided to victims/witnesses:
 - a. An S.A.O. Victim Assistance Program Pamphlet which describes available services pursuant to F.S. §960.001(1)(a);
 - b. Procedures to follow in the event the victim is threatened or otherwise intimidated by the suspect or suspect's companions or family;
 - c. The offense number and information regarding latent investigation;
 - d. A number (retained – DCIU; referred – C.I.D.) that the victim/witness may call to report additional information about the case or to receive information about the status of the case; and
 - e. Instructions to call 911 in the event of an emergency need for medical or police services.⁷
4. Copies of reports described in paragraph III, section A-1 (a – e) will be routed to the victim advocate (via the Criminal Investigations Division) who will screen the reports to determine if any service can be rendered.

B. Victim Advocate Responsibilities: The following services will be provided by the victim advocate for referred cases.⁸

1. Provide information as listed in paragraph III, section A.3;

⁷ CALEA [4th Edition] 55.2.1

⁸ CALEA [4th Edition] 55.2.4

2. Recontact the victim/witness periodically to determine whether needs are being met;
3. Explain to a victim/witness the procedure involved in the prosecution of his case and his role in those procedures whether adult or juvenile;
4. Assist latent investigator with scheduling interviews and other required appearances, at times convenient to the victim/witness, and assist with transportation problems and notify victim/witness of any scheduling changes;
5. Ensure the timely return of property taken as evidence, where permitted by laws or rules of evidence;
6. Advise the victim, parent, or next-of-kin of the right to be present at judicial proceedings in conjunction with jail/detention administrations and advise the victim/witness, when information is available, of the suspect's arrest, charges, custody status, and changes thereto⁹;
7. Notify the victim/witness or their next-of-kin when an offender escapes from a correctional or commitment facility and when the offender is captured;
8. When requested communicate with the employer of a victim or witness concerning the possible absence from work of the victim or witness;
9. When a victim is subjected to serious financial strain due to the criminal act, aid the victim by explaining to creditors the reason for non-payment; and
10. Notify victim of rights concerning restitution and enforcement of restitution orders.

C. Victim/Witness Safeguards:¹⁰

1. Except when mandated by provisions of Florida Statutes, Chapter 119 – Public Records, all employees shall strive to ensure the confidentiality of victims/witnesses and their role in case development;

⁹ CALEA [4th Edition] 55.2.5

¹⁰ CALEA [4th Edition] 55.1.3(b); 55.2.2

2. Upon being advised of a victim's fear of intimidation or further victimization, the officer shall take appropriate and reasonable action. Appropriate actions are dependent upon the existing circumstances and may involve any of the following: offer words of encouragement; originate the appropriate offense report; assist the complainant in obtaining an injunction; provide protective custody, etc.; and
3. When a member of the department becomes aware of danger to a victim/witness, he shall promptly attempt to contact and alert the victim/witness. When the victim/witness is in another jurisdiction, notification and request for assistance shall be made to the appropriate law enforcement agency.

Supersedes SOP 314.3, dated 12/02.

314.4 INJUNCTIONS FOR PROTECTION AGAINST DOMESTIC VIOLENCE, REPEAT VIOLENCE, SEXUAL VIOLENCE, AND DATING VIOLENCE

- I. Discussion: The purpose of this directive is to establish guidelines for providing information to law enforcement officers, who are often the first contacts between the victim of domestic violence and the criminal justice system.
- II. Definitions:
- A. Domestic Violence, Repeat Violence, Sexual Violence or Dating Violence Injunctions Generally: A court order requiring a family or household member to do, or refrain from doing, a specific act. A temporary injunction may be issued by the court without a hearing and is in effect for a maximum of fifteen days unless extended by the court; however, once the final hearing takes place and a permanent injunction is granted, the temporary injunction will stay in full force until the permanent injunction can be served. A permanent injunction may be issued following a properly noticed hearing and is effective for the time period specified in the injunction.
1. Injunction for Protection Against Domestic Violence: Is an injunction issued by the court to any person who has suffered or has reasonable cause to believe he/she will suffer an act of domestic violence.
 2. Injunction for Protection Against Repeat Violence: Is an injunction issued by the court to any person who has been the victim of at least two incidents of violence or stalking by the respondent. One of the incidents must have occurred within the last six months.
 3. Injunction for Protection Against Sexual Violence: Is an injunction to protect a victim against a perpetrator of one of the sexual offenses specified in F.S. §784.046(1)(c).
 4. Injunction for Protection Against Dating Violence: Is an injunction to protect a victim against violence perpetrated by someone with whom the victim had a dating relationship within the past 6 months as defined in F.S. §784.046(1)(d).
- B. Petitioner: The victim of a domestic violence, repeat violence, sexual violence or dating violence incident who has filed for and received a domestic violence injunction, repeat violence injunction, sexual violence injunction or dating violence injunction.
- C. Respondent: The person against whom the domestic violence, repeat violence, sexual violence or dating violence injunction is to be served.

- D. Section 901.15(6), F.S.: (not a chargeable statute): Grants authority to make a full custodial arrest on probable cause (without a warrant) for criminal violations of injunctions entered pursuant to §§741.30 and 784.046, F.S.
- E. Section 741.30, F.S.: Statutorily allows a victim of domestic violence to seek an injunction for protection through the courts.
- F. Section 741.31, F.S. (Criminal): Charging statute utilized for violation of the provisions set forth in a domestic violence injunction, issued pursuant to §§ 741.30, F.S., by:
1. Refusing to vacate the dwelling shared by the parties;
 2. Going to or being within 500 feet of the petitioner's residence, school, place of employment, or a specified place frequented regularly by the petitioner and any named family or household member. (Note: The petitioner's place of residence is any place he/she resides, not necessarily a shared dwelling with the respondent);
 3. Committing an act of domestic violence against a petitioner;
 4. Committing any other violation of the injunction through an intentional unlawful threat, word, or act to do violence to the petitioner;
 5. Telephoning, contacting, or otherwise communicating with the petitioner directly or indirectly, unless the injunction specifically allows indirect contact through a third party;
 6. Knowingly and intentionally coming within 100 feet of the petitioner's motor vehicle whether or not the vehicle is occupied;
 7. Defacing or destroying the petitioner's personal property, including the petitioner's motor vehicle; or
 8. Refusing to surrender firearms or ammunition if ordered to do so by the court.
 9. It is a violation of 790.233, F.S., for a person under a final injunction for protection against Domestic Violence to have in his/her care, custody, possession, or control, any firearm or ammunition. A limited exception is made for police officers performing official duties.

- G. Section 784.046, F.S.: Statutorily allows the victim of repeated acts of violence to seek an injunction for protection against repeat violence, sexual violence, or dating violence through the courts.
- H. Section 784.047, F.S.: Charging statute utilized for willful violation of the provisions of an injunction against repeat violence, sexual violence or dating violence relating to:
1. Refusing to vacate the dwelling shared by the parties;
 2. Going to the petitioner's residence, school, place of employment, or any specified place frequented regularly by the petitioner and any named family or household member;
 3. Committing an act of repeat violence, sexual violence or dating violence against the petitioner;
 4. Committing any other violation of the injunction through an intentional unlawful threat, word, or act to do violence to the petitioner;
 5. Telephoning, contacting, or otherwise communicating with the petitioner directly or indirectly, unless the injunction specifically allows indirect contact through a third party.
 6. It is a violation of 790.233, for a person under a final injunction for protection against them, to have in their care, custody, possession, or control any firearm or contraband.
- I. Violation of Condition of Bond, Section 741.29(6), F.S.: A person who willfully violates a condition of pretrial release provided in 903.047 F.S., when the original arrest was for an act of domestic violence commits a first degree misdemeanor. E.g.: Defendant is on bond for domestic battery against a victim, and a condition of the bond is no contact with that victim. If the officer observes the subjects together, the defendant n erel arrentey.

situation finding a person who has an original or certified copy of an injunction for protection should take the following steps:

1. Determine if the injunction has been served by telephoning the Hillsborough County Sheriff's Office Communications Center. If it has been served, the officer should enforce it as outline in section III.B.
2. If the injunction has not been served, the officer should take one of the petitioner's certified copies and read it to the respondent before he is given a copy. The officer will then notify the HCSO Communications Center, immediately to update the service. Take the third copy of the injunction and attach it to the instruction form accompanying the injunction. The date, time, location, and signature of the officer must be noted on the instruction form. The signed instruction form will be placed in an envelope and marked "HCSO Court Process Bureau – Served Injunction" and placed in the SAO basket located in each shift commander's office for pick-up by the SAO Liaison who will transport the forms to the HCSO Court Process Bureau.

B. Enforcement of Domestic Violence, Repeat Violence, Sexual Violence or Dating Violence Injunctions:

1. Injunctions Issued by Florida Courts:
 - a. Law enforcement officers, who are requested to enforce a domestic violence, repeat violence, sexual violence or dating violence injunction shall first ascertain whether the injunction is valid. This can be done by reviewing a copy of the injunction that the petitioner possesses; however, the officer must run a check on the respondent through the FCIC computer. Valid injunctions are logged into the FCIC computer and its validity should be noted by using the operator number. If there is a reason to believe that the injunction was recently served (not in FCIC), the officer should call the HCSO Communication Center, to check on its validity, again using the operator's number for confirmation.
 - b. All domestic violence, repeat violence, sexual violence or dating violence injunctions served in the State of Florida are enforceable throughout the state, and should be validated through the FCIC computer.
2. Injunctions Issued by Other Courts:

- a. Injunctions issued by courts of other states, the District of Columbia, U.S. territories, or reservations are valid and enforceable in Florida pursuant to F.S. §741.315. No court proceeding in Florida is necessary; however, in order to be enforced the following conditions must be met:
 - 1) The injunction must be valid on its face and not expired;
 - 2) The injunction must have been issued following a hearing at which the respondent attended or had notice and the opportunity to attend; and
 - 3) The injunction must have been served on the respondent.
 - b. Whenever possible, contact the issuing court to confirm the validity of the injunction prior to making an arrest.
 - c. Foreign injunctions once verified are enforced in the same manner as injunctions issued by Florida Courts.
 - d. Foreign injunctions can be verified by swearing-in any party, i.e., petitioner, respondent, family member, friend, etc. and then their swearing by affidavit to the injunction's validity. See F.S. §741.315.
3. If the respondent commits another act of domestic, repeat, sexual or dating violence against the petitioner, the appropriate charges should reflect *Violation of Domestic Violence, Repeat Violence, Sexual Violence or Dating Violence Injunction* (F.S. §741.31., §784.047., or §784.046) along with any other criminal acts committed (e.g., battery, assault, etc.). Both charges should be placed on the same affidavit.
 4. If the officer has probable cause to believe that a criminal violation of an injunction has occurred, but the respondent is not present upon the officer's arrival, the officer shall complete a report and a Criminal Report Affidavit. The probable cause portion of the CRA will reflect specifically which section of the injunction was violated. The affidavit will be used to place a misdemeanor probable cause pick-up for the respondent. The case will be referred.
 5. It should be realized that some conditions of the petition are civil in nature. Officers should not arrest the respondent for a violation

unless it is listed above. For civil violations, the petitioner should be referred to the Clerk of the Court for filing a motion for an Order to Hold the Respondent in Contempt.

6. The petitioner CAN NOT be arrested or charged for violating their own injunction under any circumstances. The injunction remains in full force against the respondent under any and all circumstances unless removed by the courts.

Supersedes SOP 314.4, dated 8/05.

314.5 EMPLOYEES SUBJECT TO AN INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE, DATING VIOLENCE OR REPEAT VIOLENCE.

- I. Purpose: It is the purpose of this standard operating procedure to define the guidelines to be followed when an employee of the Tampa Police Department becomes subject to a temporary or final injunction for protection against domestic violence, dating violence or repeat violence.
- II. Scope: This procedure shall apply to all employees, sworn, and non-sworn. All employees shall abide with and adhere to all provisions contained within any temporary or final injunction for protection against domestic violence.
- III. Discussion: The federal Violent Crime Control and Law Enforcement Act of 1994 includes a Violence Against Women section, which addresses domestic violence. It prohibits the possession of a firearm or ammunition by any person subject to a final domestic violence injunction. This provision includes law enforcement officers.

The Bureau of Alcohol, Tobacco, and Firearms has interpreted the federal law as not prohibiting the possession by a law enforcement officer of a department issued/authorized firearm and ammunition while on duty when such possession is required by the officer's official duties. Possession of personal firearms or ammunition at any time is prohibited.

- IV. Procedure:
 - A. Upon being served with a temporary (ex parte) injunction for protection against domestic violence, dating violence, repeat violence or notice of hearing, an employee shall notify his supervisor on the next work day and provide a copy of court papers.
 - B. The supervisor shall notify the Internal Affairs Bureau and send them a copy of the temporary injunction.
 - C. The Internal Affairs Bureau shall monitor the status of the temporary injunction and, depending on the nature of the allegations in the injunction, initiate an investigation.
 - D. After the court hearing, if an injunction is not issued, the employee will notify his supervisor and the Internal Affairs Bureau, a copy of the dismissal may be required.
 - E. If an injunction for protection against domestic violence, dating violence, or repeat violence is issued:

1. The employee shall immediately notify his supervisor or shift commander and present a copy of the court ordered injunction for protection. A copy of the injunction shall be forwarded by the supervisor or shift commander to the Internal Affairs Bureau and the Police Legal Advisor.
 2. Employees shall comply with all provisions specified in this injunction.
 3. If in the opinion of the Police Legal Advisor, the injunction qualifies as a final injunction, the employee must divest himself of all firearms and ammunition.
 - a. Department owned firearms and ammunition will be turned over to the Property Room.
 - b. Personal firearms and ammunition will be secured according to the directions listed in the injunction.
 - c. The employee must submit a letter to his supervisor attesting to the removal of all firearms and ammunition and their location. A copy of the letter will be routed to the Internal Affairs Bureau.
- F. Officers subject to a final injunction for protection against domestic violence may possess a firearm and ammunition only while on duty or working an approved extra-duty assignment, unless the injunction specifically provides otherwise.
1. The firearm and ammunition will be checked out of the Property Room just prior to the beginning of the officer's tour of duty and must be checked into the Property Room immediately at the end of the tour of duty. This includes personally owned duty weapons.
 2. If the officer works an adverse shift, or the Property Room is closed, the firearm/ammunition will be checked out and turned in at the Impound Lot following the same procedures.
 3. Arrangements can be made with the approval of the affected Division Commander to store the firearm and ammunition in the Division Commander's safe. The Division Commander or designee shall check out the firearm and ammunition prior to the officer's shift and secure same at the end of the officer's shift.
 4. For safety reasons, officers will not wear the police uniform while unarmed.

- G. Because officers subject to a final injunction may not possess firearms or ammunition, they also may not operate a department vehicle while off duty.

Personally assigned (take home) vehicle privileges are suspended while the final injunction is in effect.

- H. When a temporary or final injunction has expired or has been recalled by the court, the officer shall notify his supervisor and the Internal Affairs Bureau, and provide a copy of the court document terminating the injunction.

Supersedes SOP 314.5, dated 7/03.

315 CREDIT BUREAU INFORMATION¹

- I. DISCUSSION: Information gathered by the Credit Bureau is strictly controlled by Federal law and State law. When information is intended to be used for employment purposes, unrestricted information is available to governmental agencies; however, Title VI, U.S.C., Section 601 - 622, restricts information when it is to be used for investigatory, non-employment purposes. In those circumstances, information is restricted to an individual's name, address, former address, place of employment, and former place of employment.

The statute provides a penalty of \$5,000.00 fine or one-year imprisonment or both for receiving or divulging consumer credit reports under false pretenses.

II. PROCEDURE:

- A. Credit checks are performed by the Support Services Bureau, Personnel Unit, during the pre-employment background investigation.
- B. Each applicant must fill out a Credit Check Information sheet.
- C. Credit Check Information sheets are attached to a memorandum from the Fiscal Bureau manager requesting a credit check (Report #4) be performed on each applicant and to charge it to code number 6302.
- D. Credit Checks are mailed to the Merchants Association of Florida, Inc., Credit Bureau Division, P.O. Box 3307, Tampa, FL 33601-3307.
- E. Payment for the services of the Credit Bureau will be accomplished by the Fiscal Bureau.

Supersedes SOP 315, dated 12/06.

¹ CALEA [5th Edition] 52.2.6(d)

316 **FORGERY**

- I. **PURPOSE:** To establish a uniform procedure in the reporting of forged documents including, but not limited to: personal checks, commercial checks, travelers checks, money orders, U.S. Treasury checks, State of Florida checks, wills, titles to property, stock certificates, and credit card invoices.

- II. **DEFINITION:** F.S. § 831.01 defines forgery: Whoever falsely makes, alters, forges or counterfeits a public record, or a certificate, return or attestation of any clerk or register of a court, public register, notary public, town clerk or any public officer, in relation to a matter wherein such certificate, return or attestation may be received as a legal proof; or a charter, deed, will testament, bond, or writing obligatory, letter of attorney, policy of insurance, bill of lading, bill of exchange or promissory note, or an order, acquittance, or discharge for money or other property, or an acceptance of a bill of exchange or promissory note for the payment of money, or any receipt for money, goods or other property, or any passage ticket, pass or other evidence of transportation issued by a common carrier, with intent to injure or defraud any person, shall be guilty of a felony of the third degree, punishable as provided in F.S. § 772.082, § 775.083, or § 775.084.

- III. **PROCEDURE:**
 - A. In offenses concerning forged documents, the arriving officer will detain the suspect and determine the kind of document involved in the forgery. The officer shall at all times protect the document from contamination.

 - B. If an U.S. Treasury check or State of Florida check has been forged, the officer will contact the duty detective or his/her immediate supervisor for review. The duty detective or the officer's supervisor will notify the Postal Inspector's Office immediately at (813) 281-5200, twenty-four hours a day. In many cases the Postal Inspectors will respond to the scene to assist in conducting a joint investigation.

This department and the Postal Inspectors will render appropriate mutual assistance as required. Since there is concurrent jurisdiction in most of these cases, the decision to proceed with State or Federal charges will be made by those members of both agencies conducting the joint investigation.

 - C. In all cases of forgery, the officer will take whatever investigative action is necessary to determine that the document has been forged or altered. The officer will attempt to contact the owner or payee of the check/credit card to determine if it has been lost or stolen, and whether a police report has been made. The officer will check Tampa Police Department records to verify that an offense report has been originated.

 - D. If the officer is unable to determine that the check/credit card has been lost or stolen, a copy of the document and identification will be made whenever practical, and an information report will be prepared to document the

circumstances. Copies of the document and identification will be attached to the information report. This report will then be referred to the Criminal Investigations Division, Economic Crimes Squad for investigation.

- E. In the event that a forgery/credit card fraud has occurred, whether the suspect is at the scene or not, the officer will originate a General Offense Report and refer the document to the Criminal Investigations Division. The officer will confiscate the original documents and credit cards for evidence and submit copies of the documents and credit cards for scanning to the General Offense Report. The report number will be written on all documents submitted for scanning. The officer will make every effort to contact the account holder/credit cardholder and have him or her sign an affidavit of forgery, witnessed by the officer. The original forgery affidavit will be placed into the Evidence Control Section as evidence with the original documents. These documents should be protected from contamination so that the documents may be submitted at a later date for possible fingerprint comparison or handwriting analysis. The officer should not submit the document for comparisons.

The officer should further ensure that: the business making the complaint is listed as the victim; the person making the complaint as the complainant; and the account holder listed as an additional witness in the context of the report. The officer must recognize that whether a transaction is completed or not, the presentation of the forged document constitutes the offense of uttering and should be investigated as such.

- F. When complainants proceed to the police department to file a forgery complaint, and no General Offense Report has been originated, the Delayed Crimes Investigative Unit will originate that report and collect all evidence involved in the offense, as provided in Section E, above.
- G. This department does not handle complaints of "Worthless Checks." Both misdemeanor and felony worthless check cases will be processed through the State Attorney's Intake Office located at 700 E. Twiggs Street. All such complaints coming to the attention of any member of this department will be directed to this location.

This paragraph applies only to "Worthless Checks." All check cases involving "Stop Payment" or "Forgery" shall continue to be investigated by this department.

All complaints of "stop payment" checks will be referred to the Criminal Investigations Division, Economic Crimes Squad during normal business hours.

Supersedes SOP 316, dated 1/99.

316.1 ECONOMIC CRIMES / IDENTITY THEFT INVESTIGATIONS:

- I. **PURPOSE:** The purpose of this Standard Operating Procedure is to provide personnel of the Tampa Police with protocol for accepting, recording and investigating economic crime offenses.
- II. **SCOPE:** This Standard Operating Procedure shall apply to all personnel assigned to investigate economic crime offenses.
- III. **DISCUSSION:** Economic crimes, specifically identity thefts, are the fastest growing crimes in the United States, affecting financial institutions as well as innocent persons. Identity theft is a tool used by terrorists and others attempting to evade the law. The best way to approach any economic crime is to follow the money trail. By doing so you can generally ascertain the jurisdiction where the illegal act occurred and who the actual victims are. Ultimately, the victim is determined by whoever suffers the actual or potential loss. However, it must be kept in mind that although an individual may not suffer a financial loss they may still be a victim of identity theft. Therefore, the Tampa Police Department shall take the necessary measures to record criminal complaints, assist victims contacting other relevant investigative and consumer protection agencies, as well as work with federal, state and local enforcement agencies to identify and apprehend violators.
- IV. **DEFINITIONS:**
 - A. **Check Kiting:** Opening accounts at two or more financial institutions and using the “flat time” of available funds to create fraudulent balances.
 - B. **Counterfeit:** The manufacture of or arranging to manufacture a payment instrument without the permission of the financial institution, account holder, or organization whose name, routing or account number appears on the payment instrument, or the manufacture of any payment instrument with a fictitious name, routing or account number.
 - C. **Counterfeit Credit Card:** Any credit card which is fictitious, altered, forged, any facsimile or false representation, depiction, component of a credit card, or any stolen credit card, obtained as a part of a scheme to defraud or otherwise unlawfully obtained and which may or may not be embossed with account information or a company logo.
 - D. **Credit Card:** Any instrument or device, whether known as a credit card, credit plate, bank service card, check guarantee card, electronic benefits transfer card (EBT), debit card, or any other instrument, issued by a financial institution for the use of the cardholder in obtaining money, goods, services or anything of value on credit or for use in an automated banking device to obtain any of the services provided through the device.

- E. Elderly Person: (F.S. §825.101) A person 60 years of age or older who is suffering from the infirmities of aging as manifested by advanced age, organic brain damage or other physical, mental or emotional dysfunction, to the extent that the person's ability to provide for their own care or protection is impaired.
- F. Payment Instrument: A check, draft, money order, travelers check or other instrument for payment of money, whether or not negotiable.
- G. Skimmer or Wedge: A device used to copy credit numbers typically used at hotels, restaurant or car rental agencies. The device captures a credit card number after it passes through the device. Devices hold between 20 – 100 credit card numbers. **If a subject is found in possession of a skimmer or wedge, immediately notify the Economic Crimes Unit.**
- H. Trade Secret: The whole or any portion or phase of any formula, pattern, device, combination of devices, or compilation of information which is for use, or is used, in the operation of a business and which provides the business an advantage or an opportunity to obtain an advantage over those who do not know it or use it. Examples include: Any scientific, technical, or commercial information including any design, process, procedure, list of suppliers, list of customers, business code or improvement thereof.
- I. United States Treasury Checks: Any payment instrument issued by the United States Treasury Department.

V. COMMONLY COMMITTED OFFENSES:

- A. Advanced Fee Scheme: (F.S. §817.034) The deceiving a victim into parting with their monies by convincing them that they will receive a substantial financial benefit in return for providing some modest payment to be made in advance.
- B. Check Fraud: (F.S. §832.05) Checks that are stolen, altered, forged, or counterfeit, written on a closed account, or that have had payment stopped that are uttered, cashed or deposited resulting in the theft of money, merchandise or services.
- C. Counterfeit Payment Instruments: (F.S. §831.28) It is unlawful for any person to have in their possession a counterfeit payment instrument or to counterfeit a payment instrument with the intent to defraud a financial institution, account holder, any person or organization. These include forged checks, counterfeit bills, deeds, money orders, traveler's checks, and credit/debit cards.
- D. Depositing Worthless Item with Intent to Defraud: (F.S. §832.05[3]) Depositing counterfeit, stolen or other worthless checks for the purpose of fraudulently increasing the dollar amount posted to the account to which the individual then removes the monies before the financial institution discovers the checks are fraudulent.

- E. Driver's License (Making or Possession of Material to Make): (F.S.§831.29) It is unlawful for any person to make or have materials or instruments intending to make counterfeit driver's license or identification cards.
- F. Elderly Exploitation: (F.S.§825.103) Knowingly, by deception or intimidation, obtaining or using, or endeavoring to obtain or use an elderly person's funds or assets with intent to temporarily or permanently deprive that person of the use, benefit or possession of those assets by a person who: (a) stands in a position of trust and confidence with the elderly person; (b) has a business relationship with the elderly person; or (c) exploits an elderly person who lacks capacity to consent.
- G. Embezzlement: (F.S.§812.014) Although there is no Florida State Statute that specifically pertains to embezzlement it is defined as the following: embezzlement relates directly to the theft statutes where a business has suffered a substantial financial loss through a scheme to defraud involving a current or former employee who was placed in a position of financial trust.
- H. Financial Scams and Cons: (F.S. §812.014 or F.S.§817.034) Commonly referred to as "Bank Examiner" scam, "Pigeon Drop" scam, "Canadian Lottery" scam, "Spanish Lottery" scam and "Nigerian Fraud" scam.
- I. Forged or Fake Driver's License / Identification Cards: (F.S.§322.212) It is unlawful (felony) for anyone to knowingly possess or display any blank, forged, counterfeit, stolen, fictitious or unlawfully issued driver's license or identification card or any instrument resembling or representing a driver's license or identification card.
- J. Forgery: (F.S.§831.01) Whoever falsely makes (counterfeits), alters, forges an official public record, document or payment instrument, with intent to injure or to defraud.
- K. Forgery of a Credit Card: (F.S.§817.60[6]) Any person who: with intent to defraud a purported issuer or a person or organization providing money, goods, services, or anything of value; or any other person; falsely makes, embosses, or alters in any manner a credit card or utters such a credit card or who, with intent to defraud, has a counterfeit credit card or any invoice, voucher, sales draft, or other representation or manifestation of a counterfeit credit card in his/her possession, custody or control.
- L. Fraudulent Use of Credit Card: (F.S. §817.61) The use of credit cards, ATM cards or debit cards and/or ATM, credit debit account numbers, that are stolen, altered, forged, counterfeit or obtained through fraud, resulting in the theft of money, merchandise or services.

- M. Identity Theft (Criminal Use of Personal Identification Information): (F.S. §817.568) Any person who willfully and without authorization fraudulently uses or possesses, with intent to fraudulently use, personal identification information concerning an individual without first obtaining that individual's consent.
- N. Scheme to Defraud: (F.S. §817.034) (Also known as the Florida Communications Fraud Act). A systematic, ongoing course of conduct with intent to defraud one or more persons, or with intent to obtain something of value from one or more persons by false or fraudulent pretenses, representations, promises, or willful misrepresentations of a future act. These offenses include embezzlement, advanced fee schemes, financial scams/cons, financial elderly exploitation, check kiting, trade secret violations and computer-related financial crimes.
- O. Trade Secret Violations: (F.S. §812.081) Any person who, with intent to deprive or withhold from the owner thereof the control of a trade secret or with intent to appropriate to his/her own use or the use of another, steals an article representing a trade secret, or without authority makes a copy.
- P. Uttering a Forged Instrument: (F.S. §831.02 or 831.09) The passing and/or presenting of an official document or payment instrument which is counterfeit, having been altered or having a signature that has been forged, in the attempt or actual receipt of money, merchandise or services.

VI. RESPONSIBILITY / ROUTING:

The Tampa Police Department and other local and federal government agencies jointly and concurrently investigate many economic crimes.

- A. Tampa Police Department's Economic Crimes Unit investigates the following offenses:
 - 1. Identity Theft;
 - 2. Schemes to Defraud (except those originating via mail or Internet):
 - a. Embezzlement – Where a business suffers loss in excess of \$5,000.00;
 - b. Advanced Fee Schemes; and/or
 - c. Financial Scams and Cons;
 - 3. Forgery/Uttering Forged Instrument;
 - 4. Check Fraud;

5. Deposit Fraud;
 6. Credit Card Fraud / Forgery;
 7. Elderly (Financial) Exploitation;
 8. Trade Secret Violations;
 9. Computer (Internet)Related Financial Crimes
 10. Counterfeit Currency; and
 11. Possession or Making Fake Driver's License / Identification Cards.
- B. The United States Postal Inspector's Office is responsible for investigating offenses involving stolen, forged or counterfeit postal money orders. That agency also investigates schemes and scams originating through the U.S. Mail.
- C. The United States Secret Service investigates offenses involving stolen or forged U.S. Treasury checks as well as certain offenses involving counterfeit currency.
- D. Schemes and scams originating via the Internet: Since these scams normally originate from outside the United States the victims of these types of offenses should be referred to the FBI's web site: www.ic3.gov: These types of scams include Canadian Lottery Scam, Jamaican Lottery Scam and the Nigerian Check Fraud Scam.
- E. Worthless Checks: This department does not handle complaints of worthless checks. Both misdemeanor and felony worthless check cases will be referred to the "Worthless Checks Section" of the Hillsborough County State Attorney's Office: 700 E. Twiggs Street, Suite 711 (7th Floor), telephone number (813) 272-5336.
- F. Stop Payment and Closed Accounts: All check cases involving Stop Payment and Account Closed shall be investigated by this department after intent to defraud has been established. If there is doubt as to the intent initiate a report and refer the case to the Economic Crimes Unit.
- G. Employee Theft: Cases involving employee theft will normally be referred to the appropriate District Latent Investigative Squad for investigation. Embezzlement cases where a business has suffered a loss of at least \$300.00, and where the suspect was in a **position of financial trust (i.e. business manager, bookkeeper, chief financial officer)**, shall be referred to the Economic Crimes Unit.
- H. Burglary / Theft Offenses: In those cases where identity, checks, or credit cards are stolen and no leads exist, the cases should be inactivated. If the owner of the

property determines that someone used any of those items within a 48-hour period the cases should be referred to the District Latent Investigative Squad for investigation. If identity, checks, or credit cards are used after the initial 48-hour period, the cases should be referred to the Economic Crimes Unit for latent investigation.

VII. PROCEDURES:

All sworn police personnel and community service officers are authorized to take reports on any economic crime. The on-scene district unit and district community service officers will primarily originate and collect all evidence pertaining to economic crimes. **REMEMBER TO OBTAIN SWORN STATEMENTS.**

Many times a suspect will leave some form of identification at the scene of an offense. Generally, it will be stolen, altered and / or counterfeit. Do not assume the identification is accurate enough to positively identify the suspect. Do not make an arrest or place a pick-up for a suspect based solely on identification left at the scene.

- A. Identity Theft: Identity theft is punishable under federal law when any person knowingly transfers or uses without lawful authority, a means of identification of another person with the intent to commit, or to aid or abet, any unlawful activity that constitutes a felony under applicable state or local law. [18 U.S.C. 1028(a)(7)].

Identity theft is punishable under F.S.§817.568. Any person who willfully and without authorization fraudulently uses or possesses with intent to fraudulently use, personal identification information concerning an individual without first obtaining that individual's consent.

A victim may not normally know exactly where their identity was assumed. Per F.S.§817.568(16), a person is entitled to make an Identity Theft report where they reside, regardless of where it occurred. However, when in doubt take a report.

1. The victim must present documentation showing that their personal information was compromised.
2. Fully record information concerning criminal acts that may have been committed illegally using another's personal identity as covered by state and federal law.
3. Classify as identity theft fraudulent acts committed against an individual when there is evidence that the following types of unauthorized activities have taken place in the name of the victim:
 - a. Credit card charges, debit cards, ATM;

- b. Credit card checks written against the victim's account;
 - c. Credit card accounts opened or account addresses changed;
 - d. Establishment of a line of credit at a store or obtaining a loan at a financial institution;
 - e. Goods or services purchased in the victim's name;
 - f. Gaining access to secure areas; and/or
 - g. Used in the commission of computer fraud.
4. Obtain or verify the correct identifying information of the victim to include the date of birth, social security number, driver's license number, other photo identification, current and most recent addresses, and telephone numbers.
 5. Document the nature of the fraud or other crime committed in the victim's name.
 6. Determine what types of personal identifying information may have been used to commit the crimes (i.e., social security number, driver's license number, birth certificate, credit card numbers), the state of issuance and whether any of the identifying information have been lost, stolen or potentially misappropriated.
 7. Document any information concerning where the crime took place, the financial institutions or related companies involved and the residence or whereabouts of the victim at the time of these events.
 8. Determine whether the victim has knowledge or belief that a specific person or persons have used his or her identity to commit fraud or other crimes.
 9. Determine whether the victim is willing to assist in the prosecution of suspects identified in the crime.
 10. Determine if the victim has filed a report of the crime with other law enforcement agencies and whether such agency provided a report number.
 11. If an entity other than the Tampa Police Department would be better suited to investigate the incident, document in the report what manner was used to refer the case to the other entity.

12. Refer all identity theft reports to the Economic Crimes Unit. If it appears that the identity theft may have national security implications, immediately notify the Criminal Intelligence Bureau and appropriate federal agencies.

B. Counterfeit Currency: The Tampa Police Department and the United States Secret Service investigate offenses related to counterfeit currency. Since there is concurrent jurisdiction the decision to proceed with state or federal charges will be made by members of both agencies conducting the joint investigation.

1. When an officer encounters a person in possession of or uttering counterfeit currency with criminal intent they should notify the on-call Secret Service agent at (813) 228-2636.
2. Should the suspect, knowingly, be in possession of 10 or more counterfeit bills he should be charged with possessing counterfeit bills under F.S. §831.08 regardless of whether the suspect attempted to pass any of the bills.
3. Should the suspect, knowingly possess a counterfeit bill and attempt to pass that bill he should be charged with uttering a forged bill under F.S. §831.09 regardless of the number of bills in that subject's possession.
4. It is **not** a criminal offense for a subject to **unknowingly** possess counterfeit currency. However, F.S. §831.20 **mandates** all law enforcement officers to seize any counterfeit currency or counterfeit making material that comes to their knowledge. This administrative statute should be utilized when an officer comes in contact with a subject who unwittingly possesses counterfeit currency.

Regardless of whether an arrest is made or not the officer shall seize the counterfeit bills, unless taken by the Secret Service agent, and placed the bills in a clear plastic envelope before entering it into evidence. The officer shall initiate a report and obtain a written statement from all parties involved.

C. Other Economic Crimes: These include, but are not limited to: Identity Theft, Credit Card Fraud, Uttering Forged Instruments, Fraud, Embezzlement, and similar crimes.

1. In offenses concerning forged documents, the arriving officer will detain the suspect and determine the kind of document involved in the forgery. The officer shall at all times protect the document from contamination. It should be noted that whether a transaction is completed or not, the presentation of a forged document constitutes the offense of Uttering a Forged Instrument and should be investigated as such.

2. In all cases of Forgery, the report taker will require the following documentation from the victim's financial institution:
 - a. Affidavit of Fraud; or
 - b. Affidavit of Forged Signature; or
 - c. A Questionnaire of Fraudulent Use of a Credit / Debit Card; and
 - d. A copy of the victim's bank summary showing the losses, and location of the charges.
3. The report taker will research Tampa Police Department records for the owner or payee to determine if the document has been reported lost or stolen and determine if a police report has already been made.
4. If the report taker is unable to determine that the check and/or credit card has been lost or stolen, a copy of the documentation and identification, front and back, will be made and an **INFORMATION ONLY – ECONOMIC CRIMES** report will be completed to document the circumstances. Place the original checks and/or credit cards in a plastic envelope, photocopy (after placing evidence in plastic) and place it in the Evidence Control Section as evidence. The report will be referred to the Economic Crimes Unit.
5. Original evidence is the best evidence. The report taker should attempt to obtain any and all original documents that were stolen/forged.
6. Determine if there is surveillance video and/or photos available. If so, collect them and place into the property room as evidence.
7. Many times a suspect will leave some form of identification at the scene of an incident. Generally, it will be stolen, altered and /or counterfeit. Do not assume the identification is accurate enough to positively identify the suspect. In short, do not make an arrest or place a pick-up for a suspect based solely on identification left at the scene.
8. If investigating a financial crime where a personal computer or laptop computer is present and which may contain related evidence, do not touch it and do not allow the suspect access to it. The suspect may have safeguards in place that could erase or delete important evidence data.
 - a. If the computer is **OFF LEAVE IT OFF**. Do not turn the computer on for any reason. Unplug the computer by pulling the power cord out of the back of the computer, not at the wall. Place the computer into the Evidence Control Section as evidence.

- b. If the computer is ON DO NOT OPERATE THE COMPUTER. Do not attempt to confirm the computer contains evidence. Do not shut down the computer in a normal fashion. Unplug the computer by pulling the power cord out of the back of the computer, not at the wall.
- c. Photograph the computer before touching it, including all wire connections and the monitor screen.
- d. If the computer is a part of a network, contact the Economic Crimes Unit supervisor.
- e. Place tape over all drive slots.
- f. Label connectors and cable ends to facilitate re-assembly for forensic examination.
- g. Keep equipment away from magnets and radio transmitters (such as in the trunk of a police vehicle).

VIII. ASSISTING VICTIMS:

- A. Personnel taking reports of identity theft and other economic crimes should take those steps reasonably possible to assist victims in resolving their problems. This includes providing victims with the following suggestions where appropriate.
 - 1. Provide the victim with the Tampa Police Department's "Victim Information Pamphlet" for guidance. The pamphlet provides the victim with information about what to do and about whom to call if they are a victim of identity theft.
 - 2. Suggest the victim contact the Federal Trade Commission (FTC) at 1-877-IDTHEFT (438-4338) or at www.consumer.gov/idtheft. The FTC acts as the nation's clearinghouse for information related to identity crimes. The agency provides assistance from trained counselors in resolving credit-related problems. The FTC also provides a comprehensive guidance for victims of identity theft titled, "When Bad Things Happen to Your Good Name." The guide provides concrete steps of what to do when a person is a victim of identity theft.
 - 3. Have the victim complete the Federal Trade Commission's sample affidavit. Obtain a copy of the complete affidavit. If the affidavit is notarized, it can be introduced to a grand jury in lieu of a victim having to appear. It can also be used as part of a victim's impact statement in later court proceedings.

4. Have victims cancel each credit and charge card. Request new cards with new numbers.
5. Contact the fraud departments of the three major credit reporting agencies and ask that they put a fraud alert on the account. Be sure the fraud departments add an alert to contact the victim before opening new accounts in the victim's name.
 - a. Equifax 1-800-525-6285 (or) 1-800-685-5000
 - b. Experian 1-888-397-3742 (or) 1-888-EXPERIAN
 - c. Trans Union 1-800-680-7289 (or) 1-877-553-7803
6. If bank accounts are involved, report the loss to each financial institution. Suggest the victim cancel all existing accounts and open new ones account numbers. Suggest the victim place stop payments on all outstanding checks.
7. If a driver's license is involved, contact the state motor vehicle department. If the driver's license agency uses that social security number, request a new driver's license number. Also check with the Social Security Administration to determine the accuracy and integrity of the account.

B. Often persons arrested will use the identity of another to conceal their true identity. Should a victim learn they have a Florida Criminal History due to another person using their identity an officer should provide the following assistance:

1. If the victim has not made a previous police report, take a report of identity theft.
2. Request that the victim initiate a compromised identity claim through the Florida Department of Law Enforcement (FDLE). This service is only for individuals who believe they are victims and/or have had their personal identification information stolen or misused in the past. To initiate a claim, the victim must complete a **Compromised Identity Review Claim Form**, which includes a fingerprint card. The victim may contact FDLE by calling 1-850-410-8109 or by going to www.fdle.state.fl.us/CompId.

The victim must have his or her fingerprints taken directly on the claim form by a law enforcement agency. To ensure the integrity of the fingerprints, the law enforcement agency will then route the form to FDLE at the address provided. FDLE will only accept claim forms that are

submitted by a law enforcement agency and in an official agency envelope. The victim will have to contact the law enforcement agency of their choosing to make arrangements to be fingerprinted.

Upon receipt of the Compromised Identity Review Claim Form, FDLE will compare the fingerprints of the person who was previously arrested, to the victim's fingerprints. Once these prints reveal that the victim was not the person arrested, FDLE will provide the victim with a **Compromised Identity Certificate**. FDLE will work with the law enforcement agency who has ownership of the criminal record/fingerprint file in an attempt to clear the charges listed under the victim's identity. FDLE will send the victim a letter advising them of their results.

317 FLORIDA'S BAKER ACT AND MARCHMAN ACT¹

- I. PURPOSE: The purpose of this Standard Operating Procedure is to define the guidelines regarding the use of the Baker Act and Marchman Act.

- II. DISCUSSION: The Tampa Police Department recognizes the needs of the community to be secure in regard to protections enacted under Florida's Baker Act and Marchman Act. The Baker Act is designed as a tool for use by physicians, mental health professionals, and law enforcement officers when dealing with persons who may be a harm to themselves or others, and are in need of involuntary examination for mental health purposes at a qualified receiving facility. The Marchman Act addresses what officers are authorized to do with persons who are intoxicated, but not disorderly, and have not committed a crime.

- III. PROCEDURE:
 - A. Baker Act:
 1. Florida law enforcement officers are empowered by F.S. §394.463 to take any person into custody and deliver him or her to a receiving facility for involuntary examination if there is a reason to believe the person is mentally ill and because of this illness:
 - a. The person has refused voluntary examination after conscientious explanation and disclosure of the purpose of the examination; or
 - b. The person is unable to determine for himself or herself whether examination is necessary; and
 - c. Without care or treatment, the person is likely to suffer from neglect or refuses 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 apparent that such harm be avoided through the help of willing family members or friends or the provision of other services; or
 - d. There is a 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.
 2. Law enforcement officers taking such persons into custody for involuntary examination shall use only that degree of force and restraint necessary to facilitate the custodial action.

¹ CALEA [4th Edition]1.1.3

3. The subject shall be searched prior to transport to a receiving facility.
4. Persons taken into custody shall be promptly delivered to a receiving facility.
5. Officers shall request that the Communications Section contact "Unit 50" (Hillsborough County Crisis Center transport van) for transport if available.
6. If "Unit 50" cannot respond within a thirty minute period, the officer shall transport the person to the Crisis Center or nearest accepting hospital.
7. Any subject needing medical clearance shall be transported to the nearest hospital emergency room.
8. The Mobil Crisis Response Team of Mental Healthcare, Inc. is trained to deal with and transport violent subjects. Whenever an entity other than the Tampa Police Department (EMS, Crisis Van, etc.) transports a Baker Act patient, a "Transportation to Receiving Facility" form (Parts 1 and 2 of the Baker Act Form) shall be completed and retained by the transporter.
9. The original Baker Act form will be left at the receiving facility with the patient.

B. Arrest:

1. Persons arrested on felony charges shall be transported to Central Booking at the Orient Road Jail. The arresting officer shall notify the Hillsborough County Crisis Center, advising of the arrest and Baker Act of the person, and that the individual is being transported to the Orient Road Jail. The examination will be conducted at the Orient Road Jail.
2. Officers will note on the reverse side of the pink copy of the arrest affidavit (booking copy) any known escape or suicide potential of the person. Any other known personal traits of a security or medical nature should also be noted.
3. The original Baker Act documents shall be given to the booking supervisor who will provide copies to the medical staff and ensure the original document is placed in the inmate's file.

4. For individuals who qualify for release on their own recognizance in lieu of booking, the arresting officer shall complete the applicable incident report and Criminal Report Affidavit for a “Mandatory Appearance in Court” and document observations of the person’s actions and behavior.
 5. The arresting officer shall transport the person to an appropriate receiving facility for the examination and release the person to the custody of the receiving facility.
 6. Juveniles meeting Baker Act criteria will not be accepted by the Juvenile Assessment Center (JAC). The juvenile will be taken to the Children’s Crisis Center and the Criminal Report Affidavit is to be left with the Children’s Crisis Center in the event the child is Baker Acted. The Children’s Crisis Center will then contact the originating agency for transport to the J.A.C. when the evaluation is completed.
- C. Ex Parte Court Order: A Circuit Court Judge may enter an ex parte order stating that a person appears to meet the criteria for involuntary examination. The ex parte order for involuntary examination must be based on written or oral sworn testimony.
1. The Hillsborough County Sheriff’s Office executes all ex parte orders issued in Hillsborough County and is responsible for the delivery of the person to the treatment center listed on the order.
 2. To verify an ex parte order, the officer will contact the Hillsborough County Sheriff’s Office Communications Center and provide the name and location of the person.
 3. Upon verification that an ex parte order exists, the officer will request that a deputy respond with the order and take custody of the person to execute that order.
 4. The court order is valid only for seven (7) days unless a longer period of time is specified in the order (F.S. §394.463(2)(a)).
- D. Marchman Act: The Marchman Act (F.S. Chapter 397) addresses what law enforcement officers are authorized to do with persons who are intoxicated, have committed no crime, and are not disorderly. The Marchman Act addresses substance abuse, including alcohol and drugs. It further addresses what services and remedies are available and action that may be taken by law enforcement personnel, with or without a person’s consent. F.S. §397.6772 empowers law enforcement personnel to “take

the person” to a hospital or licensed detoxification or addictions receiving facility against the person’s will, but without using unreasonable force.

In Hillsborough County, such receiving facilities are managed by the Alcohol Community Treatment Services (A.C.T.S.) for adults and Youth (Detox) for juveniles.

Additionally, public and private hospitals, that maintain emergency rooms, are mandated under law to accept extremely intoxicated persons and treat that intoxication as a medical problem until such time as the danger to their health has passed.

1. When an officer finds it necessary to take a person into custody under the Marchman Act, the following procedure shall be followed:
 - a. The officer shall contact the District office person to determine availability of bed space at Detox. If space is available, the officer shall transport to the appropriate Detox facility.
 - b. If there is no bed space available at conventional receiving facilities, the officer shall place the person under protective custody and transport the person to Central Booking under the provisions of F.S. §397.6772. The officer will originate a Criminal Report Affidavit entitled “Protective Custody.” This detention is not considered an arrest although normal arrest transportation procedures will be followed, i.e., search and handcuff.
 - c. At Central Booking, the person shall be evaluated by medical personnel. If the person needs medical clearance, the officer shall transport the person to Tampa General Hospital Emergency Room.
 - d. The person shall be transported back to Central Booking with the supporting documentation, when medical clearance is obtained.
 - e. Protective custody for juveniles will be A.C.T.S Detox.
 - f. The nearest relative of a juvenile in protective custody must be notified by the officer, as must the nearest relative of an adult unless the adult requests that there be no notification.

- E. Immunity from Liability: Any officer who acts in good faith in compliance with the provisions of the Baker Act is immune from civil or criminal liability for his actions in connection with the admission of a patient to a facility. An officer acting in good faith pursuant to the Marchman Act may not be held criminally or civilly liable for false imprisonment.

Supersedes SOP 317, dated 6/00.

318 ELDERLY AFFAIRS

- I. PURPOSE: The program was established to reduce the criminal victimization of the elderly and enhance the delivery of law enforcement services to elderly persons.
- II. DISCUSSION: The Tampa Police Department made its commitment to the elderly when it signed the TRIAD agreement in 1988. The TRIAD consists of the Tampa Police Department; Hillsborough County Sheriff's Office; Temple Terrace Police Department; Plant City Police Department; and the American Association of Retired Persons (AARP). Members of this organization (TRIAD) have agreed to work together to improve the quality of life for senior citizens. One of the primary goals of the TRIAD was to develop, expand, and implement effective crime prevention programs aimed at senior citizens.

The primary goal of the elder affairs effort is to act as a liaison between social service providers and the police department, and to ensure that senior citizens are afforded access to crime prevention programs to fit their needs. Calls for police service involving criminal investigations concerning the elderly will continue to be handled pursuant to policy. Latent investigation of the criminal case involving elderly victims will continue to be the responsibility of the Criminal Investigations Division or latent investigators assigned to the patrol districts, depending upon the nature of the case.

III. DEFINITIONS:

- A. Caregiver: A person who has assumed the care of an elderly or disabled adult.
- B. Disabled adult: A person over the age of 18 that has a physical or mental disability.
- C. Elderly: A person over the age of 60.
- D. Service provider: An agency, either public or private that provides services to senior citizens.
- E. Elder Affairs Liaison: A certified Crime Prevention Practitioner or other officer, assigned to the respective districts, trained in issues involving at-risk, elderly people.

IV. CRITERIA FOR REFERRAL:

- A. In many instances, time is of the essence in order to protect the elderly. Therefore, referrals should be made in a timely manner when the need is found to exist.

- B. A supervisor should review all referrals for completeness.
 - C. The referral will then be directed to the appropriate agency either by telephone or in writing as circumstances dictate.
 - D. If an officer is in doubt regarding how to handle a situation involving an elderly person, or if the situation is of a serious nature, the officer may ask the Communications Section to contact the Elder Affairs Liaison.
- V. PROCEDURE:
- A. There are three different types of referrals:
 - 1. Referrals from law enforcement officers to service providers:
 - a. An officer who encounters an elderly person that he feels may meet the criteria and be in need of services will confer with a supervisor and make necessary contacts to help arrange for services.
 - b. The referrals will indicate what kinds of deficiencies are noted and what observations the officer made. Whenever possible, the caregiver information will be provided.
 - 2. Referrals from service providers: Many service providers, during their normal contact, encounter senior citizens who appear to have additional needs that are not being met. They may then contact the appropriate uniform district for assistance in resolving these needs, to the extent that the needs are law enforcement related.
 - a. Due to the immediate need to follow leads, if the referral provides leads to a criminal incident, an officer will be dispatched to investigate.
 - b. If the referral indicates a potential for crime, the Elder Affairs Liaison shall intervene with some type of crime prevention education.
 - c. If the referral is a request for additional services, the Elder Affairs Liaison shall contact an appropriate service provider and attempt to secure the additional services.
 - 3. Crime Prevention referrals/needs: The Elder Affairs Liaison will arrange crime prevention presentations for senior citizens at the

request of individuals or organizations as the need for these programs arises.

- B. The Elder Affairs Liaison will also work with disabled adults in some instances. Each case will be individually analyzed. Referral procedures for disabled citizens will be the same as those for elderly citizens.

Supersedes SOP 318, dated 5/03.

319 FUEL THEFTS FROM SERVICE STATIONS OR CONVENIENCE STORES

- I. PURPOSE: To establish a procedure for reporting and investigating petit thefts, Florida Statute §812.014(5), with regard to service stations or convenience stores selling automotive fuel.

- II. DISCUSSION: Generally, failing to pay for automotive fuel already having been pumped into a motor vehicle or fuel container and subsequently leaving from the place obtained, is a misdemeanor. Due to the lack of physical evidence associated with this type of offense, these investigations will be reported to police by a complainant or company representative in person or by fax.

- III. DEFINITION: False Report and Promise to Prosecute Affidavit: A Tampa Police Department Consent and Release Form (TPD 310), specifically, the section entitled, *Sworn Statement Acknowledgement*.

- IV. RESPONSIBILITY:
 - A. It is the responsibility of the District Delayed Crimes Investigations Unit to originate any criminal incident reports arising from apparent violations of the statute covered by this standard operating procedure.

 - B. It is the responsibility of any officer learning of a complaint of gasoline theft with regard to a service station or convenience store to refer the complainant to the Delayed Crimes Investigations Unit.

 - C. It is the responsibility of the Communications Technician receiving a complaint of gasoline theft from a service station or convenience store to refer the complainant to the Delayed Crimes Investigations Unit in the appropriate District office.

- V. PROCEDURES:
 - A. All violations described in this SOP will be reported either in person or, under certain conditions, via facsimile machine.

 - B. If the complainant desires to report offenses by facsimile, the complainant must obtain in advance, a supply of the Tampa Police Department form, *False Report and Promise to Prosecute Affidavit*.

- C. The complainant must send to the Delayed Crimes Investigations Unit in the appropriate district office by facsimile:
1. TPD form *False Offense Affidavit* signed and witnessed;
 2. Any and all fuel receipts, imprints, credit card photocopies, etc.;
 3. Any photo prints of the suspect(s) and/or vehicle(s) involved;
 4. A written description of the details and/or suspect(s).
 5. A telephone number must also be included in order for the department to contact the complainant.
- D. In the event that videotape or any type of physical evidence is obtained by the complainant, the offense will be reported in person.
- E. Consistent with the referral guidelines, all reports requiring latent investigation will be referred to the district having jurisdiction of the offense.
- F. Theft of gasoline from a retail station should be charged under Florida Statute Subsection §812.014(5). Conviction under this subsection should result in the standard misdemeanor penalty **plus** suspension of the defendant's driver's license.

Supersedes SOP 319, dated 4/01.

320 MECHANIC'S LIENS

- I. Purpose: Police officers frequently respond to disputes that concern monies allegedly owed as a result of repairs, towing, and/or storage of various articles and vehicles. This Standard Operating Procedure is intended to set forth the guidelines to be followed in handling such matters.
- II. Discussion: The commonly encountered lien disputes include but are not limited to, vehicle repair, towing and storage (without repairs) and personal property matters (television, electronics).

When a person's property is held for either repair and/or storage and agreement cannot be reached between the parties, the matter is referred to the courts. In order to release disputed property to an owner without forcing him to pay a bill he doesn't believe he owes, the owner must respond to the courthouse and post bond in the amount owed. He/she will receive a written confirmation of the posted bond (certificate of bond filed) for subsequent presentation to the affected other party so that the property can be returned. The matter is then brought before the civil court to determine liabilities, if any.

III. Definitions:

- A. Notice of Sale of Motor Vehicle to Satisfy Lien: This form is filed by the repair company to retrieve its money from the sale of the vehicle.
- B. Bond Payment Receipts:
 1. Certificate Pursuant to the Motor Vehicle Repair Act, F.S. §559.917, §559.917: This form is given by the clerk's officer to the owner of a repaired vehicle for presentation to the repairperson. The form indicates the clerk has received payment (bond) for the total amount owed plus storage. The owner is then entitled to receive the vehicle pursuant to F.S. § 559.917(3), provided the bond amount matches the amount owed.

If the bond matches the amount owed and the company refuses to relinquish the vehicle, the refusing party can be subject to arrest for a second degree misdemeanor under F.S. §559.917(3), "Failure to Release a Vehicle After Given Certificate of Notice of Posting Bond."

2. Certificate of Bond Filed (towing or storage only): This form is distinguished from B.1. above in that it is utilized for towing and storage of vehicles when no repair work is done. Upon presentation of this form to the towing/storage facility, the vehicle owner is entitled to regain possession under F.S. §713.78(5)(b). Pursuant to F.S. §713.78(12)(a), refusal to release the vehicle constitutes a first degree misdemeanor.

3. Certificate of Bond Filed (other than vehicles): A form presented by an owner for such miscellaneous property as televisions and stereo equipment. This certificate is similar to that applicable to motor vehicles and, in some circumstances, can also be utilized for repaired vehicles. The certificate is enforced through F.S. §713.76(3), "Failure to Release or Return Property Upon Posting Bond."

IV. Procedures:

- A. Common on-site problems occur when a citizen arrives to retrieve his/her vehicle after repair only to realize that money is owed - perhaps unfairly in the opinion of the owner. At this point the mechanic has not yet filed any liens, having only now realized that a problem exists. Chapter 559, Florida Statutes, provides protection for each of the parties in the dispute.

If the problem cannot be resolved the officer should:

1. Refer the owner to the Hillsborough County Courthouse, to post bond for the amount owed and storage fees that will have accumulated by the date the vehicle is picked up. The officer shall instruct the owner to get a copy of the invoice if possible (not required), bring identification, and cash or cashier's check (no money orders) for the full amount plus filing fees that range from \$20-\$50.00. The owner shall be informed by the clerk regarding procedures necessary to settle the matter.
2. Remind the repair shop representative that he has to file his lien with the Hillsborough Court per Chapter 559, Florida Statutes.
3. If an owner is present with a "Certificate of Bond Filed" (listing the criminal F.S. §713.76[3]), or a "Certificate Pursuant to the Motor Vehicle Repair Act F.S. §559.917, " and wants his vehicle returned, the officer should check the amount bonded with the amount owed. If it is the same, the mechanic is compelled under F.S. §713.76(3) and F.S. §559.917.(3), to release the vehicle or be arrested on the misdemeanor charge. The mechanic may also be subject to civil judicial proceedings to compel compliance with the bond.

The officer should first attempt to gain the cooperation of the mechanic. Should the mechanic remain adamant about not releasing the vehicle, his uncooperative attitude and continued refusal to release the vehicles will be noted on the misdemeanor C.R.A. for review by the criminal judge. The owner will be referred back to the clerk's office for the institution of judicial

proceedings, and the vehicle will remain at the location found by the police.

If the bond amount is insufficient, the owner will be referred back to the court to post additional bond. The officers cannot compel the mechanic to give the owner an invoice, but should encourage an invoice to avoid future confusion.

B. A second common field problem encountered by officers in situations involving Chapter 559, Florida Statutes, is the owner who wants to know the total bond amount on his/her vehicle and the mechanic has already filed a "Notice of Sale of Motor Vehicle to Satisfy Lien."

1. The officer should ask to see a copy of this form to determine the "total" figure listed.
2. The officer should then ask the mechanic to provide the owner with the additional storage fees that have or will accumulate until the vehicle's anticipated release date.
3. The owner is then provided the adjusted total figure (storage addition) along with the \$9.00 court fees that will be assessed when he/she posts bond at the courthouse.
4. The owner is directed to the Hillsborough County Courthouse to pay the bond and receive his certificate, thus enabling him to retrieve the vehicle.

C. Another similar circumstance found in F.S. Chapter 713, is the vehicle, which is towed or stored and not repaired, and a bill has accumulated. The responding officer shall:

1. Direct the owner to the Hillsborough County Courthouse where he/she must file a complaint. The owner must pay the \$255.00 filing fee, plus service fee, in addition to the bond amount. The owner must go the County Civil Division of the Hillsborough County Courthouse to obtain the bond.
2. If the owner wants the vehicle back immediately, he/she must post bond and receive a "Certificate of Bond Filed." It is not mandatory to post bond, but failure to do so would mean that it would take at least 3 to 5 weeks to retrieve his vehicle through the judicial process.
3. If the owner returns to the towing/storage lot with his "Certificate of Bond Filed" and the bonded amount matches

the amount owed, he is entitled to the vehicle. If the two parties remain dissatisfied, the "Certificate of Bond Filed" is not enforceable by the police. The owner shall then be referred back to the court. However, pursuant to F.S. §713.78(12)(a), the lienor is guilty of a first-degree misdemeanor for violating 713.78(5)(b) and may be arrested.

- D. Disputes may also arise out of liens and repairs related to personal property (other than vehicles). In such cases, the officer shall abide by the following procedures:
 - 1. Refer the owner to the Hillsborough County Courthouse to post bond. The owner must bring a repair invoice along with identification, cash or cashiers check (no money orders), and pay the appropriate filing fee. He/she will then receive a "Certificate of Bond Filed" (enforceable by police officers pursuant to F.S. §713.76[3]) which he/she can show to the repairer to retrieve the property.
 - 2. In response to a situation in which the owner has a "Certificate of Bond Filed," F.S. §713.76[3], and such owner wishes to retrieve his/her property, the officer shall check the amount bonded with the amount owed. If there is a match, the repairer will return said property or be arrested for a misdemeanor violation under F.S. §713.76(3), "Failure to Return Property Upon Posting of Bond." If the repairer still refuses to relinquish the property, the officer will react in the same manner previously discussed with vehicles (IV. A.1. Paragraph 3). If the amounts do not match, the owner shall be referred back to the court.
- E. In any of these cases all inquiries can be referred to the Hillsborough County Courthouse, County Civil Division, during regular business hours.
- F. When arrests become necessary, it will be the policy of the Tampa Police Department to issue a "Notice To Appear" whenever possible.
- G. When arrests are necessary, the appropriate report will be initiated along with photocopies of all pertinent paperwork held by the involved parties.

Supersedes SOP 320, dated 1/99.

322 UTILIZATION OF WRECKERS AND IMPOUNDMENT OF VEHICLES¹

(Also see SOP 380)

- I. DISCUSSION: Police officers must often utilize the services of a wrecker to protect life or property, collect and preserve evidence, enforce laws and ordinances, or to provide a service to the public.
- II. DEFINITIONS:
 - A. Rotation Impound: The term “rotation impound” will be used for vehicles that are transported to a rotation wrecker company storage lot. Rotation impounds are used for vehicles when there is no continuing law enforcement interest.
 - B. Police Impound: The term “police impound” will be used for vehicles that are transported to the Police Impound Lot, 110 South 34th Street. Police impounds are vehicles for which there is a present and continuing law enforcement interest and vehicles of deceased persons when necessarily impounded for safe keeping.
 - C. Private Request: A citizen request for a wrecker or service truck of his/her choice.²
 - D. Red Tagged Vehicles: A vehicle, which is tagged with TPD 313 (Service Tag) or TPD 620 (Notice of Violation) for some type of code or parking violation. The vehicle is tagged for a designated period of time, to be towed after that time has elapsed.³
- III. VEHICLE IMPOUND POLICY: Officers are frequently faced with the responsibility of protecting privately owned vehicles and the contents thereof in a variety of contexts including traffic accidents, recovered stolen vehicles, driver arrests, vehicles seized as evidence, etc. Proper disposition depends on the nature of the law enforcement interest in the vehicle and the circumstances of each individual situation.

Absent compelling exigent circumstances, officers are **not** authorized to operate private vehicles and **not** authorized to leave private vehicles on private property without express permission of the property owner. Also, officers are responsible for taking reasonable precautions to protect vehicles and the contents thereof from damage or theft when the vehicle owner is unable to do so for any reason.⁴ Accordingly, impoundment of such vehicles will most often be the most prudent and expedient option. Vehicles will generally be *rotation impounded* when there exists **no** continuing law enforcement interest in the vehicle. When there is a continuing law enforcement interest in the vehicle, it will generally be *police impounded*.

- A. Except for emergency, public safety or tactical purposes when waiting for a tow truck would be impractical, officers will not drive privately owned vehicles while on duty.

¹ CALEA [5th Edition] 61.1.13, 61.2.3(f); 61.4.1(b); 61.4.3(a)

² CALEA [5th Edition] 61.4.1(b)

³ CALEA [5th Edition] 61.4.3(a)

⁴ CALEA [5th Edition] 61.2.3(f)

- B. Officers will not authorize or facilitate the parking of vehicles on private property without the express consent of the owner or manager of the property **and** the written consent of the vehicle owner.
- C. In DUI arrest cases and in all cases where the mental capacity of the vehicle owner is questionable due to alcohol or drug consumption or any other reason, the owner will be presumed to be incapable of making a legally competent decision⁵ concerning the disposition of the vehicle and **all** such vehicles will be impounded.
- D. Whenever a vehicle driver is arrested or otherwise incapacitated, if there is no reason for continuing law enforcement interest in the vehicle and the vehicle is otherwise fully in compliance with Florida Law, with the competent consent of the owner, the vehicle may be released to a licensed and legal driver who is **on scene**. Officers will not call or await the arrival of remote persons as an alternative to impounding the vehicle.
- E. Vehicles may be secured with the owner's written consent if located on or adjacent to the owner's property or if parked in a publicly owned parking garage or marked parking space. Vehicles will not be left in the right-of-way.

IV. IMPOUND PROCEDURE: The impounding officer will determine whether an impound is a "police impound" or a "rotation impound" by using the following criteria:

- A. The following impounds are "**police impounds**"- vehicles which will be transported to the police impound lot:
 - 1. Vehicles impounded as evidence;
 - 2. Vehicles impounded because they were used in the commission of a felony, and/or to transport contraband and are, therefore, subject to forfeiture as provided in F.S. §932.702;
 - 3. Vehicles impounded by the City of Tampa Parking Department, Enforcement Division that shows excessive unpaid parking tickets. They are stored at the TPD impound lot with a hold for City Parking pending payment;
 - 4. A vehicle on public property belonging to a deceased person, and next-of-kin are not available to take custody of the vehicle;⁶
 - 5. Vehicles impounded when they are found to have major components, i.e., engine, from another stolen vehicle;
 - 6. Vehicles that are involved in a criminal crash investigation that involves death or serious injury, or hit and run cases where the suspect is not arrested⁷; and

⁵ CALEA [5th Edition] 61.2.1(d); 61.2.2(c)

⁶ CALEA [5th Edition] 61.4.3(a)(b)

7. Vehicles or trailers found to have removed or altered VIN plates.
- B. Evidence or lost property other than vehicles that require a wrecker will be transported to the impound lot. These articles are not placed on an impound report. The Tampa Police Department "Property Record" form (TPD 7) shall be used to enter this property. In addition, the wrecker driver will present an invoice for towing to the evidence technician, which is submitted to the Fiscal Bureau by the Evidence Control Section.
1. No evidence shall be stored inside of any "police impound", including vehicles, trailers and/or conveyances, unless approved in advance by the Evidence Control supervisor. If approved, it would be in exigent circumstances **ONLY**.
- C. The following impounds are "rotation impounds" and the vehicles shall be transported to the rotation wrecker's storage lot:⁸
1. All other impounds including, but not limited to:
 - a. Vehicles of arrested or otherwise incapacitated persons towed pursuant to the guidelines set forth in subsection III above;
 - b. Vehicles that are abandoned on public property⁹;
 - c. Recovered stolen vehicles, which can not be reasonably released to the owner but would qualify for release if the owner could take possession;
 - d. "Possible" stolen vehicle, (See SOP 323);
 - e. Vehicles impounded for parking violations when no "hold" is applied; or
 - f. Vehicles impounded pursuant to City of Tampa Code, Section 19.56, Storage of Inoperable Vehicles, Junk or Scrap Metal in Residential or Commercial Sections.
- D. Crashes:¹⁰
1. When a vehicle must be removed from a crash scene, it is the responsibility of the driver (if available) to cause the removal (unless seized as a "police impound") F.S. §316.027, §316.061(2) and §316.063.

⁷ CALEA [5th Edition] 61.2.2(a)(b)

⁸ CALEA [5th Edition] 61.4.3(b)

⁹ CALEA [5th Edition] 61.4.3(a)

¹⁰ CALEA [5th Edition] 61.2.2(h); 61.4.1(b)

2. If the investigating officer is not impounding the vehicle, the driver has the option of requesting a wrecker of choice (private request) or using the TPD wrecker rotation system. In these circumstances, the officer is only providing assistance in obtaining a wrecker. The impoundment, transport and disposition of the vehicle are to be negotiated between the driver and the wrecker operator.
3. In crash cases where the vehicle driver/owner consents to the tow, no impound report is necessary. However, if the rotation wrecker is used, the investigating officer should ensure that the driver has a record of the name and address of the wrecker company.¹¹

V. GENERAL:

A. General Rules:

1. Requests for wreckers for impoundment will be made on the frequency designated for registration and wanted checks. The impounding officer will provide location, associated case number, VIN, tag number and color. (This information is required for the impound dispatch log, VIN and tag checks and FCIC entry.) After the requested information is given, the impounding officer will return to the primary frequency where the officer will receive the wrecker dispatch information and "R" numbers for "Rotation Impounds."¹²
2. Requests for wreckers at crash scenes when the officer is obtaining a wrecker for the driver are made on the primary frequency. In this case, only the location and any special towing information is required. Tag and VIN checks for most vehicles must be made on the frequency designated for registration and wanted checks.
3. The Communications Bureau will dispatch a wrecker to the scene of all crashes when the need for a wrecker is indicated, or upon request by the investigating officer.
4. Officers are strictly prohibited from recommending the services of a particular wrecker company. If a citizen has a preference for the services of a particular company, officers will make a reasonable effort to honor the request.
5. Officers will notify the Communications Bureau to place a requested wrecker back on top of the rotation list if it is later determined that a wrecker was not needed.

¹¹ CALEA [5th Edition] 61.2.3(f); 61.4.3(c)

¹² CALEA [5th Edition] 61.4.3(c)

6. Under emergency conditions, officers may direct the Communications Bureau to dispatch the nearest rotation wrecker without regard to the rotation list.¹³
7. Investigating officers at crash scenes have supervisory control over wrecker operators. Officers will require wrecker operators to move damaged vehicles out of the flow of traffic and clean all crash debris from the streets as required by F.S. §316.2044(2).¹⁴
8. Complaints by officers regarding a wrecker company will be directed to the Communications Bureau manager, for transmittal to the Hillsborough County Public Transportation Commission.
9. Absent highly unusual circumstances, vehicles belonging to deceased persons will not be impounded for safe keeping except when removal is necessary for public safety reasons. If a decedent's vehicle is impounded, any person retrieving the vehicle on behalf of the decedent's estate shall properly execute completed TPD Forms 152 and 153. The Legal Advisor should be contacted for release approval.

B. Impounded Vehicles:¹⁵

1. Officers will complete the Impounded Vehicle Report (TPD 203) in its entirety, including a complete inventory of a vehicle and a description of any damages at the time of impoundment for either police or rotation impounds.
 - a. A complete inventory means the thorough examination of everything in the vehicle including the contents of closed containers. The purpose of the inventory is to locate valuables that should be accounted for, or weapons and/or other contraband that may pose a threat to the impounding officers or other persons when the car is released. During the inventory process only items of value exceeding \$10.00 need to be listed on the impound report.
 - b. Officers shall not force open a locked trunk to which they do not have a key or access unless exigent or unusual circumstances exist which dictate the forcing open of the trunk for the safety and protection of officers or other persons. Officers will verify that the wrecker driver has a "PVDL" (Public Vehicle Drivers License) and that the information on the badge matches that of the driver. Each wrecker driver shall display the PVDL in a manner that allows visibility of the license at all times while driving his vehicle or while on duty as a vehicle driver and shall not operate a vehicle if the license has been revoked or suspended. The license will be clipped, badge style, to the driver's shirt or outer garment or may

¹³ CALEA [5th Edition] 61.4.3(c)(g)

¹⁴ CALEA [5th Edition] 61.2.3(a)(c)(g)

¹⁵ CALEA [5th Edition] 61.4.3(c)

be hung around the neck on a chain or string. Any discrepancy will be reported to the Communications Center for follow-up with the Hillsborough County Public Transportation Commission.

- c. Officers will require the wrecker driver to complete the "Wrecker Fees" section of the Impound Report at the scene, so that entries appear on the original impound report and all copies.
 - d. The wrecker driver will place his PVDL number on the line normally reserved for the wrecker driver's signature on the police impound report (TPD 203). The license number will substitute for the wrecker driver's signature.
2. If the owner of a vehicle arrives at the scene while their vehicle is in the process of being impounded, the officer will release the vehicle to the owner unless unusual circumstances dictate otherwise. If the wrecker has hooked up to the vehicle, the owner will be required to pay a negotiable fee (amounting to no more than half the standard fee), or the wrecker operator, at their option, may elect to go back on top of the rotation list and thereby waive any fee. Communications must be notified if the operator elects to remain at the top of the list.
 3. Officers will obtain supervisory approval prior to placing a "hold" on the Impounded Vehicle Report (TPD 203). When supervisory approval is granted, the officer will enter the reason for the "hold" in the "Details of Report" section on the original (white) page of the report. When Communications is contacted for a wrecker on a police impound, the communications technician will be advised of the type of hold(s) on the vehicle and the name of the approving supervisor. (Also see SOP 337 for "holds" placed on contraband vehicles.)
 - a. In those cases when a "hold" is placed on a vehicle for reasons other than forfeiture, the assigned investigator or supervisor responsible for the latent investigation of the offense for which the "hold" was placed will cause the "hold" to be removed as soon as practical.
 - b. If more than one hold has been placed, i.e., an investigative and a forfeiture hold, impound lot personnel will ensure that **all** holds have been removed prior to releasing the vehicle to anyone.
 4. In the case of a police impound, the yellow and pink copies of the Impounded Vehicle Report (TPD 203) will be given to the wrecker operator for delivery, along with the vehicle, to the impound lot. The wrecker driver will retain the pink copy. The yellow copy will be left at the Impound Lot with the evidence technician.

The evidence technician, in the presence of the wrecker operator, will verify the Vehicle Identification Number and the license tag number, as

well as a description of the vehicle or item, any damage, the inventory and, ending wrecker mileage. If verification cannot be made, the evidence technician will cause the impounding officer or his/her supervisor to be dispatched to the impound lot to clear up any discrepancy. After verification or correction, the evidence technician will sign and date both copies of the Impounded Vehicle Report (TPD 203), give the pink copy to the wrecker operator as his/her receipt, and retain the yellow copy for Impound Lot records. The approving supervisor will send the original (white) copy to the Evidence Control Section.¹⁶

5. In the case of a rotation impound, the yellow and pink copies of the Impounded Vehicle Report (TPD 203) will be given to the wrecker operator for delivery, along with the vehicle or item, to their storage lot.
6. Officers will direct anyone seeking the release of a "police impound" or other impounded item to the Evidence Control Section, Impound Lot, 110 S. 34th Street, Monday – Sunday from 0700 to 1800 hours.

C. Waiver of Fees:¹⁷

1. In those cases when wrecker or storage fees must be waived as a result of error directly attributable to the police department, the commander of the concerned division will initiate the request for waiver (TPD Form 700), and route said request to the respective assistant chief or to the legal advisor for final approval.
2. In a case wherein wrecker or storage fees are to be waived as a result of utilizing a rotation wrecker to impound a vehicle or item that was seized as evidence, the commander of the division will initiate the request for waiver (TPD Form 700), and route such request to the respective assistant chief for final approval.
3. When wrecker fees are to be waived and the vehicle is stored at a rotation impound company, the commander initiating a waiver of fees, TPD form 700, will obtain a copy of the impound report from the Evidence Control Section for attachment to the waiver form. If the waiver is approved, the commander requesting the waiver will contact the wrecker company and advise to release the vehicle without charges and provide their name as authority for the release. This will authorize the wrecker company to bill the Fiscal Bureau for towing charges.
4. When the commander of the concerned division determines that, due to mitigating circumstances or, that it would be in the best interest of the city, wrecker and storage fees should be waived, the commander will initiate the request for waiver (TPD 700) and route the request through the chain of command to the respective assistant chief or legal advisor for final approval.

¹⁶ CALEA [5th Edition] 61.4.3(c)

¹⁷ CALEA [5th Edition] 61.4.3(c)

5. If a question of fees must be resolved during other than normal duty hours, the concerned shift or bureau commander will contact the appropriate division commander or, if contact cannot be made, the legal advisor.

D. Disabled Police Vehicles:

1. When a marked or unmarked police department vehicle becomes disabled, the operator will notify Communications of the location, make, model, vehicle year, tag number, vehicle number, color, and the vendor that handles the normal maintenance. Communications should also be advised as to whether the vehicle is still under warranty.
2. The Communications Bureau will dispatch the appropriate road service (city or private) and determine the disposition of the vehicle in accordance with the wrecker and repair schedule.
3. The Communications Bureau will advise the operator of the disabled vehicle as to which service has been dispatched.
4. In the event a rotation wrecker responds to repair or tow a disabled police vehicle, the operator will sign, date, and place their badge number and/or rank or title on the wrecker bill if a bill is provided to the officer.
5. The officer will direct a memo to the vehicle coordinator, describing the problem with the vehicle. The wrecker bill will be attached to the memo.

E. Disabled Motorists: Disabled motorists should be assisted as indicated in SOP 380.1 "Assistance to Motorists."

Citizens should be advised that if they elect to request a "rotation" wrecker company, they will be subject to the maximum towing rate. The maximum towing rate is established only for "rotation" wreckers by the Hillsborough County Public Transportation Commission and cannot be altered by the police department.¹⁸

F. Vehicles Parked on Private Property – Towing F.S. §715.07.¹⁹

1. Officers will not impound vehicles from private property at the request of the property owner.
2. F.S. §715.07 makes provisions for property owners to remove vehicles without police involvement.
3. If a vehicle is impounded from private property without the consent of the owner, the requirements of F.S. §715.07 must be followed by the person authorizing the tow. If a vehicle is improperly towed, the person authorizing the tow is liable for cost of removal, transportation, and

¹⁸ CALEA [5th Edition] 61.4.1(b)

¹⁹ CALEA [5th Edition] 61.4.1(b)

storage; damages that occur during removal; attorneys' fees and court costs. TPD employees will therefore refer persons who inquire about towing from private property to F.S. §715.07 for instructions.

G. Red Tagged Vehicles:²⁰

1. The officer will advise Communications that the vehicle being impounded is a red tagged vehicle.
2. Communications will contact the wrecker company contracted by the City Code Enforcement Department for the towing of these vehicles.
3. Other than utilizing the designated wrecker company, impounding of red tagged vehicles will be handled the same as a rotation impound.

Supersedes SOP 322, dated *12/09*.

²⁰ CALEA [5th Edition] 61.4.3(a)(c)

**TAMPA POLICE DEPARTMENT
REQUEST FOR FEE WAIVER FORM
IMPOUNDED VEHICLE**

DATE: _____

TPD REPORT #: _____ YEAR: _____ MAKE: _____ MODEL: _____

VIN#: _____

STORAGE LOCATION:

TAMPA POLICE IMPOUND LOT, 110 S. 34TH STREET _____

ROTATION COMPANY LOT, NAME: _____

ADDRESS: _____

REASON FOR WAIVER: _____

EFFECTIVE DATE OF WAIVER (DOW): _____

	AMOUNT DUE (DOW)	AMOUNT WAIVED (DOW)	AMOUNT DUE ON DATE OF RELEASE
TOWING	_____	_____	_____
STORAGE	_____	_____	_____
ADMIN	_____	_____	_____
TOTAL	_____	TOTAL _____	TOTAL _____

STORAGE FEES TO BE ADDED AFTER DOW: YES _____ NO _____

DATE STORAGE FEES ARE TO RESUME: _____

EVIDENCE CONTROL OFFICE USE ONLY: TOTAL COLLECTED ON DATE OF RELEASE: _____

If a vehicle is stored at a Rotation Company, approval of this waiver authorizes the Rotation Company to collect the release total from the owner and to bill the waiver total to the Tampa Police Department.

DIVISION COMMANDER: _____ DIVISION: _____

APPROVED: _____ ASSISTANT CHIEF: _____ OR

APPROVED BY CITY ATTORNEY: _____

TPD 700 (6/11)

AFFIDAVIT

**STATE OF FLORIDA
HILLSBOROUGH COUNTY**

BEFORE ME, the undersigned authority, personally appeared _____, who after being duly sworn deposes and says:

1. That I am the _____, of _____, deceased, who died on or about the _____ day of _____, 20 _____ in Hillsborough County Florida.

2. That the deceased died without leaving a last will and testament.

3. That the deceased left the following persons as heirs at law:

Relationship	Name	Address	Age
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4. I hereby claim the following property of the deceased, which is in custody of the Tampa Police Department, Tampa, Hillsborough County, Florida, to wit:

Any and all property belonged to _____, deceased, now in custody of the Tampa Police Department, held under _____ and _____.

5. I have full right and authority to receive the above described property on behalf of said heirs at law and will preserve the same for the estate of said deceased.

SWORN TO and subscribed before me this _____ day of _____, 20 _____.

Signature

Notary Public, State of Florida

My Commission Expires: _____

**TAMPA POLICE DEPARTMENT
RELEASE AND INDEMNITY AGREEMENT**

For and in consideration of the release and delivery to the undersigned of the hereinafter described property and other valuable consideration, the undersigned,

address: _____

does hereby release the City of Tampa, and all of its officers, employees, and agents, whether elected or not, from any and all causes of action, claims, demands, or damages, present, past, or future, contingent or otherwise, which may arise as a result of the release and delivery to the undersigned of said property held by the City of Tampa Police Department, Tampa, Florida, as Decedent's Property.

Subject to the approval of this Release and Indemnity Agreement by the City of Tampa, I hereby acknowledge receipt of said property. As a further consideration, upon release of said property to me, I hereby covenant to indemnify, defend and save harmless the City of Tampa, its officers, employees, and agents, whether elected or not, from any and all causes of action, claims, demands, or damages, and costs which may result from any and all causes of action, claims, demands, or damages present, past or future, contingent or otherwise instituted by any and all heirs, legatees, devisees, personal representatives, agents and assigns or any other person, entity or corporation for release and delivery of the following described property:

Any and all property belonging to _____, deceased,
now in the custody of the Tampa Police Department, held under _____ and _____ .

WITNESS my signature this _____ day of _____, 20 _____ .

Signature

Before me, the undersigned authority, personally appeared _____,

address: _____
who upon oath, after duly being sworn, deposes and states that the statements contained in the foregoing Release and Indemnity Agreement are true and he/she signed the same for the uses and purposes therein contained.

SWORN TO and subscribed before me this _____ day of _____, 20 _____ ,
at Tampa, Hillsborough County, Florida.

Notary Public, State of Florida

My Commission Expires: _____

322.2 RENTAL PROPERTY AND THEFT FROM INVENTORY COMPLAINTS

- I. Purpose: To establish a procedure for the reporting and investigation of Failure to Redeliver Hired Vehicles, F.S. §817.52(3); Hiring, Leasing, or Obtaining Personal Property with Intent to Defraud, §812.014, §812.155(1), and §812.022(1); and Vehicles Stolen from Inventory, §812.014.

- II. Discussion: Failing to return rental vehicles and/or other rental property are normally violations of a civil contract, absent statutory relief.
 - A. It is the joint policy of the Tampa Police Department and the Hillsborough County State Attorney's Office that there will be no report, investigation, or prosecution for these incidents unless the lessor obtains certain information and performs certain acts to assist.

 - B. When the criminal elements exist, it is still the option of the lessor to seek civil remedies. To prevent any appearance that a law enforcement agency is exercising influence over a civil matter, the lessor will be required to sign a False Report and Promise to Prosecute Affidavit.

 - C. Once an investigation is initiated or a warrant issued, prosecution will go forward without regard to financial agreements between the complainant and the defendant.

 - D. Although vehicle thefts from inventory are not directly related to the rental process, they are similar in several respects and are therefore included in this directive.

- III. Responsibility:
 - A. It is the responsibility of the Delayed Crimes Investigations Unit to originate any criminal incident reports arising from apparent violations of the statutes covered by this standard operating procedure.

 - B. It is the responsibility of any officer learning of a complaint of failure to return rental property or vehicles,

- B. Failure to Return Hired Vehicle F.S. §817.52(3): This section makes it a felony of the third degree to rent a vehicle and with intent to defraud, abandon it, defy a demand for it, or fail to return it. There are certain elements and circumstances, which must be present for prosecution of a violation of this statute:
- C. Hiring, Leasing, or Obtaining Personal Property or Equipment With Intent to Defraud, F.S. §812.155(1) and (2): These two paragraphs of the statute make it a crime to obtain property by trick or to rent or lease property and intentionally provide false information about name, address, or other material information (F.S. §812.022[1]).
- D. Obtaining Vehicles with Intent to Defraud F.S. §817.52(1): This part of the statute covers the renting or leasing of a vehicle by one who willfully supplies the owner with a false name, false address, or other false material information. The supplying party shall be guilty of a felony of the third degree.
- E. Statement of Complaint: Failure to Return Hired Vehicle: A form completed by the complaining witness making a report of a violation of one or more of these statutes. This form structures the information provided by the complainant and helps ensure that all information needed for successful investigation and prosecution is provided. This form will subsequently serve as a supplement or additional page to whatever report is originated by this Department.
- F. Statement of Complaint: Vehicle Stolen From Inventory: A form completed by the complaining witness making a report of someone stealing a vehicle from the inventory of a vehicle rental business, auction, or other business which owns a large number of vehicles.
- G. Theft from Inventory: A theft, detected through an inventory or other similar business activity, from a vehicle rental company, a new or used vehicle dealer's sales or storage facility, or a vehicle auction, where the stolen vehicle was being held as part of the business's inventory of vehicles available for sale or rent. A theft that just occurred or is in progress is not a theft from inventory.

V. Procedures:

- A. Jurisdiction of these offenses is determined by the location where the lessee originally took possession of the rental vehicle or property, not where the contract was signed or payment made.
- B. All violations described in this SOP will be reported through the Delayed Crimes Investigations Unit. They must be reported either in person or under certain conditions by facsimile machine.
- C. If the complainant desires to report offenses by facsimile, the complainant must obtain in advance a supply of TPD forms; False Offense Affidavit and Statement

of Complaint; Failure to Return Rental Vehicles, or Statement of Complaint; Vehicle Stolen from Inventory, as applicable.

D. The complainant must bring or send to the Delayed Crimes Investigations Unit by facsimile:

1. The applicable TPD form "Statement of Complaint" properly completed, including being sworn to by the agent who rented the vehicle, whose signature must be notarized;
2. TPD form "False Offense Affidavit" signed and witnessed;
3. There must be a contract, which contains an agreement to redeliver the vehicle at a specific date and time.
4. A copy of the certified letter, and a copy of the envelope depicting the result of the attempt by the post office to deliver the certified letter; and
5. A photocopy of the suspect's identification and written description of the suspect(s), including all of the items listed in the "definitions" section of this SOP.
6. The lessee must have failed to redeliver the vehicle by the listed date and time.
7. The lessor must not have given the lessee permission to keep the vehicle beyond the return time.
8. The lessor must be willing to testify that any alterations to the contract have not materially altered the fact that there is a date by which the vehicle was to have been returned.
9. The Hillsborough County State Attorney's Office has promulgated a policy requiring that the complainant must have taken certain actions to establish that the lessee has failed to redeliver the vehicle with the intent to defraud. The complainant must be able to positively identify the suspect and to have documented the suspect's name, DOB, height, weight, driver's license or other official identification bearing identification number, home address and telephone number, and business address and telephone number. The vehicle rental agency is also required to make a photocopy of the driver's license or other official photograph bearing identification of the person who is renting a vehicle.
10. If the complainant cannot supply all of the information demanded, the failure to return shall be considered a civil matter. The complainant will be advised to contact a private attorney.

11. The complainant's sworn statement must contain facts tending to prove that the failure to return the vehicle is willful and not the result of a mistake or inability such as the complainant must have made personal contact and demanded the return of the vehicle or sent a certified letter which was refused or ignored.
- E. In addition, the complainant must include a telephone number for use by the Delayed Crimes Investigations Unit to provide a report number.
- F. If the complainant is unable to supply the listed information about the suspect, he will be informed that this is a civil matter and advised to make contact with a private attorney.
- G. Prior to originating a report of failure to redeliver a rental vehicle or other rental property, DCIU personnel will review the contract. If there is no date specified for redelivery, or if it is determined that the rental agent has given the lessee permission to keep the rented vehicle or other rented property beyond the contract termination date, no report will be originated. If the rental agent has extended the contract beyond the written expiration date, there must be an additional renter's signature on the contract indicating this for criminal investigation and prosecution. If there is no additional renter's signature on the extended date contract the complainant will be informed that this is a civil matter.
- H. FCIC/NCIC will not accept entries for failure to redeliver hired vehicles, therefore, pick-ups will be placed for such vehicles as stolen with a note in the remark section that the case involves failure to redeliver rental property.
- I. If the complainant presents evidence that the lessee rented the property under false pretenses, such as using identification, which contains a false name or providing other important information that was not true, the report will be originated, and an investigation conducted without regard to other elements.
- J. Occasionally, a complainant reports that he has rented a vehicle as a favor for a friend and has voluntarily given the car and keys and possibly the rental contract to the friend. If the friend has then failed to return the vehicle to the rental company, this is not "Fail to Redeliver." Normally, the rental company has no interest in making a complaint, their attitude being that they have a contract between them and the complainant. This is a civil matter between the complainant and his friend, unless there is some evidence that the friend's intent is to steal the vehicle. The complainant should be advised to write the friend a demand letter and sent it certified, return receipt requested. He should be advised to bring a copy of this letter and the return from the USPS so that a grand theft report can be originated.

- K. Vehicles discovered to be missing during an inventory present a special problem. These vehicles are often simply misplaced. Therefore, any complainant who maintains an extensive inventory of vehicles will be required to take certain actions before the Tampa Police Department will originate a report and investigation. Once all of the following conditions have been met, the case will be treated as any other auto theft.
1. Supply TPD with a completed TPD form "Statement of Complaint." The form must contain a sworn statement that the complainant has:
 - a. Conducted inventories of any additional storage properties, subsidiaries, branches, etc.;
 - b. Polled all employees who would use or remove vehicles from inventories;
 - c. Reviewed all records and/or sales or rental transactions which would usually track vehicles in inventory; and
 - d. Checked any garage, detail shop, or other place usually used for maintenance of their inventory.
 2. The statement on the form must be signed and notarized.
 3. The complainants must provide ownership papers demonstrating that they own the vehicle. Those who have temporary ownership of vehicles, such as dealers must provide a copy of the manufacturer's certificate of origin.
 4. The paperwork may be provided in person, by mail, or by facsimile.

Supersedes SOP 322.2, dated 8/01.

323 PROCESSING STOLEN VEHICLES

- I. Purpose: To provide a uniform procedure for recovering and processing stolen vehicles.
- II. Discussion: The proper handling and processing of recovered stolen vehicles is a high priority. In addition to conducting a thorough investigation, every effort must be made to notify the owner regarding the recovery as soon as possible by Florida law.
- III. Procedures:
 - A. Investigation/Evidence: Recoveries involving TPD cases and other jurisdictions:
 1. Process vehicle for latent fingerprints with an emphasis placed in the interior.
 - 1) In the event of rain or moist surfaces, make notations on the recovery report such as: unable to process due to rain. However, this does not preclude the responsibility of processing other surfaces that are not affected, such as the interior.
 2. Photographs may be taken at the discretion of the officer's supervisor.
 3. The recovering officer's supervisor may authorize a crime lab to process and photograph the vehicle.
 4. Any other evidence found in the vehicle will be processed and collected.
 - B. Owner Notification – TPD Cases:
 1. It is the responsibility of the recovering officer to ensure that every reasonable effort has been made to contact the vehicle owner prior to the impound process.
 2. Should notification not occur, it should be documented on the recovery supplement and routed to the Auto Theft Squad.
 - C. Other Jurisdiction Cases:
 1. It is the responsibility of the recovering officer to ensure that the originating agency is advised of the recovery, suspect information,

and storage location of the vehicle. This will be accomplished by teletyping the other agency.

2. The operator number of the Communications Technician who causes the teletype to be sent to the other agency will be documented in the “recovered stolen vehicle-other jurisdiction” report.
3. The supervisor editing and approving the report will ensure that the report is routed to the Auto Theft squad using the MRE/Versadex reporting system by the end of the shift.

D. Recovered Stolen Vehicles – Impound Process:

1. Impounding recovered stolen vehicles should be viewed as a last resort, as the victim is responsible for the resulting fines.
2. The impound report will be properly completed pursuant to SOP 401.7.
 - a. Special emphasis must be placed on obtaining the correct VIN (Vehicle Identification Number), and tag number.
 - b. Both the VIN and tag should be checked to determine whether they correspond.
3. A hold will not be placed on a recovered stolen vehicle unless the following criteria are present:
 - a. The vehicle identification number is missing or altered;
 - b. The vehicle was used in another serious offense and it is needed for evidence (in the case of a bank robbery, for example, the resulting hold would be for the Criminal Investigations Division, Robbery Squad); or
 - c. The originating agency specifically requests that a hold be placed in accordance with III D, 3b (above).
4. Recoveries of non-reported, but suspected stolen vehicles:
 - a. There are cases where a vehicle has been stolen and the owner either hasn't reported it as stolen or may be unaware of the theft.

- b. Every attempt should be made to contact the owner. Should all attempts fail and the vehicle is unsecurable, it should be impounded for safekeeping.
 - 1) No hold needs to be placed on the vehicle.
 - 2) An “Abandoned Vehicle” report should be generated as well as a rotation impound report.
 - 3) Any latent fingerprints obtained from processing the vehicle may be routed to the Forensic Investigation Unit.

Supersedes SOP 322.1, dated 1/99.

323.2 STOLEN VEHICLES OR STOLEN TAG REPORTS INVOLVING RELATIONSHIPS

- I. **PURPOSE:** To establish procedures to properly investigate the reporting of stolen vehicles or stolen tags where it is reasonably believed that the suspect is a family member or has some other specified relationship with the victim.
- II. **DISCUSSION:** Oftentimes, people loan or trade their vehicle to persons with whom they have some type of relationship and later realize they made a mistake in doing so. They try to report the vehicle as stolen so the police can locate and return their vehicle. After their vehicle is returned, they do not wish to proceed with any criminal charges. They have used the reporting of a serious crime in order for the police to act as their repossession company.

These types of situations involving relationships are very costly to the Department in terms of investigative time, effort and expense and could also prove to be very dangerous to law enforcement officers if listed as “stolen” in FCIC/NCIC.

The reporting of any criminal offense is a very serious matter as there are serious consequences associated with each crime. Those associated consequences are magnified with the reporting of stolen vehicles. The reporting of stolen vehicles could possibly lead to a police pursuit, which may involve potential danger to the officer(s) or citizens.

The Department has a foundational philosophy that stresses the importance and value of human life. To that end, the procedures outlined herein are designed to ensure that all reports of stolen vehicles and stolen tags that involve relationships are properly investigated and documented. The procedures will facilitate the return of the vehicle or tag to the complainant without the possible danger associated with a vehicle or tag being listed as “stolen”. It does not diminish the nature of issues arising from domestic violence or relationships. But rather, recognizes that some issues involving relationships may be better resolved using diversions or other methods.

III. **DEFINITIONS:**

- A. **Family Member:** Defined by state law and/or common usage.
- B. **Other Relationships:** Relationships include friends, dating, roommates, employer/employee, trades for narcotics, trades for sex, and any other relationships where there is a reasonable belief that the suspect and/or vehicle will return or be returned to the victim.

IV. **PROCEDURES:**

- A. Procedures as outlined in SOP 323.1 – Stolen Vehicle Reports are to be followed unless more specific instructions are provided in this SOP. The procedures detailed in this SOP will be an enhancement to and clarification of SOP 323.1 and other related policies and procedures (including SOP 386 – Emergency Operation of Police Vehicles and SOP 656 – Pickup Orders).
- B. When a complainant is making a stolen vehicle or stolen tag report and it is reasonably believed that the suspect is a family member or has some other specified relationship with the complainant, the officer will originate an **Information Report**. The complainant will complete the Sworn Statement Acknowledgement form (TPD form #310) and will write his/her statement on the reverse side of the form.
- C. The officer will list the vehicle in the “Entities” portion of the report as “Family/Relation” and not as stolen. A stolen vehicle “Detail” page will **not** be completed. The officer will document specific details of the investigation in the report.
- D. The officer will contact the Pickup Desk and the Pickup Desk will enter the vehicle and/or tag into a file “FM/R” on Notepad and “flag” the entry. The vehicle or tag will not be entered into FCIC/NCIC as stolen. The vehicle will be placed on the Hot Sheet system with the following information:
- Information only – Possible relationship to suspect
 - No pickup placed – Not in FCIC/NCIC
 - Do Not Pursue
1. The following illustrates how officers should handle vehicles or tags that are entered in the FM/R file:
- a. When the officer runs the tag on their MRE, they will receive a computer generated prompt referring them to the FM/R file, which will contain a brief summary of the relationship between the victim and suspect. Then the officer may attempt to make contact with the vehicle and any occupants, using appropriate caution.

If the vehicle fails to stop for police, **DO NOT PURSUE** the vehicle. Document the incident as a supplement to the original Information report.
 - b. If the vehicle is unoccupied, the listed complainant in the report will be contacted to retrieve their vehicle. If they cannot respond, the vehicle will be rotation impounded.

- c. If the vehicle is occupied, the occupants need to be detained so they can be fully identified and their sworn statements taken. The occupants *should not* be charged with Grand Theft- Auto *unless* the investigation warrants it and there is approval by the officer's supervisor. Officers should take appropriate enforcement action if other crimes are discovered (ex. DWLS, warrants, drug possession, etc.).

In most cases, the vehicle or tag should be returned to the owner/complainant listed in the original Information report. If there is a question as to ownership of the vehicle, the officer should police impound the vehicle and the assigned detective will investigate.

- E. Upon recovering the vehicle or tag, the officer is to contact the Pickup Desk in order for the vehicle or tag to be removed from the FM/R list and for the "flag" to be removed.
- F. Under extenuating circumstances that are to be documented, a lieutenant or higher may authorize placing a pickup for the vehicle or tag. Such circumstances include danger to anyone or the involvement of additional severe offenses. If a pickup is placed, the report should be titled as Grand Theft Auto and referred to the Auto Theft Squad for latent investigation.
- G. All stolen vehicle *or* stolen tag reports involving relationship cases will be referred to the Auto Theft Squad for latent investigation. If the assigned detective determines that the incident will support a criminal charge, the report will be reclassified to a Grand Theft Auto report and a pickup will be placed in FCIC/NCIC.
- H. The adoption of this SOP directly impacts SOP 386 – Emergency Operation of Police Vehicles and Section III. E. Pursuits. Pursuits based upon burglary of a conveyance will not be originated or continued once it is learned that the reported auto burglary/auto theft may reasonably involve known persons with some relationship to the victim. This would include family members, roommates, dating relationships, trades for narcotics or other items, or other relationships wherein there is a reasonable belief that the suspect and/or vehicle will return or be returned. Should the agency or officer reasonably believe that the occupants of said vehicle have committed or have attempted to commit a separate pursuable offense, then the vehicle may be pursued consistent with the existing policy.
 - 1. Pursuable offenses are:

- a. Any felony involving violence or the threat of violence to a person;
- b. Burglary of a structure; and
- c. Burglary of a conveyance (non-relationship suspect or situation).

V. Motor Vehicles Traded for Drugs:

- A. It is not unusual for motor vehicles to be traded or loaned in exchange for drugs. The vehicle owner frequently expects the vehicle to be returned to him and when it is not, the aggrieved citizen turns to the police for help. The citizen may eagerly explain the suspect is a known drug dealer and, in fact, obtained the citizen's vehicle in exchange for drugs. At this point the officer should:
 1. Collect information necessary for completion of the required report (see SOP 323.1 – Stolen Vehicle Reports). Ask the citizen to write a statement, or write the statement for them that sets forth the facts of the transaction including the specific drug traded and the approximate quantity. Swear in the citizen and have them sign the statement. Because the citizen is not in custody and is clearly free to leave at any time, no Miranda warning is necessary.
 2. After obtaining the sworn statement, ask the citizen if they still have any drugs received from the trade. If the citizen should have any illegal drugs in their possession and turns it over to the officer, the citizen is no longer free to leave. Any additional questioning should be preceded by the proper Miranda warning.
 3. Because the vehicle was used in the commission of a felony, it is subject to forfeiture. However, until it is actually seized, no notice of seizure should be given. The citizen should not be informed that the vehicle is subject to forfeiture. The Pickup Desk should be notified and the vehicle placed on the Hot Sheet system with the notation "Forfeiture Pending – Police Impound Required". Because the vehicle is not considered stolen, the vehicle will **not** be entered in FCIC/NCIC and pursuit is not authorized. The report will be referred to the Auto Theft Squad for latent investigation and the Forfeiture Unit will be electronically routed a copy.
 4. When the vehicle is located, even if found in the possession of the original complainant, it should be police impounded with holds for auto theft and forfeiture. Notice of Seizure form(s) should be completed and issued to the driver and owner(s) if present. The

Pickup Desk should be notified of the seizure and normal forfeiture / impound procedures will be followed.

331 MEDIATION DIVERSION SERVICES¹

- I. Discussion: Mediation Diversion Services (MDS) is designed to offer an alternative to the usual criminal court procedures for persons who might be involved in certain minor violations of the law.

The complainant who is considered by the police officer to be eligible for the program is referred to MDS. Further consideration of the complainant's eligibility is made by the intake specialist of the MDS program to determine whether the program mediation is appropriate or if a referral should be made elsewhere.

Participation in MDS is voluntary and available to any person who has a complaint against another person that could, but not necessarily would, result in a criminal charge. The types of cases that generally arise from such disputes, although not necessarily limited to these, are harassment, animal nuisance, littering, minor property damage, landlord-tenant disputes, noise ordinances, and other family and/or neighborhood disputes.

This program is intended as an additional aid to the citizen and to law enforcement, and in no way should, or will, be utilized to circumvent normal police action where elements for criminal procedures are present.

II. Procedure:

- A. An officer investigating a citizen dispute shall determine the gravity of the situation and, if no immediate danger exists to either party involved may elect to refer the parties to MDS. If so, the MDS form will be completed.
- B. The yellow copy of the form will be given to the complainant in the dispute. The original will be turned in to the officer's supervisor.
- C. Upon reviewing the forms, the supervisor will determine whether an Incident Report was completed. If so, the MDS form will be attached to the Incident Report and forwarded to Records.

If there is no Incident Report, or if an electronic report is originated, the MDS form will be forwarded to Records.

- D. The original (white) of the MDS form, along with a copy of any related report, will be placed in the MDS report basket maintained by the Records Section.

On a weekly basis, the department courier will gather the forms and deliver them to the MDS Office, George E. Edgecomb Courthouse, Room 208, 800 E. Twiggs St., Tampa, FL.

Supersedes SOP 331, dated 3/03.

¹ CALEA (4th Edition) 1.2.5

333 MISSING PERSONS¹

I. DISCUSSION: Although no violation of law is involved, it is imperative that an investigation be conducted in order to determine the status and well-being of an individual who is missing from his or her usual place of abode, or who has failed to arrive at an expected destination within a reasonable period of time. There will be no waiting period required for missing person reports to be initiated and, with the exception of runaways, reports will be accepted from anyone with knowledge of the facts.² Runaway reports will be accepted from those persons as set out in SOP 313. All active reports of missing persons, regardless of category, will be referred to the Criminal Investigations Division. (See also SOP 313.8.)³

II. DEFINITIONS:

A. Missing Person: A missing person is an individual (adult or juvenile) who resides within the legal boundaries of the city of Tampa and, without first giving notice of his or her intention to leave, is missing from his or her usual place of abode; or, a person who is known to have been within the legal boundaries of the city of Tampa at the time of disappearance and is missing under unusual circumstances; or, a person missing from another jurisdiction and believed to be in the Tampa area, when notification is received from another law enforcement agency.⁴

B. Lost Person: A lost person is an individual who for any reason is unable to locate his or her present place of residence.

C. Runaway: A runaway is an individual who is a juvenile and intentionally leaves his or her legal place of residence in order to be free of control or restraint without the consent of his or her parent or guardian.⁵

D. Amber Alert: A program that is designed to broadcast critical information of a missing/abducted child believed to be in danger, using the Emergency Alert System, via radio, television and billboards. This system is activated by local law enforcement by telephoning the FDLE Missing Children Information Clearinghouse in Tallahassee. Five criteria must be met:⁶

1. The child must be under 18 years of age;
2. There must be a clear indication of an abduction;
3. The investigation must conclude that the child's life is in danger;

¹ CALEA [5th Edition] 41.2.5

² CALEA [5th Edition] 41.2.5(a)(b)

³ CALEA [5th Edition] 41.2.6(a)

⁴ CALEA [5th Edition] 41.2.6(a)

⁵ CALEA [5th Edition] 41.2.6(a)

⁶ CALEA [5th Edition] 41.2.6(d)

4. There must be a detailed description of the child and/or abductor/vehicle to broadcast to the public; and
 5. The activation must be recommended by the local enforcement agency of jurisdiction.
- E. Silver Alert:⁷ A program that is designed to broadcast critical information of a missing elderly person who suffers from irreversible deterioration of intellectual faculties, using the Emergency Alert System, via radio, television, and billboards. Telephoning the FDLE Missing Endangered Persons Information Clearinghouse in Tallahassee activates this system. The following criteria must be met:
1. The missing person must be 60 years or older;
 2. There must be a clear indication that the individual has an irreversible deterioration of intellectual faculties (i.e., dementia) and must be verified by law enforcement;
 3. Under extraordinary circumstances when a person age 18 to 59 has irreversible deterioration of intellectual faculties and law enforcement 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;
 4. There must be a detailed description of the person and/or vehicle to broadcast to the public; and
 5. The activation must be recommended by the local enforcement agency of jurisdiction.

III. PROCEDURE:

- A. Missing Persons - Officers investigating reports of missing persons will handle the case as if foul play is involved until such time as the subject is located or foul play is eliminated.⁸ When an adult subject is located, and a violation of law is not involved, and the subject is of sound mind, the location and status of the adult subject will not be revealed to the person making the report without the subject's permission.⁹ The sergeant of Homicide will be notified of adults who are missing under suspicious circumstances.¹⁰

For a missing person under 21, the pickup will be entered into FCIC/NCIC immediately upon the filing of the report, transmitted to all law enforcement

⁷ CALEA [5th Edition] 41.2.5(f)

⁸ CALEA [5th Edition] 41.2.6(e)

⁹ CALEA [5th Edition] 41.2.5(d)

¹⁰ CALEA [5th Edition] 41.2.5(b)(f)

agencies in the county and placed on the hot sheet for a 24-hour period. The FBI has defined this to mean that the responding officer has completed the assignment on location and the minimum criteria for entry of the missing person into FCIC/NCIC have been met.¹¹

B. Lost or Missing Children¹² - Upon receipt of a report that a very young child is missing, the investigation will be conducted as follows:

1. The investigating officer will notify his or her supervisor and place a temporary alert for the child;¹³
2. The immediate supervisor will make a determination if the child is in immediate jeopardy. If the child is determined to be in immediate jeopardy, the supervisor will notify the shift commander, who in turn will notify the Criminal Investigations Division, Family Violence sergeant for an immediate response for latent investigation;¹⁴
 - a. If it is determined that the child was abducted an AMBER ALERT can be issued. This alert is put out by FDLE in Tallahassee and the information is sent out to the media for dissemination. Accomplishing this quickly is of the utmost importance in abduction cases. This alert can be activated when a child is abducted and there is a detailed description of the child and/or information such as suspect description or a vehicle description. This alert cannot be used when a child has runaway or is the subject of a custody dispute. The child must be in danger of serious bodily harm.

Generally, the Major Crimes Bureau, Family Violence sergeant will make the determination of the recommendation of an AMBER ALERT, but in extreme cases the street supervisor or the radio supervisor can telephone FDLE and get the alert activated. The local law enforcement agency will telephone 1-888-356-4774 with the pertinent information as to the child and the abductor. Necessary information includes name, DOB, address, height, weight, hair color, eye color, clothing, any unusual characteristics and a report number. FDLE does have the final determination in whether an AMBER ALERT will be issued.

In cases where a street supervisor feels the need for an immediate activation of an AMBER ALERT, the Major Crimes Bureau, Family Violence sergeant must be notified immediately.

¹¹ CALEA [5th Edition] 41.2.6(c)

¹² CALEA [5th Edition] 41.2.6(e)

¹³ CALEA [5th Edition] 41.2.3(b)

¹⁴ CALEA [5th Edition] 41.2.6(c)

3. The on-scene supervisor will ensure the following is accomplished:
 - a. Coordinate a thorough search of the missing child's residence, yard, vehicles (including trunks) at the residence, and the immediate neighborhood;
 - b. Verify the child's custody status;
 - c. Secure the scene until the Criminal Investigations Division can arrive and assume control; and
 - d. Secure photographs of the missing child for use in identification of the child.
4. If the child is not located, the Criminal Investigations Division will determine the duration of the search.
5. A pickup will be placed for the missing child as soon as possible, consistent with the available facts. The pickup will be entered into FCIC/NCIC immediately upon the filing of the report, transmitted to all law enforcement agencies in the county and placed on the hot sheet for a 24-hour period.¹⁵ The FBI has defined this to mean that the responding officer has completed the assignment on location and the minimum criteria for entry of the missing person into FCIC/NCIC have been met.
6. Officers must complete the detail page in Versadex, in its entirety, for all missing persons, runaway juveniles or missing juveniles.¹⁶
- C. If a juvenile alleges that he/she was abducted, the Family Violence sergeant will be notified to determine if a detective will be sent.¹⁷
- D. Runaways - Officers investigating reports of juveniles running away from home will place a pick-up on the child and originate an Incident Report.¹⁸
 1. Group type homes, such as "Haynes Group Home" and "ACTS", report multiple runaways at a time. These homes have agreed to cooperate with the Tampa Police Department procedures. Upon receiving reports of multiple runaways from a group home, it is permissible to accept the reports by telephone as long as the group home affected complies with the following procedures:

¹⁵ CALEA [5th Edition] 41.2.6(c)

¹⁶ CALEA [5th Edition] 41.2.5(a)

¹⁷ CALEA [5th Edition] 41.2.6(e)(f)

¹⁸ CALEA [5th Edition] 41.2.6(e)

- a. A list of runaways will be faxed to the affected division or DCIU along with all pertinent data needed to complete the report, including the runaway affidavit (TPD 1009). It will be verified by telephone that the affected division or DCIU received the list and the affidavits.¹⁹
 - b. The office person or DCIU will immediately, upon receipt of the runaway list, verify by telephone that the list is complete with all required data. The office person or DCIU will then place a pick-up on the youth and originate an Incident Report.²⁰
2. Originating officers will obtain a NIC number and PIN number from the Pick-up Desk when placing a pickup for a runaway juvenile. This information will be entered into the Incident Report.²¹

unusual characteristics and the report number. FDLE does have the final determination whether a SILVER ALERT will be issued.

In cases where a street supervisor feels the need for an immediate activation of a SILVER ALERT, the Criminal Investigations Division, Homicide/Missing Person sergeant must be notified immediately.

- F. If a missing child or adult is not located within 90 days after the initial report, latent investigations will arrange to collect biological specimens for DNA analysis/from the missing person or from appropriate family members. Specimens will be collected by evidence technicians and submitted with complete documentation to FDLE, F.S. §937.021(6) and (7) effective July 1, 2008.²³
- G. Clearinghouse - Florida State Statute §937.022 requires law enforcement agencies receiving reports of missing endangered persons to forward that information to the F.D.L.E. Clearinghouse in addition to entering the data into FCIC/NCIC. “Missing Endangered Person” means a missing person under 26 years of age or any person whom officers believe may be a victim of criminal activity. The entry or removal of information with the clearinghouse shall be accomplished by or through the Pick-up Desk (Communications). When an officer receives reliable information that a missing person has been located, the Pick-up Desk will be promptly notified.²⁴

Supersedes SOP 333, dated 1/10.

²³ CALEA [5th Edition] 41.2.5(e); 41.2.6(f)

²⁴ CALEA [5th Edition] 41.2.5(c); 41.2.6(f)

333.3 A CHILD IS MISSING (ACIM) ALERT:¹

I. PURPOSE: The purpose of this procedure is to establish an orderly and precise way to activate A Child Is Missing (ACIM) Alert. Once activated, this alert will begin calling residents in a specified geographic area with a pre-recorded voice message (up to 1,000 residents every 60 seconds). The geographic area is based on the last known location and direction of travel of the missing person. The voice message includes details provided by the department including physical description, clothing description, medical condition, etc. Refer to SOP 333 for details regarding a Media Alert, which may be used in conjunction with ACIM Alert.

II. POLICY: The policy of The Tampa Police Department is to utilize A Child Is Missing Alert only for missing children, elderly persons (with Alzheimer's or dementia), and a disabled person (in danger or dangerous to others) whenever the following criteria are met.

A Child Is Missing Alert is an additional tool for law enforcement. It does not replace or preclude a thorough investigation and/or search by law enforcement officers in the field.

III. PROCEDURES:

A. Missing Persons:²

1. Whenever an officer receives a report of a missing person, the case will be investigated without delay. This investigation includes meeting the complainant and a search of the immediate vicinity.
2. If the missing person is a child, an elderly person (with Alzheimer's or dementia), or a disabled person (in danger or dangerous to others), the investigating officer must get approval from a patrol supervisor to activate A Child Is Missing Alert.
3. The officer will contact the Communications Bureau Supervisor to alert them to call and activate A Child Is Missing Alert. Communications will note in the call for service the time A Child Is Missing was notified.

B. Factors for Determining the Use of A Child Is Missing Alert:

1. Juveniles:
 - a. The reporting person must be an adult family member or another adult who is responsible for the child/individual.
 - b. If the juvenile is a habitual runaway, A Child Is Missing Alert would be used only if foul play is suspected.
 - c. Stranger abduction – ACIM can be used in conjunction with

¹ CALEA [5th Edition] 41.2.6

² CALEA [5th Edition] 41.2.5

Amber Alert activation. ACIM will target a specific local area.

2. Senior Citizens:

- a. The person must be sixty-five (65) years of age or older; suffering from Alzheimer's, dementia, or some other irreversible deterioration of intellectual faculties; or dependent on medication to prevent symptoms of intellectual deterioration.
- b. Being missing must be out-of-character for the elderly person.
- c. A Child Is Missing Alert may be used even if an elderly person is a frequent walk away from a nursing facility, provided the missing person is suffering from Alzheimer's, dementia, or some other irreversible deterioration of intellectual faculties.

3. Disabled Person:³

- a. There is no age stipulation for a disabled person.
- b. Caution must be used when determining whether a person is truly disabled because there are many definitions of a disabled person. For purposes of this guideline, a disabled person will fall into one of the following categories:
 - i. The person has a physical or mental impairment that severely limits self-care.
 - ii. The person is disoriented or unable to respond to simple questions.
 - iii. The person is dependent upon life sustaining medication or unconscious.

NOTE: The approving supervisor may take into account exigent circumstances that may influence using A Child Is Missing Alert even if the person is a habitual runaway or walk-away. Examples include suspicion of foul play, imminent severe weather, etc.

C. Using A Child Is Missing Alert:

When the decision to use A Child Is Missing Alert has been made by the supervisor, the investigating officer will immediately call the Communications Supervisor, who will contact A Child Is Missing.

1. Suggested calling times are from 7:00 AM to 10:30 PM Eastern. Calls can be placed after 10:30 PM if extenuating circumstances exist and with shift

³ CALEA [5th Edition] 41.2.7
333.3

commander approval.

3. While the officer is completing the search, the Communications Supervisor will advise A Child Is Missing operator of the Communications Center's non-emergency line for the public to call with any sightings or tips.
4. The Communication Supervisor will call A Child Is Missing Alert at (888) 875-2246, or page the operator at (954) 492-4778.

D. Investigating Information Received from A Child Is Missing:

1. Information received from a citizen concerning the missing person or a possible sighting of the missing person will be relayed to the officers actively working the case.
2. If a sighting of the missing person is confirmed, the supervisor may consider using A Child Is Missing Alert again with the most recent known location in the notification of residents.

E. Follow-Up Investigation:

1. When the missing person is found, the supervisor/officer on the scene will notify Communications to call A Child Is Missing to report the recovery.
2. A "Case Follow-up Report" will be faxed from A Child Is Missing to the Communications Bureau. The Communications Bureau will fill out the Case Follow-up Report and fax it back to A Child Is Missing at (954) 763-4569).

337 SEIZURE AND FORFEITURE OF CONTRABAND PROPERTY¹

I. PURPOSE: To establish clear and concise procedures for the lawful seizure and forfeiture of cash monies, vessels, motor vehicles, aircraft, real property, and other forfeitable items in compliance with F.S. §932.701 – §706, which is known as the "Florida Contraband Forfeiture Act".

II. DEFINITIONS:

A. F.S. §932.701 definition of "Contraband Article":

1. Any controlled substance as defined in Chapter 893 or 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 the totality of the facts establish probable cause that a nexus exists between the article seized and the narcotics activity, whether or not the use can be traced to a specific narcotics transaction.
2. Any gambling paraphernalia, lottery tickets, money, and currency used or intended to be used in violation of the gambling laws of the state (including misdemeanor offenses);
3. Any equipment, liquid or solid, which is being used or intended to be used in violation of the beverage or tobacco laws of the state (including misdemeanor offenses);
4. Any motor fuel upon which the motor fuel tax has not been paid as required by law (including misdemeanor offenses);
5. Any personal property, including, but not limited to, any vessel, aircraft, item, object, tool, substance, device, weapon, machine, vehicle of any kind, money, securities, or currency, which has been or is actually employed as an instrumentality in the commission of, or in aiding or abetting in the commission of, any **felony** whether or not comprising an element of the felony, or which is acquired by proceeds obtained as a result of a violation of the Florida Contraband Forfeiture Act.
6. Any real property, including any right, title, leasehold, or other interest in the whole of any lot or tract of land, which was used, is being used, or was attempted to be used as an instrumentality in the commission of, or in aiding or abetting any **felony**, or which is acquired by proceeds obtained as a result of a violation of the Florida Contraband Forfeiture Act.
7. Motor vehicle offered for sale in violation of s. 320.28.

¹ CALEA [5th Edition] 84.1.1(f)(g); 84.1.8

8. Any motor vehicle used during the course of committing an offense in violation of s. 322.34(9)(a).
 9. Any photograph, film, or other recorded image, including an image recorded on video tape, a compact disk, digital tape, or fixed disk, that is recorded in violation of s. 810.145 and is possessed for the purpose of amusement, entertainment, sexual arousal, gratification, or profit, or for the purpose of degrading or abusing another person.
 10. Motor vehicle used in drag racing in violation of s. 316.191, provided the person charged is the owner of the vehicle **and** has **prior conviction** for racing within 5 years of the date of the offense.
- B. F.S. §932.702 makes it unlawful:
1. To transport, carry, or convey any contraband article in, upon, or by means of any vessel, motor vehicle, or aircraft.
 2. To conceal or possess any contraband article in or upon any vessel, motor vehicle, aircraft, or real property.
 3. To use any vessel, motor vehicle, aircraft, other personal property or real property to facilitate the transportation, carriage, conveyance, concealment, receipt, possession, purchase, sale, barter, exchange, or giving away of any contraband article.
 4. To conceal or possess or use any contraband article as an instrumentality in the commission of or in aiding or abetting in the commission of any felony or violation of the Florida Contraband Forfeiture Act.
 5. To acquire real or personal property by the use of proceeds obtained in violation of the Florida Contraband Forfeiture Act.
- C. Under F.S. §932.703 any contraband article, vessel, motor vehicle, aircraft, other personal property, or real property used in violation of any provision of the Florida Contraband Forfeiture Act, or in, upon, or by means of which any violation of the Florida Contraband Forfeiture Act has taken or is taking place, may be seized and shall be forfeited subject to the provisions of the Florida Contraband Forfeiture Act.

III. DISCUSSION:

- A. It should be remembered that civil forfeiture can occur at any time during the investigative process up until the disposition of the case. Some examples of unlawful acts, which will subject property to civil forfeiture, are as follows:

1. A vehicle is utilized to transport narcotics or to go to and from the scene of a narcotics transaction (the vehicle is the facilitating contraband article);
 2. A vehicle that was purchased with proceeds of illegal activities;
 3. Any vehicle used in the commission of an armed robbery, burglary, sexual assault or other felony;
 4. A vessel, motor vehicle, or aircraft used to transport, conceal, or possess contraband articles such as felony stolen property, gambling paraphernalia, untaxed liquor, cigarettes, or motor fuel or is used as a weapon in a felony assault or battery.
 5. Tools and equipment used to dismantle stolen motor vehicles, boats, or aircraft.
 6. Any vessel, motor vehicle, or aircraft used to convey contraband, to transport the seller or purchaser of contraband to the site of the transaction, or to transport property (cash, stocks, gold/silver, etc.) which has been, is being, or is intended to be exchanged for any controlled substance.
 7. A warehouse, business, or residence used to store or distribute narcotics or stolen merchandise.
 8. A vehicle is being driven by a confirmed felony habitual traffic offender.
 9. An operator, whose license is currently suspended or revoked as the result of a previous conviction for DUI, is arrested for driving under the influence.
 10. A motor vehicle is used for racing by a person within 5 years of the date of prior conviction for racing under s. 316.191; if the person is racing is the owner of the vehicle.
- B. U.S. currency is frequently used in felony transactions and is often proceeds of a felony offense. Examples include the following:
1. A confidential informant makes several controlled purchases of marijuana from a suspect at his residence. A search warrant is obtained for the residence. A search of the residence reveals several pounds of marijuana, various items of drug paraphernalia and \$10,000.00 cash. The suspect cannot provide a legitimate explanation or source for the \$10,000.00. The cash is subject to forfeiture.

2. Generally, if probable cause exists to believe that currency will be used in a narcotics transaction or is proceeds of a narcotics transaction, the currency is subject to forfeiture.
- C. Other property commonly used in the commission of a felony is subject to seizure with proper documentation establishing a connection between the use of the property and the crime. This property includes the following:
1. Grow equipment, scales, or safes;
 2. Cellular or mobile telephone or other communication device(s) or monitor(s) used to aid, alert or assist in the purchase or sale of controlled substances, etc.;
 3. Firearms – used in narcotics transactions, and other felonies, as a means of protection; and
 4. Jewelry – quite often received in exchange for narcotics, or purchased with the proceeds from illicit crimes.

IV. PROCEDURE:

- A. The seizing officer/detective shall:
1. Determine whether property is contraband as defined or in the case of a vessel, motor vehicle, aircraft, or real property, whether it was used for a prohibited act as defined.
 2. When the seizure of property is the result of past activity and no probable cause presently exists to search, a seizure warrant will be needed prior to seizure.
 3. Provide a Notice of Seizure Form (TPD 62) to all possible claimants after filling out the form and obtaining the claimant's signature. The claimant(s) will keep the yellow copy, the white copy will be returned to the Forfeiture Unit no later than the following day (a box is in the Evidence Control Section for this purpose), and the pink copy will be turned in with the original report to Records. The notice form **will** be provided to the claimant(s) at the time of seizure (if possible). If the yellow copy is not given to all parties, **you** are to have it sent via certified mail through the Evidence Control Section prior to the end of shift. In any case, it **must** be provided to the claimant(s) within five days. Failure to provide notice within the prescribed time period will result in loss of the forfeiture case.
 4. Determine, if possible, whether the violator owns the property and, if not, identify the registered owner or title holder by name, address and

telephone numbers and have a notice signed by them or sent certified mail to them.

5. Only property subject to actual forfeiture (not drugs, recovered buy money, recovered stolen property, etc.) should be listed on the notice form.
 6. Document any information obtained regarding any lien holder, person, or lending institution that has any financial interest in the property.
 7. When filling out the impound report (TPD 203) place a hold for the Forfeiture Unit. Complete the impound report including TPD number, name of person(s) arrested and offense(s). If the person doing the impound is not the case agent, put the name of the case agent at the bottom of the detail section of the impound report.
 8. Attempt to obtain post-Miranda statements implicating the property, and in those cases where the violator is not the owner, implicate the owner as knowledgeable regarding the use of the property by the violator. In the case of currency, frequently the suspect's statements are the only way to show that the currency was gained from or intended to be used illegally in any felony offense.
 9. If there is a doubt as to whether a person is an innocent owner, refer the case to the Forfeiture Unit for a determination of innocent owner status.
 10. Document all information and statements about how the violator came into possession of the property. If U.S. currency is seized ask the violator if they are employed and if so, where they are employed. Attempt to ascertain their level of personal income. It is important to tie the violator to his/her story regarding the currency at the scene.
- B. The impound/seizure officer's supervisor will, after approval of the officer's report, cause a complete copy of the Incident Report (including any impound report) to be delivered to the Forfeiture Unit within seven calendar days following the seizure.
- C. The Forfeiture Unit shall:
1. Be responsible for follow-up actions and completion of forfeiture procedures.
 2. Prepare the necessary documents for forfeiture including negotiated settlements or releases.

3. Notify the Assistant Chief of Investigations and Support of forfeited property that can be utilized by the department for assignment of the property.
 4. Insure that a standardized course of training for basic recruits and continuing education is implemented on an annual basis in accordance with F.S. §932.706. Such standardized course may be implemented as part of department in-service training.
- D. The Special Support Division commander shall, after notice from the Forfeiture Unit that property has been forfeited to and accepted by the department, and at the direction of the chief of police, cause the property to be released from the Evidence Control Section and lawfully disposed of or placed into use with the proper inventory controls.
- E. The collection, disbursement, and audit of funds resulting from seizure and forfeiture of contraband property shall be in accordance with SOP 626.

Supersedes SOP 337, dated 3/07.

338 SEIZURE OF COMPUTER EQUIPMENT¹

- I. PURPOSE: This directive provides guidance regarding the seizure of computer equipment and intellectual property.
- II. DISCUSSION: Technology is often employed by criminals as a means of communication, a tool of theft, and a *safe* hiding place for incriminating evidence and/or contraband. As criminal use of technology increases, it is necessary for law enforcement officers to acquaint themselves with procedures that promote safety and the preservation of evidence necessary for successful prosecutions.

The seizure of computer equipment and intellectual property is an emerging area of the law. It is recommended that if there is any doubt about the legality of a seizure that officers seek legal advice and secure appropriate warrants or court orders.

In almost all cases of seizure of computer equipment and intellectual property, evidence is obtained via forensic examination by a qualified computer expert. There are almost no circumstances in which a computer should be examined by seizing officers. This policy provides direction on seizure, not examination.

III. DEFINITIONS:

- A. Computer Processing Unit (CPU): The *box* or vertical tower containing the hard drive and processing chip.
- B. Forensic Examination: Scientific examination conducted by a qualified examiner, usually through FDLE or FBI resources.
- C. Forensic Examiner: A trained technician in computer forensics, usually qualified as a court expert for the purpose of testimony regarding computer operation and evidence discovered on seized computers.
- D. Internet Service Provider (ISP): Provides subscribers access to the Internet. America On Line and Verizon are examples of an ISP.
- E. Passwords: Any special codes or encryption keys designed to secure computer drives, programs, operating systems, or individual files.
- F. Peripheral Devices: Includes zip drives, CD-writers, external drives.
- G. Storage Mediums: Includes floppy disks, CD-ROMs, DVD ROMS, magnetic tapes, and external hard drives.

¹ CALEA [5th Edition] 83.2.5

IV. PROCEDURE:

- A. Probable Cause: Officers shall obtain sufficient information to determine the existence of probable cause for search/seizure. Search warrants should be obtained for all seizures leading to forensic examination. Consent to search is permissible if the lawful ownership of the computer can be accurately determined.
- B. Once it is determined that computer equipment will be seized and secured for subsequent forensic examination, the scene shall be secured as other crime scenes. Depending on the nature of the call, Communications will notify the District Latent Investigation Squad (DLIS) sergeant or the Sex Crimes sergeant. If neither is available, the following procedure shall be followed:
 - 1. Photograph the equipment before touching it, including all wiring connections. Do not operate the computer in any way.
 - 2. Determine if the computer is part of a network. If so, call an expert.
 - 3. If computer is off, leave it off. If it is on (stand-alone computers), photograph the monitor screen and, without turning the computer off, unplug the power cord from the back of the CPU, **not** from the wall outlet.
 - 4. Place tape over all drive slots.
 - 5. Label connectors/cable ends to facilitate re-assembly for forensic examination.
 - 6. Transport as fragile cargo. Seat belted in the back seat of a police vehicle is recommended.
 - 7. Keep equipment away from magnets, radio transmitters (such as the trunk of police vehicle), and otherwise hostile environments.
- C. If possible, obtain passwords for all programs, operating systems, and files. If encryption is used, attempt to obtain encryption key information. Include all obtained information in report.
- D. If possible, obtain any computer or program handbooks. Collect all storage medium.
- E. Other electronic storage devices include wireless phones, electronic paging devices, facsimile devices, caller ID devices, smart cards, and

handheld computers. These devices are also capable of storing electronic information useful to criminal investigations. The same procedures regarding probable cause and seizure are applicable to these devices.

F. See Legal Bulletin 2005-14.

Supersedes SOP 338, dated 11/07.

339 **ENTRY AND DISPOSITION OF PROPERTY DEPOSITED IN THE EVIDENCE CONTROL SECTION¹**

I. Discussion: Employees of the Tampa Police Department have the responsibility of recording and submitting for secure storage all property which has come into their custody as required by policy or law, and to authorize the disposal of such property in an appropriate and timely manner. Refer also to SOP 339.1 Narcotics Evidence; and 339.2 High Valued Currency and Narcotics. Officers have the option of entering most seized property at the Evidence Control Section, Impound Lot, or their District Office. The Police Evidence Control Section is open 0700 to 1700, Monday through Friday. The Police Impound Lot and District Offices are open on a 24-hour, seven-day week basis.²

II. Definitions:

- A. Physical Evidence: Any tangible property that can be used to establish a point of fact in a court of law.

- B. Lost Property (Found Property): Any tangible personal property that has been mislaid by and has apparent intrinsic value to the owner and subsequently recovered.

- C. Recovered Stolen Property: Personal property that was unlawfully taken from the owner and subsequently recovered.

- D. Deceased Property: Personal property which is not evidence that was in the possession of a person whose death is investigated by TPD with the following limitations:
 - 1. If next-of-kin are available, they will assume responsibility for the deceased's property, regardless of value, and none will be seized unless such property may be physical evidence.

 - 2. If next-of-kin are not available and if death occurs:
 - a. In a public place, all valuable property and identification papers will be seized.

 - b. In a residence owned or rented by the deceased, no property will be seized except when the investigating officer observes a will, cash, or valuable jewelry which is in plain view, and is easily accessible to theft. The investigating officer will seize these articles to keep them safe for the next-of-kin. In these cases, phone numbers, addresses, etc., which could lead to notification of next-of-kin shall be obtained. Motor vehicles will not be impounded for safekeeping absent highly unusual circumstances.

¹ CALEA [5th Edition] 84.1.1; 84.1.5

² CALEA [5th Edition] 84.1.3; 84.1.5

It should be noted that F.S. §715.10 – §715.11, require landlords to notify the owners of property left on the premises, when a tenancy terminates for any reason. A list of valuables seized will be left in plain view at the residence.

E. Personal Property: Property held for safe keeping for the owner.

On limited occasions, the Department is obligated to protect valuables due to some police action (i.e., large amount of cash found in an impounded vehicle). Entry of this property will require a report number.³

III. Evidence Control Section Storage Facilities⁴

A. Evidence Control personnel at police headquarters will accept the following property:

1. Narcotics, currency, homicide evidence, sexual battery evidence, blood/alcohol kits, bio-hazardous materials, electronic media items such as CDs, DVDs and VHS/cassette tapes; and
2. All other property that can be stored on standard shelving that does not exceed a “D” box (11”x 8”x 6”).
3. The Evidence Control Section will determine if property is not suitable for storage.

B. Police impound lot personnel will accept all items as listed in III, A, 1, and 2 above, or large quantities of items not suited for storage at police headquarters. The storing of large amounts of flammables, chemicals or other objects that require outdoor storage are discouraged; rather, it is recommended that samples of this type of evidence be obtained rather than the entire amount.

C. Officers have the option of entering property as listed in III, A, 1 and 2 above at their District offices. Firearms, large items, bicycles, high value narcotics or currency as defined in SOP 339.2, or items that by their nature must be taken to the Impound Lot (such as flammables), will not be entered at the District Offices.⁵ Seized property entered at District Offices will be stored on a temporary basis. The seized property will be transported to the Evidence Control Section or Impound Lot by the courier assigned to the Evidence Control Section the next business day following entry for permanent storage.

IV. Procedure for Entry of Property:⁶

³ CALEA [5th Edition] 61.2.3(f)

⁴ CALEA [5th Edition] 84.1.2

⁵ CALEA [5th Edition] 84.1.3

⁶ CALEA [5th Edition] 83.2.1; 84.1.1(a)(b)

- A. All property and evidence taken into custody by members of the Tampa Police Department shall be entered into the Evidence Control Section, I-Lot, or District Offices as soon as practicable, prior to the end of their tour of duty. On a routine basis, the Evidence Control courier will retrieve the items of evidence from each district.⁷
- B. No property will be accepted without a TPD report number, which is also used as the property number. If the circumstance of the seizure of the property would normally not require a report, an information report describing the reason for seizure will be initiated and a report number generated.⁸ This does not apply to latent print lifts, film or digital imagery. See SOP 616.1 for photographic evidence. Latent print lifts will be taken to the Forensic Investigation Unit or sent via the courier boxes located in each district office.
- C. Prior to delivering property to the Evidence Control Section, the employee will wrap, box, or tag the property, and ensure that the report number and package number is clearly marked on the package.⁹
- D. Packages, boxes, etc., should be the minimum size required to enclose the property for the purpose of conserving limited storage space. Property will not be accepted if packaging is inappropriate.¹⁰
- E. Articles that are entered, as evidence shall be properly marked for identification during court presentation (refer to the FDLE Evidence Submission Manual for guidelines).¹¹
- F. Property entry forms will be completed for all property entered.
 - 1. When property is entered at the Evidence Control Section or Impound Lot, the evidence technician receiving the property will review the forms, packages, and labeling, and require the correction of errors prior to acceptance of the property.
 - 2. When property is entered at the District Office, the original property form will be attached to the Confiscated Property Entry/Transfer Log (TPD 1020). The courier will review the forms, packages, and labeling prior to transporting property to the Evidence Control Section. Any discrepancies will be brought to the attention of the District Shift Commander.¹²
 - 3. The evidence technician will record the property submission by entering the data into the TPD Records Management System and a barcode number

⁷ CALEA [5th Edition] 84.1.1(a)(b)

⁸ CALEA [5th Edition] 84.1.1(c)

⁹ CALEA [5th Edition] 84.1.1(d)

¹⁰ CALEA [5th Edition] 84.1.1(d)

¹¹ CALEA [5th Edition] 84.1.1(d), 84.1.5

¹² CALEA [5th Edition] 84.1.5

is assigned to that article.¹³ The barcode number is generated via Versadex (RMS). The storage location and evidence continuity (chain of custody, date and time of item entered, transferred, disposed, etc.) can be determined by scanning the barcode number into Versadex.

G. Narcotics and valuables such as cash and expensive jewelry have special handling procedures for security. Refer to SOP 339.1, Narcotics Evidence and 339.2, High Valued Currency and Narcotics.¹⁴

1. All narcotics, cash, and valuable jewelry entered at the Evidence Control Section or Impound Lot will be placed in a secure drop box by the receiving evidence technician immediately upon receipt. The drop will be witnessed by the entering employee. Cash will be counted, and the amount verified, in the presence of the receiving evidence technician. All narcotics, cash, and valuable jewelry entered at the District Offices will be placed in a securedrop box by the entering officer. Cash will be counted and the amount verified in the presence of the Shift Commander.
2. If the quantity of a narcotics seizure is too large for the drop box, the entering employee will remain with the narcotics until the evidence control supervisor or the assistant evidence control supervisor responds to take custody of the narcotics.

H. Firearms:¹⁵

1. All firearms will be unloaded and secured prior to the officer's entry into the Evidence Control Section. All firearms will be packaged in gun boxes. All magazines, scopes, extra barrels, holsters, slings, and other miscellaneous firearm items will be packaged with the firearm.
2. Officers will at all times exercise common firearm safety rules and are responsible for the discharge of firearms, either intentionally or unintentionally. Officers coming into contact with weapons with which they are not familiar will not attempt to unload the weapons but will contact the range master or his designee to make the weapon safe.
3. Ammunition originating from the weapon will be placed in a separate zip lock bag and stored in the same gun box. Ammunition in a magazine that was removed from the weapon will not be removed; rather, they will remain in the magazine that will be included in the same box with the weapon. Separate ammunition that did not originate from within the weapon will be packaged in a separate package.¹⁶

¹³ CALEA [5th Edition] 84.1.5

¹⁴ CALEA [5th Edition] 84.1.1(d)(e); 84.1.3

¹⁵ CALEA [5th Edition] 84.1.1(e); 84.1.3

¹⁶ CALEA [5th Edition] 84.1.1(d)

4. All firearms that require processing, for evidentiary value (fingerprints), will be taken to the Forensic Investigation Unit and processed, prior to packaging. If this is not practical, make a special notation on the firearm property form (TPD 1006) and a representative from the Firearms Investigation Unit will do the follow up on the processing request.
5. Long firearms, such as rifles and shotguns, will also be placed in boxes.¹⁷
6. Handguns will be unloaded and a bright colored sticker will be placed on the outside of the firearm box, either on the right or left end. The officer will initial the sticker indicating that the firearm *is* unloaded and made safe. Long guns will also have an initialed firearm sticker placed on the tag or the packaging of the long firearm. The gun information such as the make, model, serial number, importer, and country of origin will be verified by a representative of the Firearms Investigation Unit when the firearms are brought to the Evidence Control Section. The Firearms Investigation Officer will check for the firearm safe sticker. The Firearms Investigation Unit will check the firearm to ensure that it is safe prior to verifying the gun information.¹⁸
7. When defective weapons cannot be unloaded, the evidence technician will escort the officer to a location designated for locked security of the weapon. The officer will lock the weapon and a copy of the property form in the security area. They will then contact the Range Master or his designee to make the weapon safe as soon as possible.
8. Immediate and irreversible oxidation must be prevented from occurring to firearms recovered from the water. To accomplish this, the following procedure should occur.
 - a. Firearms recovered from fresh water should not be removed from the water without first placing the firearm in a suitable container that contains water from where it was recovered. When these circumstances occur, this will be accomplished by the Dive Team or Forensic Investigation Unit.
 - b. Firearms recovered from salt/brackish water should immediately be placed in oil or other lubricating fluid to prevent rusting. This will also be accomplished by the Dive Team or Forensic Investigation Unit.
 - c. These firearms will be submitted to the lab as soon as possible.
9. The Firearms Investigation Unit will take all the information on the entered firearm and complete an ETSS trace data entry form and complete

¹⁷ CALEA [5th Edition] 84.1.1(d)

¹⁸ CALEA [5th Edition] 84.1.1(d)

the trace request through the Department of Treasury, Bureau of Alcohol, Tobacco, and Firearms National Tracing Center. Prior to entering the firearm into the Evidence Control Section, a NCIC/FCIC check will be completed on the firearm and possessor. In addition, a criminal history will be requested on the possessor. The Communications Bureau will forward all information to the Criminal Intelligence Bureau and the Firearms Investigation Unit.

10. The Firearms Investigation Unit will inspect all firearms prior to entry into the gun vault. Upon entering the firearm, the detective will place and secure a plastic tie through the action to prevent the slide, bolt or cylinder from fully closing.
11. Any firearm that is removed for court purposes will be opened and inspected by the officer removing the gun from the Evidence Control Section. If the firearm has not been secured, the officer will place a secure plastic tie through the action to prevent the slide, bolt or cylinder from fully closing prior to removing the gun from the Evidence Control Section. The tie is placed on the firearm for safety and court policy. Once the tie is placed on the firearm, it will not be removed. Per the SAO, this will not affect chain of custody and validity of the evidence in criminal cases.

V. Authority and Responsibility for Causing the Release and/or Disposition of Property Placed in the Evidence Control Section:¹⁹

- A. Retained Cases – the originating officer, and the investigating officer, who entered the property, are authorized to remove the property. They are also responsible for final disposition of the property at the earliest possible date.
- B. Referred Cases – the latent investigator, or any other assigned personnel, may remove property, and are responsible for making final disposition at the earliest date possible.
- C. Crime scene technicians have the authority to enter and remove property; however, final disposition is the responsibility of the originating officer(s) or latent investigator(s), as stipulated above.
- D. Firearms shall be released only by the Firearms Investigation Unit:
 1. Release of Firearms:

A court order is required prior to the release of any firearm under the following circumstances:

¹⁹ CALEA [5th Edition] 84.1.1(g)

- a. The firearm was originally seized during execution of a search warrant or as a result of a breach of the peace witnessed by an officer. F.S. §933.14(3)(2007);
- b. The firearm was originally seized as evidence and the owner has failed to request the return of the firearm within sixty (60) days of the conclusion of the criminal case. F.S. §705.105(2007);
- c. The firearm owner has been committed for mental evaluation, under the Baker Act (F.S. Chapter 394) or otherwise, within the proceeding 365 days unless the owner presents a current letter from a licensed physician or psychologist to the effect that the owner is not considered to be a danger to himself or others. See F.S. §790.065 (2)(a) and 18 U.S.C. §922(d)(4).

2. Firearms shall not be released under any of the following circumstances:

- a. The firearm is illegal to possess due to an altered or removed serial number. F.S. §790.27(2)(2007);
- b. The firearm is illegal to possess because it is a short-barreled rifle or shotgun as defined in F.S. §790.001(10) or (11)(2007) or is a fully automatic firearm, unless the firearm is properly licensed and owned under federal law. F.S. §790.221(2007);
- c. The firearm was involved in the commission of a misdemeanor or felony and the subject was convicted. F.S. §790.08(2)(2007);
- d. The person requesting release of the firearm is disqualified from firearms possession because he or she is a convicted felon, has been convicted of any crime of domestic violence, is under an existing injunction against domestic, repeat or dating violence that prohibits firearms possession or any other lawful firearms possession prohibition. F.S. §790.233.

E. Separation of Employment of the Officer Entering Property:

1. It shall be the responsibility of the Personnel Unit to notify the evidence control supervisor of terminations of police officers, community service officers, or investigative aides due to retirement, resignation, or any other reason. This notice is to be made as soon as possible after the employee has declared the intent to terminate and shall include name and payroll number.
2. The evidence control supervisor will produce a computer-generated list of property that is assigned to the terminating employee. This list will be routed to the affected employee's division commander for appropriate action.

3. The division commander will cause the terminating employee to review and dispose of the property on the list prior to the termination date. If this is not practical, or if the property must be retained, the division commander will re-assign the responsibility to another permanent employee. Re-assignments shall be noted by name and payroll number on the list and returned to the evidence control supervisor, who will update the computer file.
- F. As part of the evaluation process, (see SOP 603), the evidence control supervisor will forward to officers whose evaluations are due, a computer generated listing of property entered by them, to determine the disposition of the property.

VI. Criteria for Authorizing Final Disposition of Property:²⁰

A. Evidence:

1. Disposition of evidence associated with arrests requires prior approval from the State Attorney's Office.
2. Evidence seized when there is no arrest, may be authorized for disposition after the following considerations:
 - a. Severity of the offense;
 - b. Statute of limitations;
 - c. Leads;
 - d. Warrants, issued or not;
 - e. Likelihood of developing a suspect;
 - f. Whether evidence would be relevant if a suspect was developed; and
 - g. Supervisory review and approval.
3. No evidence seized in a capital or life felony offense, whether solved or unsolved, will be authorized for disposal unless reviewed and approved by a supervisor from the appropriate latent bureau or division.

B. Lost Property (Found):

1. Title to unclaimed lost personal property which is found on public property is vested in the finder 90 days from the date delivered to the

²⁰ CALEA [5th Edition] 84.1.1(g)

department, provided that notice requirements of F.S. §705.103 are met. If the finder is an employee of a government agency, then title is vested in that agency.²¹

2. Any person finding lost property must report the location of the property and turn it over to the police department.
3. Any person, who finds lost property and appropriates same for his own use, or refuses to deliver same when required, may be charged with theft (F.S. §705.102).
4. A finder of lost property who wishes to claim the property, if not claimed by the owner, must compensate the city for the cost of transporting, storage, and advertising of the property.
5. If unclaimed by the owner or if there is a claimant, disposition of the property shall be the responsibility of the assigned investigator (based upon the 90-day time limit). The assigned investigator shall notify the evidence control supervisor of any claimant and request the required advertisement or posting.
6. If the owner or claimant fails to retrieve the found property within 90 days, the evidence control supervisor will notify him by certified mail. If the property is left an additional 30 days, it will be disposed of as provided by law.²²
7. Found property, which is classified as contraband, will be destroyed.²³
 - a. The evidence control supervisor will periodically produce computer generated lists of found contraband and route same to the appropriate division for disposition.
 - b. The division receiving the list will arrange for court destruction orders, if required, and approval for release and destruction.
8. A data entry record of a lost firearm entered into the Evidence Control Section is made into FCIC. On the date the assigned investigator authorizes disposition of the firearm, he shall cancel the F.C.I.C. entry with the pick-up desk.

C. Recovered Stolen Property:

²¹ CALEA [5th Edition] 84.1.1(f)

²² CALEA [5th Edition] 84.1.1(f); 84.1.1(g); 84.1.7

²³ CALEA [5th Edition] 84.1.1(g)

1. F.S. §960.001(1)(f) (Victim Assistance) mandates that law enforcement agencies and state attorneys promptly return victims' property held for evidentiary purposes, unless there is a compelling reason for retaining it.²⁴
2. F.S. §90.91 (Evidence Code) provides that photographs of property wrongfully taken are admissible in court as evidence, to the same extent as the actual property, provided that the following is written on such photographs:²⁵
 - a. Description of the property;
 - b. Name of the owner;
 - c. Location of the offense;
 - d. Name of investigating officer;
 - e. Date of the photograph;
 - f. Name/description of the photograph; and
 - g. Signature of the photographer.

The above writing shall be made under oath by the investigating officer.

- D. Deceased Property:²⁶ The authorization for release of deceased property is the responsibility of the Criminal Investigations Division. The releasing authority will coordinate with PP 169 Police legal advisor if the legality of the release is questionable.
- E. Personal Property:²⁷
 1. By definition, the department has no interest in property held for safekeeping, except firearms. Personal property obtained by Tampa Police Department personnel is stored within the Evidence Control Section at either the Headquarters or the Impound Lot. This property is stored as a safekeeping measure for the owner who is expected to later report to the evidence facility to retrieve it; therefore, the TPD 1053 Form, has been established.
 2. Upon determining the necessity to hold personal property for safekeeping purposes, the authorized TPD personnel obtaining the property will complete a TPD 1053 form. The form, translated in an English or Spanish

²⁴ CALEA [5

version, is designed to provide owners procedures to obtain their seized property.

- a. Authorized personnel who obtain the seized property must complete the form at the time of seizure. The hardcopy will be provided to the owner and the carbon will be submitted to the ESC facility.
 - b. A Property Disposition Form (TPD 4) authorizing the disposal will also be completed. In addition, a Versadex Supplement will be completed in order to have a computer record of the transaction. This procedure does not include firearms.
 - c. At the time personal property (other than a firearm) is entered, the entering employee will complete the property forms authorizing release to the owner. Firearms will be released by the Firearms Investigation Unit.
3. The Evidence Control Supervisor will ensure the TPD 1053 form is systematically filed for future disposition purposes. If the owner fails to retrieve his/her property within 60 days from the date of the notice, in accordance with Florida State Statutes, this agency may elect to:²⁸
- a. Retain the property for the agency's own use;
 - b. Transfer the property to another unit of state or local government;
 - c. Donate the property to a charitable organization;
 - d. Sell the property at public sale, pursuant to the provisions of §705.103; or
 - e. Destroy the property.

VII. Procedure for Temporary Removal and Re-Entry of Property:²⁹

- A. Officers or employees that temporarily check out property for any reason will complete a Property Transfer Form (TPD 6). Property checked out to court will be returned to the Evidence Control Section the same day, if not retained by court. If property is retained by court, officers will have the court representative who accepts the property sign a "Property Disposition Form" acknowledging receipt of the property. The signed Property Disposition Form (TPD 4) will be returned to the Evidence Control Section the same day.

²⁸ CALEA [5th Edition] 84.1.8

²⁹ CALEA [5th Edition] 84.1.1(g)

- B. Upon return of the property, the transfer form (TPD 6) will be retrieved and the re-entry will be recorded.
- C. To maintain a record of chain of custody, the computer files and the transfer form will be updated with each transaction.

VIII. Procedure for Authorizing Disposition of Property:³⁰

- A. Evidence, found property (except contraband), recovered stolen property, deceased property, and personal property will be authorized for final disposition as follows:³¹
 - 1. When the appropriate criteria are met, the employee with responsibility for disposition will complete a property disposition form and route same to the evidence control supervisor.
 - 2. If the property is returned to a person, the officer/employee will provide the complete name and address of that person on the property disposition form.
 - a. It shall be the responsibility of the evidence control supervisor to instruct the designated recipient of the property, via certified mail, to report to the Evidence Control Section and retrieve the property within the time limits as provided by state statute.
 - b. It will be the responsibility of the on-duty evidence technician to identify the recipients and require them to sign for release of the property. The authorizing officer/employee need not be present during the release of the property.
 - 3. If disposition of property is not made to a person, the evidence control supervisor will have final authority for determining the method of disposal based upon department policy and Florida State Statute.
 - 4. After final disposition is made, all property records will be sent to the Records Section for attachment to the corresponding incident report.
- B. Final disposition of found, recovered, or evidentiary property is accomplished as soon as practical but in no case shall disposition be delayed in excess of six months after legal requirements have been met.³²

Supersedes SOP 339, dated 6/08.

³⁰ CALEA [5th Edition] 83.3.2; 84.1.1(g)

³¹ CALEA [5th Edition] 84.1.2

³² CALEA [5th Edition] 83.3.2; 84.1.1(g)

339.2 HIGH VALUED CURRENCY AND NARCOTICS¹

- I. **PURPOSE:** To establish security control and accounting records for currency and large quantities of narcotics that are seized and stored in the Evidence Control Section.
- II. **DISCUSSION:** The Tampa Police Department endeavors to prevent loss or mishandling of valuables through procedural safeguards. Currency and narcotics that are stored or have been stored by the Evidence Control Section, are the subject of frequent audits to test these safeguards. Audit and security procedures are performed by Internal Audit, and the Tampa Police Department. It is hereby acknowledged that future revisions of this SOP will require review by these departments.
- III. **DEFINITIONS:**
 - A. **High Valued Currency:** The amount of currency that will be subject to safe deposit room storage, will be currency in amounts received for a single entry, or multiple amounts received for a single incident, of \$10,000.00 or more. The only occasions when currency is maintained in the vault is when the officer or detective specifically requests that it not be deposited.
 - B. **High Valued Narcotics:** The amount of narcotics subject to safe deposit room storage shall be the single entry of one kilogram or more of seized legal or illegal narcotics.
 - C. **Walk-in Vault:** This refers to the walk-in vault located at police headquarters. The combination to this safe shall be known only to the Evidence Control Supervisor, the Evidence Control Assistant Supervisor, the Evidence Control Specialist and the Chief of Police.
 - D. **Safe Deposit Room:** A separate secured room located within the walk-in vault that possesses individual safe deposit boxes. Each box is equipped with a two-lock system. The master key to the individual safe deposit boxes shall be maintained in a lock box within the Evidence Control supervisor's office. Access to this room is limited to the Evidence Control Supervisor and the Evidence Control Assistant Supervisor. All individual keys to the safe deposit boxes shall be held by the Internal Affairs Bureau (IAB).
 - E. **Narcotics Safe Deposit Log (TPD 8):** A log on which all transactions related to the storage of narcotics in the safe deposit room is recorded. The log will be secured and maintained by the Evidence Control Section Supervisors.
 - F. **Cash Transmittal Form (TPD 9):** A computerized form completed by the Evidence Control Supervisors reflecting all seized money that will be transferred to the Department of Revenue and Finance. The form records the TPD report number, control number, name and date of birth of the individual the money was

¹ CALEA [5th Edition] 84.1.1(e); 84.1.2

seized from and the forfeiture category code number. The information on the form provides the criteria for depositing currency into a pending bank account for future release by check or for transfer to a permanent account. It also provides a required, currency itemization to improve accountability.

- G. Evidence Section Cash Status Form (TPD 1015): A form completed by the officer who seized the currency. The form reflects the type of evidence category, whether the cash can be deposited or held and the denominations of the amounts seized. The form is submitted to Evidence personnel at time of entry.
- H. Property Disposition Form: Permanent Release (TPD 4): A form used for tracking purposes by evidence personnel to record the final disposition or permanent release of evidence.
- I. Property Transfer Record: Temporary Release (TPD 6): A form used for evidence handling purposes to include the temporary release of evidence for court hearings and laboratory analysis.

Note: All currency or narcotics not meeting the high valued definition will be processed in accordance with SOP 339 or 339.1 unless packaging or quantity dictate entry into Evidence Control at time of processing.

IV. PROCEDURE:

A. General:

1. Currency will not be packaged with other articles. Refer to SOP 339.1, for specific instructions for entering narcotics.
2. Currency will be counted in the presence of the receiving evidence technician.
3. The entering officer will complete an Evidence Section Cash Status Form (TPD 1015) during the entry process.
4. The receiving evidence technician will re-count the currency in the presence of the entering officer and complete the Cash Status Form (TPD 1015).
5. When large quantities of currency are being entered, the currency or coin counter may be utilized. Amounts \$10,000.00 or greater will require the presence of either the Evidence Control Section supervisor or the Evidence Control Section assistant supervisor.
6. High valued currency/narcotics will be placed in the safe deposit boxes.

- B. Entry of high valued currency or narcotics:
1. This procedure focuses on the security concerns for long-term storage of high valued currency and narcotics. Items defined as high valued currency or narcotics are stored for short periods, not to exceed 72 hours, in the walk-in vault.
 2. Prior to storing high valued currency, the Evidence Control Section supervisor will request a case review by the division that is assigned to the related case to determine if the currency should be held or deposited.
 3. All high valued narcotics are submitted to the Florida Department of Law Enforcement (FDLE) laboratory for testing; which will be arranged by the Strategic Investigative Bureau's Evidence Specialist.
- C. Safe Deposit Boxes: Whenever property is placed into or removed from the safe deposit boxes, the following procedure will be followed:
1. When it is necessary to open a safe deposit box to enter or remove items, the Evidence Control Supervisor will call the Internal Affairs Bureau (IAB) and arrange for a representative to meet at the Evidence Control Section to unlock the safe deposit box and witness the entry or removal of items.
 2. The Evidence Control Supervisor will arrange for a third (police department) employee to meet and witness the safe deposit box opening. If an employee is present to receive the evidence, they may act as the third witness.
 3. Prior to the appointed time for the safe deposit box opening, the Evidence Control Supervisor will prepare and/or complete all documents that might be associated with the opening; i.e., Safe Deposit Log (TPD 8) and other pertinent evidence forms and files.
 4. After the evidence has been entered or removed, the Evidence Control Supervisor will ensure the Safe Deposit logs, files, and records are updated. The Evidence Control Supervisor, police department witness, and the IAB representative shall attest to the transaction by entering their signatures and payroll numbers on the Safe Deposit log.
- D. Removal of Narcotics from the Safe Deposit Box for court purposes, lab testing, re-testing or destruction:
1. When officers receive a subpoena that requires an item from the safe deposit box, they will submit in advance, a copy of the subpoena and a Property Transfer Record (TPD 6) to the Evidence Control Section

supervisor. If possible, advance notice is recommended for the purpose of making appropriate arrangements.

2. The Evidence Control personnel will set up a tickler file for these subpoena-related releases, using the Property Transfer Record (TPD 6).
 3. The Evidence Control Supervisor will ensure high valued items will be removed from the safe deposit box on the morning required by the subpoena. The evidence will be stored in the walk-in vault until it is picked up by the officer on the morning of the court date. This evidence will be transported from the Evidence Control Section directly to court and will not be stored in any other place except the Evidence Control Section. If high valued evidence is not picked up, it will be returned to the safe deposit box after confirming that the articles were not needed.
 4. If there is an unavoidable delay in the initial narcotic testing, the Evidence Control Supervisor will initiate a safe deposit box entry. When these narcotics are to be removed for the test, the Evidence Control Supervisor will include the Strategic Investigative Bureau's evidence specialist, when coordinating the opening of the safe deposit box.
 5. When narcotics stored in the safe deposit box are declared eligible for disposal, the Strategic Investigative Bureau's evidence specialist will re-submit the narcotics to the Florida Department of Law Enforcement lab for a qualitative test as required by SOP 339.1. The FDLE lab requires that high valued narcotics be sampled and returned the same day. To protect the integrity of the quantitative testing the Evidence Control Supervisor will be required to coordinate the safe deposit box openings so that the narcotics can be placed in the safe deposit box immediately upon its return from the laboratory.
 6. Destruction dates for narcotics are scheduled in advance. When this date is determined, the Evidence Control Supervisor will schedule a safe deposit box opening with the narcotics destruction team.
- E. Removal of High Valued Currency from the Safe Deposit Box for final disposition:
1. Normally, all cash entries are immediately (next day after evidence entry) transferred to the Department of Revenue and Finance for subsequent bank deposit. The only exceptions are when the currency is contaminated in a bio-hazardous material, when the currency requires laboratory analysis, or in rare cases when the actual currency seized must be preserved as evidence.

2. On the occasion when currency is being moved for deposit subsequent to a safe deposit opening, the Evidence Control Supervisor and the IAB representative will jointly deliver the currency and the Evidence Section Cash Status form (TPD 1015) to the Department of Revenue and Finance. The transfer must be made prior to 9:00 a.m., Monday through Friday, to coincide with bank transfers.
3. Upon receipt of the currency deposit, a designated employee of the Department of Revenue and Finance will enter the deposit validation number on the Evidence Section Cash Status Form (TPD 1015) and sign their acknowledgement of receipt of the currency by signature and payroll number.
4. The Evidence Control Supervisor will ensure the appropriate computer data entries are completed.
5. The Internal Affairs Bureau's copies of the completed cash status form will be made available for audit purposes.

Supersedes SOP 339.2, dated 9/96.

349 CHEMICAL TEST FOR INTOXICATION¹

I. DISCUSSION: Florida Statute 316.1932 states that any person driving or in actual physical control of a motor vehicle is deemed to have given his or her consent to submit to breath, urine and/or blood tests for the purpose of determining the alcoholic content of his or her blood or breath and/or the presence of chemical substances or controlled substances. The collection and preservation of such valuable evidence is an extremely critical element of any DUI investigation.²

II. DEFINITIONS AND EQUIPMENT:

A. Affidavit of Refusal to Submit to Breath, Urine or Blood Test³: A form that documents the issuance of the “Implied Consent Warning” to the subject who refuses to submit to test for chemical tests or controlled substances. (Form DHSMV 78054)

B. Blood Collection Kit⁴: A kit that contains all implements and forms required for qualified persons to collect a blood alcohol sample for evidence purposes. The Supply Section will maintain a sufficient supply of blood evidence kits.

1. Contents of a blood collection kit:

- a. Mailing Container and Plastic Bag - a cardboard container used to protect, store and transport the blood alcohol sample to a laboratory. The plastic kit box is placed inside the plastic bag and then inside the mailing container.
- b. Evidence Seals (4), Integrity Seals (2), Biohazard Label, Absorbent Pad, Plastic Bag Two evidence seals for the blood vials and two evidence seals for the mailer box. Two integrity seals for the plastic kit box. A biohazard label for the exterior of the mailing container. The absorbent pad is placed inside the plastic kit box on top of the blood vials.
- c. Two 10-milliliter collection tubes - containing preservatives and anti-coagulants.
 - 1) Both tubes should be filled with blood.
 - 2) The tubes must be inverted (not shaken) at least five times to ensure mixture with the preservative. Failing to do this is the main cause of blood alcohol samples being rendered unsuitable for testing.

¹ CALEA [5th Edition] 61.1.5(a); 61.1.11; 61.2.1(d)

² CALEA [5th Edition] 61.1.5(a); 61.1.11; 61.2.1(d)

³ CALEA [5th Edition] 61.1.5(a); 61.1.11; 61.2.1(d); 61.1.12

⁴ CALEA [5th Edition] 61.1.5(a); 61.1.11

- d. Sterile needle and disposable holder - a sterile needle of standard size used at most hospitals and clinics. If circumstances dictate, a smaller size may be used.
 - e. Antiseptic cleansing solution (non-alcoholic) - used to cleanse the area of the arm prior to the blood sample being drawn.
 - f. Blood collection report, instruction sheet and consent form - the blood collection report documents the date, time and location the sample was collected. The person collecting the sample and the officer observing the collection will both sign the form. The consent form is not used and can be discarded.
- C. Breath Alcohol Analysis Report⁵: A form documenting the 20-minute observation period and other statistical data. This form confirms that the subject did not take anything orally and did not regurgitate during the observation time. (Form HCSO 5730)
- D. Breath Alcohol Test Affidavit: A form that provides breath-alcohol test results and the FDLE certification for the Breath Test Operator. (Form FDLE 38)
- E. Breath Test Operator: A person qualified to administer a breath test utilizing an approved instrument according to FDLE standards.
- F. CBTU Refusal Affidavit: A document completed by the Breath Test Operator when a subject refuses to submit to a breath test. The document verifies that a properly operational breath test instrument and Breath Test Operator were available at CBT. The form is retained by CBT. (Form HCSO 5224)
- G. Central Breath Testing (CBT): A facility located inside the Hillsborough County Orient Road Jail where breath-alcohol tests are administered. Breath-alcohol tests may also be administered from time to time at a mobile facility called a BAT
- H. FDLE Toxicology Services Request Form: A form available at CBT requesting that FDLE performs toxicological analysis of a urine sample.
- I. Urine Collection Kit: The kit, provided by CBT, includes a cardboard mailing container, specimen container, plastic bag and labels.

III. PROCEDURE:

⁵ CALEA [5th Edition] 61.1.5(a); 61.1.11; 61.2.1(d)

- A. The arresting officer will request any person arrested for driving under the influence of alcohol or drugs (DUI) to submit to a chemical test for intoxication⁶, and inform the subject that, should he or she refuse, his or her driver's license will be subject to suspension for the period required by law.⁷
- B. If the subject submits to a chemical test, the breathalyzer operator will complete the Chemical Test Report in triplicate and the Central Breath Testing (CBT) facility's Alcohol Influence Report for court testimony. Also, the arresting officer must sign a form attesting that the subject has been observed by him or her for twenty minutes at the CBT or BAT facility prior to taking the breath test. This form confirms that the subject did not smoke, belch, regurgitate, drink any liquid, or take any substance by mouth during the observation time.⁸
- C. Under the implied consent law, two breathalyzer tests must be given within five minutes. If a suspect takes the first test, but refuses to take a second (or possibly third) test, then the subject is to be considered to have refused the test. If the two tests indicate two different blood alcohol levels of more than .02% deviation, a third test will be given. The results of all tests will be placed on the report form with a notation as to which was the first, second, and third test.⁹
- D. The person tested may, at his or her own expense, have a physician, or any other qualified person of his or her own choosing, conduct an independent test in addition to a test administered at the direction of a peace officer, for the purpose of determining the amount of alcohol in his or her blood.¹⁰

Florida Law provides that officers shall not interfere with the person's opportunity to obtain the independent test and shall provide the person with timely telephone access to secure the test, but the burden is on the person to arrange and secure the test at the person's own expense.

Prior to a test of his or her own choosing, the subject must submit to a breathalyzer examination at the direction of the arresting officer. If he or she refuses, procedures shall be followed as outlined in paragraph E., below.¹¹

IV. ADMINISTERING THE BREATH, URINE AND BLOOD TESTS:

- A. Breath Test: Used for the purpose of determining the alcoholic content of a person's breath. The test must be incidental to a lawful arrest.
 - 1. The Breath Alcohol Test Affidavit (Form FDLE 38) and the Breath Alcohol Analysis Report (Form HCSO 5730) will be completed.

⁶ CALEA [5th Edition] 61.1.5(a); 61.2.1(d); 83.2.1

⁷ CALEA [5th Edition] 61.1.5(a); 61.2.1(d); 83.2.1

⁸ CALEA [5th Edition] 61.1.5(a); 61.2.1(d)

⁹ CALEA [5th Edition] 61.1.5(a); 61.2.1(d)

¹⁰ CALEA [5th Edition] 61.1.5(a); 61.2.1(d)

¹¹ CALEA [5th Edition] 61.1.5(a); 61.2.1(d)

2. A subject with a breath test result of .080 or above will be charged with the DUI offense utilizing a Florida DUI Traffic Citation.
 3. A subject with a breath test result of 0.79 or below will be charged with the DUI offense utilizing a Florida Uniform Traffic Citation.
- B. Urine Test: Used for the purpose of detecting the presence of chemical or controlled substances. The test must be incidental to a lawful arrest.
1. A urine sample will be collected when the results of a DUI suspect's breath-alcohol test are below .06 or may be collected when the suspect's level of impairment indicates the presence of drugs.
 - b. The sample will be collected using the urine collection kit provided at CBT.
 - c. The subject will be observed while providing the sample in the restroom at CBT or other facility. The sample will be provided in the presence of a Law Enforcement Officer or Detention Deputy of the same sex.
 - d. The plastic bag containing the labeled sample and the completed "FDLE Toxicology Services Request Form" will be placed in the cardboard mailer box.
 - e. The Officer shall charge the subject with the DUI offense using a Florida Uniform Traffic Citation and notate the citation with the term "Pending Urine Results."
 - f. The Officer will deliver, as soon as possible, the urine sample to the Evidence Control Section for refrigerated storage.
 - g. The Criminal Investigations Division will assign a detective who will be responsible for forwarding the urine sample to FDLE for analysis and for receiving the results once the analysis is completed.
- C. Blood Test – Used for the purpose of determining the alcoholic content of the blood or the presence of chemical or controlled substances.
1. F.S. 316.1932(1)(c) provides that a blood sample may be requested from a DUI suspect who appears for treatment at a hospital, clinic or other medical facility and the administration of a breath or urine test is impractical or impossible.

2. F.S. 316.1933 provides that a blood sample is required from a DUI suspect who has caused a serious bodily injury or death. The request for a blood sample need not be incidental to a lawful arrest.
 - a. The term “serious bodily injury” means an injury to any person, including the driver, which consists of a physical condition that creates a substantial risk of death, serious personal disfigurement, or protracted loss or impairment of the function of any bodily member or organ.
 - b. Florida law provides that the law enforcement officer may use reasonable force if necessary to require such person to submit to the administration of the blood test.
3. A doctor, nurse, paramedic or other qualified person at a hospital, clinic, or other medical facility, will collect the blood sample. The term “other medical facility” includes an ambulance or other medical emergency vehicle. The nurse at booking is authorized to collect a sample.
4. The blood sample will be collected utilizing the blood collection kit.
 - a. Both tubes should be filled with blood.
 - b. Once they are filled with blood, the tubes should be inverted (not shaken) at least five times to ensure proper mixture with the preservative and anti-coagulant.
 - c. The “Blood Collection Report” will be completed by the officer who observed the collection and also by the person who collected the sample.
 - d. The samples should be labeled, packaged and sealed according to the instruction sheet contained within the kit.
5. The officer shall charge the subject with the appropriate DUI offense using a Florida Uniform Traffic Citation and notate the citation with the term “Pending Blood Results.”
6. The officer will deliver, as soon as possible, the blood sample to the Evidence Control Section for refrigerated storage.
7. The case and all evidence will be referred to the Criminal Investigations Division (CID) and a detective will be assigned to the case. The detective will be responsible for forwarding the blood sample to FDLE for analysis and for receiving the results once the analysis is completed. The assigned detective will file DUI charges in cases where charges were not filed previously.

V. REFUSAL TO SUBMIT TO THE BREATH, URINE AND BLOOD TESTS:

- A. A person, who refuses to submit to a breath, blood or urine test must be informed about Florida's Implied Consent Law and the consequences for refusing to submit to such tests. The Officer should read the warning regarding "Implied Consent" to the subject. An "Implied Consent" script is available at CBT.
1. A refusal to submit to a chemical test must be made in the presence of the arresting officer. Once a subject refuses, an original of the Affidavit of Refusal to Submit to Breath, Urine, or Blood Test (Form HSMV 78054) shall be prepared. The arresting officer shall sign the forms in the presence of a Notary Public and retain the original copy. Central Booking shall make and retain a photocopy of the form.¹²
 2. The CBTU Refusal Affidavit" (Form HCSO 5224) will be completed and signed by the Breath Test Operator and the Officer.
 3. A Criminal Report Affidavit (CRA) shall be prepared in all DUI cases.¹³
- B. If the subject is physically incapable of taking a breathalyzer test, arrangements shall be made for transportation to a hospital, clinic, or other medical facility where a blood sample may be taken for a blood alcohol test.¹⁴
1. Any person who is incapable of refusal to blood testing by reason of unconsciousness or other mental or physical condition shall be deemed not to have withdrawn his or her consent to such test.¹⁵
 2. In all blood cases in which an officer has probable cause to draw a legal blood sample, the officer shall charge the subject with the appropriate DUI offense using the Florida Uniform Traffic Citation and not the Florida DUI Uniform Traffic Citation, unless otherwise directed by a Hit and Run Detective.¹⁶ The citation shall be noted with the term "Pending Blood Results."

VI. STORAGE OF BLOOD SAMPLE AS EVIDENCE:

- A. The Supply Section will stock a sufficient supply of blood collection kits and keep collected blood samples refrigerated in the Evidence Control Section.¹⁷

¹² CALEA [5th Edition] 61.1.5(a); 61.2.1(d)

¹³ CALEA [5th Edition] 61.1.5(a); 61.1.11; 61.2.1(d)

¹⁴ CALEA [5th Edition] 61.1.5(a); 61.1.11; 61.2.1(d)

¹⁵ CALEA [5th Edition] 61.1.5(a); 61.1.11; 61.2.1(d)

¹⁶ CALEA [5th Edition] 61.1.5(a); 61.1.11; 61.2.1(d)

¹⁷ CALEA [5th Edition] 61.1.5(a); 83.2.1

- B. It will be the responsibility of each officer to check out one blood collection kit and keep it with other frequently used police equipment. The expiration date on the kit needs to be checked by the officer, who is to return the kit immediately to the supply room for a replacement if the date has expired. The officer will read the instructions and familiarize him or herself with the kit.¹⁸
- C. Upon utilizing the blood sample kit and following the instructions and procedures outlined, the officer shall take the blood sample kit to the Tampa Police Department Evidence Control Section as soon as possible.¹⁹
- D. The kit shall be entered into evidence under the subject's name, and the officer shall inform the evidence technician that the evidence is a blood alcohol sample and shall cause same to be written on the evidence envelope. This blood sample shall then be refrigerated. The officer shall then request a new blood collection kit for future use. The evidence record (TPD 7), shall be scanned into Versadex, then be referred to the Criminal Investigations Division and assigned to a detective.²⁰
- E. In cases where a legal blood alcohol sample is obtained, the case and all evidence shall be referred to the Criminal Investigations Division. The assigned detective shall have the responsibility of causing the blood to be delivered to the FDLE Laboratory for analysis.²¹
- F. The assigned detective shall pick up the lab results upon the completion of the lab test. If an arrest has not been made by the originating officer, the assigned detective shall make the arrest when warranted and supplement the report.²²

Supersedes SOP 349, dated 1/99.

¹⁸ CALEA [5th Edition] 61.1.5(a); 61.1.11

¹⁹ CALEA [5th Edition] 42.2.1(c); 61.1.5(a); 61.1.11

²⁰ CALEA [5th Edition] 61.1.5(a); 61.1.11

²¹ CALEA [5th Edition] 42.2.2(a); 61.1.5(a); 61.1.11

²² CALEA [5th Edition] 42.2.2(a); 61.1.5(a); 61.1.11

349.1 PROCEDURES – FLORIDA D.U.I. ADMINISTRATIVE SUSPENSION LAW¹

- I. DISCUSSION: Florida Statute 322.2615 provides that an unlawful blood-alcohol level or breath-alcohol level of 0.08 or higher, or a refusal to submit to a breath, blood or urine test will result in an immediate administrative suspension of the driving privilege.

- II. DEFINITIONS:
 - A. Affidavit of Refusal to Submit to Breath, Urine or Blood Test: A form that documents the issuance of the “Implied Consent Warning” to the subject who refuses to submit to chemical tests for alcohol or controlled substances. (Form DHSMV 78054)

 - B. Alcohol/Drug Influence Attachment (TPD 312): A form used to assist officers in recording data pertaining to all D.U.I. investigations.²

 - C. Breath Alcohol Analysis Report: A form documenting the 20-minute observation period and other statistical data. This form confirms that the subject did not take anything orally and did not regurgitate during the observation time.³ (Form HCSO 5730)

 - D. Breath Alcohol Test Affidavit: A form that provides breath-alcohol test results and the FDLE certification for the Breath Test Operator.⁴ (Form FDLE 38)

 - E. Breath Test Operator: A person qualified to administer a breath test utilizing an approved instrument according to FDLE standards.

 - F. CBTU Refusal Affidavit: A document completed by the Breath Test Operator when a subject refuses to submit to a breath test. The document verifies that a properly operational breath test instrument and Breath Test Operator were available at CBT.⁵ The form is retained by CBT. (Form HCSO 5224)

 - G. Central Breath Testing (CBT): A facility located inside the Hillsborough County Orient Road Jail where breath-alcohol tests are administered. Breath-alcohol tests may also be administered from time to time at a mobile facility called a BAT.

 - H. Criminal Report Affidavit (CRA): A charging document for criminal violations. (Form SAO 425)

¹ CALEA [5th Edition] 61.1.5(a); 61.1.11; 61.2.1(d)

² CALEA [5th Edition] 61.1.11; 61.2.1(d)

³ CALEA [5th Edition] 61.1.5(a); 61.1.11; 61.2.1(d)

⁴ CALEA [5th Edition] 61.1.11; 61.2.1(d)

⁵ CALEA [5th Edition] 61.1.11; 61.2.1(d)

- I. D.U.I. Driver's License Administrative Suspension Checklist: A checklist completed by the arresting officer of documents that are required to complete the DUI administrative suspension package. (Form TPD 5)
- J. Florida DUI Uniform Traffic Citation⁶: A citation used exclusively for DUI offenses with an alcohol level of .08 or above or for refusing to submit to breath, blood or urine tests.

III. PROCEDURE:

- A. The arresting officer shall complete a criminal report affidavit (CRA) on all D.U.I. cases and have such document notarized by a supervisor. A photocopy of the yellow CRA shall be attached to the D.U.I. report. The yellow copy of the CRA shall be included in the administrative suspension law package.⁷
- B. The arresting officer shall complete the Florida D.U.I. Uniform Traffic Citation in all cases where a DUI offender has an alcohol level of .08 or above or when a subject refuses to submit to a breath, blood or urine test.⁸
 - 1. The breath test results will be documented in the space provided.
 - 2. The appropriate box on the citation will be checked indicating a 6-month or 1-year suspension for an unlawful alcohol level or a 1-year or 18-month suspension for refusing to submit to testing.
 - 3. The citation serves as a 10-day driving permit to all D.U.I. offenders who have a valid driver's license at the time of arrest.
 - 4. The arresting officer will seize the D.U.I. offenders' driver's license (regardless of the state or country of issuance).
- C. The colored copies of the Florida D.U.I. Uniform Traffic Citation will be disseminated in the following manner:
 - 1. The WHITE copy (2) will be submitted with the CRA to booking;
 - 2. The BLUE copy will be submitted with the suspension package to the administrative CSO;
 - 3. The YELLOW copy will be issued to the D.U.I. offender; and the
 - 4. The PINK copy will be retained by the arresting officer.

⁶ CALEA [5th Edition] 61.1.11; 61.2.1(d)

⁷ CALEA [5th Edition] 61.1.5(a); 61.1.11; 61.2.1(d)

⁸ CALEA [5th Edition] 61.1.5(a); 61.1.11; 61.2.1(d)

- D. The Administrative Suspension Package will include the following documents:
1. The D.U.I. Uniform Traffic Citation (BLUE copy);⁹
 2. The D.U.I. Uniform Traffic Citation (photocopy);¹⁰
 3. The Administrative Suspension Checklist (TPD 5);¹¹
 4. The Criminal Report Affidavit /CRA (YELLOW copy);¹²
 5. The Breath Alcohol Analysis Report (PINK copy);¹³
 6. The Breath Alcohol Test Affidavit (photocopy);¹⁴ or
 7. The Affidavit of Refusal to Submit to Breath, Urine or Blood Test (original);¹⁵
 8. The Offense Report (complete copy);¹⁶ and the
 9. The D.U.I. offenders driver's license.¹⁷
- E. The completed Administrative Suspension Package will be submitted to a supervisor who will verify that all of the required documents are attached.
- F. The completed Administrative Suspension Package will be forward to the administrative CSO.
- G. The administrative CSO shall:
1. Complete the "Florida D.U.I. Traffic Citation Transmittal" form and shall forward the Administrative Suspension Package to the DHSMV Bureau of Administrative Review within 5 days of the arrest. (Florida State Statute 322.2616 provides that the failure to submit materials within the 5-day period does not bar the Bureau of Administrative Review from considering any materials submitted at or before a hearing.)¹⁸

⁹ CALEA [5th Edition] 61.1.5(a); 61.1.11; 61.2.1(d)

¹⁰ CALEA [5th Edition] 61.1.5(a); 61.1.11; 61.2.1(d)

¹¹ CALEA [5th Edition] 61.1.5(a); 61.1.11; 61.2.1(d)

¹² CALEA [5th Edition] 61.1.5(a); 61.1.11; 61.2.1(d)

¹³ CALEA [5th Edition] 61.1.5(a); 61.1.11; 61.2.1(d)

¹⁴ CALEA [5th Edition] 61.1.5(a); 61.1.11; 61.2.1(d)

¹⁵ CALEA [5th Edition] 61.1.5(a); 61.1.11; 61.2.1(d)

¹⁶ CALEA [5th Edition] 61.1.5(a); 61.1.11; 61.2.1(d)

¹⁷ CALEA [5th Edition] 61.1.5(a); 61.1.11; 61.2.1(d)

¹⁸ CALEA [5th Edition] 61.1.11; 61.2.1(d)

More than one D.U.I. citation may be listed on the blue copy of the “Florida Uniform Traffic Citation Transmittal” form, provided that the package of those citations is attached and shipped with the transmittal form.¹⁹

2. Forward the D.U.I. citation (blue copy) to the Records Section to be retained until the administrative value is lost.
- H. Copies of the CRA, Breath Alcohol Analysis Report, Breath Alcohol Test Affidavit, Affidavit of Refusal to Submit and other related documents will be routed to the Records Section to be scanned and entered into Versadex.

Supersedes SOP 349.1, dated 1/99.

¹⁹ CALEA [5th Edition] 61.2.1(d)

not

¹ CALEA [4th Edition] 1.2.6

368 FORENSIC MAPPING

- I. Purpose: To establish guidelines for the utilization, operation, training, and supervision of the Forensic Mapping Teams.
- II. Discussion: Crash and crime scene diagrams have long been used to help depict cause and aid in both criminal and civil prosecution. With the advent of the Forensic Mapping System, scenes can be measured and diagrammed to scale with a greater degree of accuracy and speed than by diagrams drawn by officers.
- III. Definitions:
 - A. Computer Assisted Diagramming (CAD): A computer program used in conjunction with the FMS to draw the crash or crime scene to scale.
 - B. Forensic Animation: The use of sophisticated computer programs in conjunction with forensic mapping to create a three-dimensional, animated reconstruction of a crash or crime scene to aid in investigation and prosecution.
 - C. Forensic Mapping System (FMS): Consists of an electronic total station, data collector, laptop computer, and mapping software. This system can quickly and accurately record hundreds of points and plot them to scale, thereby allowing the accurate reconstruction of a traffic crash or crime scene.
 - D. Forensic Mapping Team (FMT): Consists of three Hit and Run detectives, all trained in both accident reconstruction and forensic mapping.
- IV. Organization:
 - A. The Tampa Police Department Forensic Mapping Program shall be placed under the chain of command of the major of the Criminal Investigations Division. The sergeant of the Hit & Run Squad shall be tasked with the administration of the program.
 - B. The Criminal Investigation Division, Hit & Run sergeant shall maintain supervisory authority for all mapping personnel. This sergeant is responsible for all the administrative and operational functions related to the Forensic Mapping Program.
 - C. The Hit and Run Squad is responsible for all the training to be conducted for the Forensic Mapping Program. The squad is also responsible for the maintenance and calibration of the forensic mapping equipment.
- V. Law Enforcement Applications:
 - A. Traffic Crashes: A Hit and Run detective shall be called to map potentially life-threatening or fatal traffic crashes to include civilian crashes and police pursuits at

the discretion of the Hit and Run sergeant. Single vehicle crashes not involving pursuits or criminal charges will be mapped, at the discretion of the Hit & Run sergeant.

- B. Criminal Investigations: All homicide investigations and criminal investigations involving life-threatening injury may be mapped at the discretion of the homicide sergeant.
- C. Police Shootings: All police shootings, with the exception of animals or unintentional discharges unless investigated by homicide, will be mapped.
- D. Boating Accidents: All boating accidents within our jurisdiction will be mapped if they involve potentially life threatening injury or death at the discretion of the Hit & Run sergeant.
- E. Accidental Deaths: Drowning, industrial accidents, or any other accidental death investigation will be mapped at the request of the homicide sergeant.
- F. Assistance to Other Agencies:
 - 1. A forensic mapping team shall respond to any city agency, i.e., city attorney's office, traffic engineering, department of public works, etc., which requests assistance. This request will be made through the Hit & Run sergeant.
 - 2. A forensic mapping team will respond to any law enforcement agency that requests assistance and is approved by the chief of police or his designee.

VI. Operational Procedures:

- A. Deployment:
 - 1. The Communications Bureau will notify the Hit & Run sergeant in the event of any of the following:
 - a. A traffic crash involving a Tampa Police Department vehicle, regardless of being involved in a police pursuit, resulting in potentially life-threatening injury or death;
 - b. At the discretion of the Hit & Run sergeant, Tampa Police Department pursuits resulting in a traffic crash may be mapped;
 - c. Any traffic crash involving a City of Tampa vehicle may be mapped if needed for the investigation. The request to map minor or non-injury crash scenes will be approved by the district shift commander and Hit & Run sergeant; or

- d. All requests from other agencies for a forensic mapping team.
2. For all traffic fatalities the Hit and Run sergeant shall be contacted. The Hit & Run sergeant and/or the latent investigator responsible for the case shall determine if a forensic mapping team shall be deployed.
 3. For all homicide and police shootings, the call out of a homicide mapping team shall be coordinated by the homicide sergeant. Once notified, the homicide sergeant shall assign one homicide mapper to the scene. As the homicide investigation nears completion, the on-scene mapper will then request the rest of the team to respond.
- B. Responsibility of the Members of the Forensic Mapping Teams:
1. Team members shall be responsible for adhering to the practices and procedures documented in the Forensic Mapping Training Manual.
 2. FMTs are responsible for the on-scene measurements of evidence and crash report information. They shall work closely with other investigative er

369 MARKED POLICE VEHICLE SPEEDOMETER CALIBRATIONS

I. Purpose: To establish uniform guidelines for the calibration testing of marked City of Tampa Police Department vehicles, and provide for the availability and continuity of calibration test certificates.

II. Discussion: The City of Tampa's Police Department, in cooperation with the City of Tampa's Fleet Maintenance divisions, recognizes the importance of accurate documentation concerning speed measuring devices in clocked speeding cases. For this reason, as well as conformance with state law regulating speed measuring device calibrations, the following directive sets forth a uniform procedure to ensure compliance with evidence admissibility criteria in such cases.

III. Definitions:

A. Marked Police Vehicle: Any City of Tampa police vehicle, which is marked with official police department insignia.

B. Speedometer Test Certificate: City of Tampa Fleet Maintenance Division Form CM105 (5/98) which is used to document the testing of a vehicle's speedometer calibration.

C. City of Tampa Fleet Maintenance Divisions: Any City of Tampa vehicle maintenance division, or its designee, which tests, marked police vehicles' speedometers.

IV. Policy:

A. Calibration Testing of Marked Police Vehicle Speedometers¹

1. In accordance with F.S. §316.1905, the Fleet Maintenance Division shall:

a. Provide a means for, and complete speedometer calibration testing upon all district assigned marked police vehicles, as well as for any other police vehicles mandated by the assigned division/bureau commanders.

b. Conduct the calibration testing on each requested marked police vehicle not less than once every six months; normally scheduled for the months of January and July of each year.

c. Conduct the testing in accordance with the current state law by having the testing completed by a trained technician, who shall be accompanied by a witness technician.

¹ CALEA (5th Edition) 61.1.9

- d. Repair any defects to the tested vehicle's speedometer in accordance with the current fleet maintenance guidelines.
- e. Complete a Form CM105 in duplicate, recording all of the required information, and routing the forms as follows:
 - 1) One copy to be placed into the vehicle's glove box; and
 - 2) One copy to be placed with the fleet maintenance division's work order(s) for said testing.

B. Original Form Maintenance Procedures²:

- 1. To afford accessibility to, and organization of the original Form CM105, the assigned division/district/bureau support specialist shall:
 - a. Organize the storage file in numerical order by vehicle number.
 - b. Add to, and file all updated forms CM105 as they are received from the fleet maintenance division, and purge all forms from the file when a vehicle is removed from service.
 - c. Maintain and verify entries in a speedometer test certificate checkout and check-in log, which will be stored along with speedometer test certificate file.
 - d. Assure that the file and forms are made accessible to officers within the division/district/bureau on a 24-hour basis.
- 2. To maintain availability and accountability of the original Form CM105, officers shall adhere to the following:
 - a. Upon issuance of an assigned marked police vehicle, the receiving officer will check the vehicle's glove box for a current Form CM105. If none is located, the speedometer test certificate storage file will be checked for an original. If an original is located, a copy will be made for placement into the marked vehicle's glove box.

If no original, or an outdated (older than six months) form is located, the officer will bring it to the attention of the Fleet Maintenance Division.
 - b. During vehicle checkout of a loaner vehicle, officers will check the marked police vehicle's glove box for a current Form CM105. If none is located, the speedometer test certificate storage file will be

² CALEA (5th Edition) 61.1.9

checked for an original. If an original is located, a copy will be made for placement into the marked vehicle's glove box.

If no original, or an outdated (older than six months) form is located, the officer will bring it to the attention of the division, district, or bureau's support specialist so arrangements can be made for certification.

- c. When a need arises to attend court proceedings on a clocked speeding case, the officer may utilize the signed original copy maintained in the glove box of the vehicle. If this is not available or missing, the officer will check the speedometer test certificate file for the original Form CM105. The form will be removed, and the officer will then place his name, payroll/ID number, date, and time the form was removed on the speedometer test certificate sign out log. The original Form CM105 will then be taken to court to be used in testimony.
- d. Upon termination of the court proceedings, and at the officer's earliest convenience, the original Form CM105 will be returned to the file from where it originated. The officer will then log in the date and time the form was returned on the same line as when checked out.

Supersedes SOP 369 dated 7/96.

370 VEHICLE SPEED MEASURING

- I. Discussion: Radar and laser enforcement of speed laws represents a constant source of legal challenge. One such challenge is compliance with administrative rules relating to radar use and the level of scrutiny and documentation required to satisfy each aspect of administrative controls.
- II. Procedure:
 - A. Administrative Control and Certification:
 1. Each district and specialty unit shall provide administrative control and ensure certification of each vehicle speed-measuring device as follows:¹
 - a. Establish and maintain a separate file for each speed-measuring device.
 - b. Ensure that each device is engraved with an appropriate control number.
 2. The District Major shall designate a Administrative CSO to:
 - a. Ensure that on a semi-annual basis, each device and tuning fork is certified by its vendor or other qualified technician as being properly calibrated. Proof of certification shall be maintained in the respective file of each device.
 - b. The Administrative CSO shall ensure that all devices are repaired on a regular and timely basis.
 3. In accordance with F. S. §316.1905, certification as an operator of the speed-measurement device requires that an officer must attend a training program administered by a qualified instructor. Upon completion of the training program, the Criminal Justice Standards and Training Commission will issue a certificate of compliance to the individual officer.²
 - a. The officer's supervisor will ensure that a copy of this certificate is placed in the officer's personnel service record and that another copy is forwarded to the Personnel Bureau.

¹ CALEA [4th Edition] 61.1.9(d)(e)

² CALEA [4th Edition] 61.1.9(f)

- b. The Personnel Bureau shall ensure that a current list is maintained of all officers certified to operate a speed-measuring device.
- c. Officers will checkout a speed-measurement device from their respective District.

B. Checkout/in Procedures:

1. Upon approval to check out a speed-measuring device, the officer shall complete the Device Control Log (TPD 212).
2. Instrument tests for calibration are to be performed at the beginning and end of the duty shift in which the device is operated. These tests are part of the setup and tear down process.³ Appropriate tests include:
 - a. Internal Circuit Test: The internal circuit test is performed by pressing a button and checking the speed display to verify that the number 32 appears. In all cases, the internal test is passed only if the proper number appears exactly. If any other number appears, the radar unit should be taken out of service.
 - b. Light Segment Test: The light segment test is performed by pressing a button and checking the speed display to verify that 188 (target display) and 88 (patrol display) appear. If a burned out segment is discovered, the radar unit should be taken out of service.
 - c. External Tuning Fork Test: The radar tuning fork is specially calibrated for use with the radar device, and cannot be interchanged between devices. The speed measurement cannot differ from the certified value of the timing fork by more than 1 mph (+/-). If the deviation persists, the radar unit should be taken out of service.
 - d. Patrol Speed Verification Test: The patrol speed verification test applies to moving radar units. The purpose of this check is to establish that the moving radar unit is properly displaying the actual patrol car speed. The operator accelerates to a steady speed (25mph to 55 mph) and compares the radar's patrol speed readout with the patrol car's calibrated speedometer. The speeds must

³ CALEA [4th Edition] 61.1.9(b)(c)

correspond. If there is any deviation, the radar unit should be taken out of service.

- e. Power up the laser unit to check the internal setting and the light segments.
 - f. The laser has to be checked out at a distance of fifty and one hundred feet.
 - g. The laser sight alignment test for the unit has to be tested for accuracy, both vertical and horizontal.
3. Immediately after use of a radar device to make an excessive speed case, the officer shall perform appropriate tests on the device being used.
 4. Radar Log: It is required by law that a log shall be maintained by each officer using a radar device to indicate that each test had been conducted after each citation. The officer will complete the radar log (TPD Form 212-1) to meet these requirements.

Supersedes SOP 370, dated 10/02.

371 SEARCHING, TRANSPORTING, AND BOOKING OF PRISONERS¹

I. DISCUSSION: The sheriff of Hillsborough County controls procedures for prisoner booking. Tampa Police Department personnel will fully comply with the booking procedures provided herein for County Jail Central, 1201 Orient Road, Tampa, FL. 33619.

II. DEFINITIONS:

A. "Frisk" is the limited search of any person whom an officer has stopped, or temporarily detained, pursuant to F.S. §901.151. Whenever an officer so authorized reasonably believes that any person whom he or she has temporarily detained is armed with a dangerous weapon and therefore offers a threat to the safety of the officer or any other person, the officer may search such person only to the extent necessary to disclose, and for the sole purpose of disclosing, the presence of a weapon. If the search discloses a weapon or any evidence of a criminal offense, it may be seized pursuant to the guidelines of Section I.B. herein.

B. "Search" includes the placing of an officer's hand(s) inside the pockets of the arrested person to count, itemize and scrutinize that person's possessions.

C. "Strip search" means having an arrested person remove or arrange some or all of his or her clothing to permit a visual or manual inspection of the genitals, buttocks, anus, female breasts, or undergarments of such person. See Legal Bulletin #05-10.

III. PROCEDURE:

A. Searching:

1. In all arrests in which the subject is to be incarcerated, the arresting officer will perform a search of the prisoner.

a. No person arrested for a traffic, regulatory, or misdemeanor offense, except in a case which is violent in nature; involves a weapon; or involves a controlled substance; will be strip searched, unless there is probable cause that the individual is concealing a weapon, a controlled substance, stolen property or contraband.

b. The searching of body cavities of either male or female prisoners will not be conducted by Tampa police officers. If such a search is deemed necessary, it must be performed by

¹ CALEA [4th Edition] 71.1.1;71.2.1;71.3.1;71.3.2

medical personnel of the same gender as the arrested person and on premises where the search cannot be observed by persons other than the person physically conducting the search and a law enforcement officer of the same gender as the arrested person.

1) There is a nurse on-duty 24 hours a day at County Jail Central. If the nurse is the same gender as the person arrested, the prisoner will be transported there for the search. If not, the prisoner will be transported to Tampa General Hospital, where a doctor or nurse will conduct the search.

c. No officer shall perform or arrange for a strip search without obtaining the written authorization of his supervisor. The supervisor will respond to the scene and authorize the search. Said authorization will be documented on a Supplement Report originated by the sergeant who authorized the search, and will become a permanent supplement to the Incident Report.

2. A search will be conducted each time a different officer takes custody of a prisoner.

B. Stop and Frisk:

1. Officers may frisk individuals for weapons when the individual has been lawfully detained and the officer can articulate facts, which create a reasonable belief that the individual may be armed. A frisk is a pat down of an individual specifically for weapons.

a. Any item that feels to the officer like a weapon may be seized and may be the basis of a prosecution if the item is a weapon or evidence of a criminal offense.

b. If the frisk reveals probable cause of some other criminal offense, i.e., the officer feels something he or she "knows" to be rock cocaine, based upon the unique feel of the object and the officer's experience, the item shall be seized and may be the basis of a prosecution. Note, however, that it is not enough to recover items not believed to be weapons if the officer merely "suspects" the item to be evidence of another crime. See Legal Bulletin #93-15.

2. When a subject is carrying a purse, package, suitcase, or other containers and the officer reasonably believes there may be a

dangerous weapon contained therein, the officer should go only so far in the search as is necessary and permissible by existing court guidelines to assure that any dangerous weapon has been removed.

C. Transporting²:

1. Unless otherwise directed, the arresting officer will transport adult prisoners to County Jail Central, Booking, 1201 Orient Rd. Juvenile prisoner transport and disposition will be in accordance with SOP 313.
2. The transporting officer will, prior to transporting and immediately thereafter, search the transporting vehicle for weapons and/or evidence.³
 - a. Absent emergency or special circumstances approved by a supervisor, a vehicle equipped with a protective divider will be used when transporting all prisoners.
 - b. Prisoners will normally be seat belted for transport, unless there are exigent circumstances.⁴
 - c. When an officer transports any prisoner, he shall advise dispatch via radio of starting mileage upon commencement of the transport and ending mileage upon arrival at the appropriate destination.
 - d. The transporting officer will not lose sight of, or leave unattended, a prisoner until the prisoner is released or under circumstances as described in C.5. of this directive.

D. Subjects With Special Needs being Detained or Arrested:

1. Seat belting techniques may need to be altered or restraining devices may be unnecessary under extenuating circumstances including, but not limited to, arrest of the following people: elderly, obese, physically or mentally handicapped, obviously ill, pregnant persons, or persons suffering from an injury possibly complicated by handcuffing or seat belting.
2. In the event that a person with special needs as described above may possibly incur an injury as a result of seat belting, the officer's immediate supervisor shall be notified prior to applying the seat

² CALEA [4th Edition] 61.1.11;71.4.1

³ CALEA [4th Edition] 71.1.2

⁴ CALEA [4th Edition] 41.3.3

belt. If the need for transport is immediate, then as soon as possible after transporting the person, the supervisor shall be notified. In all cases, great care should be taken in restraining, seat belting, and transporting someone with special needs. Still, officer safety remains a paramount concern.

3. With supervisory approval, normal seat belting techniques may be altered as necessary to include, without limitation:
 - a. Placing the shoulder harness behind the subject's torso; or
 - b. Hobble tying a violent subject who refuses to be seat belted or where seat belting would expose the officer to unnecessary injury by a noncompliant subject.
4. Under those exigent circumstances which dictate that the subject be transported in an uncaged vehicle, supervisory approval will first be obtained, and then a minimum of two officers will be utilized for such transport. The position of the second officer will be the rear seat directly behind the driving officer. The rear seat officer will position himself in such a manner as to protect his firearm and maintain constant visual contact with the subject.⁵ In this type of situation, the subject will be handcuffed in the rear. The prisoner will be seated in the right rear passenger seat. Any deviation from this handcuffing procedure will require supervisory approval. If possible, the subject's legs will be restrained and seat belts will be utilized.
5. Under no circumstances will the transporting officer engage in any pursuit while in custody of a prisoner. The transporting officer will not deviate from the primary responsibility of delivering the prisoner to booking except:
 - a. When the risk to a third party is clear and grave if immediate aid is not rendered; and
 - b. The risk to the prisoner is minimal.
6. Should a prisoner escape from the transporting officer, the officer will:⁴
 - a. Immediately notify police communications of the escape location, charges on the suspect, suspect description, and direction of flight;

⁵ CALEA [4th Edition] 71.1.3

⁴ CALEA [4th Edition] 71.1.7

- b. Request assistance of additional officers or specialty units if necessary; and
 - c. Subsequently complete an Escape Report describing in full, the facts surrounding the escape and all actions taken.
7. The transporting officer will not make any stops while in transport to allow the prisoner to communicate with anyone.⁵
 8. Restraining devices as described in SOP 371.1 will be used while the prisoner is transported. These devices will generally not be removed until the prisoner has been delivered to the receiving facility. (Discretion should be used by the officer in dealing with discomfort of prisoners while using the leg restraints in extreme cases; see SOP 371.1)⁶
 9. If physical incarceration would adversely impact the person because of the handicap, consideration will be given to acceptable alternatives such as release on recognizance, if such action would be suitable in view of the facts of the case. The officer's immediate supervisor must approve any alternative actions if the case is one in which the person would normally be incarcerated.

During transport of a handicapped person or a person with a known medical condition in a police vehicle, the officer will exercise extreme care and attempt to minimize the discomfort to the person. The officer should ensure that the items required by their conditions, such as wheelchairs, crutches, or medicines, are also transported.

When dealing with mentally handicapped persons, the officer's actions will be tailored accordingly.

10. When transporting a mentally ill person\Baker Act patient, the officer will ensure delivery to the receiving facility as soon as possible. The patient will be properly restrained, as his or her behavior dictates, while being transported.

E. Booking⁷:

1. Prisoner security will be the responsibility of the transporting officer until such time as the prisoner is accepted into the custody

⁵ CALEA [4th Edition] 71.1.5

⁶ CALEA [4th Edition] 71.1.6(b)

⁷ CALEA [4th Edition] 61.1.11;71.1.6(c)(d)

of the appropriate agency personnel, i.e., Hillsborough County Jail Central Booking, Juvenile Assessment Center (JAC).

2. Arrest affidavits will be completed prior to arrival at either Hillsborough County Jail Central Booking or the JAC facilities.
 - a. Transporting officers will note on the reverse side of the pink copy of the arrest affidavit (booking's copy) any known escape or suicide potential of the prisoner. Any other known personal traits of a security or medical nature should also be listed; and
 - b. Once custody of the prisoner has been transferred to another entity, the transporting officer will document the transaction and placement on the Use-of-Force Form (TPD 1024).
3. Booking of Injured Prisoners:⁸
 - a. Prisoners in need of emergency medical attention, e.g., broken bones, profuse bleeding, and respiratory distress, will be transported via ambulance when indicated by the nature of the injury or illness, to a hospital emergency room (with preference to Tampa General Hospital) for treatment.
 - b. All other arrestees suffering from apparently minor injuries will be transported by the arresting officer to County Jail Central for examination by the medical staff at that facility. If they determine that the prisoner is in need of hospital care, the arresting officer will then transport him or her to Tampa General Hospital (or Memorial Hospital for medical clearance).
 - c. Should the arrestee not require hospital care, he or she will be accepted by County Jail Central for treatment and booking.
 - d. Once the prisoner has been accepted by County Jail Central, if a later determination is made that the arrestee needs hospital care, transportation will be the responsibility of County Jail Central.
 - e. In the event it is necessary for an officer to take or send an arrestee directly to a hospital for emergency care, it is

⁸ CALEA [4th Edition] 1.3.5; 46.1.3

essential that the County Jail be contacted by telephone at 247-8300 as soon as possible.

4. Hospitalization of Prisoners:
 - a. Officers who have a prisoner, who is injured to the extent that admission to a medical facility is required, must contact a supervisor at County Jail Central as soon as the decision has been made to admit the prisoner, to arrange for someone to guard the prisoner.
 - b. The officer will be relieved by a guard from the County Jail who will accept responsibility for the prisoner.
 - c. The officer must then deliver the completed criminal report affidavit to the receiving window at County Jail Central.
 - 1) At this point the prisoner has been accepted and booked by County Jail Central.
 - d. Completion of each step in this process must be clearly articulated in the offense report.
 - e. Misdemeanor prisoners (excluding prisoners charged with DUI) will be recogged and no holds placed.
 - f. If it is determined that a hospitalized subject is wanted for a misdemeanor in another jurisdiction only, the investigating officer will notify that jurisdiction of the location and general medical condition of the subject by telephone or teletype. Details of the notification shall be included in the offense report. If the agency issuing the warrant requests the subject be detained under guard, the agency should be referred to HCSO to arrange for that service.
 - g. F.S. §394.461 provides that when an officer takes a mentally ill person into custody based on non-criminal or minor criminal behavior, the officer will transport the person to a mental health receiving facility for evaluation. When an officer has arrested such a person for a felony involving violence, said person should be processed as all other criminal arrestees. The officer must notify the mental health receiving facility, which will be responsible for arranging an evaluation. Such notification will be documented in the arrest report.

5. To enter the drive-in booking dock of County Jail Central, which is located on the south/west corner of the facility, 1201 Orient Road, and is entered from the south Orient Road driveway:
 - a. An intercom speaker box is located along the west driveway curb line opposite the drive-in booking dock entrance;
 - b. The gate will be opened electronically when the transporting officers identify themselves by name and agency and specify "straight booking". See 3.D.7. for Central Breath Testing procedures; and
 - c. Upon entering the drive-in booking dock, officers will pull their vehicles forward as far as practical at a slow speed and park within the facility.
6. In order to transfer custody of a prisoner to County Jail Central, officers entering the facility will secure their weapons as outlined in 3.D.8. and wait for the drive-in dock gate to close and secure. Prisoners will then be escorted to the booking intake door.
 - a. A door buzzer button is located on the south wall by the intake door. After pushing the buzzer, operations will electronically release the lock allowing entry into the foyer.
 - b. The jailer will conduct a preliminary search of the prisoner. Upon searching the prisoner, the jailer will unlock the interior foyer door allowing access to the booking facility. The officer will accompany the jailer and prisoner into the booking facility and release the prisoner to the booking deputy while presenting his or her arrest documents.
 - c. An inventory of the prisoner's property will be made and HCSO internal paperwork will be completed by the booking deputy. Upon completion, this package will be given to the officer who will escort the prisoner to the intake window where the package and prisoner will be delivered. Upon acceptance of the prisoner by HCSO personnel, the officer may leave.
 - d. If the NCIC/FCIC computer is operational, County Jail Central will not accept the prisoner until a warrant check has been made. If the computer is down, the jail will accept the prisoner and run a warrant check once the computer is again in operation. If an active warrant is then discovered,

HCSO personnel will complete affidavits for the additional charges.

- e. Undercover officers will not be required to wait in an area visible to other prisoners.

7. Access to Central Breath Testing Room⁹:

- a. The Central Breath Testing Room is located along the east wall of the drive-in booking dock interior, adjacent to the straight booking foyer.
- b. Separate procedures have been established for escorting persons who have been taken into custody for breath-alcohol testing. Breathalyzer procedures are as follows:
 - 1) Officers arriving with persons arrested for offenses which require the breathalyzer or need to be cleared for booking on other offenses but have a high alcohol level, will park their cruisers in the south/west exterior parking lot;
 - 2) The prisoner will be escorted to the drive-in booking dock walk-in door located along the south wall adjacent to the drive-in doors;
 - 3) A door buzzer button located on the wall will be pushed, thereby alerting booking operations to release the lock electronically and allow entry into the booking dock;
 - 4) Upon entry, officers will secure all weapons as outlined in 3.D.8.
 - 5) Officers will then escort their prisoner to the Central Breath Testing door; and
 - 6) A door buzzer button located on the wall will be pushed to alert booking operations to electronically release the lock and allow entry into Central Breath Testing.
- c. Persons to be charged following the breathalyzer test will be escorted to the booking section and released to a corrections officer. Persons to be released from custody

⁹ CALEA [4th Edition] 61.1.5(a); 61.1.11

without booking will be escorted back out of the facility by the transporting officer.

8. Securing of Firearms and Weapons:¹⁰
 - a. "Straight Booking" shall mean all arrests not requiring the use of Central Breath Testing.
 - 1) Upon entering the booking dock area and prior to entering booking, officers will secure all weapons, (firearms, chemical spray, nightsticks, knives), in their respective police units. Firearms will be secured in the trunk of police units.
 - b. "C.B.T." shall mean all arrests requiring the use of Central Breath Testing.
 - 1) Upon walking into the booking dock area and prior to entering booking, officers will secure all weapons, (firearms, chemical spray, nightsticks, knives), in the keyed gun safes located within the east wall of the interior booking dock. The key will be removed - insuring the safe is secured and kept with the officer until retrieval of the weapon.

Supersedes SOP 371, dated 5/99.

¹⁰ CALEA [4th Edition] 71.1.6(a)

371.1 RESTRAINING DEVICES¹

- I. Purpose: To provide officers with a method of restraining prisoners.
- II. Discussion: Procedures for handcuffing prisoners will be done in accordance with existing training procedures and prior to commencing transport. Additional restraining devices such as leg restraints may be considered depending upon the behavior of the prisoner.

It is the policy of the Tampa Police Department that arrested juveniles under the age of 13 years will not be handcuffed unless circumstances exist which would cause the arresting officer to believe handcuffing is necessary for the protection of the officer or the juvenile. All juveniles 13 years of age or older, and adults arrested by the Tampa Police Department will be handcuffed at the time of arrest unless extenuating circumstances would dictate other action.

- III. Procedure:
 - A. Use of Handcuffs:
 1. The current handcuffing technique (speed cuffing) taught by the police academy is designed for the safety of both the officer and the prisoner. When the situation allows, this technique will be considered the appropriate technique to use.
 2. The three methods of speed cuffing (standing, prone, and “combat” cuffing techniques) will be utilized when appropriate.
 - a. Standing technique – used for low risk, compliance subjects.
 - b. Prone technique – used for high risk, non-compliance subjects.
 - c. “Combat” technique – used for those situations, which require speed as an integral part of officer safety for immediate control of the subject.
 3. Regardless of which technique is initially employed, either during the handcuffing or as soon as possible after the incident has stabilized, an arrested or securely detained person will be handcuffed behind his back, palms facing out, and the handcuffs shall be double locked. There are **NO EXCEPTIONS** to this policy unless specifically provided in subsection C, below.

¹ CALEA [4th Edition] 71.2.1

4. Officers are responsible for ensuring that handcuffs are snug enough to prevent an arrestee from turning his hands palm to palm but not so tight as to cause injury. Complaints from the arrestee about the tightness of cuffs will be checked and documented on a Custody memo.
5. If at any time the handcuffed person manages to turn his hands palm to palm, bring his hands to the front of their body or slips out of one or more of the handcuffs, he shall be immediately re-cuffed as provided above, by two officers if possible. Additional, more secure restraining techniques should be utilized.
6. All arrested or securely detained persons shall be thoroughly searched upon being handcuffed, preferably by an officer of the same sex. This search should be sufficiently meticulous to reveal any weapons, contraband, or hidden handcuff keys, but is not a strip search.

B. Use of Leg Restraints:

1. The accepted Tampa Police Department leg restraints are a 4 foot long nylon rope with a loop at one end and a knot at the other end and steel leg irons which are approved for use if they meet the following requirements:
 - a. 14” to 16” steel chain (to limit stride and mobility of the detainee);
 - b. The inner perimeter of each cuff will measure 7 $\frac{3}{4}$ ” to 10 $\frac{3}{4}$ ” in diameter; and
 - c. Leg irons must have a double-lock engaging system.
2. Use of leg restraints (rope or steel) will be at the discretion of the officer. Factors to be considered when determining the use of leg restraints are:
 - a. Combative or aggressive behavior;
 - b. Potential escape risk;
 - c. Transporting in an uncaged vehicle; and
 - d. While conducting interviews in unsecured facilities.
3. While applying the nylon rope leg restraint, the handcuffed prisoner will be positioned with their chest down. Once the restraint is applied, the prisoner will be placed chest up.

Note: The chest down position, particularly involving highly combative, intoxicated, drugged or “big bellied” individuals carries a risk of positional asphyxiation. Avoid prolonged use of a chest down position for those individuals and monitor their breathing **CONSTANTLY**. Whenever possible, transport in an upright, chest up, or side-prone position.

The restraint will be applied to the narrowest part of the legs (ankle area), placed around the legs snugly but not overly tight. The legs can be secured together or independently. Once the restraint is in place, the officer should use seatbelts whenever possible to secure the prisoner in the back seat.² The knotted end of the restraint is then placed over the door threshold and the door closed.

If the prisoner is in the seated position, in a single officer car, the officer shall place him behind the driver where the prisoner can more easily be evacuated in an emergency, and also monitored through the driver’s rear view mirror.

4. In the event the prisoner continues his violent behavior in the restraints by slamming his head against the car, the arrestee may be further restrained by lying him on the seat chest up and securing him with seat belts.

In extreme cases when this system is ineffective, the leg restraints will be used to tie the subject’s feet to his handcuffs. If the subject becomes compliant, the officer should use discretion in altering the technique.

Such considerations as the availability of other officers for help, and the security of the surroundings should be made prior to releasing or altering the technique.

When the prisoner is in the district interview room, he will be continuously observed.

5. As in all restraining and handcuffing methods, the prisoner will be continuously observed, and complaints of pain involving blood flow should be checked out by the officer.
6. In all restraining situations, the prisoner will be placed chest up, if at all possible.

C. Subjects Being Detained or Arrested with Special Needs:

² CALEA [4th Edition] 41.3.3

1. Handcuffing techniques may need to be altered or restraining devices may be unnecessary under extenuating circumstances including, but not limited to, arrest of the following: elderly, obese, physically or mentally handicapped, obviously ill, pregnant persons, or persons suffering from an injury possibly complicated by handcuffing.
2. In the event that a person with special needs, as described in Section C.1, must be restrained and it is possible the prisoner will incur injury as a result of the restraint, the officer's immediate supervisor should be notified prior to applying restraints. If the need for restraint is immediate, then as soon as possible after restraining the person and prior to transporting, the supervisor should be notified. In all cases, great care should be taken in restraining and transporting someone with special needs. Still, officer safety remains a paramount concern.
3. When the officer is confronted with a violent mentally ill/Baker Act patient, the officer must attempt to calm the patient by all means available (such as talking, use of family members). If all such means fail, the officer must restrain the patient using departmentally accepted handcuffing and restraining techniques and appropriate equipment.
4. With supervisory approval, normal restraint techniques may be altered as necessary to include, without limitation:
 - a. Using two sets of handcuffs;
 - b. Using flex cuffs;
 - c. Utilizing special transport vehicles;
 - d. Assigning additional transport officers; or
 - e. Handcuffing in front of the subject.

Supersedes SOP 371.1, dated 5/99.

371.2 FINGERPRINTING OF HIGHLY ACTIVE CRIMINALS

- I. Discussion: When dealing with highly active criminals it is necessary to have clear readable finger and palm prints for comparison rather than copies of prints which are now being provided by Hillsborough County Jail-Central. The following procedure will ensure that the Tampa Police Department has the best quality finger and palm prints for comparison with latent prints obtained at crime scenes.

- II. Procedures:
 - A. Arrestees known to be highly active or whose identification is uncertain may be brought to Police Headquarters to be printed by Forensic Investigative Unit personnel prior to being taken to Hillsborough County Jail.
 1. The officer/detective will notify the Forensic Investigative Unit via radio or telephone that a unit is enroute to the station with a suspect. The Forensic Investigative Unit will assign a crime scene technician to the fingerprint room to process the arrestee.
 2. During the entire process, the arresting officer or another sworn officer will constantly observe the arrestee to prevent any escape attempt or injury to the crime scene technician.

Supersedes SOP 371.2, dated 1/99.

372 SECURE TEMPORARY DETENTION ROOMS/INTERVIEW ROOMS:

- I. PURPOSE: To provide guidelines for utilization and maintenance of secure temporary detention rooms and interview rooms located within police facilities. Secure temporary detention rooms are intended to ensure the safety of police personnel and prisoners.

Sworn personnel sometimes need to interview persons under arrest or prepare paperwork prior to transport and booking. Secure temporary detention rooms, located on the eighth floor of headquarters and within each district office, provide a place for temporary detention while prisoners are being processed. Although it is desirable to transport prisoners directly to central booking from the arrest site, any officer who needs to secure a prisoner for further processing may utilize a secure temporary detention room.¹

II. DEFINITIONS:

- A. Temporary Detention Room: A steel mesh enclosure with a locking mechanism on the door or room with concrete walls, an observation window and securable door.²
- B. Interview Room: A designated room within a police facility in which police personnel conduct interviews with individuals.³

III. PROCEDURE:

- A. Temporary Detention Rooms: Police officers/detectives detaining persons in secure detention rooms within police facilities shall ensure that the following guidelines are met:⁴
1. The detaining officer/detective shall search the secure detention room for contraband and/or weapons prior to a detainee being placed in the room and after removing the detainee from the room.⁵
 2. Each detainee shall be thoroughly searched for weapons and contraband prior to being placed in the secure detention room. Prisoners will be deprived of belts, shoes, bandannas and jewelry prior to being placed in the cells in order to facilitate the discovery of contraband and weapons, as well as to prevent prisoners from harming themselves or officers.⁶ This personal property, unless evidence in a criminal investigation, shall accompany the prisoner to booking or be returned to the prisoner upon release as may be appropriate.⁷

¹ CALEA [5th Edition] 71.1.1

² CALEA [5th Edition] 71.1.1

³ CALEA [5th Edition] 42.2.10

⁴ CALEA [5th Edition] 71.3.3(d)

⁵ CALEA [5th Edition] 42.2.10(b)

⁶ CALEA [5th Edition] 71.3.1(b)

⁷ CALEA [5th Edition] 42.2.10(b)

3. Secure detention room doors shall be locked after placing a detainee in the room.⁸ The decision to have the detainee handcuffed and/or restrained with a leg-restraining device while in the detention room shall be at the discretion of the officer.⁹
 - a. Consideration shall be given to safety of police personnel, as well as the detainee, and also to escape prevention.¹⁰
 - b. Police officers who enter the temporary detention room shall first secure their firearm in the lock box provided for this purpose. Less lethal weapons may also be secured at the officer's discretion.¹¹
 - c. Access to prisoners, interview rooms, and adjacent offices shall generally be limited to police personnel.¹² If authorization is granted for a civilian to enter the restricted areas, i.e., parent of a juvenile detainee, they must be searched and remain under constant police supervision.¹³ No civilian visitor shall be allowed inside any temporary detention room.¹⁴
 - d. A log (TPD 372) will be maintained documenting the use of the temporary detention room. Officers utilizing the facility will log the following:¹⁵
 1. Name of the detainee and officer;
 2. Date and reason for use;
 3. Time in/Time out;
 4. Any food or water provided to detainee;
 5. Bathroom breaks provided to detainee; and
 6. Physical condition of room will be noted (cleanliness and unsafe conditions).
 - e. Male and female detainees shall not be detained in the same temporary detention room.¹⁶

⁸ CALEA [5th Edition] 71.3.1(c)

⁹ CALEA [5th Edition] 71.3.3(d)

¹⁰ CALEA [5th Edition] 71.3.3(d)

¹¹ CALEA [5th Edition] 42.2.10(a); 71.3.3(a)

¹² CALEA [5th Edition] 71.3.3(c)

¹³ CALEA [5th Edition] 42.2.10(b)

¹⁴ CALEA [5th Edition] 71.3.3(c)(d)

¹⁵ CALEA [5th Edition] 71.3.1(a)

¹⁶ CALEA [5th Edition] 71.3.1(e)

- f. Adult and juvenile detainees shall not be detained in the same detention room unless they are involved in the same criminal incident.¹⁷
- g. Detainees shall not be handcuffed, or otherwise secured, to any fixed objects within the room.
- h. Detainees shall be allowed access to water and use of the restroom as needed; however, restroom access shall be under same gender police supervision.¹⁸
- i. Subjects must remain under constant supervision.¹⁹

4. Handling of Juvenile Detainees:²⁰

- a. In accordance with federal guidelines regarding the handling of juvenile detainees, there shall be no visible or audible contact between adult detainees and juvenile detainees while in secure detention or when they are being escorted in or out of the police building, unless involved in the same criminal episode.
- b. When processing juveniles who have been adjudicated to adult status by federal guidelines, the adult temporary detention rooms shall be utilized. Adult status is not achieved by federal guidelines unless each of the following criteria have been satisfied:
 - 1. The juvenile has previously been direct filed, waived, or indicted for criminal prosecution as an adult on criminal felony charges.
 - 2. The juvenile must have been found to have committed the offense for which they have been transferred or a lesser-included offense.
 - 3. All sanctions imposed by the court must be adult sanctions. If any part of the sanction was a juvenile sanction, the child will be handled as a juvenile.

B. Interview Rooms:

- 1. The detaining officer/detective shall search the interview room for contraband and/or weapons prior to a subject being placed in the room and

¹⁷ CALEA [5th Edition] 71.3.1(e)

¹⁸ CALEA [5th Edition] 71.3.1(a); 71.4.1

¹⁹ CALEA [5th Edition] 71.3.3(d)(e)(f)

²⁰ CALEA [5th Edition] 71.3.1(e)

after removing the detainee from the room. No supplies or equipment shall be stored in the interview room.²¹

2. Subjects being interviewed shall be thoroughly searched for weapons and contraband prior to being placed in the interview room.²²
3. Officers/Detectives who enter the interview rooms armed shall use caution in exposing firearms or weapons in close proximity of the person being interviewed. Armed personnel must ensure their firearm is secured on their person in agency approved holsters.²³

C. Interview of a Subject:

1. Generally, there will be no more than one subject and two police officers in the interview room during an interview. If circumstances warrant, additional officers may sit in on the interrogation.²⁴
2. During the interview of a subject by a single officer in the interview room, an officer will remain outside the door in the event assistance is needed.²⁵ If a two-way mirror or media device is available to monitor the interview, the officer will utilize that method for observation.²⁶ Officers may also utilize their portable radio as a means of a panic or duress notification.²⁷
3. Subjects must remain under constant supervision while in the interview room by having an officer in the room, two-way mirror or video surveillance.²⁸
 - a. When a subject is being monitored by video surveillance, or by a two-way mirror, an officer will enter the interview room every thirty minutes to make face to face visual observation of the subject.²⁹
 - b. Subjects shall be allowed access to water and use of the restroom as needed; however, restroom access shall be under same gender police supervision.³⁰

D. Fire prevention, evacuation, and suppression:³¹

²¹ CALEA [5th Edition] 42.2.10(e)

²² CALEA [5th Edition] 42.2.10(b)

²³ CALEA [5th Edition] 42.2.10(a)

²⁴ CALEA [5th Edition] 42.2.10(c)

²⁵ CALEA [5th Edition] 42.2.10(b)

²⁶ CALEA [5th Edition] 42.2.10(d)

²⁷ CALEA [5th Edition] 42.2.10(b)(d)

²⁸ CALEA [5th Edition] 71.3.1(c); 71.3.3(e)(f)

²⁹ CALEA [5th Edition] 71.3.3(e)(f)

³⁰ CALEA [5th Edition] 42.2.10(f)

³¹ CALEA [5th Edition] 71.4.2

1. No cigarette lighters, matches, or any combustible items shall be allowed in the secure detention rooms.
 2. Each area shall have a fire evacuation map prominently posted on the wall adjacent to the secure detention room.³²
 3. Each area shall have a fire extinguisher mounted on the wall adjacent to the secure detention room.³³
- E. Training - It shall be the responsibility of each supervisor to provide a training review of these procedures every three years. The training will be documented and records maintained within the respective district training logs.³⁴
- F. Inspection:³⁵
1. It will be the responsibility of any officer using the interview room/temporary detention facility to inspect for cleanliness or unsafe conditions before and after each use. Note the inspection in the appropriate section of the log.
 2. If the interview room/temporary detention area is found to be unsanitary or unsafe conditions exist, the officer shall not use the facility until such conditions have been eliminated. With supervisory approval, the officer may utilize the facility of another division, if available.
 3. It shall be the responsibility of the Division/Bureau Commander or appointed designee to ensure that routine housekeeping is scheduled for the interview room/temporary detention area that are housed within their Division/Bureau.
- G. Administrative Review:³⁶
1. It will be the responsibility of the Division/Bureau Commander to conduct an administrative review of the interview room/temporary detention area that are housed within the Division/Bureau every three years. The administrative review will be documented and forwarded to the Internal Affairs Bureau. The review will include the following:
 1. Officers under their command having use of the interview room/temporary detention area are adhering to the policies and procedures governing the facilities.

³² CALEA [5th Edition] 42.2.10(e)

³³ CALEA [5th Edition] 42.2.10(e)

³⁴ CALEA [5th Edition] 71.2.1

³⁵ CALEA [5th Edition] 71.4.3

³⁶ CALEA [5th Edition] 71.4.3

2. The interview room/temporary detention area is being utilized for its original intent.
3. The interview room/temporary detention area is adequate for the needs of the affected Division/Bureau.

Supersedes SOP 372, dated 4/10.

Tampa Police Department DETENTION ROOM LOG

Headquarters
 District I
 District II
 District III

Date:

Time In:

Time Out:

Detainee: (Last, First, M.)

Adult Juvenile

Male Female

Officer:

Badge:

Officer:

Badge:

Reason for
Detention:

Processing
Rpt #:

Interview
Rpt #:

Other (Explain):

Any disabilities/special conditions noted? Yes No
Describe:

Detainee handcuffed and/or restrained? Yes No
Describe:

Room searched prior to detention? Yes No
Results:

Room searched after detention? Yes No
Results:

Physical condition of Room:

Physical condition of Room:

Food or water provided? Yes No
Describe:

Restroom break(s)? Yes No
Times: (1) (2) (3)

Notes:

TPD 372 (11/10)

373 POLICE BUILDING SECURITY

- I. DISCUSSION: The following are the responsibilities for maintaining security at all Tampa Police Department buildings and will be adhered to by all employees of the Tampa Police Department. Employees who find a breach of building security will correct the problem, or if unable to do so, will contact the Electronic Support Unit of the Criminal Intelligence Bureau and advise them of the situation. If the situation occurs after hours, the captain of the Criminal Intelligence Bureau will be notified immediately in order to remedy the problem.
- II. PROCEDURES:
- A. It is the responsibility of all employees to ensure that all visitors utilize only the main entrance to any police building.
 - B. It is the responsibility of the District Three shift commander to ensure that the information counter at One Police Center Headquarters is attended by a minimum of one sworn police officer at all times.
 - C. The information counter officer will assist in continuing security measure at headquarters on a twenty-four hour basis.
 - 1. The information counter officer or designee will greet all visitors and provide information as requested. If the visitor is reporting for an appointment or wishes to make an appointment, the information counter personnel will contact the employee they are requesting to meet. If the visitor is required to enter the building beyond the lobby, the affected employee or a designee will have the visitor sign in, receive the proper identification badge for the visitor, and will then escort the visitor into the meeting place. Upon conclusion of the meeting, the affected employee, or designee, will escort the visitor back to the lobby and return the identification badge.
 - 2. The south entrance to headquarters is the entrance for those who are unable to utilize the main entrance on Franklin Street due to a disability.
 - 3. Outside contractors will be required to check-in at the Information Counter. The Information Counter personnel will contact the building maintenance supervisor to respond to the Information Counter and verify the work to be performed. After the approval of building maintenance, the contractor will be issued a temporary pass and escorted by building maintenance into the building.
 - 4. Delivery personnel will be allowed entrance through the south doors, but will be required to immediately respond to the Information Counter to sign-in.

5. When public events are being held at headquarters (i.e., large meetings on the fifth floor conference room) security procedures will be suspended for anyone attending that specific function. Visitors attending these functions will still be required to sign-in and provide identification but will not be issued security passes. It is the responsibility of the Tampa Police Department personnel involved in the event to insure that visitors do not leave the specified meeting place.
6. Visiting law enforcement personnel may utilize their badge as identification after signing in at the Information Counter.

III. PROPER IDENTIFICATION:

- A. To establish the foundation for enhanced security conditions, all employees will display their badge or city identification card at all times while in police buildings. This does not apply to sworn employees while in uniform. All other employees, sworn and civilian, will display their badge and/or city identification card in a conspicuous manner.
- B. Any individual openly displaying a firearm must be properly identified at all times.
- C. All authorized visitors shall be issued a temporary visitor's pass at the Information Counter before entering any other area of the police building.
- D. All sworn personnel, regardless of rank, will confront any individual in the police building who is not properly identified as stated above and will ascertain their identity and the purpose of their presence in the police building.
 1. If the individual who is not displaying a badge and/or I.D. card is personally known by the observing officer to be a police department employee, the officer will advise the employee to properly display his police department badge and/or I.D. card.
 2. If the person in violation of the SOP is not authorized to be inside the police building, they will be escorted out of the building or otherwise dealt with accordingly. A field interview will be conducted on the violator and documented.
 3. No employee, regardless of rank, will refuse the request of any officer to properly identify himself.
 4. An officer who confronts any known employee who is in violation of this section and subsequently encounters resistance from that employee will immediately notify the commander of the Criminal Intelligence Bureau of the incident and then forward, via memo, directly to the chief of police, the name of the employee and the circumstances surrounding the incident.

IV. SECURITY CAMERAS:

Selected cameras throughout the headquarters building will be recorded and the data stored within the Criminal Intelligence Bureau.

V. ISSUANCE OF PROXIMITY KEYS:

- A. Security at all Tampa Police Department buildings is an important facet of maintaining a safe working environment for all employees. An electronic security system that utilizes a proximity key to allow employees access to their immediate area(s) of responsibility is in place. The Tampa Police Department is currently using the Pinnacle proximity system. This system gives the department the ability to control access of various members, guests, and entities within the building through the use of an electronic key. The electronic access control system restricts access to areas requiring protection from intrusion by unauthorized personnel by granting access only to selected individuals at specific times. Through this electronic system, the department is able to track the date and time that people have entered or attempted to enter an area. The electronic key can be altered by Electronic Support Unit personnel to allow greater or less access, or change areas of access, without having physical possession of the key.
- B. Employees will be issued a proximity key based upon their assignment and approval of the chief of police or his designee. This key is assigned to a specific holder and that person is responsible for its use. The assigned key is not to be loaned to anyone and is to be utilized only by the assigned user. No employee will give or lend their key to another employee. All employees will be held accountable for the use of their assigned key.
- C. Requests for the issuance of proximity keys to new employees, or other personnel, should be brought to the attention of the Criminal Intelligence Bureau through the Personnel & Training Unit.
- D. Any employee whose proximity key is lost or stolen will notify the Criminal Intelligence Bureau immediately. Upon notification, said key will be deactivated until further notice.
1. If the need occurs for the replacement of a lost key, the affected party will notify their immediate supervisor, in writing, of the need and the circumstances surrounding it. The supervisor will forward the request to the Electronic Support Unit. A replacement fee, to be determined by the Revenue and Finance Section, will be charged in the event that a key is lost due to negligence on an employee's part. If the key is lost in the line-of-duty, no replacement fee shall be assessed.
- E. It is the responsibility of the employee to notify the ESU of any change of assignment, through the employee's supervisor, for the purpose of reprogramming their assigned proximity key to reflect the access for the new assignment. This

does not apply to promotions, transfers, or assignments that are published via General Order.

VI. REPORTS:

Any requests for reports involving access to specific areas will be directed to the CIB Captain.

380 SERVICE TAG¹

- I. DISCUSSION: F.S. §316.1945(1)(a)(11) allows a vehicle which is disabled or in a condition improper to be driven as a result of mechanical failure or accident to be parked on the shoulder of a limited access facility for a period not to exceed 6 hours.

City Ordinance Section 19-56(e) grants concurrent jurisdiction to the Tampa Police Department and the Division of Neighborhood Improvement of the Department of Business & Community Services to remove a dismantled or inoperative vehicle which has been parked upon private or public property for over a seventy-two hour period, enclosed buildings or licensed businesses are excepted.

For the purpose of identifying such vehicles as having received attention by this Department, the Tampa Police Department Service Tag will be utilized. The use of the Service Tag, when conspicuously placed on a vehicle, not only alerts all officers of the status of a disabled vehicle or one that has been parked over seventy-two hours on private or public property, but gives notice to passing motorists that the police are aware of the vehicle. The Service Tag will also serve as a notification to the owners of the vehicles that they need to remove tagged vehicles as soon as possible.²

II. PROCEDURE:³

- A. An officer who observes, or receives a complaint of, a vehicle stopped on any portion of the interstate or expressway system within the City shall render assistance to the operator. If it is determined that such vehicle is disabled on the shoulder of a limited access facility and is unattended the TPD Service Tag (TPD 313) shall be completed and placed in a conspicuous location on the vehicle, preferably the front windshield.
- B. An officer who observes, or receives a complaint of, an apparently inoperative vehicle that is unattended and parked or abandoned on the City right-of-way will complete a Service Tag and place same in a conspicuous location on the vehicle, preferably the front windshield. The originating officer will recheck the vehicle after the 72-hour time limit expires, or if the service tag is issued on the last workday of the week the officer will be required to recheck the vehicle at the start of their next shift.⁴
- C. When a vehicle is tagged and again when it is towed, the vehicle will be run for wants through FCIC/NCIC.

¹ CALEA [5th Edition] 61.1.13

² CALEA [5th Edition] 61.4.3(a)(b)

³ CALEA [5th Edition] 61.4.3(a)(b), 61.1.13

⁴ CALEA [5th Edition] 61.1.13

- D. When an officer observes, or receives a complaint of, any vehicle displaying the Tampa Police Department Service Tag, the officer will ascertain that the vehicle is still in violation and that the prescribed time limit requirement has been met. If the vehicle is found to be in violation, the officer may then rotation impound the vehicle.⁵
- E. Upon impounding a vehicle which has previously been issued a Service Tag, the tag will be removed and a parking citation will be completed. The parking citation will reflect the appropriate charge. The parking citation will be attached to the owner's copy (yellow) of the Impound Report. The Service Tag will be attached to the department's copy (white) of the Impound Report.⁶ These will be maintained in the Records Section for a period of not less than two years. In the event an officer needs to testify in court, he may obtain the copy of the Impound Report and the Service Tag from the Records Section.
- F. In the event that an officer is confronted with a vehicle bearing a Service Tag issued by another law enforcement agency, the officer must confirm that the vehicle is in violation prior to impounding the vehicle. This may be done by either issuing another Service Tag or through contact with the other agency.⁷
- G. If an unattended vehicle is an immediate safety hazard or impedes normal traffic, the vehicle may be rotation towed immediately without regard for the above waiting periods.⁸
- H. The Pickup Desk will maintain a record of all vehicles removed, stored, or towed at the direction of an officer.⁹

Supersedes SOP 380 dated 10/06.

⁵ CALEA [5th Edition] 61.4.3(a)(b)

⁶ CALEA [5th Edition] 61.1.13

⁷ CALEA [5th Edition] 61.4.3(a)(b)

⁸ CALEA [5th Edition] 61.1.13

⁹ CALEA [5th Edition] 61.4.3(c)

**Tampa Police
Department
SERVICE TAG**

This tag is displayed to indicate to passing motorist, TPD Officers, and other law enforcement agencies that this vehicle is receiving service and does not require further reporting.

NOTICE

- This vehicle will be towed away if not removed from the Interstate or Expressway within 6 hours.
Authority: F.S.S 316.1945(1)(a)(11)

- This vehicle will be towed away if not removed within 72hours.
Authority: C.O. 19-56(e)

Date and Time: _____

Location: _____

Tag Number: _____

Yr. and Make of Vehicle: _____

Officer's Name and Badge #: _____

THIS IS NOT A TRAFFIC CITATION

TPD 313 5/08

380.1 ASSISTANCE TO MOTORISTS¹

- I. Purpose: This directive explains types of assistance officers will provide to motorists on the streets and highways within the City of Tampa.
- II. Discussion: Motorists on occasion need assistance of various types. Some might need directions to addresses, hospitals, buildings, or to roads and highways. Other motorists might be stranded for a variety of reasons, or their respective vehicles might be disabled to the extent that continued movement is impossible. Some disabled vehicles might be in hazardous locations or environments. On occasion, motorists need first aid or medical assistance. (Also see SOP 386 reference emergency and non-emergency escorts.)

It is the Department's objective to be of service to the public in a timely and courteous manner.

- III. Policy: Officers shall provide assistance to motorists as follows:
 - A. Respond to requests for information.
 - B. Assist, as practical, in obtaining medical and fire service assistance, or summon emergency medical transport service in a timely manner.
 - C. Provide first aid, obtain medical and fire service assistance, or summon emergency medical transport service in a timely manner.
 - D. Identify and report to the proper agencies via the Communications Bureau, or take appropriate action to rectify, roadway and roadside hazards that contribute to traffic accidents. Some of those hazards might be: debris or defects in the roadway; damaged traffic signs; inoperative traffic signals; or any other condition which might contribute to traffic accidents.²
 - E. Transport civilians, subject to taking precautionary measures, on an emergency basis to telephone booths, to the Tampa Police Department, or to obtain mechanical or emergency road service. Such transportation shall be provided to the nearest point where motorists can obtain needed assistance. In all cases, the officer shall exercise good judgment in providing service.

Supersedes SOP 380.1, dated 3/01.

¹ CALEA [5th Edition] 61.4.1

² CALEA [5th Edition] 61.4.2

380.2 NOTIFICATION OF PUBLIC SERVICE AGENCIES¹

- I. **PURPOSE**: This directive outlines the manner in which public service personnel will be notified of circumstances affecting their service delivery or equipment.
- II. **DISCUSSION**: The City depends on uninterrupted water, electric, and telephone service and on thoroughfares that are safe and unobstructed.
- III. **PROCEDURE**:
 - A. It is the responsibility of all personnel who become aware, either via complaint or personal observation, of any situation that might interfere with the delivery of any public service to immediately take steps to remedy the situation.
 - B. All personnel will immediately notify the police Communications Bureau of the nature of the situation, the exact location, the agency to notify, and the urgency of response. These situations shall include, but are not limited to: power lines or poles damaged; damaged or malfunctioning traffic control devices including railroad crossing devices; unsafe sidewalks or roads; and any other situation that might interrupt the electric, telephone, or water service or interfere with public transportation or safety.²
 - C. The Communications Bureau will immediately notify the proper agency, relaying the information from the on-scene unit and ascertaining an estimated time of arrival. The on-scene unit will be advised of the reply and will stand by if the situation warrants. If an officer is not on-scene, Communications personnel will initiate an event for law enforcement response and dispatch an officer to the location of any reported safety hazard which includes, but is not limited to, malfunctioning railroad devices, traffic lights completely out, power lines damaged, etc.³

Supersedes SOP 380.2, dated 1/99.

¹ CALEA [5th Edition] 41.2.4

² CALEA [5th Edition] 41.2.4; 61.3.1(a)

³ CALEA [5th Edition] 61.3.1(a); 61.4.2

381 **REVERSE 9-1-1**

- I. Purpose: The Reverse 9-1-1 Community Notification System is a valuable tool for the department to notify the community of *time critical messages*. The system is a computer-generated notification that interfaces with the G.I.S. mapping technology to send out hundreds of telephone calls to a specific area such as a street, grid, or any other size specific requested area.

- II. Discussion: Reverse 9-1-1 is a multi-telephone line notification system capable of sending recorded messages to a large area of the city. The system also provides bulletin board capabilities in which a message can be recorded by the appropriate authority and then accessed by the community.
 - A. Reverse 9-1-1 can be used for, but not limited to, the following:
 - 1. Providing urgent information pertaining to law enforcement issues regarding public safety, with the intent to protect lives and/or property of the citizens of the city of Tampa;
 - 2. Missing children and endangered adults;
 - 3. Evacuations and information of critical events (i.e., hurricanes, hazardous spills, etc.);
 - 4. Crime alerts to specific areas; and
 - 5. Other types of *time critical messages*.
 - B. The system will be maintained by the Communications Bureau.

- III. Procedures:
 - A. The use of the Reverse 9-1-1 system shall be coordinated through the Communications Bureau for all emergency situations, critical incidents, as well as non-emergency administrative messages.
 - B. The affected district/division shift commander shall determine the need for use of the Reverse 9-1-1 system and the geographic area to be covered in an emergency and non-emergency notification situations.
 - C. Non-emergency notifications can be broadcast between the hours of 0800 and 2000.
 - D. All out-going messages shall contain a call-in/contact information for the citizen to call if they have any questions.

- E. The Reverse 9-1-1 operations shall be the responsibility of the Communications manager, who will:
 - 1. Be responsible for the database maintenance;
 - 2. Provide an annual report detailing the system usage and listed activations; and
 - 3. Coordinate requests for non-emergency usage and the prioritization of messages.

- G. Cancellation of any Reverse 9-1-1 notifications shall be coordinated through Communications. It shall be the responsibility of the initiating authority to cancel the message.

Supersedes SOP 381, dated 7/01.

382 EMERGENCY MANAGEMENT¹

- I. PURPOSE: To establish policy and to provide related functions, responsibilities and procedures for an effective and coordinated response by the Tampa Police Department to any of a wide range of emergencies. These emergencies, as specifically defined elsewhere in this series of directives, are those incidents, which, because of their severity and magnitude, threaten the health, safety and welfare of citizens who live, visit, and/or work in the city of Tampa.

This series of standard operating procedures is intended to provide for a safe, practical and flexible direction of operations to: (1) minimize loss of life, injury and property damage; and (2) minimize any interruption of or interference with calls for service during emergencies.

- II. DISCUSSION: As the transportation center for Florida's Suncoast, Tampa is serviced by busy Tampa International Airport (TIA), Amtrak, and a heavily traveled, large scale interstate highway system. The Port of Tampa routinely imports and exports materials, which are, in many cases, hazardous. These materials are then transported by rail or highway through or near population centers.

While Tampa's climate and water are popular incentives for relocation and/or retirement, these very elements can suddenly and quickly become the source of emergencies. Recent emergencies and analyses have demonstrated and, placed emergency personnel on notice, that many sections of the city, including downtown Tampa, are highly vulnerable to storm surges and other damaging effects of hurricanes. Tornadoes also occasionally touch down in Hillsborough County as a result of frequent severe thunderstorm activity.

Local emergency readiness is the ability to conduct coordinated operations in emergency situations, maximizing the use of both, existing governmental assets and resources from non-governmental interests that have emergency management responsibilities and capabilities. Emphasis is placed upon the assembly and effective utilization of appropriate, trained personnel, facilities and equipment.

The Hillsborough County Emergency Operations Center (EOC), located at 2711 E. Hanna Avenue, serves as a valuable resource for the Tampa Police Department. It functions as a coordinating agency and an invaluable resource of unique skills and capabilities. The EOC has also developed a Hillsborough County PeaceTime Emergency Plan which contains information of interest to department managers and supervisors. In addition, the City of Tampa has their own Emergency Operations Center located at 711 E. Henderson Avenue at the GTE Federal Credit Union.

The detailed functions, duties and responsibilities of the emergency personnel to which this directive refers, are provided in this series of standard operating procedures and in specific annexes which have been distributed to such personnel. The department's plans

¹ CALEA [5th Edition] 2.1.3;12.1.2(c); 46.1.1;46.1.2; 46.1.3; 46.1.4;46.1.5; 46.1.8; 46.1.9; 46.2.1

and procedures shall be reviewed annually and updated as needed.² This will be the responsibility of the Emergency Management Coordinator of the Tampa Police Department or his/her designee.³ These plans will then be forwarded to the City of Tampa's Emergency Management Director.

III. DEFINITIONS:

- A. American Red Cross Shelter: A pre-designated structure operated by Red Cross personnel and/or persons who have completed Red Cross shelter manager training, that provides temporary shelter from the elements with limited feeding, lodging and, in a very few cases, special needs health care. The Tampa Police Department provides officers for security purposes within such shelters during the duration of the shelters' operations.
- B. Comprehensive Emergency Management (CEM): This concept, as adopted by the Federal Emergency Management Agency (FEMA), consists of the following:
1. Mitigation: Activities, which actually eliminate or reduce the likelihood of occurrence or effects of an emergency.
 2. Preparedness: Planning activities that address how to increase available resources for an effective response in the event of an emergency.
 3. Response: Activities that provide emergency assistance to victims and reduce the likelihood of secondary damage. Depending upon the nature and magnitude of an emergency, rapid mobilization and deployment of Tampa Police Department field forces may become essential to save lives, protect property, and maintain order. Explicit directives for such occasions are provided in this series, intra-division procedures, and annexes.
 4. Recovery: The final phase of emergency management which continues until all systems return to normal, or as near to normal as can reasonably be expected under the existing conditions.
- C. Disaster: Any natural, technological, or civil emergency that causes damage of sufficient severity and magnitude to result in the declaration of a state of emergency by a county, the Governor, or the President of the United States. Disasters are classified as follows:
1. Catastrophic Disaster: A disaster that will require massive state and federal assistance, including immediate military involvement.

² CALEA (5th Edition) 46.1.5

³ CALEA (5th Edition) 46.1.1

2. Major Disaster: A disaster that will likely exceed local capabilities and require a broad range of state and federal assistance.
 3. Minor Disaster: A disaster that is likely to be within the response capabilities of local government and to result in only a minimal need for state or federal assistance.
- D. Division Of Emergency Management: The State of Florida's Division of Emergency Management (DEM), located within the Florida Department of Community Affairs in Tallahassee, has been established by Chapter 252, Florida Statutes. The division's responsibilities include: coordination of emergency response procedures for Florida; distribution of funds from the Federal Emergency Management Agency as the pass-through agency for local governments such as Tampa; and the development and maintenance of comprehensive plans for mitigation, preparedness, response, and recovery activities.
- E. Emergency: Any occurrence, or threat thereof, whether natural, technological, or man-made, 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.
- F. Emergency Management: Specific emergency management responsibilities include, but are not limited to: (1) reduction of vulnerability of people and communities; (2) preparation for prompt and efficient response and recovery to protect lives and property affected by emergencies; (3) response to emergencies using all systems, plans, and resources necessary to adequately preserve the health, safety, and welfare of persons and protect property affected by the emergency; and (4) recovery from emergencies by providing for the rapid and orderly start of restoration and rehabilitation of persons and property affected by emergencies.
- G. Emergency Management Coordinator:⁴ The individual who is responsible for the development, implementation and coordination of the department's emergency management programs and activities. The coordinator or his or her designee also serves as the department's representative for the Tampa Police Department Emergency Support Function (ESF Law Enforcement) at both the Hillsborough County Emergency Operations Center and the City of Tampa Emergency Operation Center, during exercises and planned and unplanned events.
- H. Field Force Concept: Designed to provide rapid, organized and disciplined response to civil disorder, crowd control or other tactical situations. A Mass Incident Response Team (MIRT) is comprised of all ROC Officers and ROC Lieutenants and is led by one designated Captain. Additionally, the MIRT may be assisted by the Aviation Unit or other specialized units.

⁴ CALEA (5th Edition) 46.1.1

- I. Hazard: A dangerous event or circumstance that may potentially lead to an emergency or disaster.
- J. Man-Made Emergency: An emergency caused by an action against persons or society including, but not limited to, enemy attack, sabotage, terrorism, civil unrest, or other action impairing the orderly administration of government.
- K. Natural Emergency: An emergency caused by a natural event, including, but not limited to, a hurricane, storm, tornado, flood, draught or earthquake.
- L. Mutual Aid: Public safety requirements in an emergency/disaster may be so overwhelming as to be beyond the resources of the affected local agency and/or surrounding jurisdictions.

The Mutual Aid Plan, which is authorized pursuant to Chapter 23, Florida Statutes, and administered by the Florida Department of Law Enforcement, reflects the goal that during times of emergencies and disasters, law enforcement and civilian resources shall be utilized as teams to more effectively identify and focus upon emergency and disaster-related problems.⁵

- M. Technological Emergency: An emergency caused by a technological failure or accident including, but not limited to, an explosion, transportation accident, radiological accident, or chemical or other hazardous material incident.

IV. RESPONSIBILITY FOR SERVICES AND RESOURCES:

- A. City Of Tampa: Plans, organizes, and directs all law enforcement activities during any emergency occurring within the City limits, including any assistance requested from other agencies as provided in mutual aid agreements.
- B. Florida Department Of Community Affairs, Division of Emergency Management (DEM): Maintains the State of Florida PEACETIME EMERGENCY PLAN. In a civil disturbance, the DEM has exclusive responsibility for the coordination of NON-LAW ENFORCEMENT RESOURCES.
- C. Florida Department Of Law Enforcement (FDLE): Coordinates state law enforcement resources in a civil disturbance (Chapter 23, F.S.). In cooperation with the DEM, FDLE shall assure the coordination of law enforcement functions with other emergency actions.
- D. Hillsborough County Emergency Planning and Operations: Located at the Emergency Operations Center, 2711 E. Hanna Avenue, it is responsible for the coordination of local services and NON-LAW ENFORCEMENT RESOURCES. It also maintains a liaison, during an emergency, with the Florida DEM, in accordance with § 252.38, Florida Statutes.

⁵ CALEA [5th Edition]2.1.3

- E. Federal Emergency Management Agency (FEMA): The federal agency which coordinates with state and local governments as well as the private sector to enhance participation in civil emergency preparedness, mitigation, response, and recovery programs. It is the federal agency to which disaster assistance and reimbursement requests are made.

V. COMMAND CENTERS:

- A. City of Tampa Emergency Operations Center (EOC): Located within the GTE Federal Credit Union at 711 E. Henderson Avenue, will be the location for the Mayor and his or her staff to direct and monitor the activities of all city departments during an emergency as well as the Tampa Police Department's Chief, Assistant Chiefs, Emergency Management Coordinator, Legal Advisor and all required support personnel.
- B. Field Command Post: May be either fixed or mobile as determined by the field commanders, near the location of an emergency. Department field command posts shall be activated to provide on-site control, coordination and communications capabilities.
- C. Hillsborough County Emergency Operations Center (EOC): Located at 2711 E. Hanna Avenue, the county EOC coordinates the response and recovery activities among the affected departments during an emergency/disaster of a multi-jurisdictional nature, such as a hurricane or tornado.

VI. DETERMINATION OF AN EMERGENCY:

- A. When an officer becomes aware of an emergency, he will immediately request the Communications Bureau to dispatch the nearest supervisor to the scene.
- B. The nearest supervisor will respond to the scene immediately, evaluate the situation, and initiate such action as is necessary to restore order or prevent the situation from increasing in size or intensity.
- C. If order cannot be immediately restored, or it becomes apparent that the situation might escalate in size or intensity, the supervisor will request the Communications Bureau to notify the affected shift commander and the Department Emergency Management Coordinator of the situation and to dispatch the senior field supervisor to the scene. The affected shift commander will then notify the division commander that an emergency exists.

VII. OPERATIONAL PHASES:

- A. Phase I: Any emergency, which curtails immediate response to calls for service, and requires the utilization of personnel from all districts situational control.

Phase I is initiated by the shift commander of the affected district.

- B. Phase II: Any emergency which curtails immediate response to calls for service and requires all on-duty personnel, with the exception of those necessary to handle priority calls for service, to respond to the scene.

Phase II is initiated by an assistant chief or higher authority. The Police Department Emergency Operations Center may be activated.

- C. Phase III: Any emergency which prevents response to calls for service, cannot be controlled by all on-duty personnel, requires the recall of off-duty personnel, and causes the activation of Alpha/Bravo shifts. The sheriff's office will be requested to handle priority calls for service outside the emergency area.

Phase III is initiated by an assistant chief or higher authority. The Police Department Emergency Operations Center will be activated. All staff officers will assume their emergency management assignments.

- D. Phase IV: Any emergency beyond the control of the City of Tampa. The Governor may be requested to assume direct operational control of the emergency and initiate any requests for federal assistance.

Phase IV is initiated by the Chief of Police.

VIII. INITIAL EMERGENCY MANAGEMENT RESPONSIBILITIES: If an emergency cannot be controlled by a single-district's personnel, the affected shift commander will notify the affected division commander and the assistant chief of patrol operations or higher authority of the existing emergency. Phases, as described in VII above, will then commence until such time as a member of the department general staff arrives at headquarters to assume command.

- A. Shift commander, affected district: Whenever it is determined that an emergency exists which poses a threat to the health, safety and welfare of people within the city of Tampa, and order cannot immediately be restored, the affected shift commander shall initially notify the division commander of the situation. The shift commander shall ensure that the chief of police, members of the general staff and the Emergency Management Coordinator are notified of existing conditions. The shift commander of the affected district will:
 - 1. Direct all administrative and support functions within the problem area until such time as relieved by the assigned Emergency Operations Commander (EOC).
 - 2. Notify the Communications Bureau supervisor and the unaffected district shift commander of the operational phase.

3. Assign an officer as an administrative aide. The aide will establish and maintain an incident log. The incident log will reflect a chronological sequence of events and will include:
 - a. The time at which the emergency was discovered;
 - b. The time at which the need for emergency operations was recognized;
 - c. The time at which the Communications Bureau supervisor was notified;
 - d. The type action being taken to restore order or to prevent the situation from increasing in size or intensity;
 - e. All rumors that have come to the attention of the shift commander; and
 - f. Any other relevant information which might be of assistance in preparing an After-Action Report.
4. Confirm that the Communications Bureau supervisor has made the required notifications.
5. When conditions permit, and subsequent to the required notifications, the shift commander shall deploy the appropriate available personnel and equipment in as rapid a manner as possible during the initial stages of the event, in order to prevent escalation of the incident or aggravation of the circumstances. If the incident is of such severity and magnitude that available personnel and equipment are ineffective, it will then be necessary to gather additional field intelligence to include:
 - a. Nature of the incident (fire, flood, civil disorder, barricaded persons, or other);
 - b. Type and size of the incident (any other relevant characteristics);
 - c. Location of the incident and the type of area and property involved;
 - d. Potential effect of the incident on persons or property (danger from noxious substances or fire, looting or destruction of property);
 - e. Existence of unusual circumstances;

- f. Need for evacuation;
- g. Anti looting measures;
- h. Need for outside or traffic perimeter;
- i. Need for inside perimeter;
- j. Personnel needs (search and rescue, specialty teams, or others);
- k. Command post location;
- l. Routes for emergency equipment and personnel;
- m. Facility and supply requirements; and
- n. Number of injured or deceased.

B. The senior field supervisor of the affected district shall:

- 1. Direct all field operations within the problem area until such time as relieved by the assigned operations officer;
- 2. Establish a perimeter around the problem area designed to assure that innocent persons are prevented from entering the area;
- 3. Assign personnel in such a manner so as to provide maximum protection of such vital installations as gun shops, petroleum storage facilities, and public utility companies located within the problem area;
- 4. Assign an officer as an administrative aide. The aide will establish and maintain a personnel and equipment log which will list the location of all personnel and equipment utilized within the problem area; and
- 5. Establish a Field Command Post as necessary to provide on-site control, coordination, and communication. This post should follow the required Incident Command Structure (ICS). Field Command Posts should:
 - a. Be located near the problem area; but safely away from all hazards;
 - b. Have adequate space for assembly of personnel, vehicles and equipment;
 - c. Have restroom facilities nearby; and

- d. Ensure telephone availability.
6. If a Field Command Post is established, assign an officer to staff the means of communication (telephone or radio) and to establish and maintain an activity log. The log shall detail a chronological account of command post activity to assist in the formulation of the After-Action Report.
- C. Shift commander, unaffected district:
1. Assume and coordinate command responsibility for the operation of all districts outside the problem area; and
 2. Establish security for affected police facilities and mobile fleets.
- D. Senior field supervisors, unaffected district: A senior field supervisor of the unaffected district will assume field command responsibility for the districts outside the problem area.
- E. Communications Bureau supervisor: The Communications Bureau supervisor will be responsible for notifying the following individuals and agencies:
1. All department general staff members (all ranks of major and above) and department Emergency Management Coordinator;
 2. All hospitals located within Hillsborough County;
 3. Emergency Medical Services;
 4. City of Tampa Fire Department;
 5. Sheriff of Hillsborough County;
 6. Florida Department of Law Enforcement (Mutual Aid Plan);
 7. Local office of the Florida Highway Patrol;
 8. Hillsborough County Emergency Operations Center; and
 9. Tampa Electric Company, Verizon Telephone Company, People's Gas Company, and other public utilities as directed by the Incident Commander of the affected district or the Emergency Operations Commander.
- F. Legal Advisor:

1. Serve as liaison between the department and the S.A.O. reference arrest and prosecutorial issues; and
2. Provide legal advice to management and field commanders.

IX. FIELD COMMAND POST: When a field command post is required, the following factors should be considered in selecting a site location:

- A. Strategic location; safe from all hazards.
- B. Accessibility to responding personnel;
- C. Sufficient space for staging purposes;
- D. Communications capabilities (telephones, radios, television, microwave);
- E. Exterior lighting; and
- F. Restroom facilities.

X. STAGING AREAS: When staging areas are required, the following factors should be considered:

- A. Location (i.e., Raymond James Stadium, Adventure Island);
- B. Routes of ingress/egress;
- C. Open-air facility, closed warehouse or other public building;
- D. Area size;
- E. Fencing;
- F. Night illumination;
- G. Telephone and radio communications;
- H. Vehicle storage space;
- I. Helicopter landing capability;
- J. Location of entrances and exits;
- K. On-site fueling capability;
- L. Equipment storage capability; and

M. Access to media.

XI. OPERATIONAL PHASE III EMERGENCY MANAGEMENT ASSIGNMENTS:

A. Managers and supervisors assigned specific emergency management responsibilities will also have the responsibility to develop plans that include the number of personnel, and the type and amount of equipment required to accomplish the assignment. All approved plans will become annexes to this directive.

B. Upon designation of a Phase III emergency, the following assignments will be in effect:

1. The Major of the Special Support Division will serve as the City of Tampa Emergency Operations Commander (EOC), and will direct all administrative and support functions. He/she will serve as the liaison with the Department Emergency Management Coordinator between the Hillsborough County Emergency Operations Center and the Tampa Police Department. The Emergency Management Coordinator and or his/her designee will assume his/her duties at the City of Emergency Operations Center (EOC).

2. If the Major of the Special Support Division is not available then the Captain of the Special Operations Bureau will take command of the City of Tampa Emergency Operations Center (EOC).

3. The assistant chief of operations or his/her designee will serve as the operations officer and direct all field operations. He/she will appoint a field commander to serve as an assistant operations officer. The assistant operations officer will serve as the operations officer during any absence of the assistant chief of operations or investigations and support.

4. The Special Support Division commander will be responsible for:

a. Establishing and staffing a personnel and equipment staging area;

b. Maintaining personnel records, which show proficiency in the use of weapons and special skills;

c. Coordinating meals with department Majors after the event has completed its first 72 hours;

d. Providing other personnel services such as emergency leave and religious services, among others;

- e. Organizing and staffing the County and City Emergency Operations Center;
 - f. Coordinating back up communications systems;
 - g. Establishing temporary morgues and maintaining liaison with the Hillsborough County Medical Examiner;
 - h. Coordinating teams of crime scene technicians to assist in the identification of deceased persons and mass arrestees;
 - i. Distributing stocked inventory; and
 - j. Coordinating security at all department facilities.
5. The Criminal Investigations Division commander will be responsible for the investigation of all homicides and other priority investigations.
6. The District commanders and the Criminal Investigations Division commander will serve as field commanders. Field commanders, in concert with the assistant chief of operations or investigations and support, will be responsible for:
- a. Directing field forces;
 - b. Utilization of specialty teams/units;
 - c. Utilization of chemical weapons;
 - d. Protection of vital installations;
 - e. Protection of the personal property of casualty victims; and
 - f. Determination of field tactics and strategy.
7. The Assistant Chief of Investigations and Support will be responsible for the coordination of:
- a. Emergency requisition of required supplies and equipment;
 - b. Assignment of vehicles and equipment to the staging area;
 - c. Maintenance of records of vehicle and equipment assignment;
 - d. Arrangement for vehicle and equipment repair; and

- e. Arrangement for the fueling of vehicles.
 - f. Coordinating the utilization of Reverse 911 communications with the Commander of the Communications Bureau.
8. The Criminal Intelligence Bureau commander will be responsible for:
- a. Identifying dissident groups and their leaders;
 - b. Determining the activity of dissident groups; and
 - c. Issuing timely intelligence summaries.
9. The Public Information Safety Coordinator, in conjunction with the chief of police and the mayor's public relations personnel, will be responsible for issuing press releases, rumor control, and utilization of Reverse 911 communications.

XII. MOBILIZATION OF FIELD FORCES:

- A. Upon designation of a Phase III emergency, any officers who have not been assigned specific emergency management responsibilities will be instructed to report to a pre-designated staging area at specified times.
- B. Law enforcement personnel from agencies other than the Tampa Police Department who report for assignment will be utilized in accordance with specific mutual aid agreements. Unless otherwise restricted by such an agreement, personnel who report in squad strength may be allowed to maintain their agency integrity. Personnel who report in less than squad strength may be integrated into a Tampa Police Department squad.
- C. The designated staging officer will organize all reporting officers into squads and platoons, without regard to existing organizational structure or assignment.
 - 1. Squads:
 - a. Sergeants, corporals, and detectives may be assigned as squad leaders and assistant squad leaders. Total strength of a squad will be 8 officers.
 - b. Squads will be numerically identified, i.e., the first squad assigned the number 1, the second squad assigned the number 2.
 - c. Individual members of a squad will be numerically identified, i.e., the squad leader assigned as unit number 1, the assistant squad leader assigned as unit number 2.

- d. Squads will be assigned at least four portable radios, two shotguns, and if an assignment is mobile, three vehicles.
- e. Individual members of a squad may, depending upon the nature of the emergency, be assigned such equipment as a helmet, face shield, baton, gas mask, and a plastic body shield.
- f. Radio communications with a squad will be established by stating the squad number and the unit number. For example, "squad 1 unit 1" will identify the squad leader of squad 1.

2. Platoons:

- a. A platoon shall be comprised of three to six Field Force Squads, a team of crime scene technicians, a platoon leader, an assistant platoon leader and an administrative aide.
- b. Captains and lieutenants will be assigned as platoon leaders and assistant platoon leaders, respectively.
- c. An administrative aide will be responsible for establishing platoon personnel and equipment inventory log, an activity log, which will contain a chronological account of platoon activity, and any other information to assist in the formulation of an After-Action Report.
- d. Platoons will be alphabetically identified, with the second platoon formed assigned the letter "B," for example.
- e. Radio Communications with a platoon will be established by stating the platoon letter and the name and rank of the transmitter. For example, "Platoon 'A' Captain Brown" will identify the platoon leader of platoon "A."
- f. Each platoon will be assigned one wagon or van for prisoner transportation.
- g. Platoon leaders will issue chemical agents to squad leaders as directed by the operations officer.

XIII. DEPLOYMENT OF FIELD FORCES:

- A. Platoon leaders will report to a designated field commander for assignment.
- B. All field forces will use an assigned radio frequency, subject to the following:

1. Radio transmissions will be kept to a minimum; and
 2. Radio transmissions will be made by commanders and supervisory personnel only, unless emergency circumstances dictate otherwise.
- C. Missions will be accomplished by squads or platoons, as opposed to individual assignments, when possible.
- D. Forces should be committed to a mission only when there is reasonable confidence that the mission can be successfully accomplished.

XIV. TRAINING:

- A. Managers and supervisors assigned specific emergency management responsibilities will be trained annually.⁶
- B. Managers and supervisors assigned specific emergency management responsibilities will annually review, with subordinate personnel, procedures necessary for the accomplishment of the assignment.
- C. Personnel not assigned specific emergency management responsibilities will be trained periodically in field force tactics and strategy.
- D. Equipment utilized for emergency management situations will be inspected quarterly for operational readiness.⁷

Supersedes SOP 382, dated 5/10.

⁶ CALEA [5th Edition] 46.1.9

⁷ CALEA [5th Edition] 46.1.8

382.1 HURRICANE PLAN¹

- I. PURPOSE: To establish a plan and related procedures for law enforcement operations during the threat of, or actual landfall of a hurricane. These functions include, but are not limited to: warning vulnerable residents (i.e., shore areas, mobile homes, public housing); evacuating residents from the disaster area when ordered, including forcible evacuation if necessary and when so authorized by order of the Governor; cordoning impacted areas to prevent unauthorized entry; protecting public and private property within the affected areas; and conducting traffic control to facilitate a safe and effective resident evacuation and the movement of emergency vehicles both before and after the storm.

- II. DISCUSSION: Based upon its geographic location in the subtropics, and its proximity to the Gulf of Mexico, the City of Tampa is highly vulnerable to damage caused by hurricane-force winds and related flooding. Storm surge presents the greatest threat to areas situated near the water. However, the massive destruction of Hurricane Andrew and Hurricane Katrina has focused additional attention on wind velocities, their impact on mobile homes and the impact of the waters around the City of Tampa. Consequently, evacuation plans must address the coastal storm surge threat as well as the probable devastation to mobile homes located well inland.

- III. TERMINOLOGY:
 - A. Advisories, Watches and Warnings:
 1. Advisory: A statement issued by the National Hurricane Center in Coral Gables, concerning the status of tropical storms and hurricanes.
 2. Bulletin: A public release from the National Hurricane Center during periods between advisories, announcing the latest details.
 3. Gale Warning: A warning for winds expected to occur within the range of **39 – 54** miles per hour. Gale warnings may precede or accompany a hurricane watch.
 4. Tropical Storm Warning: A warning for winds expected to occur within the range of **39 – 73** miles per hour. Tropical storm warnings may precede or actually accompany a hurricane watch.
 5. Hurricane Watch: **THIS IS NOT TO BE CONFUSED WITH A HURRICANE WARNING**. Rather, it is a statement by the National Hurricane Center that a hurricane is near and that attention should be given to subsequent advisories. It also implies the possibility of dangerous conditions within 24 to 48 hours. Precautionary action should be taken in the event that hurricane warnings are forthcoming.

¹ CALEA [5th Edition] 12.1.2(c); 46.1.1; 46.1.2; 46.1.4

6. Hurricane Warning: A statement by the National Hurricane Center that hurricane-force winds in excess of 73 miles per hour or a combination of dangerously high water and rough seas are expected in a specified coastal area. When a hurricane warning is issued, hurricane conditions are considered imminent and may begin within the next 24 hours.

B. Hurricane Hazards:

1. Storm Surge: This phenomenon is without question the most dangerous of the three hurricane hazards, historically causing nine out of ten hurricane-related deaths. Storm surge is defined as that great dome of water, which are many feet above normal that crosses the coastline near the location at which the “eye” of the hurricane makes landfall. As a result of the shallow water and the gradual slope of the Gulf of Mexico floor which exists off of the central west coast of Florida, the Tampa Bay region is extremely vulnerable and will likely be subject to higher surges. Storm surge is no longer associated with wind speeds but attributed to a variety of storm and geographic factors.
2. High Winds: This hazard applies to residents of structures that cannot withstand the stress of hurricane-force winds. For example, the National Weather Service recommends that mobile homes, based upon their construction characteristics, be evacuated when threatened by a hurricane. High winds will also impact the timing of evacuation orders since they can be expected to affect the coastal areas several hours prior to the arrival of the hurricane’s eye.
3. Rainfall: Since the structure of each hurricane is unique, there is no accurate means of determining the rate and distribution of the six to twelve inches of rain that generally accompany these storms. The catastrophic Hurricane Andrew, for example, was comparatively speaking, a “dry” storm (due in large measure to its quicker than normal forward speed). Most areas received less than five inches of rain.

While rainfall in itself may not require the emergency evacuation of large numbers of residents, as would storm surge, it may hamper traffic or sever evacuation routes, thereby adding critical hours to the overall evacuation time.

C. Hurricane Categories – Saffir/Simpson Scale:

This classification system is used by the National Hurricane Center to provide an ongoing assessment of the potential wind and storm surge damage. Storm surge is determined by the utilization of SLOSH (Sea, Lake, and Overland Surges from Hurricanes) models.

1. Category 1: Winds of **74 – 95** miles per hour, damaging primarily shrubbery, trees, foliage and unanchored mobile homes.
2. Category 2: Winds of **96 – 110** miles per hour, damaging shrubbery and tree foliage as well as downing some trees. Major damage to exposed mobile homes and extensive damage to poorly constructed signs can be expected.
3. Category 3: Winds of **111 – 130** miles per hour causing uprooted/downed large trees; downed signs; and the destruction of mobile homes.
4. Category 4: Winds of **131 – 155** miles per hour causing downed shrubs, trees, and all signs with extensive damage to roofing materials, windows and doors.
5. Category 5: Winds **greater than 155** miles per hour, causing severe and extensive damage to windows and doors with some complete building failures. Small buildings can be overturned or blown away.

IV. PROCEDURES: Tampa Police Department personnel shall, in a safe and timely manner, activate any required operations in accordance with the hurricane annexes for which they have been assigned responsibility. The hurricane annexes have been assigned as follows:

A. Alternate Emergency Operations Center for the Tampa Police Department:

Assignment: Special Support Division Commander:

In a category 3 or greater hurricane, the police headquarters building, by virtue of its location and elevation, is vulnerable to flooding. This threat may necessitate the relocation of the City of Tampa Police Department functions to their designated COOP locations. This information is archived by the City of Tampa Police Departments Emergency Operation Coordinator and with the City of Tampa Emergency Management Division of Tampa Fire. The Emergency Operations Center (EOC) for the City of Tampa will be located at the General Telephone Employee (GTE), facility located at 711 E. Henderson Boulevard. This facility and communications capability will serve the operational needs of the Department.

B. Door-to-Door Notification Teams (Evacuation):

Assignment: Criminal Investigations Division Commander (Evacuations Group Supervisor): Once a decision has been made concerning an evacuation, the units assigned to the Tier 2 and Tier 3 Evacuations Group will assume two primary PRE-STORM responsibilities: (1) “door-to-door” or “neighborhood” notifications of residents of evacuation zones; and (2) relocation of detectives’ vehicles from

police headquarters to a non-flood zone site. For additional personnel, each Patrol District will provide officers/detectives for the evacuation process.

- C. Duration of Shifts: The duration of work shifts during declared emergencies will generally be twelve hours (Alpha/Bravo shifts), unless otherwise stipulated by the Chief of Police.

- D. Emergency Operations Coordinator:

Assignment: Special Support Division Commander: The Major of the Special Support Division or his/her designee will coordinate department operations with other area agencies at the Hillsborough County and the City of Tampa Emergency Operations Center (EOC).

- E. Emergency Ordinances and Agreements:

Assignment: Assistant City Attorney (Liaison with TPD): The liaison assistant attorney shall be responsible for providing legal counsel on existing emergency laws and ordinances, and drafting new emergency ordinances as needed.

- F. Employee Assistance Teams:

Assignment: Captain of the Special Operations Bureau: Under this concept, those available Department employees not having specific emergency management duties may be utilized to assist employees and/or the immediate families of employees with evacuations or special needs. The Employee Assistance Teams shall focus upon safe shelter for employees' families; transportation assistance; assistance with delivery of basic food and medical supplies; and establishment of a communications link between employees and their families.

- G. Evacuation of Police Headquarters:

Assignment: Chief of Police: The decision to order an evacuation of police headquarters shall be made by the Chief of Police or, in his/her absence, the Acting Chief of Police. The decision to re-enter the facility after a major hurricane shall also be made by the Chief or Acting Chief of Police.

- H. Law Enforcement Volunteers:

Assignment: Captain of the Support Services Bureau: The Support Services Bureau Captain or his/her designee shall have the following emergency management responsibilities: coordinate incoming law enforcement volunteers with the City of Tampa Volunteer Coordinator (Deputy Director of Recreation); ensure the swearing in of volunteer officers from other jurisdictions; provide an orientation which addresses high liability issues (i.e., deadly force, arrest

procedures); provide volunteer officers with copies of the TPD Manual of Regulations; and pre-plan for placement of law enforcement volunteers (i.e., areas least affected by storm).

I. Media Coordination:

Assignment: TPD Public Information Safety Coordinator: The media can provide valuable assistance by broadcasting evacuation statements, evacuation routes, shelter locations and weather information.

J. Pre-Supply Planning/Record Keeping:

Assignment: The City of Tampa Emergency Management Manger will be the Liaison for purchasing food and supplies. The City of Tampa has in place a bid process for the procurement of many necessary items such as food and other supplies.

Documentation: It is imperative for the Federal Emergency Management Agency (FEMA), that all personnel keep precise records as ordered by the Tampa Police Department Emergency Coordinator. This should include exact hours worked, vehicles used (vehicle number, odometer information), assigned locations, purpose of the assignment, and any other information ordered to be documented. It is incumbent upon each manager and supervisor to record the necessary information and ensure that this information is provided to the Special Support Division as soon as possible.

K. Recall Orders:

Assignment: TPD Emergency Operations Coordinator: In general terms, a major disaster or the threat of an imminent major disaster will dictate a **TOTAL RECALL** for retained/recalled as determined by the needs for service.

In the event of a pending or actual hurricane, all personnel regardless of their location must contact the Department for instructions. Each division should maintain an emergency mobilization log of all personnel and update that log each time there are personnel changes. The log should contain all pertinent information needed to contact the employee or officer in event of a recall. In addition, each employee is required to complete the "Know Your Role" annual report when instructed by the City of Tampa Employee Relations Bureau.

L. Re-entry and Security Control:

Assignment: District I Division Commander: Officers assigned to Patrol Districts I, II and III will be the primary sources of manpower for this operation. The operation may be augmented with manpower from other divisions and sources. Manpower supplied by such sources, as the National Guard, Community

Emergency Response Team
(http://www.tampagov.net/DEPT_greater_tampa_community_emergency_response_team/ or law enforcement volunteers from other jurisdictions will, in most cases, be paired with TPD personnel. Officers assigned to re-entry and security control will be provided with re-entry passes for issuance to authorized persons.

M. Search and Rescue Teams:

Assignment: Criminal Investigations Division Commander:

1. Rescue: The Tactical Search and Rescue Teams will be the first responders into a devastated area. Tactical Response Team members will make up part of twelve divisions of rescue personnel, two TRT members to each division. The TPD rescue personnel will be part of the twelve rescue divisions comprised of personnel from Tampa Fire Rescue, Tampa Public Works, and Tampa Electric. The Tactical Search and Rescue Team members will be housed in the twelve division firehouses and respond to calls for service as a task force under Tampa Fire Rescue.

The twelve TRT teams will respond to those locations where there had been requests for emergency help during the storm and will make a sweep through the designated area to detect distressed victims. Area Fire Chiefs will determine the priority of calls within their designated areas.

2. Expanded Search And Rescue: Following the immediate response and entry by the Tactical Search and Rescue Teams, an expanded search is required to: (1) discover live or deceased victims possibly trapped in rubble and debris; (2) secure and subsequently store valuables until ownership is established; and (3) identify hazards in need of immediate repair.

Six command post sites have been identified throughout the City from which expanded search and rescue activities will be carried out.

N. Security and Storage of Police Vehicles, Equipment and Other Department Property:

Assignment: All Division Commanders.

O. Security for Red Cross Shelters:

Assignment: School Resource Supervisor: Designated Red Cross Shelters shall be manned by School Resource Officers to provide on-site security on a 24-hour basis (a minimum of one officer per 12-hour shift at each site).

P. Shuttle Procedures:

Assignment: One Captain, from each Patrol District: Upon recall, personnel will be advised of the available parking options for personal vehicles as well as shuttle arrangements.

Q. Traffic Evacuation Posts:

Assignments: District II Division Commander: Traffic posts are established at major arterial intersections and routes, which are anticipated to have the greatest volume of evacuating traffic. Officers should generally be ordered to terminate traffic post assignments and instructed to respond to a pre-designated shelter once winds reach gale force speeds.

R. Security for Relief Distribution Sites:

Assignment: Special Support Division Commander: Following a major hurricane, essentials such as food, water, and ice are generally in very limited supply. In order to provide the community with these essentials, relief distribution sites will be established throughout the City.

Security and crowd control measures must be implemented to insure that these operations are conducted in a safe and orderly manner. A minimum of two officers will be assigned to each relief distribution site during hours of operation.

V. HURRICANE WATCH CHECKLIST:

- Place off-duty personnel on alert;
- Establish 24-hour shift coverage;
- Allow on-duty personnel to secure homes and families as operating strengths permit;
- Activate and test emergency communications systems;
- Fill fuel tanks of all departmental vehicles;
- Check inventory of emergency supplies to include food, water, traffic signs, and barricades, among others;
- Maintain fuel for emergency generators;
- Ensure bad weather gear is available and operable (rain gear, flashlights);
- Maintain supply of automotive parts, e.g., batteries, tires, and headlights;

- Secure all vehicles not in use and physical facilities to minimize damage;
- Establish liaison with other governmental and supporting agencies through representative at the Local Emergency Operation Center; and
- Assign security personnel pending opening of shelters.

VI. HURRICANE WARNING CHECKLIST:

- Activate off-duty personnel as required;
- Assign units to pre-designated evacuation routes to ensure smooth traffic flow;
- Utilize police vehicles with public address units to announce that evacuation is recommended;
- Provide security at established shelters;
- Ensure controlled ingress/egress routes for emergency vehicles;
- Assist in rescue missions as required; and
- Stay alert to advisories from the National Weather Service, and inform all personnel.

General Considerations for Post-Hurricane Operations:

- Begin gathering data for after-action reports;
- Initiate damage assessments of departmental property/personnel;
- Determine if additional evacuation assistance is required;
- Establish secure routes for return of evacuees;
- Relieve on-duty personnel as conditions permit to check on their families and residences; and
- Based on announcements from the National Weather Service, permit employees to return to work.

Supersedes SOP 382.1, dated 10/02.

382.2 AIRCRAFT CRASHES, FIRES, HAZARDOUS MATERIALS AND OTHER EMERGENCIES¹

- I. **PURPOSE:** To establish procedures for the coordination of police, fire, and other department and agency's operations at the scene of an aircraft crash, fire, hazardous materials incident or other emergencies that require the combined efforts of these departments.

- II. **DISCUSSION:** A known actual or threatening emergency that could result in injury or harm to the population, or substantial property damage, requires an emergency services response. This is usually accomplished through evacuation and/or the neutralization of the hazard. If, however, an occurrence has already caused injury or harm, rescue and emergency medical operations must be conducted as rapidly and effectively as possible under existing conditions to save lives and minimize property damage.

As first responders to the emergency scene, it is essential that members of both the Police and Fire Departments understand their responsibilities. When responsibilities overlap, there clearly must be cooperative interaction between commanders, supervisors and employees of both departments to ensure that the mission will be successfully accomplished in the safest, most effective and efficient manner.

III. **DEFINITIONS:**

- A. **Incident Command System (ICS):** The Incident Command System (ICS) is a management structure and a system utilized by the Tampa Fire Department for conducting on- site operations.

- B. **Inner Perimeter:** That area surrounding a hazard in which emergency services personnel must work in order to neutralize the hazard and/or perform rescue operations. Entry into such areas is rigidly controlled at designated entry access points. Individuals shall have proper protective equipment and assigned responsibilities to be allowed entry.

- C. **Operating Conditions (OPCON):** The Tampa Fire Department has established five operating conditions (OPCON) which trigger specific actions by the Fire Department's personnel. This terminology is roughly equivalent to the "emergency operation phases" of the Tampa Police Department. OPCON requirements vary with the type and severity of an incident.

- D. **Outer Perimeter:** That extended area surrounding the inner perimeter in which a lesser degree of risk exists. Normally, all non-emergency service personnel will be evacuated from the outer perimeter. The size of the area

¹ CALEA (5th Edition) 46.1.2; 46.1.4

will depend upon the nature and extent of the hazard and shall be determined by the department responsible for the operation. Outer perimeter boundaries will be enforced by the Police Department.

IV. DEPARTMENTAL RESPONSIBILITIES:

A. Tampa Fire Department: The Tampa Fire Department has primary responsibility for providing the following emergency services at all City of Tampa locations other than Mac Dill A.F.B.:

1. Fire control;
2. Rescue operations;
3. Neutralization of hazards resulting from HAZMAT incidents other than bombs or suspected explosives;
4. Investigation of reports of developing sinkholes; and
5. Provision of medical services, including the arrangement for medical treatment and the transportation of persons who have been injured as the result of a mass disaster.

B. Hillsborough County Aviation Authority Police: The Aviation Authority Police have the primary responsibility for providing the following emergency services at Tampa International Airport:

1. Crowd management;
2. Traffic control;
3. Coordinated evacuation of persons from threatened areas;
4. Protection of Fire Department personnel and equipment;
5. Security for damaged property until such time as the property can be released to the owner/agent; and
6. Assistance to the medical examiner in both, the identification of deceased persons and the establishment of temporary morgues.

C. The Tampa Police Department: The Police Department will have primary responsibility at crime scenes and crashes, which do not involve rescue operations. If an aircraft crash occurs at the Tampa International Airport, the Tampa Police Department shall, upon request of the Aviation Authority Police, respond to a staging area as designated by the Aviation Authority. The Tampa Police Department shall, upon request, provide crowd and traffic control services.

V. PROCEDURES:

A. General:

1. Decisions concerning perimeter lines and/or evacuations shall be made by the department having primary responsibility for that operation. For example, the Fire Department will make such decisions at fire scenes and those crashes, which require rescue operations.
2. When both fire and police command posts are established, they should be located at the same location or in close proximity to each other.
3. Affected police department division commanders shall require the preparation of an after-action report subsequent to the occurrence of any incident where events, responses, and results reporting would provide future training, procedural revision, and/or operational knowledge and benefit. The after-action report shall, at a minimum, include:
 - a. The time and location of the occurrence;
 - b. Conditions observed at the time of police department arrival;
 - c. The number of police department personnel assigned;
 - d. An accounting of man-hours dedicated to the incident, including overtime;
 - e. The type and amount of police department emergency equipment utilized;
 - f. Police Department action;
 - g. Assistance provided by other law enforcement agencies; and
 - h. Any other information which might be useful for the evaluation of police department performance.

B. Aircraft Crashes:

1. Initial Response:

- a. The Tampa Fire Department will be notified of all aircraft emergencies by Tampa International Airport and/or Peter O. Knight Airport personnel.
- b. The Tampa Fire Department will be responsible for securing the services of all emergency equipment and personnel necessary to cope with the incident. This responsibility includes notifying the Police Department.
- c. Upon notification of an aircraft crash that might involve fatalities and/or substantial property damage a senior field commander and as many field units as are immediately available will be assigned to respond to the scene. If it is determined, based upon available facts, that the crash is minor, a field supervisor and a number of field units consistent with the available information will be assigned.
- d. Upon arrival at the scene, the field commander or supervisor will evaluate the situation and assign field units to traffic control and crowd management tasks as necessary. He will then assign a field unit to the investigation and inform the affected shift commander of the situation.
- e. The field commander will assign an administrative assistant and ensure accountability of personnel by noting names, time of arrival, location, and type of assignment, etc.
- f. Command posts and media staging areas will be established as necessary in appropriate locations.
- g. Depending upon the severity of the crash, the shift commander will notify the affected division commander and the public information officer of the situation.
- h. The Reverse 911 Community Notification System may be utilized depending upon the severity of the crash and potential hazards to the community.
- i. The shift commander and/or division commander will respond and assume command of police operations at the scene of all major aircraft crashes.

2. Operational Responsibility:

- a. The investigation of civilian aircraft crashes and the gathering of personal property and instrumentalities of the crash are the responsibilities of the National Transportation Safety Board (NTSB).
 - b. Investigations of any aircraft crashes occurring outside of TIA property will be the responsibility of the NTSB; however, the Tampa Police Department will be responsible for preservation of the scene as well as traffic and crowd control.
 - c. In fatality commercial airline crashes, the airline has sole responsibility for releasing names and notifying the next-of-kin.
 - d. The investigation of aircraft crashes involving military aircraft of the United States or foreign countries will be conducted by the United States military.
3. Aircraft Crash Checklist:

Situation Assessment:

- Location of crash and size of area involved.
- Type and class of aircraft: commercial, military, private, jet, helicopter, passenger or cargo.
- Type of structure involved.
- Estimated number of injuries, deaths.
- Control of emergency vehicle ingress/egress routes.
- Crash site security. Aircraft debris should be disturbed only to assist victims. Mark the location of all removed victims.
- Traffic and crowd control.
- Evacuation.
- Command Post location and staging area.

Special Considerations:

- Approach with wind to rear.
- Do not approach on same path as aircraft.
- Avoid breathing smoke - possible toxic fumes.
- Potential for fire/explosions (military aircraft may have weapons and explosive crew ejection mechanisms).
- Crash site security; adequate control to keep unauthorized persons from scene.
- Traffic control, crowd control, perimeter control - keep a 2,000-foot clearance.
- Evacuation - 2,000 feet upwind.

Notifications:

- Military, if applicable.
 - All necessary Emergency Medical Service, Fire, and hospitals.
 - National Transportation Safety Board.
 - Federal Aviation Administration.
 - State Law Enforcement agencies as needed.
 - Hillsborough County Emergency Operations Coordinator.
- Special Note: The Division of Emergency Management in Tallahassee will coordinate federal response in air crashes, including the military.

Tactical Considerations: Establish command post(s) based on scope of disaster.

C. Fires:

1. Initial Response:

- a. When the Police Department is requested to assist the Fire Department at the scene of a fire, a field supervisor and a number of field units consistent with the available information will be assigned.
- b. The Fire Department may request certain additional Police Department assistance during incidents of civil disorder (such incidents will require additional officers in escort and back-up responsibilities).
- c. Upon arrival at a fire scene, the field supervisor will consult with the on-scene fire department commander, evaluate the situation, and assign field units to traffic control and crowd management tasks as necessary.
- d. The inner perimeter will be established and enforced by the Fire Department. The outer perimeter will be established and enforced by the Police Department after consultation with the on-scene fire department commander.

2. Investigative Responsibility: It is a responsibility of the Arson Task Force to investigate and attempt to determine the cause of all fire incidents resulting in death or life-threatening injury. As a matter of policy:

- a. The Fire Marshall's Office will be notified of any information obtained by the Police Department concerning a suspected arson.
- b. All suspected arson cases that do not involve a companion crime (homicide, burglary, or auto theft, for example) will be originated and investigated by the Fire Marshall's Office. A TPD Incident Report will not be required.
- c. All suspected arson cases that involve a companion crime will be investigated jointly by the Tampa Police Department and the Fire Marshall's Office. A Tampa Police Department Incident Report will be required.

D. Hazardous Materials:

1. Initial Response:

- a. The Tampa Fire Department will be notified of all suspected hazardous materials incidents that come to the attention of the Tampa Police Department.
- b. A field supervisor and an appropriate number of field units will be assigned.

2. Hazardous Materials Checklist: An excellent and practical planning book for response to hazardous materials incidents is the Emergency Response Guidebook, Washington, D.C.: U.S. Department of Transportation, DOT Publication No. 5800.5. The book identifies placards, panels, and ID numbers of transport vehicles. This handbook can be downloaded for free at <http://www.ehso.com/hmerg.php> or accessed through the U.S. Department of Transportation Pipeline and Hazardous Material Safety Administration at <http://www.phmsa.dot.gov/hazmat/library/erg>.

Immediate Considerations:

APPROACH CAUTIOUSLY. Resist the urge to rush in; you cannot help others until you know what you are facing.

- **IDENTIFY THE HAZARD.** Use binoculars to obtain carrier name and diamond shaped placard information including color(s) and numbers to identify contents. Placards, container labels, shipping labels, and/or knowledgeable persons on the scene are valuable

information sources. Evaluate all of them, and then consult the recommended guide page in your **Emergency Response Guidebook** before you place yourself or others at risk.

- **SECURE THE SCENE.** Without entering the immediate hazard area, safely isolate the area to ensure the safety of people and the environment. Move and keep people away from the scene and the perimeter. Allow room enough to move and remove departmental equipment.
- **OBTAIN HELP.** Advise Communications to notify responsible agencies and call for assistance from trained experts through CHEMTREC and the National Response Center (NCR) which can be reached through CHEMTREC or dialed directly. See "Notifications" below.
- **DECIDE ON SITE ENTRY.** Any efforts made to rescue persons and/or protect property or the environment must be weighed against the possibility that such efforts could become part of the problem. Enter the area with appropriate protective gear.

Special Considerations:

- Do not drive, walk into, or touch spilled material.
- Avoid inhalation of fumes, smoke, and vapors, even if no hazardous materials are known to be involved.
- Do not assume that gases or vapors are harmless because of a lack of smell. Odorless gases or vapors may be harmful.
- Determine presence of any fire.
- Do not eat, drink, or smoke near the area.
- Do not use flares.
- Do not attempt a rescue without knowledge of materials involved, tactics, and proper equipment.
- Stay upwind of scene and avoid breathing fumes. Gas masks do not filter toxic vapors.
- Keep non-emergency persons away from scene.
- Isolate contaminated personal clothing and take a 15-minute shower.

Notifications:

- Emergency Medical Services.
- Fire (Hazardous Materials Response Team, if available).
- Jurisdictions, which may be affected by, spill (fumes, water supply, for example).

- Florida Marine Patrol and/or Game and Fresh Water Fish Commission when there is a threat to wildlife.
- Local Emergency Management Administrator (Hillsborough County Emergency Operations Center at 272-6900).
- Chemical Transportation Emergency Center (CHEMTREC) for substance identification and emergency guidance based on container placard information. Call 1-800-424-9300.
- The National Response Center (NRC) which is operated by the U.S. Coast Guard and is the coordination center for the National Response Team (NRT). See the Emergency Response Guidebook for additional information. Call 1-800-424-8802.

Situation Assessment:

- Type of crash, type of premises, vehicles involved.
- Location of incident, size of involved area.
- Direction of fluid or vapor travel.
- Property and/or vehicle owner's name.
- Placard information, color of smoke, description of odor (if any).
- Name of substance, if known.
- Determination of health hazards.
- Symptoms of injured persons, number of injured.
- Weather conditions, wind direction, speed, and any expected changes.
- Degree of danger at site, potential danger to surrounding area, city, and emergency crews.
- Ingress/egress routes for responding emergency personnel.

Tactical Considerations:

- Establish command post in conjunction with the on-scene fire chief at a safe distance from the scene, out of contact with the substance danger levels (usually at least 2000 feet).
- Establish controlled, secure evacuation routes.
- Establish perimeter security at scene consistent with avoidance of substance and identified danger levels.
- Ensure that the media is provided incident/evacuation information.
- Provide security for shelters.
- Assist State and Federal environmental regulatory agencies.

Contaminated Personnel:

- Isolate from non-contaminated.

- Remove all clothing and equipment for wash down of contaminated area of body.
- Place all clothing and equipment in sealed containers.
- Seek medical treatment as soon as possible.

Indicators of Hazardous Substance Exposure:

- Skin irritation.
- Dry or sore throat.
- Nose bleeds.
- Skin discoloration.
- Shortness of breath.
- Dizziness.

Incident Investigation:

- Collect information for incident reporting; however,
- Do not begin until area has been decontaminated. Evidence should not be disturbed until evaluated and recorded.
- Participate as necessary with other agencies.
- Provide all available information and assistance to other agencies involved in investigation.

Supersedes SOP 382.2, dated 1/02.

382.7 TAMPA ARSON TASK FORCE¹

- I. **PURPOSE:** This directive outlines procedures for coordinating the investigation by the Tampa Police and Fire Departments at the scene of a fire where there is a death or life-threatening injury.² (Also see 382.2 and 382.8)
- II. **DISCUSSION:** It is the intent of the City of Tampa to have an investigative team to investigate all fires wherein a death has occurred or there is an injury likely to cause death. This investigative team will be staffed by investigators from the Tampa Fire Department, Fire Loss Management Bureau, and the Tampa Police Department, Homicide Squad. This investigative team will be called the Tampa Arson Task Force.

The Tampa Arson Task Force may from time to time be utilized for specialized investigations where there is a need for latent investigative skills and expertise, death or great bodily injury need not be involved.

The Tampa Arson Task Force will be activated for these specialized investigations upon review and approval of the Criminal Investigations Division commander and the Fire Marshal.

The Chairman and Co-Chairman will then meet and assign investigators to the specific case. The number of investigators assigned will depend upon the total scope of the investigation and current workloads.

- III. **PROCEDURE:**
 - A. In all instances where there is death or life-threatening injuries at the scene of a fire, the Fire Company Officer will:
 1. Ensure that all evidence is preserved and left as is;
 2. Apprise the Tampa Fire Department Communications Division of the situation and request the Fire Loss Management Bureau be notified of the circumstances and request they respond to the fire scene; and
 3. Request the Tampa Fire Department Communications Division to contact the Tampa Police Department Communications Bureau and request that the Criminal Investigations Division Homicide Squad sergeant be notified of the circumstances and request they respond to the fire scene.

¹ CALEA [5th Edition] 42.2.5

² CALEA [5th Edition] 42.2.5(a)

- B. The Fire Department dispatcher will contact the State of Florida and City of Tampa Fire Marshal's Offices and request that the City of Tampa Fire Marshal, or designee, be notified of the circumstances.
- C. When notified of a fire-related death or life-threatening injury resulting from a fire, the Criminal Investigations Division, Homicide Squad sergeant, or designee, will respond to the fire scene along with sufficient investigators, as the circumstances dictate.
- D. Investigators reporting to the scene shall report to the Tampa Police Department Homicide Squad supervisor or Fire Investigative supervisor for assignment. The Homicide Squad sergeant or designee shall have supervisory control of the crime scene investigation.

IV. RESPONSIBILITIES:³

- A. If the investigation determines the fire to be accidental; the Fire Marshal will assume control and responsibility for the investigation.
- B. Should the investigation determine that a death or life-threatening injury was caused by arson or a fire was used to conceal a previously committed homicide, the latent investigation will be the responsibility of the Arson Task Force under the supervision of the Homicide Squad sergeant.⁴
- C. In a joint Police/Fire Department investigation, crime scene processing, (e.g., photographing and collecting evidence), will be performed by the Tampa Police Department crime scene technicians as directed by the fire team. All evidence recovered will be retained and stored by the Tampa Police Department, unless otherwise directed by the Homicide Squad sergeant.⁵
- D. All original reports of a joint investigation will be maintained in the Records Section of the Tampa Police Department and duplicates will be

382.8 TAMPA ARSON TASK FORCE COMMITTEE¹

- I. Purpose: To establish a committee comprised of Tampa Police Department and Tampa Fire Department representatives in order to facilitate joint arson investigative endeavors. (See SOP 382.2 and 382.7).
- II. Discussion: The City of Tampa Arson Task Force is comprised of investigators from the Tampa Police Department and Tampa Fire Department. It is imperative to the success of this team deployment that investigators coordinate their efforts and obtain necessary training to perform professional investigations. This policy establishes an Arson Task Force Committee to attain these goals.
- III. Policy:
 - A. The Arson Task Force Committee is responsible for establishing training criteria, seeking professional schools and seminars, and critiquing investigative efforts of the Arson Task Force.²
 - B. The committee membership will include supervisors and investigators from both the Tampa Police and Fire Departments.
 1. The Tampa Police Department will provide members to the committee. Members will be selected from the supervisors and investigators of the Criminal Investigations Division, Homicide Squad, with arson training.
 2. The Tampa Fire Department will provide a minimum of five members to the committee. Members will be selected from the supervisors and investigators from the Tampa Fire Marshal's Office.
 3. The State Attorney's Office will provide an attorney as needed for review.
 4. The State Fire Marshal's Office will provide members to the committee as needed.
 - C. Meetings will be scheduled by the committee as necessary.
 - D. Meetings will be held at either the Tampa Police Department or the Tampa Fire Department, depending on the committee's needs, requirements, or desires. Normally, the site will be alternated between the two agencies.
 - E. Committee Positions:

¹ CALEA [5th Edition] 42.2.5

² CALEA [5th Edition] 42.2.5(c)

1. Chairman: Shall be selected annually during the month of January in a manner by the committee members. The chairman shall be responsible for setting the agenda and presiding over the meetings.
 2. Secretary: Shall be selected annually at the same time and in the same manner as Chairman. The secretary shall be responsible for taking of minutes and submitting them to the chairman for approval prior to the due date.
- F. The committee may extend membership to other interested persons upon approval from the Police Chief and Fire Chief.
- G. As soon as practical after each meeting, a report will be completed and copies furnished to the Police Chief, Fire Chief, Fire Marshal's Office, and Criminal Investigations Division commander. A file of the committee's report will be maintained by the committee secretary.
- H. Any recommendations, including matters pertaining to mutual training, will be submitted to the Chief of Police and Fire Chief.

Supersedes SOP 382.8, dated 1/99.

382.9 TASK FORCES¹

- I. Purpose: This directive outlines procedures for the implementation and use of task forces.
- II. Discussion: From time to time, unique situations arise which necessitate the formation of a group of persons who possess special skills. These personnel may be within a division, from various divisions of the agency or from various agencies. The needs and particulars of the situation will dictate what mix of personnel and divisions is needed. These groups will be known as task forces.

The purpose of these task forces is to address the situation, which necessitated their formation.² Each task force will operate until the applicable situation has been resolved, or until the task force commander and over-seeing authority ascertain that the unit should be disbanded.

- III. Procedure:³ When the need for a task force is ascertained, the situation will dictate at what level the task force should operate. If operation at the division level would produce the maximum results, the division commander will become the over-seeing authority. If personnel from various divisions or areas are needed, the chief of police will be the over-seeing authority, or he may delegate the task to an individual. Should a multi-agency task force be necessary, the agency chief executives will oversee the operations of the task force.
 - A. The over-seeing authority will appoint a task force commander and other team members.
 - B. The over-seeing authority will document the purpose of the task force, available resources, and the authority and responsibilities of the task force commander.
 - C. The commander shall be accountable to the over-seeing authority for the overall operation of the task force.
 - D. In addition to normal supervisory responsibilities, the commander will have those, which are commensurate with the peculiarities of the situation.
 - E. Periodically the over-seeing authority and commander will review the progress of the task force, its continued existence based on need, and any need for additional resources. These periodic reviews will also be documented for future reference.⁴
 - F. When the task force is disbanded, the commander will complete an after-action report complete with outcome, manpower usage and suggestions for future usage.

¹ CALEA [5th Edition] 42.2.5

² CALEA [5th Edition] 42.2.5(a)

³ CALEA [5th Edition] 42.2.5(b)

⁴ CALEA [5th Edition] 42.2.5(c)

Included in this report will be copies of each periodic review. Should the commander be from another agency, the highest-ranking officer from this agency will complete an after-action report for departmental records and future reference, or obtain a copy of the completed report. Because each situation is different, these guidelines are meant to outline the general procedures to be used. Special procedures will be formulated at the time of task force creation.

Supersedes SOP 382.9, dated 1/99.

385 MEDICAL EXAMINER

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386 EMERGENCY OPERATION OF POLICE VEHICLES

- I. DISCUSSION: Personal and public safety are prime responsibilities of the Tampa Police Department. The department recognizes its responsibilities in apprehending offenders but is also aware that accidents are more likely to occur during police pursuits or other emergency vehicle operation. Therefore, it is of paramount importance that the need to immediately apprehend a fleeing suspect be weighed against the danger to the community and officer before commencing or continuing any pursuit.¹

Emergency operation of a police vehicle for purposes including driving in response to an emergency call for police service, police pursuits and implementation of police intervention techniques, places enhanced demands upon the decision making process of the officer. Factors such as mechanical skills, knowledge of laws governing the operation of motor vehicles normal eyesight and good reaction and physical reflexes, knowledge of the streets where emergency driving situations might be required, mature judgement, and an attitude which complies with department policies must be taken into account.

Although the police vehicle is an effective tool for law enforcement purposes, officers must understand that it is their duty to operate the car safely at all times. The mere fact that an officer engages in an operational emergency response such as response to an emergency call for service, police pursuit, or police intervention technique does not relieve or protect the officer from the consequences of a reckless disregard for the safety of others.

II. DEFINITIONS:

- A. Controlled Intersection: Any location of intersecting streets or highways where vehicular traffic is controlled by signals or lights.
- B. F.S. §316.072(5): This subsection entitled *Authorized Emergency Vehicles* grants authority to emergency vehicles to disregard traffic controls when on emergency calls or when in pursuit of an actual or suspected law violator, providing the operator does not endanger life or property. The statute specifically makes clear that the driver of an emergency vehicle is not protected from the consequences of his reckless disregard for the safety of others.
- C. Covert Vehicle: An unmarked agency vehicle which is not equipped with emergency equipment.
- D. Low Profile Vehicle – A vehicle with agency markings and all emergency equipment except an overhead light bar.

¹ CALEA [5th Edition] 41.2.2(a)

- E. Unmarked Vehicle – A vehicle with no agency markings and all emergency equipment with or without an overhead light bar.
- F. Marked Vehicle – A vehicle which has agency markings and all emergency equipment with or without an overhead light bar.
- G. Normal Driving: That driving which relates to the maintenance of vehicle speed concurrent with the normal flow of traffic, the obedience to motor vehicle laws and requirements of posted vehicular control signs, the adherence to the *rules of the road*, and the practice of courtesy as a responsible driver.
- H. Pacing: The act of following a motor vehicle at a coordinated speed to determine the followed vehicle's actual speed in violation of the posted speed limit.
- I. Police Vehicle Intervention Techniques: Intentional acts initiated by police, involving the use of police vehicle to aid in the apprehension of a suspect(s) in a stationary or fleeing motor vehicle. Intervention techniques include the stinger spike system, box-ins, traps, rolling roadblocks and the precision immobilization technique. These techniques are specific, technical maneuvers, which require advanced, practical training prior to use. (See SOP 386.2).
- J. Priority Levels:² Refers to both a type of police emergency, and its mode of corresponding response. The response time targets are departmental goals, not a mandate, and shall not supplant the need to utilize reasonable care, judgement, and consideration of existing conditions when responding to a call for police service.
- K. Pursuit Driving: The act of chasing another vehicle, with emergency lights and siren activated (in accordance with the provisions of F.S.§ 316.072), in order to overtake and apprehend a violator who has disregarded the signal to stop and is maneuvering the vehicle in such a manner as to elude the officer. This definition is applicable regardless of the distance, speed, duration, or number of police vehicles involved in the pursuit, and whether or not an apprehension is made. (See SOP 386.1).
- L. Response Driving: That driving of an expeditious nature which relates to the effort made in a police vehicle to proceed to the location of an emergency, in a manner consistent with the provisions of F.S.§ 316.072.

III. PROCEDURE:

- A. Prioritization of Calls for Service:

² CALEA (5th Edition) 41.2.1

1. Police response must, of necessity, be governed by the nature of the occurrence, the amount of information a caller or complainant provides, and the accuracy of that information.
2. During normal, day-to-day police operations, many calls are received from citizens which concern mostly matters of routine services and complaints. In the majority of these calls the situation reported is neither urgent nor of an emergency nature; hence, an officer responding to such an assignment would not be justified in operating the police vehicle in a manner other than that defined as normal driving. In other cases, however, an officer may be required to expedite responses to the location of the call, depending upon: (1) the nature of the call, (2) the seriousness of the situation, and (3) the variable conditions of traffic congestion, weather, road surface, etc., present at the time.
3. Recognizing that protection of human life is paramount, the responding officer must bear in mind that the response objective is to get to the location of the occurrence as soon as possible – safely without endangering the officer or others.
4. No attempt is made to establish a fixed order or priority to include every possible situation; however, some form of guideline must be offered and of necessity, that guideline must concern itself with the matter of whether a human life is or is not in danger – based upon the total information known at the time.
 - a. Priority One:³ A priority one call is an emergency requiring the most rapid response reasonably possible in light of the existing conditions. Priority one calls are those which are in progress, involving potential death or serious injury. It also includes those calls, which have just occurred and involve death or serious injury. All pursuits will be handled priority one. It is the department's goal to strive for an arrival time of eight minutes from the time of dispatch to the arrival of the first unit.
 - b. Priority Two:⁴ This is a police emergency of a less urgent nature, and requiring a less urgent response. An officer responding to a priority two police emergency will not travel at more than fifteen miles per hour in excess of the posted speed limit. Priority two is a means of expediting response to a less threatening emergency, and is less urgent

³ CALEA [5th Edition] 41.2.1

⁴ CALEA [5th Edition] 41.2.1

than a priority one, but greater than routine. These calls include those calls for service, which are in progress and involve the potential of major property loss or damage, or those calls, which have just occurred and involve major property damage or loss, or the potential for personal injury. The response goal for priority two calls is twelve minutes from the time of dispatch to the arrival of the first unit.

B. Traffic Stops:⁵

1. A police officer making a traffic stop shall inform the Communications Dispatcher, in a manner which enables the dispatcher to copy the information, that the officer is stopping a vehicle, the location, a brief description of the vehicle being stopped, and license number if available.
2. Officers shall make every effort to direct the violator to a suitable stopping point where normal traffic flow will not be impeded through the use of the public address system or other audio or visual means. Use of private driveways, gas stations (when open), or other areas providing access to business establishments shall not be used for traffic stops when reasonably avoidable. When private property is used, care shall be taken to avoid as much inconvenience to property owners or patrons as is reasonably possible under the circumstances. No legal authority exists to use private property in these cases, and, if asked to move, the officer must comply, absent an emergency.
3. Traffic stops necessarily generate a degree of hazard when officers and citizens must move about on foot near moving traffic. Safe practices must be followed. Officers shall not stand, nor shall they allow citizens to stand, between or in front of stopped vehicles. Conversation, roadside tests, and any other business shall be conducted a safe distance off the roadway.
4. Disposition code *P2* will be used when an officer is conducting a routine traffic stop and the violator refuses to stop or flees and the officer does not engage in a pursuit.

C. Emergency Vehicle Operation:

1. Officers shall advise the dispatcher if they are responding to a call in a *priority one* or *priority two* mode.

⁵ CALEA [5th Edition] 61.1.7

2. Use of Emergency Equipment:⁶
 - a. Priority One: All emergency equipment in operation (emergency lights and siren) and if equipped, in-car video.
 - b. Priority Two: The vehicle's emergency equipment will be used as needed to alert other traffic, both vehicular and pedestrian, to the approach of the emergency vehicle.
 - c. A police vehicle may park or stand, irrespective of the laws governing the normal parking of vehicles to, among other things, protect fire and accident scenes, injured persons, and while directing traffic provided the police vehicle does not obstruct the passage of other emergency vehicles. Officers who park police vehicles under those circumstances shall activate the vehicles' emergency lights to warn other traffic of a potential danger.
3. Police officers operating police vehicles, when responding to an emergency call or when attempting to stop a vehicle containing a person suspected of a law violation may exceed the maximum speed limits in a reasonable and prudent manner so as not to unnecessarily endanger life and property.⁷ Regardless of the response mode, officers must drive with due regard for the safety of all persons. The statutory authorization granted to emergency vehicles does not protect the officer from the consequences of reckless disregard for the safety of others.
4. A police officer shall at all times remain aware that calls for service are classified by a complaint taker based on the information available from callers in emotional and/or excitable states of mind. Good judgement is a necessity.
5. No procedure can cover all eventualities. Priorities assigned to police emergencies act as a guide for the responding officer. It is recognized that the judgement of the officer on the scene is paramount. Nevertheless, the assignment of a priority to a call for service should be used by the responding officer as an important source of information in deciding how to respond.

D. Emergency Escort for Private Vehicles:⁸

⁶ CALEA [5th Edition] 41.2.1

⁷ CALEA [5th Edition] 61.1.7(a)

⁸ CALEA [5th Edition] 61.3.3(a)(b)

1. In the past it was fairly common for officers to provide emergency escorts for private vehicles which were transporting injured or sick persons to local hospitals. At that time, it took much longer to summon emergency medical assistance than at present. As a rule, an injured person is safer now waiting for emergency medical help, with an officer trained in first aid standing by, than being transported to a hospital in a car. Officers will not provide emergency escorts for private vehicles.
2. When an officer in the field is requested to escort a private vehicle carrying an injured or ill person, the officer will determine the nature of the injury or illness and then request medical assistance.
 - a. If the citizen rejects emergency medical assistance, the officer shall instruct the driver to proceed carefully and obey all traffic regulations, and if appropriate, suggest the quickest and safest route to the hospital. Officers must not prevent the citizen from electing to proceed to the hospital against the officer's advice.

E. Tactical Response:

1. It is recognized that tactical response to certain police situations dictates that the prudent officer drive in a manner consistent with the situations at hand. For example, response to certain types of calls at night sometimes suggests an approach to the scene without headlights; or, response to some crimes in progress might justify turning off the siren a reasonable distance away from the scene. This is sometimes called a *silent run*, a term used to describe the non-use of the siren or emergency lights by a police vehicle responding to a call that requires a quick response time. In either event, such action must be done at a reasonable distance from the scene. In these situations officers are charged with the exercise of prudent judgement, and shall be held accountable for their decisions.⁹
2. In deciding which response techniques to be employed in a given situation, officers will consider such factors as: type of call for service, known information about the call, time of day or night, density of traffic, possible pedestrian movement, visibility, and other potential hazards. The safety of the officers and others must be a primary concern. The officer shall not be able to assist if he does not arrive at a call due to involvement in a crash.

⁹ CALEA [5th Edition] 41.2.1

F. Pursuit: (See SOP 386.1).

1. The officer originating the pursuit will complete the front of the Pursuit Form. All other officers involved in the pursuit will complete the reverse side of a Pursuit Form.
2. A copy of the report will be forwarded to the deputy chief of operations via the division commander of the affected division.

Supersedes SOP 386, dated 1/01.

386.1 EMERGENCY OPERATION OF POLICE VEHICLES: PURSUITS

- I. DISCUSSION: It is the duty and responsibility of every law enforcement officer to enforce the laws of the state of Florida and apprehend persons in violation of these laws. The operation of agency vehicles during a vehicular pursuit is an area of concern to both law enforcement and civilian personnel. It is imperative that guidelines be established which will assist in the safe and effective operation of agency vehicles when engaged in vehicular pursuits.

The initiation of a motor vehicle pursuit in furtherance of a recognized law enforcement duty is permitted under the circumstances described below. However, in instances where immediate apprehension cannot be affected with reasonable safety and the inherent risk to the public outweighs the necessity of apprehension, the pursuit will not be initiated or continued.¹

- II. PURPOSE: The purpose of this Standard Operating Procedure is to define guidelines for the safe operation of agency vehicles when engaged in any pursuit operation regardless of nature or speed.
- III. SCOPE: This shall apply to all agency personnel engaged in a vehicular/motorized vehicle pursuit while operating agency vehicles.

IV. DEFINITIONS:

- A. Agency Vehicle: Any vehicle leased or owned by the agency.
- B. Apprehension of Law Violators in a Motor Vehicle: An active attempt by a law enforcement officer in an authorized emergency vehicle to apprehend the occupants of a moving vehicle.
- C. Vehicle Pursuit: An active attempt by a law enforcement officer in an authorized pursuit vehicle to apprehend the occupants of a moving vehicle, providing that the driver of such vehicle is or should be aware of the attempt, increases his/her speed, takes evasive action(s), or refuses to stop in an attempt to avoid apprehension. This definition is applicable regardless of the distance, speed, duration or number of agency vehicles involved in the pursuit, and whether or not an apprehension is made.

If a law enforcement officer attempts to perform a traffic stop and the vehicle in question flees, it is not considered a pursuit if the law enforcement officer immediately deactivates the agency vehicle's emergency equipment and changes course of direction and notifies Communications of their actions.

- D. Primary Pursuit Unit:² Generally, the law enforcement unit which initiates the pursuit. If the initiating vehicle is not a marked car with emergency equipment,

¹ CALEA [5th Edition] 41.2.2(a)

² CALEA [5th Edition] 41.2.2(b)

the primary unit status, shall when possible, be assumed by a marked car with emergency equipment.

- E. Secondary Pursuit Units:³ The law enforcement unit, which trails the primary unit at a safe distance and is available to assume the primary role or assist the primary unit, by taking over radio transmissions.
- F. Emergency Equipment: Siren and flashing and/or revolving blue/red lights, which meet the requirements of Florida Statute.
- G. Marked Vehicle: A vehicle which has agency markings and all emergency equipment with or without an overhead light bar.
- H. Low Profile Vehicle: A vehicle which has agency markings and all emergency equipment except an overhead light bar, to include trucks and SUVs.
- I. Unmarked vehicle: A vehicle which has no agency markings and all emergency equipment with or without an overhead light bar, to include trucks and SUVs.
- J. Covert vehicle: An unmarked agency vehicle which is not equipped with emergency equipment.

V. VEHICLE PURSUITS:

- A. Authorized Pursuit Vehicles:⁴
 - 1. Marked patrol vehicles are authorized as primary pursuit vehicles.
 - 2. Unmarked and low profile agency vehicles may engage in pursuits until a marked vehicle can take over as the primary vehicle.
 - 3. All other vehicles, such as motorcycles, special purpose vehicles, patrol wagons, mobile crime labs and vehicles not equipped with emergency equipment shall not become engaged in pursuits.
- B. An agency vehicle engaged in pursuit operations shall utilize both emergency lights and siren.
- C. Law enforcement personnel, when accompanied by non-sworn passengers shall only engage in pursuits when they are the primary unit and have initiated the pursuit. Non-sworn passengers include victims, witnesses, citizen riders, interns, ride-along program participants, authorized family members or other non-law enforcement person. Officers transporting prisoners should not become involved in police pursuits.

³ CALEA [5th Edition] 41.2.2(c)

⁴ CALEA [5th Edition] 41.2.2(d)

VI. PROCEDURE:

A. Initiation:⁵

1. Pursuits may be initiated when the officer reasonably believes that someone in the pursued vehicle has committed or attempted to commit:
 - a. Any forcible felony as defined in Florida Statutes §776.08 to include any felony which involves the use or threat of physical force or violence against any individual.
 - b. Any burglary of a structure or conveyance whether or not the structure or conveyance is occupied at the time of the crime.
2. Prior to initiating a pursuit, or determining whether to continue a pursuit, factors to be considered include, but are not limited to:
 - a. Speed;
 - b. Road conditions;
 - c. Identity (known) and actions of suspect;
 - d. Weather;
 - e. Pedestrian volume;
 - f. Time of day or night; and
 - g. Special circumstances:
 - 1) Active school zone; or
 - 2) Driving against oncoming traffic.
 - a) Strong consideration shall be given to immediate termination of any pursuit involving travelling against oncoming traffic.
 - b) In a situation wherein the fleeing suspect drives against oncoming traffic, officers may continue a parallel pursuit in the proper direction on the highway if feasible.
3. The nature of the specific crime, which justifies the pursuit, must be considered when weighing the need to immediately apprehend the suspect.

⁵ CALEA [5th Edition] 41.2.2(a)

For example, a more rigorous pursuit would be justified when attempting to arrest a homicide suspect then when attempting to capture a burglary suspect.

4. In any event, pursuits shall not continue past the point in time when the danger to the public or law enforcement personnel outweighs the need to immediately apprehend the suspect.
5. All communications related to pursuits will be via voice, not MCT.
6. All units involved in the pursuit will advise status (i.e. primary secondary, parallel, etc...).
7. Any unit involved that is equipped with on-board video equipment will have the audio and video components activated for the entire incident and document same in the pursuit form (TPD 996).

B. Conduct of a Pursuit:

1. The decision of continuing a pursuit in which the fleeing vehicle refuses to stop will be evaluated continuously by the pursuing law enforcement officer, the shift commander and/or patrol supervisor. This evaluation will include, but not be limited to, factors considered prior to initiating a pursuit.
2. Upon initiation of a pursuit, normally only the initiating police vehicle (the primary vehicle) and two back-up vehicles (secondary vehicles) will be necessary. The number of units involved may be adjusted, with supervisory approval, to fit the situation. However, circumstances such as preparation for implementation of a pursuit termination technique e.g. P.I.T., or rolling roadblock, may justify the involvement of more law enforcement vehicles.
3. Units in the general area of the pursuit shall remain in their assigned area unless requested to participate in the pursuit. Each unit that takes any action relative to a pursuit (blocking intersections, paralleling, assisting, preparing to activate tire-deflating devices, any type of aid in capturing the suspect vehicle, or assistance in clearing streets and/or intersections of other innocent traffic, etc.) will be considered as involved and must notify Communications via voice.
4. Aviation Participation (TPD Form 1043):
 - a. If Aviation responds to assist, identifies the pursued vehicle and maintains continuous observation, ground units shall deactivate all emergency equipment and remain out of sight of persons in the fleeing vehicle until apprehension seems likely. Officers must continue to operate their vehicle prudently and cautiously in the

vicinity of any active aviation surveillance. An exception would be appropriate in cases where suspects in the fleeing vehicle are known to be armed or apprehension is especially necessary.

- b. If Aviation services are employed, after identifying the pursued vehicle, the Aviation Unit shall:
 - (1) Continue the pursuit, or when appropriate, call off the ground units and continue surveillance, directing ground units as necessary to safely apprehend the suspect without active pursuit;
 - (2) Assume the communication responsibility of the primary law enforcement officer; and
 - (3) Coordinate the pursuit (which includes advising ground units and supervisors direction of travel, conditions and/or potential hazards ahead of the pursuit).
- c. The practice of illuminating the suspect vehicle from the air should not generally be used, unless there is a specific reason to do so in the immediate case. Normally, the presence of the aircraft should be unknown to the suspect(s). The goal in aircraft assisted situations is that when the pursuit vehicles shut down their emergency equipment and back-off from the pursuit, it will lead the suspect to believe the pursuit has terminated.

Note: Aviation intelligence shall greatly influence a supervisor's determination as to the continuation of a pursuit.

5. Intervention Tactics:⁶

- a. Pursuit Prevention Techniques:
 - 1) Tactical Observation: An unmarked vehicle (not employing emergency lights and siren) and/or aviation can be used to observe vehicles prior to a pursuit being initiated. *Suspect vehicles can be observed from a distance.*
 - 2) Vehicle Intercept: The act of utilizing law enforcement vehicles to block the path of travel of a stationary vehicle or a vehicle coming to a stop. Vehicle intercept is also referred to as vehicle traps or box-ins. The utilization of vehicle intercept is a specific maneuver which requires training prior to use.

⁶ CALEA [5th Edition] 41.2.3

- b. Pursuit Termination Techniques: (SEE SOP 386.2 – Intervention Techniques)
- 1) Rolling Roadblock: The intentional act of using law enforcement vehicles to physically force a suspect vehicle to slow to a stop and then prevent the driver from exiting the driver's door. The rolling roadblock is a specific technical maneuver, which requires training prior to use.
 - 2) Stationary Roadblock: The intentional act of utilizing a barricade or obstruction across a roadway or path of travel of a suspect vehicle. Due to the urban environment and other more viable intervention techniques, stationary roadblocks should not be utilized.⁷ If, under extraordinary circumstances, a supervisor decides that a stationary roadblock must be positioned so as to be clearly visible and to provide the suspect with ample opportunity to safely stop.
 - 3) Precision Immobilization Technique (P.I.T.): The intentional act of utilizing a law enforcement vehicle to physically alter a suspect vehicle's path of travel in order to stop it. The P.I.T. is a specific technique maneuver, which requires training prior to use. The utilization of the P.I.T. maneuver requires that law enforcement personnel have the justification (forcible felony) to pursue the suspect vehicle.
 - 4) Stinger/Stop Sticks: Commonly known tire deflation devices that contain hollow spikes. Upon deployment, the spikes are introduced into the tire, causing deflation and reduction of speeds. The tire deflation devices require training prior to use.
- c. Firearms: Law enforcement personnel shall not discharge firearms at a moving vehicle or shoot a firearm from a moving vehicle unless the use of deadly force is justified under state law, agency policies and procedures and is consistent with providing due care for the safety of the public.

NOTE: Pursuing law enforcement personnel shall retain the duty to drive with due regard for the safety of all persons and shall be responsible for the consequences of any reckless disregard for the safety of others. A determination to continue or terminate a pursuit should be based on the totality of the circumstances as they occur and, if appropriate, as the pursuit continues.⁸

⁷ CALEA [5th Edition] 41.2.3(d)

⁸ CALEA [5th Edition] 41.2.2(a, b)

C. Communication:⁹

1. Upon initiation of the pursuit, Law Enforcement Personnel shall:

- a. Notify the communications dispatcher of the pursuit by stating “I am in pursuit” or words to that effect;
- b. Provide the location, direction, approximate speed of travel, and environmental conditions;
- c. Advise the vehicle description, the age and description of occupants; if known;
- d. State the known or believed law violation or reason for the pursuit;
- e. Provide continuous updates of the pursuit including among other things: location, speed, and direction of travel;
- f. Provide any other information that could aid in identification, apprehension, or determination to either continue or terminate the pursuit;
- g. Request assistance from Aviation via radio; and
- h. Have the secondary unit take over the radio transmission at the time the unit becomes involved in the pursuit. The secondary unit will relay appropriate information to dispatch and other units. If Aviation services are employed, after identifying the pursued vehicle, the Aviation Unit shall assume the communication responsibility of the primary law enforcement officer.¹⁰

2. Communications (Dispatch) Responsibilities:¹¹

- a. Upon initiation of the pursuit, the shift commander and the supervisor in the area of the pursuit shall be notified of the pursuit and the involved units.
- b. Transmissions shall not routinely be repeated unnecessarily.
- c. Ensure that the initiation of the pursuit is identified and marked by a Communications supervisor.
- d. When notified of a pursuit the dispatcher will:

⁹ CALEA [5th Edition] 41.2.2(b)

¹⁰ CALEA [5th Edition] 41.2.2(c)

¹¹ CALEA [5th Edition] 41.2.2(e)

- 1) Press the alert tone quickly three times, announce the unit in pursuit and location and ensure that a back-up unit responds. Any units attempting to broadcast routine traffic unrelated to the pursuit will be requested to stop transmitting (10-3);
 - 2) Notify the unit's supervisor;
 - 3) Notify the Communications supervisor;
 - 4) Notify air service;
 - 5) Originate a written log of locations and changes;
 - 6) Do not routinely repeat transmissions unnecessarily restricting air traffic during the pursuit. Instead, the dispatcher should be prepared to echo or repeat the information when requested. The dispatcher should, however, repeat status information such as, expedite back up, 10-15, terminate pursuit, that is given by a patrol supervisor or shift commander.
- e. The Communications supervisor will:
- 1) Monitor the pursuit;
 - 2) Notify the appropriate shift commander by telephone;
 - 3) Coordinate frequency utilization and assist in notifications;
 - 4) Ensure the pursuit is broadcast on all operations and investigative frequencies at the inception, updated as practical and when terminated; and
 - 5) Produce a copy of the pursuit tape and forward it the appropriate district major.
3. As noted previously, Aviation will assume the communication responsibility as the primary law enforcement officer.
 4. Law Enforcement Supervisory Responsibilities:¹²
 - a. Upon initiation of a pursuit, affected supervisor(s) will acknowledge and monitor the pursuit making appropriate decisions as necessary.

¹² CALEA [5th Edition] 41.2.2(f)

- b. Supervisors involved in, or witnessing a pursuit will advise dispatch of status.
- c. Overall responsibility for the discretionary decisions concerning the continuance or discontinuance of a pursuit rests primarily with the shift commander or patrol supervisor.
- d. The supervisor or shift commander will respond to the termination point of all pursuits. If the pursuit is called off before termination, the supervisor will meet with all officers involved.

Note: All supervisors monitoring the pursuit will have a responsibility in the initiation, continuation and termination of the pursuit.

D. Inter-jurisdictional Pursuits:¹³

1. Pursuit initiated by TPD:

- a. Notify the jurisdiction that is being approached of the pursuit. Relay pursuit-related information to include:
 - 1) Charges; and
 - 2) Description of vehicle and suspect(s).
- b. If an arrest is effected outside of Hillsborough County, the arrestee(s) shall be held at the scene until law enforcement members of the agency in the jurisdiction where the arrest occurred, arrive to make the formal arrest. The arrestee(s) shall not be returned to Hillsborough County until formal procedures have been carried out.
- c. F.S.§ 901.25 authorizes any municipal police officer in fresh pursuit to pursue outside his jurisdiction. This statute does not restrict the pursuit of a violator to the confines of the county in which the municipality is located.

2. Pursuit initiated by Other Agencies:

a. Participation:

Participation in another agency's pursuit is allowed if specifically authorized by a field supervisor. In these circumstances, Tampa

¹³ CALEA [5th Edition] 41.2.2(h)

Police pursuit policies are in effect for units that participate in another agency's pursuit. Additionally, participation is allowed if:

- 1) It is clearly demonstrated that the pursuing unit is unable to ask for assistance, or
- 2) The emergency circumstances dictate the need for assistance.

b. Assistance:

- 1) Assistance in apprehending suspects in another agency's pursuit will be rendered if it does not actively involve engaging in the pursuit.
- 2) When a pursuit initiated by another jurisdiction terminates in Hillsborough County, law enforcement officers who work within Hillsborough County shall respond to the apprehension scene to assist and transport the arrestee(s).

E. Termination of Pursuit: ¹⁴

1. The pursuit may be terminated by the primary unit and/or aviation unit at any time.
2. Ultimate responsibility regarding continuance or termination of a pursuit rests with the supervisor.
3. Termination order:
 - a. May be given by a supervisor at any time;
 - b. Includes Aviation participation whenever the fleeing suspect(s) appears to be aware of the presence of the aircraft, as well as ground units; and
 - c. Requires all involved units and Aviation to:
 - 1) Acknowledge the termination via voice communications. Aviation will acknowledge the termination and announce whether they will continue surveillance or break off contact. If the Aviation Unit's decision is to continue surveillance, strong consideration must be given to terminating the surveillance if the fleeing suspect(s) continues to drive in a reckless manner. After termination by the ground units, if the suspect's reckless driving

¹⁴ CALEA [5th Edition] 41.2.2(g)

continues for more than thirty (30) seconds after the ground units are no longer visible to the suspect, Aviation will discontinue surveillance absent exigent and compelling circumstances.

- 2) Deactivate emergency equipment.
 - 3) Drive their vehicle in a direction away from the vehicle that was being pursued unless otherwise directed by Aviation.
 - 4) Aviation will change their flight pattern if the decision is made to break off contact.
4. The supervisor or shift commander will respond to the termination point of all pursuits and meet with all involved law enforcement personnel.

F. After-action Reporting: ¹⁵

1. Supervisors shall complete or cause the completion of appropriate administrative paperwork involving the pursuit and associated criminal incident reporting. This reporting includes but not limited to:
 - a. Pursuit Memo or Daily Incident Log;
 - b. Pursuit Log;
 - c. Pursuit Forms;
 - d. Incident/Traffic Crash or Supplement Reports (includes outside jurisdiction reports or report numbers);
 - e. Criminal Report Affidavits;
 - f. Risk Management Form (TPD 609);
 - g. Ensure that a copy of the dispatch tape(s) is made by the Communications supervisor when the pursuit involves any member of the Tampa Police Department;
 - h. Ensure that any available videotape from in-car camera systems and/or Aviation is copied;
 - i. Administrative Letter (addressed through the chain of command documenting details of initiation, continuance, and determination of the pursuit); and

¹⁵ CALEA [5th Edition] 41.22(i)

- j. Compile the above listed documents into a Pursuit Package and forward it through the proper chain of command for review.
- 2. Personnel involved in the pursuit shall complete an incident report or supplement, and pursuit form (TPD 996) as appropriate.
 - a. The officer originating the pursuit will complete the front of the Pursuit Form (page 1). All other officers directly or indirectly involved in the pursuit will complete the reverse side (page 2).
 - b. If directed by a supervisor, an administrative letter documenting actions taken during the initiation, continuance, or termination of the pursuit.
- 3. Special Considerations:

386.2 EMERGENCY OPERATION OF POLICE VEHICLES: INTERVENTION TECHNIQUES¹

- I. DISCUSSION: Although generally associated with police pursuits, police vehicle intervention techniques such as the stinger spike system, box-ins, traps, and rolling roadblock techniques have been found to be effective tools in apprehending suspects operating motor vehicles. However, while recognizing the need to apprehend offenders, officers must also be aware that the skill level of the officer, degree of criminal offense committed and existing policies and procedures will influence the officer's decision to initiate any police intervention technique.

Therefore, it is of paramount importance that the need to immediately apprehend a fleeing suspect be weighed against the danger to the community and officer before commencing any intervention technique.²

II. DEFINITIONS:

- A. Stinger Spike System: A device containing hollow spikes designed to be deployed in assisting apprehension involving a suspect vehicle. Upon successful deployment, "spikes" are introduced into the tire causing deflation and reduction of speed.
- B. Rolling Roadblock: The intentional act of using police vehicles to physically force a fleeing vehicle to slow down to a stop and then prevent the driver from exiting out the driver's door. A rolling roadblock is a specific, technical maneuver, which requires practical training prior to use.
- C. Stationary Roadblock: A barricade or obstruction across a road, set up to stop or prevent the escape of a fleeing vehicle.
- D. Box-In/Trap: The act of utilizing police vehicles to block the intended path of travel of a stationary vehicle or a vehicle that is coming to a stop at a traffic control device.
- E. Precision Immobilization Technique (P.I.T.): The intentional act of using a police vehicle to physically force a fleeing vehicle from a course of travel in order to stop it. P.I.T. is a specific, technical maneuver, which requires advanced, practical training prior to use.

III PROCEDURES:

- A. Stinger Spike System:

¹ CALEA [5th Edition] 41.2.3

² CALEA [5th Edition] 41.2.3(b)

1. Officers may employ the Stinger Spike System to stop a vehicle when:
 - a. Deployment of the spike system can be accomplished safely with consideration given to road, traffic and environmental conditions. The emphasis on safety is essential to protect the public and to protect the officer employing the system; and
 - b. Officers utilizing the spike system will not be directly involved in the pursuit or event in question. The paralleling officer or officers in the area will employ the spike system.
 - 1) The spike system should not be employed until the officer is sure that the pursued vehicle is definitely going to travel through his designated location.

B. Rolling Roadblocks:³

1. Officers may employ a rolling roadblock technique to stop a suspect vehicle when:
 - a. Road, traffic and environmental conditions at the location chosen to effect the rolling roadblock permit the maneuver to be accomplished safely.

Note: It shall not be considered a rolling roadblock for officers to box-in an essentially stationary vehicle to prevent the escape of suspects or flight of a suspect vehicle.
2. The Rolling Roadblock should not be used when:
 - a. Implementation of the maneuver poses a significant danger to the public or involved officers; or
 - b. The occupants of the suspect vehicle are believed to be armed and pose an active threat of harm to officers involved in the technique.
3. Procedure:
 - a. The police vehicle directly behind the violator is usually considered the primary unit. The primary unit may decide to use the box-in procedure to bring the pursuit to a safe, controlled end. The primary officer should consider the box-in procedure if the following conditions exist:

³ CALEA [5th Edition] 41.2.3(a)(b)

- 1) Speeds are reasonable, making the passing of the violator vehicle easier and safer.
- 2) The violator vehicle has greater acceleration ability but it is clear that the violator is not going to use the ability, a pass could be accomplished.
- 3) Circumstances of the event lead the officer to believe that the occupant or occupant(s) are not armed.
 - a) The officer should be aware that regardless of the reason the vehicle is eluding, occupants may be armed and may produce a weapon at any time.
- 4) There are no less than two police vehicles in a position to accomplish a box-in, and no more than four police sedans are involved.
- 5) The violator has made no attempt to ram any police sedan or citizen before, or during the pursuit.
- 6) The roadway, time of day and environmental conditions is favorable for the procedure to be accomplished safely.
- 7) Other highway users will be protected from unreasonable harm because of this police action.

4. Technique:

a. Lead Vehicle/Primary Unit:

- 1) The primary unit will coordinate the box-in procedure. On his command, or on the command of the third vehicle, vehicle #1 (primary unit) and the second unit will move simultaneously. The lead vehicle will pass the violator. This pass may occur on the right or left side of the violator vehicle. The second unit will move close behind the primary unit, so as to prevent the violator from passing the primary unit. The second unit must use caution so as not to contact the violator vehicle. The second unit should also be ready to avoid the primary unit, should a quick stop or slowing be necessary.

The primary unit should slow gradually, and avoid sudden stopping, since the violator may crash into the rear of the police sedan. The primary unit should be aware of any

escape routes along the box-in route, and cover those areas as the vehicles slow.

b. The Second Unit:

- 1) The second unit should also avoid escape routes, i.e., side streets and parking lot entrances.
- 2) The second unit should use caution when pulling alongside the violator. This officer must avoid ramming by the violator.
- 3) This officer should also stay far enough back to avoid placing himself in danger of being shot, should the violator, or occupants of the violator's vehicle, be armed.
- 4) When the violator's vehicle stops, the second unit should place his vehicle's front bumper close to the driver's door or passenger side door, whichever is nearest, to prevent the violator from opening that door; either to escape, or get a better shot, should he be armed.
- 5) At this point, the primary officer may lay down in the event shooting occurs. The primary officer should not set up crossfire situation.

c. Third Police Sedan:

- 1) Position:
 - a) The third unit should be close enough to close in the *box* from behind as the vehicle stops.
 - b) The third unit should not be too close to the violator (or other police sedans) in the event an emergency stop is necessary.
 - c) As the vehicle stops, the third unit should move quickly in behind the violator vehicle. This is to prevent the violator from backing up and continuing around the stopped police vehicles.
 - d) This third officer should avoid crossfire and be aware of the primary officer's vehicle placement.

- e) The officers may incorporate high-risk tactics at this time. The third unit officer will assume responsibility of communication with the suspect and coordinating apprehension.
- f) As soon as possible, the primary unit should be advised of any changes, or when it is safe to sit up and/or exit his vehicle.

5. Other Considerations in Implementing a Rolling Roadblock:

a. Traffic:

- 1) If possible, and if time permits, other units should be directed to stop or reroute traffic away from the scene.
- 2) Traffic should be restored as soon as possible, once the scene is secured.
 - a) Officers must use extreme caution to avoid a crossfire situation when approaching the suspect vehicle. Officers shall employ normal felony stop procedures using only the amount of force necessary to overcome resistance.
 - b) Except in extreme cases, the rolling roadblock should not be used if the suspect intentionally rams police vehicles.

C. Stationary Roadblocks:⁴

- 1. Due to the urban environment and other more viable intervention techniques, stationary roadblocks should not be utilized. If, under extraordinary circumstances, a supervisor decides that a stationary roadblock must be positioned so as to be clearly visible and to provide the suspect with ample opportunity to safely stop.

D. Vehicle Traps and Box-Ins:

- 1. Officers may employ vehicle traps and/or box-ins to prevent the flight of a suspect occupied in a suspect vehicle when:
 - a. The suspect vehicle is starting from a stop (such as a parking space, or traffic control device) and speed or forward momentum of the suspect vehicle has not been readily established.

⁴ CALEA [5th Edition] 41.2.3(a)(b)

- b. The suspect vehicle is coming to a stop (such as approaching a stop sign or red light) and the speed or forward momentum of the suspect vehicle has been drastically reduced.
2. Officers implementing vehicle traps and box-ins must be trained in the maneuver and give ample consideration prior to use to:⁵
 - a. Road, traffic, and environmental conditions at the location chosen to implement the technique.
 - b. The suspect vehicle's speed or momentum in order to minimize contact damage and/or injury to officers and suspect.
 - c. Officer safety tactics and techniques upon suspect apprehension (such as duties and responsibilities and officer positioning).

E. Precision Immobilization Technique (P.I.T.):

1. Only sworn personnel specifically trained in the use of this technique and operating an *authorized vehicle* may implement it. Officers with a minimum of 1 year of experience with the Tampa Police Department are eligible for training in the P.I.T. maneuver. A satisfactory driving record is also a requirement for this training.⁶
 - a. Two secondary vehicles will be needed to block the violator's vehicle from trying to get away after implementing the P.I.T. Operators of secondary vehicles will be trained in the procedure and operating an authorized police vehicle.
2. If, in the judgment of the police officer or officers in the pursuit, the fleeing vehicle must be stopped immediately to safeguard life and preserve public safety, the Precision Immobilization Technique may be used. The decision to initiate the P.I.T. is subject to supervisor review; this is important, because of the situational changes that occur and alter from second to second. Only the officers in visual contact with the situation can evaluate the need to use, or not use, this technique. Just as an officer has no time to request permission to use his firearm, no time is available, in every case, to have supervisory permission to use the P.I.T.
3. Considerations for Implementation of the P.I.T. maneuver:⁷
 - a. Because of the potential dangers associated with this intervention technique, its utilization is limited only to situations where officers

⁵ CALEA [5th Edition] 41.2.3(c)

⁶ CALEA [5th Edition] 41.2.3(c)

⁷ CALEA [5th Edition] 41.2.3(a)

are permitted to pursue: specifically any forcible felony as defined in F.S. §776.08.

- b. The decision to implement this intervention technique requires the involved officers to take in account the totality of circumstances and variables associated with this maneuver to include, but not limited to:
 - 1) Location and other vehicular traffic.
 - 2) Environmental conditions to include weather, roadway type, time of day, and possible innocent occupants in the suspect vehicle.
 - 3) Speed of suspect vehicle; except in the most egregious of circumstances, the P.I.T. will not be used at speeds exceeding fifty miles per hour.
 - 4) Type of violator vehicle; the P.I.T. technique will not be utilized on pedestrians, bicycles, motorcycles, or vehicles having a known high center of gravity, i.e., utility vehicles/SUVs.
 - 5) Officer's personal skill in accomplishing the maneuver should be taken into consideration prior to implementation.

F. Reporting:⁸

1. Officers initiating any police intervention technique should be reminded that the utilization of such techniques are intentional acts and shall not be documented as traffic crashes. Reporting of police intervention and circumstances involving their utilization will be documented in an Incident or Supplement Report.
 - a. If damage to any property, police or civilian occurs, officers shall also initiate a Risk Management Information Form (TPD 609).
 - b. In the case of such property damage and/or injury occurs as a result of police intervention; officers should secure the scene, obtain photographs and notify appropriate supervisory personnel.
 - c. All officers involved in a pursuit shall complete a Pursuit Form, TPD 996, regardless of the outcome of the pursuit. *Involvement* includes any action related to the pursuit, specifically, but not limited to paralleling, assisting, following, blocking intersections,

⁸ CALEA [5th Edition] 41.2.3(e)

etc. This will include any actions the officer performs to assist in stopping the pursuit or to protect other innocent people. The form will be attached to the primary report or, if no other report is necessary, the primary officer shall initiate an incident report and attach any pursuit form(s).

The officer originating the pursuit will complete the front of the Pursuit Form. All other officers involved in the pursuit will complete the reverse side of a Pursuit Form.

A copy of the report will be forwarded to the assistant chief of operations via the division commander of the affected division.

- d. All pursuit/P.I.T. packages will be filed in the Internal Affairs Bureau upon conclusion of Staff review. The IAB will conduct an annual analysis of pursuits.⁹

G. Securing the Scene:

- a. The scene of initial contact, the path that both vehicles follow during P.I.T. and the final resting-place of both vehicles should be preserved. Other vehicles, i.e., police or rescue vehicles should not drive over scuff or yaw marks from involved vehicles.
 - 1) A P.I.T. resulting in injury will require a more extensive investigation, since this is considered the use of force. The extent of the investigation depends on the severity of the injury. In the case of no injury or minor injury to any person, district personnel are sufficient to investigate and document the incident. An identification technician will be called to document the scene.
 - 2) In case of serious or life threatening injuries or death, Internal Affairs Bureau, Homicide, Hit and Run, a forensic mapping specialist, and the police legal advisor will be notified.
 - 3) On any P.I.T. investigation, the following information should be obtained by investigators:
 - a) Photographs:
 - (1) Impact areas on vehicles;
 - (2) Path of vehicles before and after P.I.T.;
 - (3) Roadway;

⁹ CALEA [5th Edition] 41.2.2

- (4) Any obstacles involved;
 - (5) Interior of violator's vehicle; and
 - (6) Any other subsequent damaged areas, police vehicles, and obstacles.
- b) Interviews:
- (1) Witness;
 - (2) Police officers involved;
 - (3) Violator(s); and
 - (4) Ambulance crews.
- c) Measurements:
- (1) To calculate speed;
 - (2) Place vehicles before and after P.I.T.;
 - (3) Roadway; and
 - (4) Distance or visual clarity, or distance to first possible point of perception to obstacles or other vehicles.

H. Supervisory Responsibilities: ¹⁰

1. Upon the conclusion of the use of a police intervention technique, the Sergeant will respond to that location and meet with all personnel involved.
2. The Sergeant will oversee the processing of the scene and ensure the participating officers complete the appropriate pursuit forms and supplemental reports. (See SOP 386.1 - VI. F.)
3. The Sergeant will ensure audio/video recordings of vehicles equipped with an in-car camera system are secured and placed in evidence and/or the appropriate administrative report package.¹¹

¹⁰ CALEA [5th Edition] 41.2.3(d)

¹¹ CALEA [5th Edition] 41.3.8

4. In the event that serious or life threatening injuries, or death result from the implementation of one of the intervention techniques, a more extensive investigation shall be required.
 - a. A traffic reconstructionist and/or forensic mappers, as well as forensic evidence technicians shall be utilized to assist in the investigation.
 - b. Additionally, in those incidents involving serious or life threatening injuries, or death; immediate notification will be made to the Executive Staff, Internal Affairs Bureau, Traffic Homicide, Hit and Run, and the police legal advisor, public information safety coordinator, and the City of Tampa Risk Management.

398 WATER RESCUE THROW LINE BAGS

- I. DISCUSSION: To provide a simple yet effective device and method of extracting a person from a body of water.

- II. PROCEDURE:
 - A. Location of the water rescue line bags: Each marked police unit including supervisor's units, shall contain a throw line bag in the trunk of the vehicle. These vehicles must be so equipped and available at all times.

 - B. Training: The underwater search and recovery team will provide training in the use and care of the water rescue throw line bag.

 - C. Deployment of the water rescue throw line bag: Any squad officer(s)/supervisor(s) who observe or receive information reference to an incident requiring water extraction assistance will immediately respond and deploy the throw line bag as training dictates.

 - D. Inspection and maintenance of the water rescue throw line bag:
 - 1. It is the responsibility of the supervisor to inspect the throw line bags during their regular vehicle inspections. Should replacement of the device be required, the supervisor will contact the Training Unit who will provide that replacement.

 - 2. The officer will ensure that the throw line bags are rinsed with fresh water and air-dried after every submersion.

Supersedes SOP 398, dated 7/01.

400.1 REPORT WRITING GUIDE¹

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¹ CALEA [5th Edition] 1.2.5(a); 82.2.1(a-e)

² CALEA [5th Edition] 1.2.5(a)

³ CALEA [5th Edition] 1.2.5(a)

⁴ CALEA [5th Edition] 1.2.5(a)

⁵ CALEA [5th Edition] 1.2.5(a); 61.4.3(c)

⁶ CALEA [5th Edition] 1.2.5(a)

⁷ CALEA [5th Edition] 1.2.5(a)

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Supersedes SOP 400.1, dated 10/06.

400.2 INTRODUCTION TO RECORDS AND REPORT SYSTEMS:¹

I. DISCUSSION:

The Tampa Police Department implemented an integrated computer system. The system was designed to have all components work together to support one another. CAD feeds into RMS, MDT/MRE feeds RMS, RMS houses and shares the information with CAD/MRE/MDT, etc.²

Future success in maintaining the integrated system is based on the flexibility to allow growth and consistency. This system will provide a powerful search engine in regards to police operations, crime and criminals in the City of Tampa.

II. INTEGRATED PARTS OF THE SYSTEM:

A. **RMS** - Records Management System:

The RMS (known as Versadex) is the “official” police records system that contains automated report routing and case management. It is also utilized by latent investigators and community service officers to enter offenses as well as track property that is reported lost or stolen and evidence in police custody.

The Versadex application is an “event” based system. Information entered into the RMS has to be linked to an event. There are a variety of events that exist in the system. An event **must exist** before information can be added to the system. The RMS consists of two components: Records and Property. The only event that exists for Property, is a Property Report.

Within the RMS, there are **only** three functions available to the average user: Query Records, Maintain Records and Browse Records. Security settings maintained by the Technology Unit define each user’s accessibility based upon their assigned duties and responsibilities

The Maintain Records function is “report writing”. It requires initial security settings to prevent information being added to the system until the user has received additional training.

Management is also used to assign work to latent investigators, latent fingerprint specialists and other investigating components of the Department.

a. Case Management Terms and Definitions:

- 1) “Org Unit” – The Org Unit within the RMS advises where a user is assigned. The assignment by Organization allows the system to know where to submit work for approval or where to send information.
- 2) Handles – A Handle (which is basically an electronic “in basket”) represents a Unit within the department. Some units, due to the vast amount of information received, have multiple handles.
- 3) Queues – As reports are received within each handle, the information is referred to as the Handle Queue. The information status may vary and therefore require multiple steps to move the information throughout the queue.
- 4) Personal “Work to Do” queue – Every user has a personal “Work to Do” queue that serves as their own “electronic in-basket”. The queue maintains the information until completely processed by the user and allows the user to receive assignments and conduct follow-ups.
- 5) Follow-ups – All investigative work on each case is added under a follow up. The Unit Sergeant may assign the follow-up or it may be self-assigned. The system determines where the follow-up is to be submitted for approval based upon who assigned the follow-up or the user’s Org Unit.

2. Query Records (Search with Specific Criteria): To QUERY the RMS, you must have existing knowledge of what information is available. For example, if a specific General Offense report is needed, the user must have the **exact** report number for the General Offense.

a. Query Types:

- 1) Query Event – To query any event, users must have the exact event number to display the results for that specific event.

- 2) Query Person – To query a person, users must have the exact name to be searched. The results will display a list of persons with similar names; however, selecting the exact name will display “Master Name” for that person. There’s also a tab available to display a synopsis of all information in the system for that individual.³

- 3) Query a Vehicle – To query a vehicle, users must have the license or vehicle identification number of the vehicle. The results will list similar vehicles with the license or VIN number. Selecting the exact vehicle will display the Master Vehicle information for that vehicle. A tab is also available for a synopsis of all information for that specific vehicle.

- 4) Query an Address – To query an address, users may enter the exact address or query a “block” range of the street name. The results will list a synopsis of all related events for that address (or range). A tab is also available to display all information for the address selected.

- 5) Query Complaint (Radio Call) – A radio call can be queried in two separate ways:
 - a) Records/Query/Event/Comp: Enter the complaint number; or
 - b) At Main Menu, select #5 Complaint Research/Get Case: Enter the complaint number.

3. Browse Records (Search without Specific Criteria): To “BROWSE” allows users to explore the system within set parameters. The system is able to sift through vast amounts of stored data and extract information that is relative to the search.

NOTE: Users enter information into various fields on various screens to “match” any reports with the same information in the same fields.

BROWSE “TOOLS” REFERENCE TABLE

SYMBOL	DEFINITION	USE
=	Equal to	Used to indicate a specific value for a field. This is the default Browse tool in the system. <i>NOTE: If the symbol (=) is used in a field when the field is blank, it indicates to look for the field being blank.</i>

³ CALEA [5th Edition] 82.2.1(a)(b)(c), 82.3.1

>	Greater than	Used to retrieve items that are greater than a specified value. <i>For example, entering >050103 in the Date Occurred field retrieves information that occurred after that date.</i>
<	Less than	Used to retrieve items that are less than a specified value. <i>For example, entering <100 in the Case # field retrieves all reports with a case number lower than 100.</i>
>=	Greater than or Equal to	Used together to retrieve items that are greater than or equal to the specified value. <i>For example, entering >=19 in the Age field retrieves records where the age is 19 or older.</i>
<=	Less than or Equal to	Used together to retrieve items that are lesser than or equal to the specified field.
!=	Not Equal to	Used together to exclude a certain value from the results of the browse. <i>For example, entering !=Bro in the Hair Color field would return all records other than those with brown hair.</i>
*	Wildcard, one or more characters	Used to retrieve items that contain a specified string of characters as well as one or more unknown characters. <i>For example, entering *main* in the Location field retrieves all records with the character string "main" in the address. Placing the * at the beginning of the field retrieves all street numbers, while placing * at the end of the field retrieves all street types.</i> The * can also be used to browse for a name. If *don* was entered in the Name field, it retrieves all records that contain the text string "don" in the name. NOTE: This wildcard <u>cannot</u> be used in the Number field, such as date and time.
?	Wildcard, single character	Used to retrieve records that differ by a specified number of characters. <i>For example, entering Sle?man in the Surname field retrieves all persons whose surnames are Sleeman or Sleaman or with any character in the place of the "?".</i> This symbol can also be used to browse for vehicle license plates. <i>For example, entering abc??? in the Plate field retrieves all records with license numbers starting with ABC and ending with any combination of characters in the last three positions.</i>
:	Range (between)	Used to indicate ranges for dates, times, dates of birth and case numbers. <i>For example, entering 050103:050303 in the Reported field retrieves all records reported between the two dates.</i>
(shift backslash)	Alternation (or)	Used to indicate alternating browse criteria (either/or). <i>For example, entering CVT CAM in the Model field retrieves all records of Corvettes and Camaros in the system.</i>

4. V-Mail: The RMS has a communication tool that allows users to send electronic messages to other users or handles and to “attach” these messages to an event.

B. **MDT - Mobile Data Terminal (Computer Screen and Application):**

The MDT provides a “Windows” look on a touch screen display. A brief description of MDT functions is listed below. **For detailed instructions on the MDT, refer to the training guidelines available on the City of Tampa I-NET.**

1. Call Related Functions: Used for dispatches or calls for service that are received, responded to, updated and cleared through the MDT.
2. Request: Used to receive requests for Notepad Topics, Duty Rosters, Unit Status, Queued calls, BOLOS, and Help Tables.
3. Busy: Used to advise if officers are En Route, Arrived or In-Service.
4. Admin: Used to query remote and local message logs, on-view calls (self initiated), add remarks and clear calls.
5. Query: Used to query records regarding vehicles, people, businesses, locations, general offense reports, etc.
6. Mapping: When the program starts, the online mapping application MapLight is launched. When a call is dispatched, the call address appears on the map. The online map is also activated through the Read Message screen (**F10**) when users are viewing a call on address synopsis. The mapping window will remain behind the scenes until you choose to bring it to the foreground.

C. **CAD – Computer Aided Dispatch:**

The CAD is used to manage calls for service and assist dispatchers in sending calls to patrolling units. The system monitors officer activity, shows unit statuses, and provides messaging between officers and dispatchers. Automated dispatch information is shared with the RMS system.

For detailed instructions on the CAD system refer to training materials available on the City of Tampa network’s K drive.

D. **MRE – Mobile Report Entry:**

The MRE is the standard method for originating offense reports. It allows officers to type their reports on the in-car computer and send them, via radio, to the Sergeant for approval. Reports are then electronically sent to the Records

Section, where they are electronically transcribed into the Records Management System (RMS).

For further information on General Offense report entry refer to SOP 401.1 and the training guidelines available on the City of Tampa I-NET.

III. HANDWRITTEN FORMS⁴:

The Operations Manual should also be consulted on a regular basis in order to comply with the department's reporting policies, report requirements, report format and clearance procedures.

Instructions for completing each form are correspondingly numbered to the information elements on the example form. When filling in report forms, it is necessary to complete only the relevant information sections that are pertinent to the incident. All sections not applicable should be left blank. "Unknown" and "not applicable", (N/A), are not to be confused or used interchangeably. If an information element is relevant to the investigation, but is unknown, write unknown. If an element is not applicable to the incident, leave it blank.

All narrative information will be written in a style, which is easily understood, to all users of the information. When the use of abbreviations is necessary or expedient, only standard abbreviations should be used. The recommended letter style and some standard abbreviations are contained in SOP 404.6.

- A. Traffic Crash Reports: The reports included in this guide are the current statewide Crash Report Forms. Successful use of these forms will require cross-referencing operational manual instructions with the latest Traffic Crash Report Instruction Manual published by the Department of Motor Vehicles. The Traffic Crash Report will be used to record injury, non-injury, fatal, and hit and run crash information. Refer to SOP 401.4 for detailed instructions.
- B. False Alarm Hangtag (TPD 1031): A hanging notice card left on the premises or provided to the agent at a false alarm call. The card provides notice of response and tips for reducing false alarms. Refer to SOP 401.6 for detailed instructions.
- C. Vehicle Impound Report (TPD 203): This form is used to provide an accurate record concerning vehicles and their contents impounded by this department. Refer to SOP 401.7 for detailed instructions.
- D. Criminal Report Affidavits/C.R.A. (SAO 425): This form is used for charging persons with a crime or a traffic infraction whether the person is incarcerated or

⁴ CALEA [5th Edition] 82.2.1(b)

released on his/her own recognizance. This form is also used to notify D.C.F.S. of a child in need of services. Criminal uses include:

1. Adult/Juvenile:
 - a. Felony; and/or
 - b. Misdemeanor;
2. Traffic Citation;
3. DUI Citation.

Refer to SOP 402 for detailed instructions.

- E. Alcohol/Drug Influence Attachment (TPD 312): A multi-purpose form designed to assist the officer in the field and in court when dealing with persons who may be under the influence of drugs or alcohol. The form shall always be completed when investigating D.U.I. offenses. Refer to SOP 403.1 for detailed instructions.
- F. Medical Examiner Attachment (TPD 311): A form used to assist the Medical Examiner in describing the events, surroundings, and possible causes of human death. Refer to SOP 403.2 for detailed instructions.
- G. Consent And Release Form (TPD 310): A multi-purpose form designed to facilitate the following occurrences: Consent to Interview, Consent to Search/Waiver of Search Warrant, Missing Persons/Juvenile Runaway Affidavit, Reporting False Offenses and Stolen Vehicles, Release of Responsibilities, Complaint Withdrawal, and Written/Oral Statements. Refer to SOP 403.3 for detailed instructions.
- H. Trespass Warning Form (TPD 709): A form for documenting incidents of trespass warnings issued by complainants in the presence of officers, in order to provide an effective aid in the arrest for violations of trespass after such warning. Refer to SOP 403.5 for detailed instructions.
- I. Law Enforcement Hold on Property (TPD 726): This form is used to place a written hold on property, which a citizen claims is stolen property located in a pawnshop. Refer to SOP 403.7 for detailed instructions.
- J. Assault Victim Instructions (TPD 596): This form is provided by an investigating officer to an assault victim who is interested in prosecuting the suspect in an assault case. Refer to SOP 403.8 for detailed instructions.

Supersedes SOP 400.2, dated 12/06.

401.1 GENERAL OFFENSE REPORT:¹

I. MOBILE REPORT ENTRY:²

The standard method for originating offense reports will be the use of the Mobile Report Entry system (MRE). The MRE allows officers in the field to type their reports on the in-car computer and send them, via radio, to the Sergeant for approval. Reports are then electronically sent to the Records Section, where they are electronically transcribed into the Records Management System (RMS).³

This guide will provide general directions for filling out an offense report and establish standardized methods to enter parts of the report. **For detailed instructions, refer to the training guidelines available on the City of Tampa I-NET.**

II. MAIN GENERAL OFFENSE (GO) PAGE:

1. When reviewing the incident under investigation, first determine the proper jurisdiction and whether the offense was committed or attempted.
2. Once the upper section of the screen is complete, select the OFFENSES tab and the IBR (UCR) Offense screen will be invoked.
3. Once the offense has been identified, the offense highest on the list of mandatory reportable offenses (refer to SOP 404.1) will be entered in the OFFENSE section of the Mobile Report Entry system. Any additional offenses will be recorded in the narrative section and listed on the charging affidavit. The following steps will be taken to fill out the UCR portion of the report:
 - a. UCR coding can be somewhat ambiguous to law enforcement officers, as there are certain criteria required for reporting to the FBI. This criteria does not always match up with Florida State Statutes. Therefore, a reference table is available that will be more familiar to most officers. Pressing the **Shift and F2 keys simultaneously** from the IBR Offense screen will enable the entry of a state statute. This will bring up all the UCR codes associated with that statute.
 - b. Once the correct code is highlighted, pressing the **Enter** key will fill out the code into the IBR Offense screen. A second offense may be entered on the next line down, however, for UCR purposes, **only the highest crime in the UCR hierarchy is recorded, all other offenses are not counted.** For example, if a Burglary/Grand Theft were committed, only the Burglary would be counted, because it is the most serious crime.

¹ CALEA[5th Edition] 82.2.1(c)

² CALEA[5th Edition] 1.2.5(a); 82.2.1

³ CALEA[5th Edition] 1.2.5(a); 82.2.1

Officers still need to enter all offenses on the Criminal Report Affidavit for the purpose of charging suspects in court.⁴

4. The IBR Offense Screen will now have the proper code entered for the Offense selected. Some of the remaining fields on the IBR Offense screen are required, while others are specific to certain types of crimes. Below is an explanation of the fields and when they are required:
 - a. Code and Ext.: Field used to select the Offense title using UCR codes.
 - b. C/A: This field indicates if the crime was Committed or Attempted. Enter the letter “C” for committed or the letter “A” for attempted.
 - c. Used: This field will automatically pre-fill to “N” for Not Applicable, and may be left that way in most cases. However, if the suspect used drugs or alcohol at the time of the offense, change the entry to the appropriate code from the pop-up table.
 - d. Location Type: This field must be filled for all offenses as required by UCR standards. The field has a pop-up table for reference and indicates what location the crime occurred.
 - e. Number Entered: This field is for Burglaries of Structures **ONLY** and the number of structures entered. **It is not for Auto Burglary cases.**
 - f. Entry Method: This field is also used for Burglaries of Structures **ONLY** and **not for Auto Burglary cases**. The two choices are “1” for “Forced” and “2” for “Unlawful Entry”. The field has a pop-up table for reference.
 - g. Criminal Activity: This field is for Narcotics offenses and should only be filled for Narcotics cases. There is a pop-up table available to describe the type of drug activity the suspect was involved in.
 - h. Weapon/Force Type Used: This field is **ONLY** entered for Offenses against people. **Offenses against property DO NOT require a weapon used.** Offenses that require weapons are Homicide, Manslaughter, Forcible Rape (all), Forcible Sodomy, Forcible Fondling, Robbery (all), Aggravated Assault, Aggravated Battery, Aggravated Stalking, Simple Assault/Battery (only allowable weapon codes are hands, fist or feet “07” or Other Weapons “99” for this offense). There is a pop-up table available and you must “mark” (F4 key) your choice(s) as the limit is higher than 1.
5. Once all appropriate information has been recorded on the main GO page, press the Enter key to save the data. A ring menu will appear at the top of the page indicating that the work has been successfully saved.

⁴ CALEA[5th Edition] 1.2.5(a); 82.2.1

III. ENTITY SECTION:

You can index entities to any event, including GO's and Street Checks. Entities are persons, vehicles, or institutions (businesses). When you index an entity to an event, you are linking this entity to an event in the MRE.

1. If the person, vehicle or institution was previously involved in an event, it is already listed in the Records Management System (RMS). You can retrieve entity information and use it to pre-fill another report. *For example*, a particular building may be the target of ongoing vandalism or a person may be the suspect in more than one incident.
2. If the entity is not in the RMS, you can add it through the MRE report. It will then be added to the RMS during transcription. The entry of information into the RMS is based on the event that is linked to the information. Regardless of the event type, all "entity" information is recorded as "Case Specific" information that is unique to the reported event.
3. Entity information that is entered in the new event is also used to constantly update the "Master Name Index" (MNI) on the entity. This is true for all entities: persons, vehicles and businesses. For this reason, it is extremely important that officers obtain and enter as much information as possible about entities they are in contact with. The more information entered the better the investigation tool RMS becomes. Officers will not abuse the pre-fill option available in Versadex. Up-to-date contact, descriptive and other vital details must be obtained and entered in the system.
4. If there is a suspect in the case, the suspect should always be entered first. All other people linked to the event should be listed subsequent to the suspect. This will make it easier for users to enter linkage information. If only a suspect description is available, use the Unknown Person section.

For detailed instructions on entering Entities in the MRE refer to the training guidelines available on the City of Tampa I-net.

IV. DETAIL PAGES:

Detail pages are required on certain offense reports and in certain circumstances. When an event is created, it may be necessary to record more extensive information than what the basic event and the indexed entity screens allow. To capture the additional information, detail pages will be indexed directly to the event or to an entity.

There are several different detail pages that enable users to record extended information specific to certain common types of police offense reports. The following list describes the different detail pages, their intended use and when they are required.

1. **Missing Person Detail Page (MP):** The Missing Person detail page will be completed on all Runaway and Missing Person reports. It captures comprehensive information on missing children and adults to assist in the investigation, facilitate thorough browse searches and provide information needed for pick-up orders.
2. **Sudden Death Detail Page (SD):** The Sudden Death detail page will be completed on all victims of homicide, suicide or other sudden death cases (i.e., SIDS, drowning, etc.)
3. **Stolen Vehicle Detail Page (SV):** The Stolen Vehicle detail page will be completed on all stolen vehicle reports that are reported as true Grand Theft Autos. The detail page will not be entered if the offense is being reported as Information Only. Auto Theft investigators will add the detail page if the offense is re-classified to Grand Theft Auto at a later time. This detail page offers specific information on the vehicle that was stolen to assist in the investigation, facilitate through browse searches and provide information needed for pick-up orders. It is important that this detail page is completed for origination of Grand Theft Auto reports and upon recovery of a stolen vehicle. The detail page needs to be completed for all recovered vehicles regardless of originating agency.
4. **Break and Enter Modus Operandi Detail Page (BM):** The BM detail page will be completed on all Burglary and Auto Burglary offenses. This detail page is a valuable investigative tool that track a burglary suspect's modus operandi and provides solvability factors to latent investigators as well as information Crime Analysts can utilize to establish patterns.
5. **Person Offense Modus Operandi Detail Page (PM):** The PM detail page will be completed on all violent crimes. Information is gathered and used by investigators and Crime Analysts to establish patterns and develop leads. Appropriate crimes included for this reporting form are: armed robbery, attempt abduction, carjacking, home invasion, homicide, kidnapping, lewd and lascivious acts, sex crimes against children and sexual battery.
6. **Fraudulent Document Detail Page (FD):** The FD detail page will be completed on all cases involving fraudulent documents (i.e., forgery, counterfeit, etc.) This detail page tracks modus operandi on forgery and other economic crimes. It provides valuable information to latent investigators and facilitates thorough browse searches.
7. **Canine Detail Page (K9):** The K9 detail page will be completed whenever a K9 unit deploys their dog and will only be completed by K9 handlers. Detailed instructions are located on the City of Tampa I-net.
8. **Sobriety Test Detail Page (SY):** The SY detail page will be completed whenever a sobriety test is given.

9. **Use of Force Detail Page (UF):** The UF detail page will be completed whenever a subject is taken into custody or any level of force is deployed. The UF detail page will be utilized on both General Offense and Street Check events. This detail page is used to record physical contact with a subject. The form captures the level of force utilized, if any, by the officer(s) to overcome the level of resistance to the contact.
10. **Seized/Towed Detail Page (ST):** The ST detail page will be completed whenever a vehicle is impounded. This detail page will be completed by Communications personnel in order to have the information entered in a timely manner. Street officers will not fill out this detail page. Detailed information about the ST detail page is available on the City of Tampa network's K drive.

For detailed information on how to enter detail pages, refer to training guidelines available on the City of Tampa I-NET.

V. **TEXT ENTRIES**⁵:

The written sections of a report, which include the case summary, officer's narrative and investigation and entity statements, describe what happened. Officers must cover who, what, where, when, why and how and provide a clear description of all relevant events.⁶

Think of the police report in its entirety as a pyramid. The peak of the pyramid is the case summary; under the case summary is the narrative; followed by any victim/suspect/witness statements and finally other information added later such as supplements and follow up investigation. The case summary leads to the narrative/police investigation, which leads the reader to the other supplements and investigative details.

It is acceptable to enter statements from involved entities as separate text entries; however, the officer's narrative should thoroughly explain what happened so it's easily understood. A statement can sometimes be confusing and jump around the sequence of events due to excited, upset parties. It is incumbent upon the officer to make sense of it all in a complete, succinct package.

All portions of written text will be divided into paragraphs to make it easier to read and comprehend. Reports will not be written in all capitalized letters, upper and lower case will be used. Quotation marks will also be used to denote verbatim statements written in the report.

1. Appropriate Text Types:
 - a. Case Summary (CS) - Used as the reconstruction of the event.
 - b. Initial Report (IO) - Used as the narrative/police investigation section.

⁵ CALEA[5th Edition] 1.2.5(a); 82.2.1

⁶ CALEA[5th Edition] 1.2.5(a); 82.2.1

- c. Statement (ST) - Used to indicate statements.
- d. Neighborhood Survey (NS) - Used to record neighborhood surveys
- e. Supplemental (SP) - Used for supplements.

2. The Case Summary:

a. The Case Summary is the first part of the written portion of a police report. It provides a synopsis of what happened and is one of the most important portions of the report. In addition, this importance can not be overstated for the State Attorney who is trying to get the general picture of an incident. The synopsis should be in the range of five sentences that capture the:

- Who;⁷
- What;⁸
- Where;⁹
- When;¹⁰
- Why;¹¹ and
- How.¹²

b. By answering all of these questions in a short paragraph, two very important aspects of report writing are fulfilled¹³:

1. Provide fellow police officers the information needed to make informed and appropriate decisions that may result in preventing a dangerous contact;¹⁴ and
2. Allow the State Attorney to have the important details of the incident/event in a simple and succinct package that is easy to read.¹⁵

3. The Initial Report (Narrative):

The narrative portion of a report allows the reader to visualize how all the pieces of the incident and the participants fit together. The report writer must flesh out the synopsis, put all of the pieces of the incident/event into their proper place, and essentially make sense out of confusion. The narrative starts with the very first relevant portion of the event, and finishes with the very last. The narrative never starts with the police arriving on scene.

⁷ CALEA[5th Edition] 1.2.5(a); 82.2.1

⁸ CALEA[5th Edition] 1.2.5(a); 82.2.1

⁹ CALEA[5th Edition] 1.2.5(a); 82.2.1

¹⁰ CALEA[5th Edition] 1.2.5(a); 82.2.1

¹¹ CALEA[5th Edition] 1.2.5(a); 82.2.1

¹² CALEA[5th Edition] 1.2.5(a); 82.2.1

¹³ CALEA[5th Edition] 1.2.5(a); 82.2.1

¹⁴ CALEA[5th Edition] 1.2.5(a); 82.2.1

¹⁵ CALEA[5th Edition] 1.2.5(a); 82.2.1

The following is a list of basic elements that should be covered in the officer's narrative¹⁶:

- a. Background of Event: What happened prior to the incident, what is the history?¹⁷
- b. What Happened During the Incident? Establish the elements of the crime here.¹⁸
- c. Victim/Witness Actions: What did they see? What did they do? Did they provide a statement? This portion can be in point form, make it simple to know exactly what transpired. Refer the reader to the witness statements that were provided.¹⁹
- d. Scene upon Police Arrival: What was the scene when police arrived? Is it consistent with what was dispatched (relate the dispatch info as well)? This is extremely important, especially when officers must make quick decisions based upon information received and seen.²⁰
- e. Police Actions: Summarize the actions of each/every officer. (Do not provide the other officer's evidence; give your own account. For example: "*Officer Griffin was holding the rear of the house and the accused ran out, was chased by Officer Griffin and arrested*". The supplemental text written by Officer Griffin will describe their action.) Time, date, location and who arrested the suspect are important factors to articulate.²¹
- f. Reason for Suspect Detention/Arrest: Why was the suspect arrested or detained? What was your probable cause? Explain the reason for your actions. If the suspect matched the description of the BOLO alert, explain what the broadcast description was and what the accused was wearing.²²
- g. Use of Force: What force was used and why? Advise if OC Spray, an ASP Baton or another object was used on the suspect; explain why and how often? Did the force result in compliance? What commands, if any, did you give to gain compliance? If no commands used, explain why.²³
- h. Summary of Conversations/Statements: Summarize the essential details of statements or conversations with witnesses, victims and suspects. Separate

¹⁶ CALEA[5th Edition] 1.2.5(a); 82.2.1

¹⁷ CALEA[5th Edition] 1.2.5(a); 82.2.1

¹⁸ CALEA[5th Edition] 1.2.5(a); 82.2.1

¹⁹ CALEA[5th Edition] 1.2.5(a); 82.2.1

²⁰ CALEA[5th Edition] 1.2.5(a); 82.2.1

²¹ CALEA[5th Edition] 1.2.5(a); 82.2.1

²² CALEA[5th Edition] 1.2.5(a); 82.2.1

²³ CALEA[5th Edition] 1.2.5(a); 82.2.1

text entries should be entered for each interview with the exact statements made by the people involved.²⁴

- i. Disposition of Accused: Where did the accused go? Was the accused released at the scene? Was the accused transported to jail? Was the accused not located and there is a warrant requested?²⁵
- j. Injuries to Involved Parties/Property Damage: Document in detail any injuries observed, what treatment (if any) was necessary, etc. Document any damage to property and an estimate on the cost of repair.²⁶

All of the above elements should be covered in an officer's narrative in concise, neatly organized paragraphs.²⁷

4. Statements:

A separate text entry with the type of "Statement" will be made for each interview obtained. The name of the person providing the statement will be shown in the subject line of the text entry. *Officers must enter only what was stated and not ad-lib or interject their opinions in the statement entries.*

5. Neighborhood Survey:

A separate text entry with the type of "NS" for Neighborhood Survey will be completed to record neighborhood surveys that are conducted.

6. Supplemental:

Supplemental reports will be given a text type of "SP" for Supplemental. For detailed information on supplemental report writing, refer to SOP 401.2.

For detailed instructions on how to use the Versadex text editor, refer to training guidelines available on the City of Tampa I-NET.

VI. PROPERTY SECTION:²⁸

1. The property section of the MRE is actually a report within the General Offense. The Property Report comes over to the RMS as a separate entry that is transcribed separately from the General Offense report.²⁹

²⁴ CALEA[5th Edition] 1.2.5(a); 82.2.1

²⁵ CALEA[5th Edition] 1.2.5(a); 82.2.1

²⁶ CALEA[5th Edition] 1.2.5(a); 82.2.1

²⁷ CALEA[5th Edition] 1.2.5(a); 82.2.1

²⁸ CALEA[5th Edition] 1.2.5(a); 82.2.1; 83.2.1

²⁹ CALEA[5th Edition] 1.2.5(a); 82.2.1; 83.2.1

2. When adding property items, a Property Report must be created first. After a property report is created, a property item detail page can be indexed for each item. The property item detail page allows you to record specific descriptive information on the items being indexed.³⁰
 - a. The MRE categorizes items according to the following property types:³¹
 1. article;³²
 2. securities;³³
 3. firearm;³⁴
 4. jewelry;³⁵
 5. bicycle;³⁶
 6. drug;³⁷
 7. liquor;³⁸
 8. watercraft;³⁹
 9. motor;⁴⁰ and
 10. miscellaneous items.⁴¹
 - b. At this time, officers will only use the Property Report codes of:
 1. (L) – Lost; and
 2. (7) – Stolen.
3. Originating officers will not use any other property report codes. The Evidence Control Unit must assign storage locations to in-custody property and must maintain control of that part of the system. This applies to evidence, found property and seized property. Pawned items are maintained by the pawn unit and should not be entered by officers.
4. Officers will indicate stolen/recovered property by entering the information on the item detail page in the *Recovered Date* field and *Recovered Value* field. The fields are located on the actual item description page. Officers will not use the Property Report code (5) for Stolen/Recovered. Property Reports with a Stolen/Recovered code will only be originated by the Evidence Control Unit, as it is an in-custody code for system purposes.

³⁰ CALEA[5th Edition] 1.2.5(a); 82.2.1; 83.2.1

³¹ CALEA[5th Edition] 82.2.1; 83.2.1

³² CALEA[5th Edition] 82.2.1; 83.2.1

³³ CALEA[5th Edition] 82.2.1; 83.2.1

³⁴ CALEA[5th Edition] 82.2.1; 83.2.1

³⁵ CALEA[5th Edition] 82.2.1; 83.2.1

³⁶ CALEA[5th Edition] 82.2.1; 83.2.1

³⁷ CALEA[5th Edition] 82.2.1; 83.2.1

³⁸ CALEA[5th Edition] 82.2.1; 83.2.1

³⁹ CALEA[5th Edition] 82.2.1; 83.2.1

⁴⁰ CALEA[5th Edition] 82.2.1; 83.2.1

⁴¹ CALEA[5th Edition] 82.2.1; 83.2.1

For detailed instructions on entering property reports and item detail pages, refer to the training guidelines on the City of Tampa I-NET.

Supersedes SOP 401.1, dated 12/06.

401.2 SUPPLEMENTAL REPORT (TPD 306)¹

A. General Supplement:²

1. If necessary, add any additional entities and detail pages that are required.
2. Enter a new text page by clicking on “Text” in the toolbar.
3. Use the code “SP” for Supplement in the Type field.
4. In the Subject field, type out what type of supplement is being originated (i.e., *Re-classified* or *Additional Information*, etc.).
5. Type out the text detailing the supplemental information, including information regarding the addition of detail page or entities.

B. Additional Stolen Property:³

1. Additional stolen property reports are entered as shown above with the added element of a property report.
2. Subject line of the text will be labeled *Additional Stolen Property*.
3. A property report will be attached to the supplement, listing each additional stolen item being added to the report.

C. Mail-In Supplement:⁴

1. The supplement form (TPD 306) will be used as an additional stolen property supplement which the complainant can use to report additional items after the original report is filed, by mailing it to the Records Section.⁵ The Records Section will then enter the property into the Records Management System (RMS).
2. Before leaving the scene of a property crime, the officer will enter the original report number in the report number block.⁶ The report form instructions for the complainant are printed on the backside of the supplement form (TPD 306).⁷ The officer will review the instructions with the citizen before departing the scene.⁸

¹ CALEA [5th Edition]82.2.1

² CALEA [5th Edition] 82.2.1(c)

³ CALEA [5th Edition] 82.2.1(c)

⁴ CALEA [5th Edition] 81.2.14

⁵ CALEA [5th Edition] 81.2.14

⁶ CALEA [5th Edition] 82.2.1(c)

⁷ CALEA [5th Edition] 81.2.14

⁸ CALEA [5th Edition] 82.2.1(c)

For detailed instructions on entering supplements and stolen property, refer to the training guidelines available on the City of Tampa I-NET.

Supersedes SOP 401.2, dated 11/06.

401.4 FLORIDA TRAFFIC CRASH REPORTS

- I. **DISCUSSION:** Florida State Statute 316.066 (3)(a) identifies when a crash report must be written. Beyond the legal criteria, there are other reasons that a crash report should be initiated, as well as identifying the community service related to traffic crash response and assistance.
- II. **PURPOSE:** This policy will outline the response and investigation procedures that are associated with state law and departmental philosophy.
- III. **DEFINITIONS:** Florida State Statute 316.066 (3) (a) (1-3) (Written Reports of Crashes).
 - A. Crash reports are required to be completed by law enforcement officers (as well as non-sworn investigators) only when:
 1. Crash resulted in death or personal injury {F.S §316.027 (1)(a)(b)};¹
 2. Crash involved a leaving the scene with attended property {F.S. §316.061 (1)};² or
 3. Crash involved a D.U.I. {F.S. §316.193}.³
 - B. Crash reports **may be** completed when damage to a vehicle is so severe that a wrecker needs to be utilized.⁴
- IV. **FORMS:**⁵
 - A. Florida Traffic Crash Report - HSMV 9003 (Long form);
 - B. Florida Traffic Crash Report - HSMV 9004 (Update or continuation);
 - C. Florida Traffic Crash Report - HSMV 9005 (Narrative and diagram);
 - D. Florida Traffic Crash Report - HSMV 9006 (Multi-form/short form having three components):
 1. Law enforcement short form;
 2. Driver report of traffic crash; and
 3. Driver's exchange of information.

¹ CALEA [5th Edition] 61.2.1(a), 61.2.2(a)

² CALEA [5th Edition] 61.2.1(b), 61.2.2(b)(d)

³ CALEA [5th Edition] 61.2.1(d), 61.2.2(c)

⁴ CALEA [5th Edition] 61.2.2(h)

⁵ CALEA [5th Edition] 82.2.1(c)

V. GUIDELINES: Law enforcement officers will respond to all reported calls for traffic crashes. Upon arrival they will:

- A. Render first aid, call EMS if necessary, and protect the scene;⁶
- B. Identify any potential hazards (fire, fuel spills, downed lines, etc.);⁷
- C. Locate any witnesses or involved parties;
- D. Establish and maintain order as necessary;⁸
- E. Provide the necessary traffic control throughout the investigation and clean up;⁹
and
- F. Investigate the involved parties for all traffic and criminal activity as necessary, to include license, registration and valid insurance, etc.

VI. REPORTING TRAFFIC CRASHES:

- A. This department shall initiate a Florida Traffic Crash Report, (long form, diagram, narrative, continuation and MRE as necessary) regardless of whether the crash occurs on the public right-of-way or private property¹⁰ when the:
 - 1. Crash results in death or personal injury, to include complaint of injury F.S. §316.027;¹¹
 - 2. Crash involves leaving the scene of attended property, F.S. §316.061 (1);¹²
 - 3. Crash involves leaving the scene of unattended property when there are investigative leads, to include plausible delayed reports F.S. §316.063 (1);¹³
 - 4. Any crash involving a D.U.I. (316.193), whether the DUI operator is the at-fault party or not in causing the crash;¹⁴
 - 5. Crash involves a government owned vehicle or government owned property;¹⁵

⁶ CALEA [5th Edition] 61.2.1(a), 61.2.2(a)

⁷ CALEA [5th Edition] 61.2.1(e), 61.2.2(e)

⁸ CALEA [5th Edition] 61.2.2(f)

⁹ CALEA [5th Edition] 61.2.2(g)

¹⁰ CALEA [5th Edition] 61.2.1(f)

¹¹ CALEA [5th Edition] 61.2.1(e), 61.2.2(e)

¹² CALEA [5th Edition] 61.2.19b), 61.2.2(b)(d), 61.2.1(c)

¹³ CALEA [5th Edition] 61.2.19b), 61.2.2(b)(d), 61.2.1(c)

¹⁴ CALEA [5th Edition] 61.2.1(d), 61.2.2(c)

6. Crash is a result of a police pursuit, regardless of the agency involved, and regardless of the absence of personal injury or death; or
7. Crash involves a unique circumstance and the investigator or supervisor deems it necessary to originate a crash report, such as a HAZMAT or other large scene involving the utilization of a wrecker, etc.¹⁶

Note: All of the above investigations require the appropriate traffic, civil, and criminal investigation, and issuance of a citation and/or an arrest when applicable.

B. When none of the above criteria applies, the department shall utilize the Driver's Report of Traffic Crash, or the Driver's Exchange of Information, HSMV 9006 (short form) but specifically when the:

1. Crash does not meet any of the statutory requirements outlined in 316.066(3)(a);
2. Crash is leaving the scene of unattended property, without investigative leads, on public right-of-way or private property.¹⁷ Although a Traffic Crash HSMV 9003 (long form) **may not** be required, the criminal element of a hit & run accident **shall be** documented as a General Offense report.
3. Crash involves a criminal traffic offense other than DUI or leaving the scene of attended property, such as DWLS, NVDL, reckless driving, etc.;¹⁸
4. Crash involves the utilization of a wrecker, but no other conditions of the aforementioned mandatory (long form) sections are present; or
5. Crash is a delayed report and all parties have left the scene.

Note: When the driver's report of traffic crash or driver's exchange of information report (short form) is utilized in the field or as a delayed report:

1. No citation should be written. This does not exclude criminal investigations from being accomplished as necessary, or other citations typically utilized in leaving the scene investigations.
2. Officers **shall** stand by and ensure necessary information is verified and exchanged, assisting involved parties with the completion of the driver's report of traffic crash or driver's exchange of information on a HSMV

¹⁵ CALEA [5th Edition] 61.2.1(b), 61.2.2(b)(d)

¹⁶ CALEA [5th Edition] 61.2.1(e), 61.2.2(e)(h)

¹⁷ CALEA [5th Edition] 61.2.1(b)(c), 61.2.2(b)(d), 61.2.1(f)

¹⁸ CALEA [5th Edition] 61.2.1(b)(c), 61.2.2(b)(d)

9006 (short form). The event number for the call shall be written within the “Investigating Agency Report Number” box at the top of the form and the words “Report Number” lined through (i.e. Investigating Agency ~~Report Number~~).

3. Officers shall reclassify the call upon coming 10-08 from a “Signal 04” to a “Signal 04-E” (a modifier denoting no report was written and that an exchange of information was completed).

C. GENERAL INFORMATION:

1. All investigators should refer to the following related SOPs associated with traffic crash reporting:
 - a. 833 - Traffic Crash Investigations;
 - b. 402.4 – Traffic Citation;
 - c. 404.5 – Special Traffic / Crash Information; and
 - d. 404.7 – Hit and Run.¹⁹
2. Crash debris can be detrimental to motorists, pedestrians and the environment. All wreckers responding to the scene of a crash investigation are required by state law to clean up all associated debris, to include fluids.²⁰ It is the officer/investigator’s responsibility on scene to ensure the wrecker drivers are in compliance.²¹
3. All communications personnel (dispatchers) will assign an officer to respond to all traffic crash reports on public right-of-way, as the initial response and the subsequent reporting are separate philosophies in conjunction with this policy.
4. Any arrests of any parties involved in traffic crash investigations and reporting, unless outlined in 316.066, can be handled completely separate from the crash reporting responsibilities. Specifically, any non-DUI or non-Leaving the scene of attended property arrest can be processed without the necessity of using a long

401.6 FALSE ALARM NOTIFICATION HANGTAG

no

401.7 IMPOUNDED VEHICLE REPORT

1. Check blocks indicating existing vehicle equipment.
2. Check block reflecting status of vehicle keys.
3. Check theft and B & E auto, M.O. blocks and enter odometer reading shown at time of impound.
4. List all valuable property found in the vehicle. Include items of insignificant value only if relevant to an offense. (i.e., homicide, sexual battery cases). Complete details of report following inventory. An accurate inventory is essential. If impound lot personnel find additional items, the impounding officer will respond immediately to the impound lot to correct the inventory.¹
5. Circle damaged areas on vehicle. Check additional areas if applicable and check whether or not vehicle is operable. If vehicle is totaled, write "totaled" in this box.
6. Require wrecker driver to complete and sign wrecker fee information before leaving the scene. Verify accuracy.
7. Enter date of impound.
8. Enter time of impound.
9. Enter location of impound. If driven from the location of impound and released to a wrecker at a second location, show the original location of impound or seizure and indicate location of wrecker pick-up in "details of report" section.
10. Enter the name of the wrecker company.
11. Police impounds are completed by Evidence Control. Rotation impounds leave blank.
12. Enter vehicle information: year, make, model, style, color, license no., license year, state license issued.
13. Enter VIN number.
14. Enter corrected VIN number only if VIN is corrected after report is submitted.
15. Enter name of the insurance company.
16. Enter tag registration (required).

¹ CALEA [5th Edition] 61.2.3(f)

17. Enter VIN information - it is required that the VIN be checked in FCIC separately from tag check.
18. Check "Rotation" impounds for vehicles sent to a rotation company.
19. Check "Police" impound for vehicle sent to the police lot.

NOTE: Blocks for the two types of tows are designed to send the vehicle to the lot required by procedure. Be certain the wrecker driver understands the intended destination of the vehicle.

20. Complete related incident information.
21. Complete impounding officer information and supervisory approval.
22. Enter the specific division the hold is for. For "rotation" tows, leave blank.
23. Completed by Evidence Control Section.

Supersedes SOP 401.7, dated 12/06.

401.8 STREET CHECK:

- I. INTRODUCTION:** A street check is used to capture information on a person(s) who is *not* going to be arrested or vehicles associated with suspicious activity, in close proximity to a crime scene, or any other pertinent data that could be used for intelligence gathering.

Examples of Street Checks are observations of suspicious persons or known criminals, suspicious vehicles, or records of conversations between police officers and any number of different types of subjects. Information gathered and recorded through Street Checks, like all information in the RMS (Records Management System), is searchable and can prove crucial in subsequent criminal investigations.

It is imperative that officers utilize Street Checks as an information and intelligence gathering tool. The data entered into a street check needs to be up-to-date, accurate and as complete as possible. No bit of information is too small; everything from scars and tattoos, to associates and frequent hangouts, should be recorded on the Street Check. Officers should keep in mind that the information they collect could one day solve a crime. Officers are encouraged to be diligent, observant and cognizant of even the smallest detail about the subjects and vehicles they contact.

II. MAIN PAGE:

- A. Officers must fill out the type of Street Check that was completed and the reason for the Street Check. If further explanation is needed, it should be recorded on the text page of the Street Check. Some examples of reasons for street checks include:

1. Loitering;
2. Panhandling;
3. Persons known to be involved in criminal activity;
4. R.A.T. checks;
5. Gang Activity; and
6. Truants.

Virtually any suspicious activity or intelligence that could prove useful in the future and will not be documented as a General Offense, can and should be recorded on a Street Check.

- B. Once the main page of the SC (street check) is complete, and the work is saved, the SC Ring Menu will appear at the top of the screen, at which point further information such as detail pages, entities and text can be added.
- C. The navigation of the Street Check function is identical to the General Offense function. Entities, detail pages, and text are all handled in the same manner as the

General Offense report. The only rule of thumb that is different for the Street Check is that the Role for the involved person should **ALWAYS** be “30” for Subject. **Officers will not use Suspect, Victim or other roles when filling out a Street Check.**

III. ENTITIES SECTION:

- A. You can index entities to any event, including GO’s and Street Checks. Entities are persons, vehicles or institutions (businesses). When you index an entity to an event, you are linking this entity to an event in the MRE (Mobile Report Entry).
- B. If the person, vehicle, or institution has previously been involved in an event, it is already listed in the RMS. Officers can retrieve entity information and use it to pre-fill the Street Check. Officers will not abuse the pre-fill option available in Versadex. Up-to-date contact, descriptive and other vital details must be obtained and entered in the system.
- C. If the entity is not in the RMS, it can be added through the MRE report. It will then be added to the RMS during transcription. The entry of information into the RMS is based on the event that is linked to the information. Regardless of the event type, all “entity” information is recorded as “Case Specific” information that is unique to the reported event. Entity information that is entered in the new event is also used to constantly update the “Master Name Index” (MNI), on the entity. This is true for all types of entities; Persons, Vehicles and Businesses.

For this reason, it is extremely important that officers obtain and enter as much information as possible about entities they are in contact with. The complainant of today could be a suspect tomorrow. The more information that is entered, the better the investigation tool RMS becomes.

- D. Officers should take care to enter the following detailed information about subjects they are contacting, in the Entity section of the Street Check:
 - 1. Vehicles, including bicycles or other modes of transportation used by the subject.
 - 2. Tattoos, scars, and abnormalities (i.e., missing teeth, limbs, eye, etc.):
 - a. If there are scars, marks, tattoos, or piercings on a person, they must be entered in the appropriate area (“SMT”), not just in the “Remarks” field.
 - b. To get to the scars, marks and tattoos area, press [Shift] + [F9] and then follow the prompts.
 - 3. Clothing:
 - a. Clothing must be entered in the appropriate area by pressing [Shift] + [F2].

4. Contact information that is up to date and accurate.
 5. Identifying numbers such as Drivers License, Social Security, Date of Birth, etc.
 6. Alias (nicknames):
 - a. If the person has an alias or nickname, the information must be entered in the “Alias” section by clicking on the Alias tab after saving the entity information.
 - b. Alias information should include any alias identification numbers used such as driver’s license or social security numbers.
 7. Associate information:
 - a. If an officer comes in contact with a group of individuals, they must ALL be recorded on the same Street Check in the appropriate Associate section. This is the only way Crime Analysts can effectively link the individuals together. This is an important piece of intelligence on individuals and this section must be completed.
 - b. Officers may create a separate Street Check for each individual, listing him or her as a subject, however, every person involved must be listed as a known associate on each Street Check originated for the one incident. It is not necessary to originate multiple Street Checks for a group; they may be listed on one Street Check if desired.
- E. It is important that the appropriate areas are used to record particulars (i.e., scars, marks and tattoos) as this allows the information to be searched and browsed for at a later time. These details can prove vital to future investigations. Any factor an officer feels will prove important in identifying a subject in future investigations, should be recorded in the Street Check entity section.

For detailed instructions on entering Entities in the MRE, refer to the training guidelines available on the City of Tampa INET.

IV. DETAIL PAGES:

- A. When an event is created, there may be a need to record more extensive information than what the basic event and the indexed entity screens allow. To capture this additional information, detail pages will be indexed directly to the event or to an entity. There are several different detail pages that enable users to record extended information specific to certain common types of police offense reports.

B. Some detail pages only relate to General Offense reports and are not available on a Street Check. There are four detail pages that may be associated to a Street Check. They are listed below with a description of their use and when they are required:

1. Canine Detail Page (K9): The K9 detail page will be completed whenever a K9 unit deploys their dog. This detail page will *only* be completed by K9 handlers. Detailed instructions are located on the City of Tampa INET.
2. Sobriety Test Detail Page (SY): The SY detail page will be completed whenever a sobriety test is given. Detailed instructions are found on the City of Tampa INET.
3. Use of Force Detail Page (UF): The UF detail page will be completed whenever a subject is taken into custody or any level of force is deployed. The UF detail page will be utilized on both General Offense and Street Check events. This detail page is used to record physical contact with a subject. The form captures the level of force utilized, if any, by the officer(s) to overcome the level of resistance to the contact. Detailed instructions are found on the City of Tampa INET.
4. Seized/Towed Detail Page (ST): The ST detail page will be completed whenever a vehicle is impounded. This detail page will be completed by Communications personnel in order to have the information entered in a timely manner. Street officers will not fill out this detail page. Detailed information about the ST detail page is available on the City of Tampa network's K drive.

V. NARRATIVE TEXT:

Narrative text is entered and written the same manner as a General Offense report. For detailed information, refer to SOP 401.1 - General Offense Report and the training guidelines found on the City of Tampa INET.

VI. ROUTING OF STREET CHECKS:

It is important for officers to know that all Street Checks are automatically routed to the Criminal Intelligence Bureau and assigned to the appropriate Crime Analyst for each District. Every Street Check is read, analyzed and forwarded to the appropriate investigative squad.

Example: A subject is loitering around a high burglary area. That Street Check will be assigned to the Division or Unit working the area.

It is for this reason that it is so crucial that officers collect valuable intelligence information and remain cognizant of the fact that this information will be used as a tool to solve crimes.

401.9 UNIFORM CRIME REPORTING (UCR):¹

- I. PURPOSE: The purpose of this Standard Operating Procedure is to establish guidelines for the operation of the Uniform Crime Report function.
- II. DISCUSSION: It is the policy of the Tampa Police Department to participate in the State of Florida's Uniform Crime Reporting (UCR) Program, administered by the Florida Department of Law Enforcement (FDLE.) The FDLE contributes UCR data to the national UCR program, which is administered by the Federal Bureau of Investigation (FBI.) Additionally, it is the policy of the Tampa Police Department that its official crime and arrest statistics will reference UCR data. Spatial, temporal, modus operandi, offender specifics and other data elements may augment UCR data.
- III. DEFINITION:
 - A. Uniform Crime Reporting Program (UCR): Administered on a national level by the FBI and in Florida by FDLE, the UCR program's primary purpose is to provide a reliable set of criminal justice statistics for law enforcement administration, operation and management, as well as to indicate fluctuations in the level of crime in the United States. Uniform crime reporting is a collective effort on the part of city, county, state, tribal, and federal law enforcement agencies to present a nationwide view of crime. Because of the variances in punishment for the same offenses in different state codes, no distinction between felony and misdemeanor is possible. To avoid these problems and provide nationwide uniformity in crime reporting, standardized offense definitions were formulated by which law enforcement agencies are to submit data without regard for local statutes. Agencies throughout the country participating in the Uniform Crime Reporting (UCR) Program provide summarized reports on eight Part I offenses known to law enforcement and reports on persons arrested.
- IV. PROCEDURES:
 - A. The primary responsibility of this function is to submit crimes and arrest information that occurs in the City of Tampa to the Florida Department of Law Enforcement in accordance with Uniform Crime Reporting standards. Classification of offenses will be based on UCR definitions from facts written in the general offense report. Classification must follow FDLE's UCR guidelines, regardless of general offense report content, state statute definition or any other factors.
 - B. Data Terminal Operators Responsibility: Data Terminal Operators (DTO) assigned to the Records Section of the Special Support Division will electronically transcribe reports into the Records Management System. They will run the IBR edit check on every police report and fix any errors detected in the

¹ CALEA [5th Edition] 82.1.4

edit. The DTO will read all reports for content and send a notification to the Police Records Coordinator when they feel a report is improperly classified. This is to include supplemental information that changes the classification or clearance status of an offense. They will ensure that demographic information of the perpetrator and victims as well as geographic location of the offense is recorded. DTOs will ensure the integrity of such temporal, spatial and other data necessary to support pattern detection, trend analysis and forecasting by crime analysts. They will ensure proper collection of property stolen and recovered and clearance classifications (closed by arrest, etc.). Data Terminal Operators will maintain a current knowledge and understanding of UCR guidelines and procedures.

- C. Police Lieutenant Responsibility: Police Lieutenants will be responsible for reviewing reports originated by squads under their purview. Lieutenants will maintain a working knowledge of UCR guidelines and understand the difference between Florida State Statute and UCR reporting. They will notify the Police Records Coordinator of any questionable classifications so that the case can be reviewed and a proper determination made.

- D. Police Records Coordinator Responsibility: The Police Records Coordinator will make the final determination on report classifications. This position will be responsible for submitting the required UCR data in an electronic file to FDLE on a semiannual basis; utilizing FDLE's UCR input application. The required data includes a summary report of index crime, arrest data, a supplemental homicide report, and specified data on law enforcement officers killed and assaulted (LEOKA.) Prior to submission to FDLE, the Police Records Coordinator will compile the error list report and ensure that all errors are rectified. The Police Records Coordinator will provide hate crime reports to FDLE in accordance with FDLE's reporting standards. In support of Police Lieutenants efforts, the Police Records Coordinator will oversee the Department's quality assurance initiative and review reports for proper classifications, errors and ensure proper data collection.

402 CRIMINAL REPORT AFFIDAVIT

The criminal report affidavit will be used to charge both adults and juveniles with criminal offenses. The form will also be used to document juvenile dependency cases, for incarceration as well as for releasing persons on their own recognizance.

Grid #: Enter the grid number of the area where the incident occurred.

Court Case #: This space is reserved for the court case number.

SAO #: This space is reserved for the State Attorney's Case number.

OBTS #: Upon arrival at booking, in physical arrest cases, the officer will write in the OBTS number from the defendant's fingerprint card on this line.

Arrest: Mark with an X the type of arrest; mark the *juvenile/adult* status; and mark the degree of the offense.

Request for: Mark one of these blocks only if the affiant is requesting a *capias*, warrant, summons, or juvenile pickup.

Notice to Appear: Mark one of these blocks if the defendant is to be released on his own recognizance.

Agency Report #: Complete this line with the Tampa Police report number.

Agency Name: Enter *Tampa Police Department* or *Tampa PD*.

ORI #: Enter the number *02902*, which is the agency's ORI number.

Location of Offense: Enter the location of the offense, if known.

Date of Offense: Enter the date of offense, if known.

Time of Offense: Enter the time of offense, if known.

Within: Mark the block identified as *Tampa*.

Court: Mark the block identified as *Tampa Court*.

Location of Arrest: When the arrest is effected, write in the location of the defendant's physical arrest.

Date of Arrest: When the arrest is effected, write in the date of the defendant's physical arrest.

Time of Arrest: When the arrest is effected, write in the time of the defendant's physical arrest.

Booking #: This space is reserved for the Hillsborough County Sheriff's Office and is used for their booking number.

SOID #: This space is reserved for the Hillsborough County Sheriff's Office and is used for the defendant's HCSO identification number.

Weapon Type: This space is completed when a weapon is used during the offense. Describe the weapon type.

Weapon Seized: Mark the appropriate block.

Name: Enter the defendant's name.

Alias: Enter any alias the defendant has used.

Race: Enter the defendant's race using the appropriate code.

Sex: Enter the defendant's sex.

DOB: Enter the defendant's date of birth.

Approximate age: Enter the defendant's age or approximate age if the defendant's date of birth is unknown.

Complexion: Enter a description of the defendant's complexion (i.e., light, dark, ruddy).

Build: Enter a description of the defendant's build (i.e., muscular, thin, heavy).

Height: Enter the defendant's height.

Weight: Enter the defendant's weight.

Eye color: Enter the defendant's eye color.

Hair color: Enter the defendant's hair color.

Local address: Enter the defendant's local address. Include the name of the city, state, and zip code.

Phone #: Enter the phone number of the local address.

Permanent address: Enter the defendant's permanent address. Include the city, state, and zip code.

Phone #: Enter the phone number of the permanent address.

Business address: Enter the defendant's work address. Include the name of the business and the name of the city, state, and zip code. If a student, enter the school and grade.

Phone #: Enter the phone number of the business address.

Driver's License: Enter the identification number and the state of the defendant's driver's license, either current or expired.

Social Security #: Enter the defendant's social security number.

Place of birth: Enter the defendant's place of birth; include the city and state.

DOC: Leave this space blank. It is reserved for agencies that use a docket system for logging juvenile defendants.

Gang Member: Mark the appropriate box.

Gang Name: If defendant is a gang member, enter the name of the gang.

Scars, Marks, Tattoos, Unique Features: Enter a description of any scars or tattoos on the defendant. Include the location of the scar or tattoo on the body.

School Name: If the defendant is a juvenile, enter the name of the school.

Mother/Guardian: If the defendant is a juvenile, enter the mother's or female guardian's name and age on this line. The mother/female guardian's address will be placed on the next line, including the city, state, and zip code. Enter the telephone number and area code on the next line.

Father/Guardian: If the defendant is a juvenile, enter the father's or male guardian's name and age on this line. The father/male guardian's address will be placed on the next line, including the city, state, and zip code. Enter the telephone number and area code on the next line.

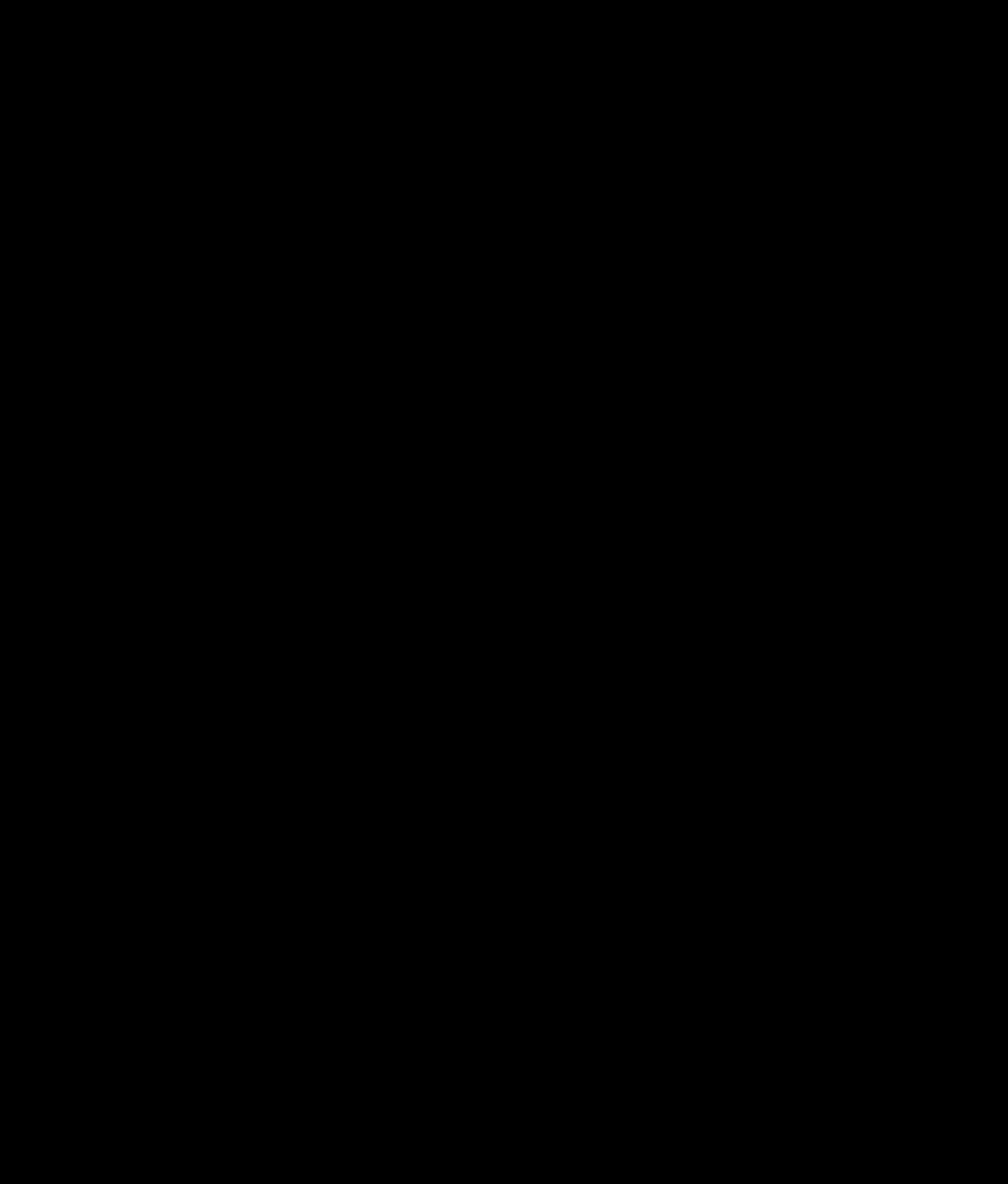
Released to: If the defendant is a juvenile, mark the correct block as regards the disposition of the juvenile.

Co-defendant: If there is a co-defendant(s), enter the name, race, sex, and date of birth. Mark all the blocks, which apply to the co-defendant.

Statute/Ordinance #: Enter the correct state statute or city ordinance number.

DV: Place an X in the box if the arrest involved domestic violence.

Charge Status: Enter the appropriate charge that applies. Use the codes found on the affidavit to complete this section.



Agency Report #: Enter the report number.

Agency Name: Enter the *Tampa Police Department* or *Tampa PD*.

Probable Cause that Crime Committed: State the facts to establish the probable cause to believe a crime was committed.

Probable Cause that Defendant Committed Crime or is Dependent: State the facts to establish the probable cause to believe the defendant committed the offense, or if the defendant is a juvenile, is dependent. Include a statement of the method the individual used to identify himself (i.e., verbal, driver's license).

Judgment Requested/Investigative Cost: Ensure the following wording is written on the affidavit "JUDGMENT REQUESTED AGAINST DEFENDANT FOR INVESTIGATIVE COST PER F.S. §938.27: \$_____. The cost amount is outlined by general order.

Officer: Enter the officer's name.

ID #: Enter officer's payroll number, district, and squad number.

Sworn Statement: The officer's supervisor (sergeant or acting sergeant or above) will notarize the officer's signature either by notary or his signature with the designation of law enforcement officer following it.

Police Report Written: Mark the appropriate block.

Officer: Enter the officer's initials and last name, ID number (officer's payroll number), district, and squad number.

Affiant: The affiant will sign the affidavit and print the affiant's name.

Witness Status: Enter the status code, choose from the three listed on the affidavit. Enter the witness' name, race, sex, and date of birth.

Home Address: Enter the witness' home address, apartment number, if applicable, city, state, zip code, and telephone number.

Business (or school) Address: Enter the witness' business or school address. Include the street address, city, state, zip code, and telephone number.

Officers shall not list themselves as a witness/complainant if they are the affiant on the CRA.

Supersedes SOP 402, dated 3/97.

402.1 SPECIFIC AFFIDAVIT SITUATIONS:¹

I. Tampa Police Department Cases:

A. Felony probable cause arrest (including felony traffic):²

1. One criminal report affidavit (SAO 425) and all copies will be completed in their entirety.³
2. The arresting officer shall place a (X) in the block marked probable cause, in the type of arrest area.
3. In the “Probable Cause Statement” area, state facts to establish probable cause that a crime was committed. Also, state facts to establish probable cause that the defendant committed the crime.
4. All copies of the criminal report affidavit except the canary (in-house copy) will accompany the accused to Central Booking.

B. Placing a felony pick-up on probable cause:⁴

1. One criminal report affidavit and all copies will be completed.⁵
2. The officer placing the pick-up will present the completed affidavit to the pick-up desk clerk, who shall place the pick-up and file the affidavit.

C. Felony probable cause arrest cases; active in-house pick-up; no warrant or capias issued:⁶

1. Obtain the criminal report affidavit from the Records Section, canceling the pick-up with the pick-up desk clerk.
2. The arresting officer shall complete a new criminal report affidavit and all copies for each original charging affidavit.⁷
3. The arresting officer shall place a (X) in the block marked “probable cause”, in the type of arrest area.
4. The officer will use the same charge on the new criminal report affidavit as on the original charging affidavit.

¹ CALEA [5th Edition] 1.2.5(a)

² CALEA [5th Edition] 1.2.5(a)

³ CALEA [5th Edition] 1.2.5(a)

⁴ CALEA [5th Edition] 1.2.5(a)

⁵ CALEA [5th Edition] 1.2.5(a)

⁶ CALEA [5th Edition] 1.2.5(a)

⁷ CALEA [5th Edition] 1.2.5(a)

5. In the “Probable Cause Statement” area, the arresting officer should include a brief statement referring to the criminal reports affidavit received from the Records Section, as probable cause and authority for making the arrest, adding any additional probable cause, if any, that he/she may have developed as a result of the arrest, e.g., how the defendant was identified.
 6. The arresting officer shall attach copies of the affidavits obtained from the Records Section to the new affidavit in the proper sequence. The arresting officer will retain the canary copies and attach them to the Auxiliary Report. The remaining copies will accompany the accused to Central Booking.
- D. Arrest for Tampa Police Department cases, outstanding warrant(s), or capias:⁸
1. Radio will make known to the arresting officer the charge and the warrant or capias number. The communications dispatcher will also verify the warrant(s) or capias to be valid. This information shall be communicated to the arresting officer for purposes of documenting this verification on the criminal report affidavit⁹ (e.g., “Valid and verified by Operator #4”). Hard copies of the hit(s), (FCIC-NCIC) are not required to accompany the criminal report affidavit but recommended when feasible. The Communications Bureau will not verify any hit unless the officer has the subject in custody. Any MCT hits must be verified over the radio frequency.
 2. The officer shall place a (X) in the block marked “capias” in the type of arrest area, and write in the capias number. The officer shall also enter the report number in the “Agency Report Number” space.
 3. The officer shall use the same charges on the Criminal Report Affidavit as indicated on the warrant(s) or capias.
 4. In the “Probable Cause Statement” area, the officer shall indicate that the arrest was based on the authority of a warrant(s) or capias, the charge(s), the warrant or capias number, and state through which agency the warrant or capias was issued. Any additional probable cause, if any, that he/she may have developed as a result of the arrest; e.g., how the defendant was identified, shall be indicated.
 5. The arresting officer shall retain the canary copy of the criminal report affidavit(s). The canary copy may be treated as a police report and submitted as same, unless there are extenuating circumstances such as evidence or something the officer or his/her supervisor indicates needs to be documented on a standard police report.

⁸ CALEA [5th Edition] 1.2.5(a)

⁹ CALEA [5th Edition] 1.2.5(a)

E. Misdemeanor Assault or Battery Cases:¹⁰

1. One criminal report affidavit and a general offense report will be completed.¹¹
2. UCR reporting guidelines require the collection of victim information found in the incident report.

F. Criminal Traffic Cases:¹²

1. When a custodial arrest has been effected for a criminal traffic offense, both a uniform traffic citation and a criminal report affidavit shall be completed.
2. When an operator is charged with Driving Under the Influence (DUI), the State Uniform DUI Traffic Citation shall be completed. The court copies must be attached to the CRA. The other copies should be filed according to SOP 349.1 (Florida DUI Administrative Suspension Law).

II. Non-Tampa Police Department Cases:

A. In state cases, assist other jurisdiction:¹³

1. Upon receiving a wanted notice on a subject from another jurisdiction in the State of Florida, the arresting officer will be given the warrant or capias number(s) and specific charges by the communications dispatcher. The Communications Bureau will indicate all verification of the warrant(s) or capias.

The officer will indicate on the criminal report affidavit, that the warrant or capias hit has been verified and is valid. This is accomplished by documenting the operator number of the communications dispatcher, e.g., “valid and verified by Operator #4.” While it is not necessary to attach the hard copy of the hits (NCIC-FCIC) to the criminal report affidavit, it is recommended when feasible.

2. The arresting officer shall complete one criminal report affidavit. Multiple outstanding warrants or capias on a defendant shall be placed on one affidavit.¹⁴ All warrants or capias numbers and charges appropriate to each shall be listed, along with the wanting agency for each. When additional space is needed for charges, check the appropriate block and utilize a second affidavit. List only the defendant’s name in the appropriate space and the additional charges.

¹⁰ CALEA [5th Edition] 1.2.5(a)

¹¹ CALEA [5th Edition] 1.2.5(a)

¹² CALEA [5th Edition] 1.2.5(a)

¹³ CALEA [5th Edition] 1.2.5(a)

¹⁴ CALEA [5th Edition] 1.2.5(a)

3. The officer shall place a (X) in the block marked capias or warrant.
4. The charge from the hard copy hit, and the charge statute number shall be placed in the area marked "Charge(s)."
5. In the "Probable Cause Statement" area, the officer shall indicate that the arrest was based on the authority of outstanding warrant(s) or capias, the warrant or capias number, and the charge(s).
6. All copies of the criminal report affidavit except the canary copy will accompany the accused to Central Booking. While it is not necessary to attach the hard copy of the hit(s) (NCIC-FCIC) teletype to the criminal report affidavit or the incident report, it is recommended when feasible. The canary copy shall be attached to the incident report.

B. Military Desertion or Absence Without Leave (AWOL) of Personnel of the Armed Forces:¹⁵

1. If a wanted notice is received from NCIC or a military flyer on a subject, the hit shall be verified. Officers shall obtain the approval from their supervisor to verify by telephone the hit by calling a representative of the Armed Forces (refer to SOP 307.2 on Arrest Procedures).

If the hit is not confirmed as being active by one of the military service representatives above, take no further action.

If the hit is active, record the name and rank of the person who advised of the cirm ei4 (and rank of the persTlo(s)eav activeadqu01 Tc 0.0401 Tw -14.1)-264(rtl

5. In the “Probable Cause Statement” area the officer shall indicate that the subject was apprehended on a hit from NCIC or military flyer, what branch of service issued the hit and who verified the hit.
 6. All copies of the criminal report affidavit except the canary copy will accompany the accused to Central Booking. The hard copy hit and any other related written communication (military flyer) shall be attached to the completed affidavit for Central Booking. A copy shall also be attached to the incident report.
- C. Direct Files: Misdemeanors, felonies, and criminal traffic cases may be direct filed by any sworn member of this agency. An offense report and criminal report affidavit must be originated.¹⁷ Upon supervisory approval for the direct file, a criminal history shall be initiated and attached to the criminal report affidavit. This direct file “package” shall be presented to the State Attorney’s Office, Intake Division, for review and approval. This shall be accomplished during normal business hours. Local pick-ups will not be placed and the report will be referred for latent investigation and the case closed.

Supersedes SOP 402.1, dated 12/06.

¹⁷ CALEA [5th Edition] 1.2.5(a)

402.11 INVESTIGATIVE COST RECOVERY

- I. **DISCUSSION:** F.S. §938.27 provides for the recovery of investigative costs from convicted criminal defendants if such costs are documented by the law enforcement agency, which made the arrest. It is the purpose of this procedure to establish a method for documenting investigative costs for presentation to the courts by the prosecution. It should be noted that it is incumbent upon the Prosecution to request reimbursement for the costs of the criminal investigation. The statute provides that once requested and documented investigative costs “shall be included and entered in the judgement rendered against the convicted person.”

- II. **PROCEDURE:**
 - A. After completing the probable cause section of the Criminal Report Affidavit, the arresting officer, shall specify the costs incurred in the investigation. The cost amount corresponding to the offense charged is entered from the Investigative Costs Form (TPD 258). In the event of arrests involving multiple charges, the highest cost of the included charges shall be used.

 - B. Supervisor: The arresting officer's sergeant, or other supervisor, shall verify that the officer has included the statement and the correct amount pertaining to investigative costs incurred in the appropriate section of the CRA.

 - C. All reports and attachments will be filed in accordance with normal procedure.

 - D. Supplemental Costs:
 1. In certain investigations which are extensive, prolonged, and require considerable expenditures, the supervisor of the investigating officer (retained cases) or the latent investigator (referred cases) shall ensure an accurate file, including an accurate accounting of department expenses is maintained. Upon conclusion of the investigation and subsequent arrest of the subject, the arresting officer shall provide the supervisor with the total amount of itemized expenses. In cases involving a request for itemized investigative cost recovery, the arresting officer shall write “see letter” on the Criminal Report Affidavit (CRA) in lieu of entering the normal amounts.

 2. The supervisor shall make certain that a detailed "letter of investigative cost itemization" is prepared and submitted, through

the division commander, to the Assistant State Attorney assigned to the investigation.

- E. If restitution is ordered by the Court, a copy of the judgement will be forwarded to the Manager of the Fiscal Bureau for tracking. The Manager of the Fiscal Bureau will designate a program coordinator to monitor investigative cost recovery from long term investigations and special projects. The Coordinator assigned to track investigative cost recovery will be responsible for reporting failures to comply with restitution to the State Attorney's Office to facilitate arranging appropriate sanctions from the Court.
- F. When a detective completes latent investigation after the CRA has been filed by an officer from the district, that detective's additional costs shall be listed in the supplement sent to the SAO.

Supersedes 402.11, dated 5/06.

402.4 TRAFFIC CITATION¹

- I. DISCUSSION: The Florida Uniform Traffic Citation is a pre-numbered multi-copy form used as a vehicle to record criminal and civil traffic offenses. All copies must be legible and fully completed. Proper abbreviations may be used.
- II. PROCEDURES:
 - A. Below are instructions for completing the traffic citation:
 1. Enter and check proper heading information. Enter grid in top left corner. Enter event number or report number in upper right hand corner.
 2. Enter and circle correct time of offense.
 3. Enter and check correct defendant information. If juvenile, enter parent's name and address in left-hand margin.
 4. Enter license information.
 5. Enter vehicle information.
 6. Enter location, city, and county. Do not complete node information.
 7. Enter and check violation information. Put unspecified violations on comment line. Put radar number in this section.
 8. Complete booking section if physical arrest is made.
 9. Enter appropriate officer information.
 10. Enter and check appropriate court information.
 - B. Have defendant sign citation. If incarcerated enter "jail" on signature line. Court information will reflect "within thirty (30) days" for civil infractions, "within ten (10) days" for criminal violations, and "within thirty (30) days" for equipment violations under F.S. §316.2935 and §316.610, County Violations Bureau, 9309 N. Florida Avenue, # 103, Tampa, FL. 33612.
 - C. The violator's notification copy of the traffic citations is the yellow copy. It is the offender's copy for paying fines, setting court dates and an affidavit of compliance upon the issuance of a traffic citation for

¹ CALEA [4th Edition] 61.1.4; 61.1.5(f)

violations of F.S. §316.2935 and §316.610. Information on the back of the copy for civil infractions will reflect the amount of the fine, Violations Bureau, P. O. Box 3360, Tampa, FL 33601. The information does not have to be completed when the offender is arrested, or when mandatory court is required.

- D. A person receiving a citation for violations of F.S. §316.2935 or §316.610 will make the necessary repairs and present the vehicle to a police or sheriff's department for inspection. Inspections will not be made after hours or on holidays or weekends. Refer to Patrol Division IDP #503.12 for Vehicle Safety Inspections procedures.
- E. Officer's notes section of the traffic citation.
 - 1. Leave blank court function.
 - 2. (X) and complete appropriate information. Information not on the face of the citation may be recorded.
 - 3. Remove and retain for future reference or court use.

Supersedes SOP 402.4, dated 2/99.

402.5 TRESPASS AFFIDAVIT

Trespass Affidavit (TPD 127) is a form utilized when a business or property owner has identified a reoccurring trespassing problem at his/her business or property. A completed affidavit visibly posted and in plain view at the business or property, gives the Tampa Police Department the right to act as the owner's representative in warning anyone found in violation of the affidavit to leave, and to arrest violators if they refuse. See SOP 541.1

1. Name of Business: If applicable, enter the name of the business where the trespass affidavit is to be in effect.
2. Grid Number: Enter the grid number.
3. Property Address: Enter the business or property's street address.
4. Date: Enter the date the affidavit is being completed.
5. Owner/Representative: Enter the name of the business, or property owner, or owner's designee issuing the warning.
6. Race: Enter the race of the owner/representative.
7. Sex: Enter the sex of the owner/representative.
8. Date of Birth: Enter the date of birth of the owner/representative.
9. Subpoena Address: Enter the address where the owner/representative can be reached by the courts for subpoena purposes.
10. Zip Code: Enter the zip code where the owner/representative can be reached by the courts for subpoena purposes.
11. Phone: Enter the phone number where the owner/representative can be reached by the courts for subpoena purposes.
12. To Whom it May Concern: Enter the business name or property owner's name, if private property; the business or property address; the name of the owner/representative; specify whether that person is the owner or owner's designee; and obtain the signature of the owner or owner's designee. A sworn officer may sign as notary.

Supersedes SOP 402.5, dated 4/01.

402.6 REQUEST FOR PROSECUTION BY COMPLAINANT

403.1 ALCOHOL/DRUGS INFLUENCE ATTACHMENT (TPD 312):

The Alcohol/Drug Influence Attachment form (*TPD 312*) provides additional documentation that is necessary to properly conduct DUI investigations. The form records the DUI violator's performance on field sobriety tests, chemical tests and other data relating to the DUI investigation.

The Alcohol/Drug Influence Attachment must be completed for all DUI offenses.

1. **Arrest Data:** Enter the appropriate arrest data in the upper-right section.
2. **Phase One: Vehicle in Motion:** Listed are visual detection cues based upon field studies conducted by the National Highway Traffic Safety Administration (NHTSA). The cues are the best ones for detecting nighttime impaired drivers.

Select and mark the appropriate cue(s) and/or make note of any other observation in the space provided.
3. **Phase Two: Personal Contact:** Listed are visual, verbal, odor, and exit clues that may be observed.

Select and mark the appropriate clue(s) and/or make note of any other observation in the space provided.
4. **Phase Three: Pre-Arrest Screening:** Complete the battery of questions prior to the administration of any standardized field sobriety tests (SFST).
5. **SFST Location:** Indicate the testing location.
6. **SFST Refused:** Mark the box if the subject refuses to submit to the SFST.
7. **Time:** Time the test or refusal took place.
8. **Videotape:** Mark the box if the SFST was recorded on video.
9. **Physical Disability:** Does the subject have a physical disability that may inhibit his ability to perform the SFST?
10. **Medical Problem:** Does the subject have any medical problems (diabetes, epilepsy, or other medical condition) that may inhibit his ability to perform the SFST?
11. **Medication:** Does the subject take any kind of medication?
12. **Corrective Lenses:** Does the subject use glasses or contact lenses?

13. **Eye Problem:** Does the subject have any type of eye disorder?
14. **Type Footwear:** What type of footwear is the subject wearing?
15. **Standardized Field Sobriety Tests (SFST):** Select and mark appropriate clue(s)
#1: Horizontal Gaze Nystagmus (HGN)
#2: Walk and Turn (WAT)
#3: One Leg Stand (OLS)
16. **Diagrams:** Make notes of any clues and/or other observations made of the subject's performance.
17. **Additional Field Sobriety Tests:** Optional field sobriety tests: finger to nose; alphabet (A-to-Z); and counting backwards (100 – 75). Select and mark appropriate clue(s).

Note: Miranda warnings must be issued prior to administering the alphabet or counting backward test(s).
18. **Miranda Warning:** Read and then mark the appropriate answer.
19. **Implied Consent Warning:** Read the warning to the subject prior to the administration of the chemical test(s) and mark the appropriate answer(s).
20. **Chemical Tests:** Mark the appropriate test(s), enter results (breath-alcohol test only), and enter the related data.
21. **Interview:** Record the subject's answers in the spaces provided.

Supersedes SOP 403.1, dated 11/06.

403.2 HILLSBOROUGH COUNTY MEDICAL EXAMINER DEATH INVESTIGATION FORM

I. Purpose: The Hillsborough County Medical Examiner Death Investigation form will be completed for each deceased person referred to the Medical Examiner's Office (MEO). The original (white) copy of the form accompanies the body and the yellow copy is attached to the originating officer's report (See SOP 385 – Medical Examiner).

1. Law Enforcement Information Section:

- a. "X" the TPD block;
- b. Fill in the report number; and
- c. Complete the investigator's name, ID number, and telephone number.

2. Action Section:

- a. MEO Notified: "X" appropriate box and enter date and time notified;
- b. Pathologist @ scene: "X" appropriate box and enter date and time notified;
- c. Police Photos: "X" appropriate box; and
- d. EMS Responded to Scene: "X" appropriate box; if applicable, enter crew(s) name and attach run sheet (if available).

3. Decedent Information: Complete personal information on deceased.

4. Body Location Section:

- a. Enter address where the deceased was located; and
- b. Enter information pertaining to identification of deceased

5. Next-of-Kin Information Section:

- a. Complete the next-of-kin information;
- b. Notified of Death: "X" appropriate box; and
- c. Notified Body @ MEO: "X" appropriate box.

6. Body Found by Section: Complete the information on the person discovering the deceased.
7. Apparent Manner of Death Section:
 - a. “X” the appropriate box for the cause of death;
 - b. “X” the appropriate box if the death was due to a traffic crash or hit and run; if yes, complete second page of form;
 - c. Date and Time of Death: “X” appropriate box; include the name of the person who found the deceased and/or witnessed the death;
 - d. Provide date and time deceased was last known to be alive and by whom;
 - e. Expected Death: “X” appropriate box;
 - f. “X” appropriate box pertaining to History of Falls/Injuries; Long Term Effects of Injury; and Alcohol/Drug/Tobacco Use;
 - g. Injury/Crash Specifics: Date and time of injury and description of location and address, if available;
 - h. History of Diseases and Operations: Provide medical history, if available; and
 - i. Prescription/Non-prescription Drugs: List all prescription/non-prescription drugs taken, if known.
8. Personal Physician Name/Ph: List the physician’s name and telephone number. Also, “X” the appropriate box indicating whether or not the physician will sign the death certificate (DC) and the listed cause of death.
9. Body Specifics:
 - a. Position of Body: “X” the appropriate box indicating the position deceased was found in;
 - b. Signs of Decomposition: “X” the appropriate box indicating signs of decomposition; and
 - c. Signs of Death: “X” the appropriate box indicating observed signs of death.

10. Scene Specifics:
 - a. Weapons-Type/Location: Complete if applicable;
 - b. Ligature-Type/Location: Complete if applicable;
 - c. Drug Paraphernalia-Type/Location: Complete if applicable; and
 - d. Other-Type/Location: Complete if applicable.
11. Decedent's Name: Fill in appropriate information.
12. Agency Report Number: Fill in appropriate report number.
13. Description of Circumstances: Brief reconstruction of incident/crash.

Traffic Crashes Only:

14. Decedent Information: "X" appropriate box (es).
15. Decedent's Vehicle Type: "X" appropriate box.
16. Collision Information: "X" appropriate box.
17. Direction of Collision: "X" appropriate box.
18. Roadway: "X" appropriate box.
19. Condition of Roadway: "X" appropriate box.
20. Lighting Conditions: "X" appropriate box.
21. Type of Highway: "X" appropriate box.
22. Other Circumstances: "X" any applicable box (es).
23. Suspected Suicide: "X" appropriate box. If "yes", give details.
24. Law Enforcement Request the Following to be Retained as Evidence: "X" applicable box (es).
25. Impairments Suspected: "X" any applicable box (es).
26. Decedent's Vehicle: Complete with appropriate vehicle information.

27-29. Other Vehicle: Complete with appropriate vehicle information, if applicable.

Supersedes SOP 403.2, dated 4/01.

403.3 CONSENT AND RELEASE FORM (TPD 310)¹

A. Form Instructions:²

1. Fill in appropriate information: page number(s), date, report number (if available).
2. Place a (X) in the appropriate section

11. Officer(s) will sign and place their badge number on the bottom of the form in the spaces provided.

Supersedes SOP 403.3, dated 10/06.

403.5 TRESPASS WARNING FORM (TPD 709):

Officers will complete a Trespass Warning Form (TPD 709) when a complainant, in the presence of the officer, issues a verbal warning of trespass to an individual or when an officer authorized to act on behalf of a property owner, manager, or lessee elects to issue the trespass warning himself under the appropriate circumstances. See SOP 541.1 – Trespass Warning.

1. Date Issued: Enter the date the warning is issued.
2. Time Issued: Enter the time the warning is issued.
3. Expires: Enter the date the warning expires or the number of days that the warning will be in effect (i.e., 365 days).
4. Name: Enter the name of the person warned not to return.
5. AKA: Enter alias or nicknames of the person warned.
6. Address: Enter the address of the person warned not to return.
- 7 - 13. Enter the vital information of the person warned not to return.
14. Location when Warned: Enter the location of the suspect when warned.
15. Address: Enter the address or place the suspect is restricted from.

NOTE: For trespass warnings on Tampa Housing Authority property enter "All Tampa Housing Authority Property." Check the box if the warning applies to Housing Authority Property.
16. Business Name: Enter the name of the business.
17. Complainant's Name: Enter the name of the person requesting the warning.
18. Place an "X" in the appropriate box.
19. Officer Issuing Warning: Enter the name of the officer who issued the warning.
20. Badge Number: Enter the officer's badge number.
21. Division: Enter the officer's division.
22. Put the grid and event # in the upper margin.

Supersedes SOP 403.5, dated 12/06.

403.7 LAW ENFORCEMENT HOLD ON PROPERTY

Law Enforcement Hold on Property (TPD 726) is a form used to place a written hold on property which a citizen or another law enforcement agency claims is stolen property located in a pawn shop (see SOP 544). As per F.S. §539.001 – *No verbal holds have legal standing. The hold **must be** written or faxed to the pawnshop.*

1. Case #: Place the TPD case number in this space.
2. Date of hold: The date the hold is placed on the property.
3. Name of Pawnshop: Place the pawnshop business name in this space.
4. Telephone: Place the pawnshop's telephone number in this space.
5. Address: The physical address of the pawnshop.
6. Hold Placed With: List the name of the pawnshop representative accepting the hold.
7. Officer/CSO Placing Hold: Enter the officer/CSO who places the property on hold.
8. Address: The physical address of the officer/CSO placing the hold.
9. Case Assigned To: Name of officer/detective assigned, if known; if not, leave blank.
10. Property: Describe the property by brand, model #, serial #, and any additional description, including an estimated value for the property. There are six lines for six different pieces of property.
11. Name of Suspect: List the race, sex, complete name, and DOB of pawning suspect.
12. Date of Pawn: List the date the pawn transaction occurred.
13. Pawn Ticket #: Place the pawnshop's pawn ticket number in this blank.
14. Name of Victim: List the name of the victim the pawned property was stolen from, originally.
15. Representative of Pawnshop: This is a place for the signature of the *Hold Placed With* (line #6).

16. Signature of Person Placing Hold: This is a place for the *Officer/CSO Placing Hold* (line #7).
17. Hold Released By: This is a place for the printed name and signature of the releasing officer/CSO.

Supersedes SOP 403.7, dated 4/01.

403.8 ASSAULT VICTIM INSTRUCTIONS

This form (TPD 596) is provided by an investigating officer to an assault victim who is interested in prosecuting the suspect in an assault case. Form TPD 596 should not be issued to victims of robbery, sexual battery, larceny or cases in which an assault was a companion crime. See SOP 314.1.

1. Ensure that TPD 596 is issued in compliance with SOP 314.1.
2. Explain to each complainant the Assault Victim Instructions form.
3. Mark the appropriate block for the crime being investigated.
4. Enter the complainant's name, address, date, and offense number.
5. Indicate if a pick-up was placed by placing an *X* in either the *yes* or *no* blocks.
6. After completion, give the form to the complainant.
7. The offense report will reflect the issuance of the form by printing *Assault Form 596 issued* in the investigating officer section.

Supersedes SOP 403.8, dated 3/01.

403.9 PURSUIT FORM¹ (TPD 996):

All officers involved in a vehicle pursuit will complete the pursuit form (TPD 996). Every officer who at any time during the pursuit assumed the responsibilities of the primary pursuit unit will complete page one and the applicable sections of page two. Every officer who assisted in the pursuit will complete page two of the form (See SOP 386). *For Aviation pursuits, see TPD 1043.²

Instructions for Page One:

1. Originating Officer: Enter your name if you were at any time the lead police vehicle unit in the pursuit.
2. Date Initiated: Enter the date pursuit was initiated.
3. Time Initiated: Enter the time of day pursuit was initiated.
4. Traffic Crash Involved: "X" appropriate response.
- 5.

16. Time Pursuit Lasted: Enter approximate duration of pursuit from start to finish in hours and minutes.
17. Distances Pursuit Traveled: Enter approximate distance covered by pursuit in miles or city blocks.
18. Pursuit Speeds: Enter your speeds and approximate suspect speeds in appropriate spaces.
19. Weather: Enter description of weather conditions.⁴
20. Type of Neighborhood: Enter the type of area where the pursuit occurred. Ex: residential, business, interstate, mixed, etc.⁵
21. Traffic Conditions: Enter type of traffic conditions encountered during the pursuit. Ex: light evening, heavy rush hour, heavy seasonal, etc.⁶
22. Road Conditions: Enter condition of roads traveled during pursuit. Particular emphasis should be placed on conditions pertinent to the pursuit. Wet, soft shoulder, etc.⁷
23. Reason for Originating Pursuit: Enter reason for the decision to begin the vehicle pursuit.⁸
24. Reason for Terminating Pursuit: Enter reason for the termination or ending of the pursuit.⁹
25. Persons Arrested: Enter names of people arrested at the conclusion of the pursuit.¹⁰
26. Charges: Enter charges placed on those arrested.¹¹

Instructions for Page Two:

1. Assisting Officer: Enter your name if you assisted in the pursuit in any way.¹²
2. Report or Event Number: Enter the applicable number.¹³

⁴ CALEA [5th Edition] 41.2.2(a)(b)

⁵ CALEA [5th Edition] 41.2.2(a)(b)

⁶ CALEA [5th Edition] 41.2.2(a)(b)

⁷ CALEA [5th Edition] 41.2.2(a)(b)

⁸ CALEA [5th Edition] 41.2.2(a)(b)

⁹ CALEA [5th Edition] 41.2.2(a)(b)

¹⁰ CALEA [5th Edition] 41.2.2(b)

¹¹ CALEA [5th Edition] 41.2.2(a)

¹² CALEA [5th Edition] 41.2.2(c)

3. Assignment #: Enter your communications call sign.¹⁴
4. Vehicle #: Enter the unit number of the vehicle you were operating at the time of the pursuit.¹⁵
5. Equipment Utilized: Annotate the equipment used during the pursuit.¹⁶
6. Describe Your Participation in this Pursuit: Document your involvement in the pursuit including your observations and reason for assisting in the pursuit.¹⁷
7. Additional Information from Side One: Use for continuation from side one or for continuing details on side two.¹⁸

Supersedes SOP 403.9, dated 11/06.

¹³ CALEA [5th Edition] 41.2.2(c)

¹⁴ CALEA [5th Edition] 41.2.2(c)

¹⁵ CALEA [5th Edition] 41.2.2(c)

¹⁶ CALEA [5th Edition] 41.2.2(c)

¹⁷ CALEA [5th Edition] 41.2.2(c)

¹⁸ CALEA [5th Edition] 41.2.2(c)

404.2 GUIDELINES FOR REFERRING REPORTS FOR LATENT INVESTIGATION, CASE SCREENING THROUGH THE USE OF SOLVABILITY FACTORS¹

- I. Discussion:² An important need in modern police agencies is to streamline the caseload to maximize the effectiveness of patrol and investigative personnel. Case screening is one tool being used by police personnel in the management of criminal investigations.

Case screening is based upon solvability factors addressed during the preliminary investigation. Solvability factors are those elements of information regarding a crime, which have historically proven to be important in determining the likelihood of solving a crime. While the preliminary investigation provides sufficient information about a case at the earliest possible time in the investigative process, case screening permits a decision on the desirability of continuing to invest investigative resources in the case at the earliest possible moment - the conclusion of the preliminary investigation.

The outcome of case screening will be either early suspension of unpromising cases or follow-up investigation of cases with the solvability factors that have proven successful for case conclusion in the past.

In order to respond to special and/or community demands for follow-through investigations, the supervisor who reviews the early closure recommendation is afforded some flexibility to continue an investigation, even if the solvability factors suggest an early suspension.

II. Procedures:

A. Solvability Factors:³

1. Was there a witness to the crime?
2. Can a suspect be named?
3. Can a suspect be located?
4. Can a suspect be described?
5. Can a suspect be identified?
6. Can the suspect vehicle be identified?
7. Is the stolen property traceable?
8. Is there a significant M.O. present?
9. Is there significant physical evidence present?
10. Has a crime scene technician processed any or all of the evidence?
11. Is there reason to believe that the preliminary investigation cannot be completed at this time?
12. Can the crime be solved with a reasonable amount of investigative effort? Weigh the effort against the crime.
13. Was there a definite limited opportunity for anyone except the suspect to commit the crime?

¹ CALEA [5th Edition] 82.2.4

² CALEA [5th Edition] 42.1.2

³ CALEA [5th Edition] 42.1.2

B. In addition, the cases listed below will be referred when the conditions listed are present.⁴

1. All Cases That Involve:
 - a. Local pick-ups placed for suspects;
 - b. Direct filed cases;
 - c. Arrest warrants issued;
 - d. Requests for prosecution;
 - e. Requests for juvenile pick-ups; or
 - f. Vehicles police impounded (those with police holds per SOP 322).

2. Crash Reports:
 - a. Death or very serious injury requiring hospitalization;
 - b. Legal blood has been drawn;
 - c. A urine sample is taken;
 - d. Felony criminal charges are involved; or
 - e. Hit and run cases with workable leads.

3. Arson Related Reports:
 - a. Copy routed to Fire Marshal's Office;
 - b. Copy routed to the appropriate District Latent Investigative Squad;
or
 - c. Copy routed to the Criminal Investigations Division if the arson resulted in personal injury.

4. Assaults:
 - a. Serious injury involved; or
 - b. All domestic violence cases.

5. Beverage Offenses: All cases where alcoholic beverages are confiscated for beverage violations or as found property.

6. Burglary:
 - a. Arrest made;
 - b. Victim assaulted or threatened with a deadly weapon;
 - c. Any unusual thefts, e.g., stolen cadaver, etc.;
 - d. Safe jobs;
 - e. Stolen property located in a pawnshop; or
 - f. Auto burglaries to any police department vehicle.

NOTE: When the total value of the stolen property exceeds \$5,000.00, a copy of the report will be routed to the respective division for evaluation.

⁴ CALEA [5th Edition] 42.1.2

7. Child Abuse: Refer all cases.
 - a. Child drowning or near drowning: Refer all cases.
8. Deaths/Child Deaths:
 - a. Unexplained death;
 - b. All child deaths regardless of the age of the child or cause of death;
 - c. No doctor to sign death certificate;
 - d. Next of kin not notified;
 - e. Death is of a suspicious nature;
 - f. When property of a deceased person is taken into custody; and
 - g. Any medical examiner case.
9. Extortion: Refer all cases.
10. Found Property:
 - a. All incident reports of found property, which do not involve narcotics or alcoholic beverages, will be referred to the Criminal Investigations Division, Major Crimes Bureau.
 - b. All incident reports of found property involving narcotics or alcoholic beverages will be referred to the Criminal Investigations Division, Strategic Investigations Bureau. If the same report lists found property other than the narcotics or alcoholic beverages, a notation will be made to route a copy to the Criminal Investigations Division, Major Crimes Bureau.
11. Fugitive: Refer if no arrests made.
12. Homicides: Refer all cases.
13. Sexual Battery: Refer all cases.
14. Juvenile Misdemeanor Complaint: Parents or guardian cannot be notified.
15. Kidnapping/False Imprisonment: Refer if no arrests made.
16. Larceny:
 - a. All forgery offenses;
 - b. All economic crimes;
 - c. All reports where a stolen credit card was used; and
 - d. Thefts of Tampa Police Department equipment, or from department facilities/vehicles.

NOTE: When the total value of the stolen property exceeds \$5,000.00, a copy of the report will be routed to the respective division for evaluation.

17. Lost/Runaway Children:

- a. Refer all City of Tampa cases; and
 - b. Other jurisdiction cases only if originating agency is not notified.
18. Missing Adults: Refer all cases.
19. Narcotic Offenses:
- a. If narcotics are seized;
 - b. If a lab analysis is needed for court; and
 - c. Refer all cases involving forged/altered prescriptions.
20. Robbery:
- a. An arrest is made;
 - b. The victim has sustained an injury;
 - c. The victim is a commercial establishment;
 - d. The victim sustained a financial loss exceeding \$1,000.00;
 - e. The offense is a home invasion;
 - f. The offense is a car jacking;
 - g. The robbery fits a crime pattern, which provides certain predictability factors, such as time, location, etc.; and
 - h. Those cases which, in the opinion of the editing supervisor, should be referred because of unusual or compelling circumstances.
 - i. Copies of all robbery reports, whether retained or referred, should be sent to the appropriate District Latent Investigative Supervisor by the editing supervisor. This may be accomplished electronically via the appropriate DLIS Handle.
21. Vehicle Theft:
- a. All arrests;
 - b. Refer if a vehicle is police impounded (hold placed);
 - c. Assist other agency cases with leads that are likely to identify a suspect;
 - d. All cases in which a pickup for the vehicle is NOT placed including cases in which the complainant did not provide the tag number or vehicle identification number; and
 - e. Theft of commercial vehicles (i.e., tractor-trailer, etc.).

C. Reports and Advance Copies:

- 1. Supervisors should ensure that officers have completed their reports in a timely manner. Reports that are to be referred should be completed by the end of shift unless approved by a shift commander or higher authority. Under no circumstances will a report be held over the officer's days off.
- 2. Once a supervisor edits a report on the MRE system and the report meets referral guidelines, the supervisor will route an electronic copy of the report to the appropriate latent squad. If the report is completed in paper form, or if there are paper attachments, a copy will be made of each and

placed in the appropriate basket for retrieval by a person designated by either the Criminal Investigations Division or District Latent Investigations Squad.

When in the judgment of the officer or supervisor, the latent investigation should be initiated as soon as possible, the officer or supervisor should call the appropriate latent investigative sergeant and leave a message on the office voicemail or initiate an electronic mail (e-mail) through the Group Wise system to that supervisor.

- D. Notification Guidelines: In all cases involving a homicide, police shooting, bombing, bank robbery, or kidnapping, fatality crash, police pursuit involving a crash with serious injury or death, sexual battery to a child, a missing child who is not a runaway, or theft of a commercial vehicle (i.e., tractor trailer) the shift commander will ensure that the proper latent investigative unit personnel are notified as directed by Standard Operating Procedures or General Orders.

The on-call narcotics sergeant or bureau commander should be notified:

1. In any case where an arrest with a quantity of narcotics, illegal or prescription, greater than personal use is made or an arrest is made for another felony; a defendant indicates he wants to cooperate and identify a dealer/transporter and needs to be debriefed;
2. An investigation of a suspected or known overdose (fatal or not) where evidence of illegal narcotics is present; or
3. In any case where in the opinion of the on-scene supervisor a narcotics detective would enhance the investigation.

The shift commander will notify the affected bureau commander on any other offense, which, in his judgment, requires immediate attention.

1. Recovery of Stolen Motor Vehicles:
 - a. Whenever the Tampa Police Department recovers a stolen motor vehicle, the owner on record will be notified by any means available or by certified letter, return receipt requested, if other notification has not been made within 72 hours. The law enforcement agency which initiated the stolen vehicle report shall also be notified of the recovery by either teletype message or certified letter, return receipt requested, if notification is not accomplished within 72 hours.
 - b. When the Tampa Police Department recovers a stolen motor vehicle the original report of which was initiated by another jurisdiction, the supervisor editing and approving the report will

cause an electronic copy of said report to be routed to the appropriate DLIS Sergeant's "handle." In the event the report is a paper copy, the supervisor editing the report will ensure that a copy of it and teletype(s) are placed in a basket in the affected district office. The editing supervisor will also ensure that the officer completing the recovered vehicle report details in the report how notification to the originating agency was accomplished, and if the owner(s) were notified. The report should be completed by the end of the officer's shift as explained in C.1.

- c. On recovered stolen vehicles which were originated by the Tampa Police Department, the supervisor editing and approving the Supplement will cause an electronic copy of said supplement to be routed to the appropriate DLIS Sergeant. In the event the report is a paper copy, the supervisor editing the report will ensure that a copy of it and the pickup cancellation are placed in a basket in the affected district office. This will include any vehicle, which may have been stolen as a result of a larceny, robbery or burglary. TPD officers originating stolen vehicle reports will ensure that the name, address, zip code and telephone number of the owner appear on the pickup. Include alternate telephone numbers, such as cellular telephones and pagers if they are available.
- d. It will be the responsibility of the appropriate DLIS to cause the paper copies of the reports or attachments to be picked up on a daily basis. The assigned detective investigative aide will cause a certified letter and return receipt requested to be sent to the originating agency and owner of said stolen vehicle if notification has not been made within 72 hours of such recovery.

E. With the decentralization of the latent investigative sections, the following is a guide of the squads' investigative responsibilities. These squads are responsible for the investigation of the listed cases that are referred to them. Refer the case based on the most severe crime listed on the report.⁵

1. Criminal Investigations Division:

A. Homicide Squad:

To the Homicide Handle (HHOMI):

- 1) Homicides;
- 2) Adult deaths (including suicides, industrial accidents, accidental deaths, natural deaths, suspicious deaths, etc.);
- 3) Aggravated Assault/Aggravated Battery crimes;
- 4) Arsons involving injury; and

⁵ CALEA [5th Edition] 42.1.4

5) Child Deaths.

To the Missing Persons Handle (HMISP):

- 1) Missing Children;
- 2) Missing Adults.

B. Hit & Run Squad:

To the Hit & Run Handle (HHITRN):

- 1) Traffic fatality crashes;
- 2) Police pursuits that end in serious or life threatening injury or death;
- 3) Leaving the scene of traffic crashes;
- 4) Any referred report dealing with a traffic offense; and
- 5) DUI reports in which blood or urine is collected for evidence.

To the Found Property Handle (HFOUND):

- 1) All found property cases.

C. Family Violence/Sex Crimes Squad:

To the Sex Crimes Handle (HSXCRM):

- 1) Sexual batteries;
- 2) Child abuse;
- 3) Child custody issues;
- 4) Child pornography (includes Internet crimes); and
- 5) Abductions where the intent was sexual battery.

To the Runaway Handle (HRUN):

- 1) Runaways.

To the Domestic Violence Handle (HDOMV):

- 1) Domestic Violence (all types of crimes including domestic related stalking and injunction violation cases).

D. District Latent Investigative Squads (DLIS):

(To the DLIS 1 (HDIST1), DLIS 2 (HDIST2) or DLIS 3 (HDIST3) Handle):

- 1) Burglaries;
- 2) Auto burglaries;
- 3) Extortion;
- 4) Elderly exploitation;
- 5) Organized scams (i.e., Bait and Switch);

- 6) Larceny (Petit Theft and Grand Theft except stolen tags and documents dealing with vehicles);
- 7) Assaults/Batteries (Felony and Misdemeanor except Domestic Violence and Child Abuse);
- 8) Violation of Repeat Violence Injunctions (Non-Domestic Violence);
- 9) Stalking (Non-Domestic Violence);
- 10) Criminal Mischief;
- 11) Harassing/Threatening/Obscene Phone Calls (Non-Domestic Violence); and
- 12) Throwing/Shooting Deadly Missile Cases.
- 13) Robbery:
 - a) Robberies (commercial, financial institutions, and individual);
 - b) Home invasions;
 - c) Car jacking; and
 - d) Bomb Threats.
- 14) Auto Theft:
 - a) Grand theft auto (committed and attempted);
 - b) Commercial vehicle thefts (tractor-trailers) including the theft of the contents of the trailer;
 - c) Stolen tags; and
 - d) Vehicle title fraud (any offense dealing with documentation of vehicles)
- 15) Economic Crimes:
 - a) Check offenses including fraud;
 - b) Credit card fraud;
 - c) Negotiable instrument fraud;
 - d) Identity theft;
 - e) Embezzlement;
 - f) Elderly exploitation (financial only);
 - g) Trade secret violations;
 - h) Computer related financial crimes;
 - i) Counterfeit currency; and
 - j) Internet offenses (except child pornography).

E. Strategic Investigations Bureau:

To the Narcotics – Main Handle (HNARC):

- 1) Cases involving the drugging of unsuspecting individuals where there is no possible sexual assault;
- 2) Drug seizures (misdemeanor, and felony);
- 3) Prescription Fraud (including illegal use of the Internet); and
- 4) Found narcotics.
- 5) Money laundering.

To the Gang Handle (HGANG):

- 1) Gang related graffiti;
- 2) Gang fights; or
- 3) Any other gang related activities.

To the Gun Handle (HGUN):

- 1) Any offense reports involving a recovered firearm.

F Criminal Intelligence Bureau:

To the Intelligence Handle (HINTEL):

- 1) Threats against a public official, law enforcement officer, or city employee;
- 2) Any incident relating to Homeland Security, terrorism, or domestic security;
- 3) Counterfeit product cases without an arrest;
- 4) Impersonating a police officer or public official;
- 5) Felon in possession of a firearm without an arrest;
- 6) Organized crime incidents or complaints;
- 7) Liquor law violations;
- 8) Driver's license (counterfeit) investigations;
- 9) Gambling cases without arrests;
- 10) **ALL** hate crimes; or
- 11) Bombings.

Supersedes SOP 404.2, dated 10/06.

404.5 SPECIAL TRAFFIC/CRASH INFORMATION

I. DEFINITIONS:

- A. Bicycle: Every vehicle propelled solely by human power, and every motorized bicycle propelled by a combination of human power and an electric helper motor rated at not more than 200 watts and capable of propelling the vehicle at a speed of not more than 10 miles per hour on level ground upon which any person may ride, having two tandem wheels, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels. The term does not include such a vehicle with a seat height of no more than 25 inches from the ground when the seat is adjusted to its highest position or a scooter or similar device.
- B. Crash: An unintended event that produces injury or damage resulting from or involving a vehicle in motion. The word "injury" includes "fatal injury," or complaint of injury.
- C. Contact Damage: Damage caused by some object, which is not part of the same vehicle.
- D. Coordinate Method: A method of locating points of interest in a diagram by measurements along and at right angles to a reference line that originated from a central reference point. The starting or reference point is usually a specific corner of an intersection and the reference line is usually the north/south or east/west road edge.
- E. Imprints: Dents pressed into body parts by some stronger object and clearly shows its shape.
- F. Induced Damage: Damage caused by some other part of the same vehicle or by shock of collision.
- G. Key Event: Where first injury or damage occurs, determines the exact time, place and type of crash.
- H. Moped: Any vehicle with pedals to permit propulsion by human power, having a seat or saddle for the use of the rider and designated to travel on not more than three wheels; with a motor rated not in excess of 2 brake horsepower and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground; and with a power drive system that functions directly or automatically without clutching or shifting gears by the operator after the drive system is engaged. If an internal combustion engine is used, the displacement may not exceed 50 cubic centimeters.

- I. Motor Vehicle Crash: A crash involving a motor vehicle in transport, but not involving aircraft or watercraft.
- J. Motor Vehicle in Transport: The state or condition of a vehicle when it is in use primarily for moving persons or property (including the vehicle itself) from one place to another and is: in motion, in readiness for motion, and on a roadway but not parked in a designated parking area.
- K. Motor Vehicle Non-Traffic Crash: Any motor vehicle crash occurring entirely in any place other than a highway.
- L. Motor Vehicle Traffic Crash: Any motor vehicle crash that occurs on a highway or that occurs after the motor vehicle runs off the roadway but before the events are stabilized.
- M. Road: That part of the highway which includes both the roadway and any shoulder adjacent to the roadway.
- N. Roadway: That portion of a highway, which is improved, designed, or ordinarily used for vehicular travel, exclusive of the shoulder. In the event the highway includes two or more separate roadways, the term "roadway" refers to any such roadway separately but not all such roadways collectively.
- O. Ruboffs: Parts of one object that are deposited on another.
- P. Shoulder: That portion of the road, adjacent to the roadway, on which motor vehicles may maneuver, but which does not permit the vehicular speeds that are possible on the roadway. The shoulder of the road is normally used for emergency parking, travel by pedestrians, farm machinery, or horse drawn vehicles.
- Q. Street or Highway: The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
- R. Thrust: Shows the direction of force between the vehicle and the other object.
- S. Traffic: Pedestrians, ridden or herded animals, vehicles or streetcars using the highway for travel.
- T. Vehicle: Every device, in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks.

Supersedes SOP 404.5, dated 1/99.

404.6 HANDWRITTEN LETTER STYLE AND ABBREVIATIONS

Recommended letter style when handwriting reports:

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

Ø 1 2 3 4 5 6 7 8 9

1. The numeral "one" is written as shown above so it will not be confused with the letter "I".
2. A line is placed through the letter "Z" so that it is not confused with a poorly written "two", (2).
3. The numeral nine is written as shown to avoid being confused with a poorly written numeral four (4).
4. A slash is placed through the numeral zero (0) to avoid its being mistaken for the letter "o".
5. An exaggerated "tail" is placed on the letter "G" to avoid confusion with the letter "C".

Elements Common to Reports:

Names: All proper names, including businesses, should be spelled out in full, using only accepted abbreviations for types of firms; e.g., Corp. - Corporation.

Dates: Dates will be written with the day first, the first three letters of the month, the last two digits of the year; e.g., 12 Sep 41. This format will be used in all reports unless specifically excepted; e.g., traffic citation, impound report.

Time: Times of day will be written using the military system. Hours will run 0001 hrs. (12:01 am) through 2400 hrs. (12:00 PM), this format will be used in all reports unless specifically excepted; e.g., traffic reports.

Race: Race will be written using the following abbreviations: W-White, B-Black, O-Oriental, I-Indian, and U-Unknown.

Sex: Sex will be written M-Male and F-Female.

Abbreviations: Common Accepted Abbreviations

A/(Sgt.).....Acting	Cont Continued
A/C.....Air Conditioning	Def Defendant
Amp.....Amperes	DL..... Drivers License
Approx.Approximately	Hrs. Hours
Att.Attempt	Lic..... License
Atty.Attorney	Mod #. Model Number
Blk.....Black	NSEW..... North, South, East, West
Brn.....Brown	Ser #..... Serial Number
Complt.....Complainant	Sqd..... Squad

Street Type Abbreviations

Al.....Alley	Ovps..... Overpass
Av.....Avenue	Park..... Park
Bldv.....Boulevard	Pkwy..... Parkway
Br.....Branch	Pl..... Place
Brdg.....Bridge	Plz..... Plaza
Byp.....Bypass	Pt..... Point
Cir.Circle	Ramp Ramp
Ct.....Court	Rd. Road
Ctr.Center	Sq..... Square
Dr.Drive	St..... Street
Frwy.Freeway	Ter. Terrace
Hill.Hill	Trl. Trail
Hwy.....Highway	Tun..... Tunnel
La.Lane	Unp. Underpass
LoopLoop	View. View
MallMall	Wy. Way

Unit Type Abbreviations

Apt.....Apartment	Rm.....Room
Bldg.....Building	Sp.....Space

State Abbreviations

AL.....Alabama	MO..... Missouri
AK.....Alaska	MT..... Montana
AZ.....Arizona	NB..... Nebraska
AR.....Arkansas	NV..... Nevada
CA.....California	NH..... New Hampshire
CO.....Colorado	NJ..... New Jersey
CT.....Connecticut	NM..... New Mexico
DE.....Delaware	NY..... New York
DC.....District of Columbia	NC..... North Carolina
FL.....Florida	ND..... North Dakota
GA.....Georgia	OH..... Ohio
HI.....Hawaii	OK..... Oklahoma
ID.....Idaho	OR..... Oregon
IL.....Illinois	PA..... Pennsylvania
IN.....Indiana	RI..... Rhode Island
IA.....Iowa	SC..... South Carolina
KS.....Kansas	SD..... South Dakota
KY.....Kentucky	TN..... Tennessee
LS.....Louisiana	UT..... Utah
ME.....Maine	VT..... Vermont
MD.....Maryland	WA..... Washington
MA.....Massachusetts	VA..... Virginia
MI.....Michigan	WV..... West Virginia
MN.....Minnesota	WI..... Wisconsin
MS.....Mississippi	WY..... Wyoming

Supersedes SOP 404.6, dated 1/99.

404.7 HIT & RUN¹

- I. Hit and run felony (F.S. §316.027) and misdemeanors (F.S. §316.061) and (F.S. §316.063) will be documented on HSMV 90003, 90004, or 90005. On private property hit and run, refer to guideline in SOP 401.4 (B). All Hit and Runs involving attended or unattended property damage, regardless of whether the crash occurred on the roadway or private property are misdemeanors. Hit and Runs involving injuries are felonies. Officers charging a suspect with “Leaving the Scene of a Traffic Crash with Injuries”, F.S. §316.027 **must** complete a citation and a Criminal Report Affidavit.

Do not retain a report where the first three letters or numbers of the Florida tags are available in addition to the color of the vehicle and/or a make/model of the vehicle.

Do not retain the report if the tag registration comes back “no record found”.

- A. The criminal investigation will be documented by writing a supplement using the electronic MRE/Versadex report writing system. All officers at the scene of a serious injury and/or a traffic crash fatality will supplement to their response and involvement. Any action taken by investigating officers must be documented in the original report or a supplement.
- B. In felony hit and run cases only, a 72-hour bolo will be called in to the pick-up desk and documented in the report. Sufficient data for identification of the suspect vehicle is necessary for probable cause for placing the bolo.
- C. When documenting the details of a hit and run investigation, certain information is necessary in order to assist the latent investigators in their tasks. Information of the types listed must be accurately documented on HSMV 90003, 90005, and in the electronic MRE/Versadex reporting system:
 1. Vehicle color, description, and location of damage; any information that further describes the suspect vehicle such as antennas, wheel covers, dents, mirrors, etc. and; a description of the suspect driver, and whether or not the victim/witnesses can identify the suspect, should be documented. These items should be listed exactly as the complainant and any witnesses describe them;
 2. The color of the complainant’s vehicle must be included, along with the complainant’s business address and business telephone number;

¹ CALEA [4th Edition] 61.2.1(c)

3. Identifying data for witnesses, including home and business address and telephone number, and whether or not the witness can identify the suspect;
 4. Any evidence and where it was obtained;
 5. Any other information useful to assist in the investigation, such as the registration of the suspect vehicle, and whether or not the registered owner was contacted, etc; any action taken by the investigating officers in furtherance of the investigation must be documented; and
 6. Give a description of the seriousness of the injuries to assist the latent investigators in their investigation.
- D. Officers impounding vehicles with blood splatter and/or exposed human tissue from crash injuries must mark the vehicles as “Biohazard.” Write “Biohazard” in large print across the top of the impound report and mark the vehicle with the “Biohazard” tape provided by the department through the Evidence Control Section (see SOP 665).
- E. If the suspect vehicle is found and impounded with a police hold, and the suspect is then located and charged on the date of occurrence, the investigating officer shall notify the impound lot using the MRE/Versadex system and release the hold on the suspect vehicle unless it is a traffic fatality, a serious injury crash where the victim is not expected to live, or there is evidence in the vehicle or evidence of the vehicle being used in other crimes.
- If the owner of a vehicle arrives and claims to have loaned the vehicle to a person, but cannot produce the person, the vehicle will be impounded and held as evidence in a Hit and Run.
- F. When the suspect is encountered, if you are unable to bring charges at that time, make sure the suspect is fully identified (photo identification) or have photos taken of the suspect (upper portion facing camera) and fully body length (front, both sides, and back) and describe the suspect’s physical characteristics (including any injuries) and clothing.
- G. If the hit and run driver is arrested by the originating officers, complete the crash report in its entirety. If the hit and run driver is arrested by officers other than the originating officers, the arresting officer must obtain all the information necessary for completion of the crash report; e.g., driver’s license number, insurance company name and policy number, vin number, vehicle owner, driver’s occupation, all occupants of the vehicle, etc.

II. Phantom/Non-contact Vehicles:

- A. A non-contact unit will always be listed last in the crash report, **if the non-contact vehicle has been established by evidence or witness(es).**
- B. Before a phantom/non-contact vehicle can be considered a hit and run vehicle, the vehicle must have been a direct cause of the crash, there was some reasonable knowledge of its involvement, and the vehicle did leave the scene to avoid its responsibility under Florida law.
- C. If the phantom/non-contact vehicle is not at the scene, treat the investigation as a hit and run, (misdemeanor, or felony).
- D. Do not enter information in statistical blocks of the crash report on the driver, vehicle or codes on phantom/non-contact or hit and run vehicles until this information can be verified.

Supersedes SOP 404.7, dated 4/03.

501 POLICE ACTION AT PUBLIC LODGING OR FOOD SERVICE ESTABLISHMENTS

- I. PURPOSE: This policy is issued to clarify officers' powers and duties involving arrests on premises defined in F.S. §509.013, as public lodging or food service establishments.

- II. DISCUSSION: Under Florida law, the "operator" or "person in authority" in licensed hotels and restaurants as defined in F.S. §509.013(2), is authorized to eject transient guests under certain circumstances. These circumstances are defined and include possession or dealing in drugs, intoxication, immorality, profanity, lewdness, brawling, disturbing the peace and comfort of other guests, injuring the reputation, dignity, or standing of the establishment, or when in the opinion of the management, it would be detrimental to the establishment to continue to entertain the guest. A good definition of transient guest is a person who rents a room in a hotel or motel on a temporary basis, particularly if the guest has another place of residence.

- III. POLICY:
 - A. When police officers are called to public lodging or food service establishments, they should enforce all laws just as they would when called to any other establishment. When an officer feels it is necessary to make an arrest for a violation of law (other than F.S. §509.141) for which warrantless arrest is authorized; the arrest should be made without unnecessary involvement of the licensee. Alternatively, officers may arrest for a violation of F.S. §509.141(3), "remaining on premises of a public lodging or food service establishment after being requested to leave," providing the person in authority orally requests the guest to leave in the presence of the officers, or in writing in the form specified in F.S. §509.141(3).
 1. When the person in authority prefers to avoid confronting a guest with the request to leave in the officers' presence or to prepare the written notice, the person in authority shall be informed that he must contact the State Attorney's Office for sworn testimony prior to any criminal action being taken.
 2. When a violation of F.S. §509.141(3) occurs in the presence of the officers, and no warrant or capias has been issued, the police officers must ascertain that each element of the crime is present before making an arrest. This offense is a 2nd degree misdemeanor. The necessary elements are:
 - a. The premises meet the definition of public lodging or food service facility in F.S. §509.013;

- b. The guest is transient, i.e., temporary;
- c. The person requesting the action is a person in charge or in authority of the premises at the time;
- d. The person in authority has offered to return any unused rent to the guest;
- e. The person in authority requests the guest to leave for one of the reasons specified in F.S. §509.141;
- f. The guest, in the officers' presence, fails to comply with the request to leave; and
- g. Admission to or removal from any such establishment shall not be based upon race, creed, color, sex, physical disability, national origin, age (as appropriate) or sexual orientation.

Supersedes SOP 501, dated 3/01.

502 UNIFORM AND EQUIPMENT¹

- I. PURPOSE: To establish policy designed to regulate the official wear of the authorized police uniform, uniform accessories, and authorized equipment.
- II. SCOPE: This standard operating procedure shall apply to all sworn members of the Tampa Police Department.
- III. DISCUSSION: An officer's uniform and equipment are a reflection of the level of professionalism associated with the organization. The uniform represents authority and identifies the officer as an official representative of the department. The uniform will not be worn in any manner that violates the spirit of this procedure and/or may bring discredit upon the department.
- IV. DEFINITIONS:
 - A. Dress Uniform: For all officers, long-sleeve, midnite blue shirt with buttons on the shirt pockets and epaulets corresponding to rank, tie, stripeless trousers, and midnite blue, eight-point cap with corresponding rank shield/braid.
 - B. Formal Uniform: For lieutenants and above, black, four-button, dress coat, black service cap with corresponding rank shield and gold braid and buttons, black trousers or skirt, white long-sleeve shirt or blouse, and black tie or female black crossover tie.
 - C. Primary Duty Uniform: For all officers, the primary duty uniform will consist of the midnight blue long or short sleeve shirt, worn open-collar, with appropriate insignia, and midnight blue trousers. If required, the uniform cap will be the midnight blue, eight-point cap with corresponding rank shield/buttons.
 - D. Utility Uniform: For all officers, the utility uniform will consist of the black short sleeved shirt with embroidered badge and BDU style pants.
- V. PROCEDURES: The following describes the approved official uniforms, badges, insignia, accessories, and equipment of the Tampa Police Department, including the wearing of the uniforms and plainclothes which shall consist of and be limited as defined below:
 - A. Staff Officers (Officers with the rank of major or above):
 1. The formal uniform is the black, three-button, dress coat, black service cap with corresponding rank shield and gold braid and

¹ CALEA [4th Edition] 41.3.4; 41.3.5

buttons, black trousers or skirt, white long-sleeve shirt or blouse, and black tie or female black crossover tie.

2. The dress uniform is the long-sleeve, midnite blue shirt with gold buttons on the shirt pockets and epaulets, midnite blue, eight-point, service cap with corresponding rank shield and gold braid and buttons, tie, and stripeless trousers.
3. The uniform of the day will be the dress uniform unless the formal uniform has been specified. Exceptions may be allowed under special circumstances.
4. The primary duty uniform may be worn as the uniform of the day at the discretion of the officer.

B. Captains and Lieutenants:

1. The formal uniform is the black, three-button jacket, black-service cap with corresponding rank shield and gold band and buttons, long-sleeve white shirt or blouse (without shoulder patches), stripeless black trousers or black skirt, and black tie or female black crossover tie. The police badge will be worn on the left breast of the jacket.
2. The dress uniform is the midnite blue, long-sleeve shirt, tie, stripeless trousers, and eight-point, midnite blue, service cap with corresponding rank shield and gold band and buttons.
3. The primary duty uniform is the long or short-sleeve, midnite blue shirt worn open collar (no tie) and midnite blue trousers. When required, the eight-point, midnite blue, service cap with corresponding color and rank shield will be worn with this uniform.

C. Sergeants:

1. The dress uniform is the midnite blue, long-sleeve, shirt, tie, stripeless trousers, and eight-point, service cap with corresponding rank shield and gold band and buttons.
2. The primary duty uniform is the long or short-sleeve, midnite blue shirt worn open collar (no tie) and midnite blue trousers. When required, the eight-point, midnite blue, service cap with corresponding rank shield and gold band and buttons will be worn.

D. Corporals:

1. The dress uniform is the midnite blue, long-sleeve, shirt, tie, stripeless trousers, and eight-point, service cap with corresponding rank shield and silver band and buttons.
 2. The primary duty uniform is the long or short-sleeve, midnite blue shirt worn open collar (no tie) and trousers. When required, the eight-point, midnite blue, service cap with corresponding rank shield and silver band and buttons will be worn with this uniform.
- E. Detectives and Officers (When detectives are directed to report in uniform):
1. The dress uniform is the midnite blue, long-sleeve shirt, tie, stripeless trousers, and eight-point, midnite blue, service cap with corresponding rank shield and black band and buttons.
 2. The primary duty uniform is the long or short-sleeve, midnite blue shirt worn open collar (no tie) and trousers. When required, the eight-point, midnite blue service cap with corresponding rank shield and black band and buttons will be worn with this uniform.
- F. Uniform Wear Specifications:
1. The service cap:
 - a. Will be worn in a straight fashion, insuring that the cap is not tilted to any one side.
 - b. Should be worn so that the cap visor is approximately two fingers above the bridge of the nose.
 - c. Hairstyles will not extend below or be visible from underneath the front of the visor.
 - d. A clear plastic cover is permissible during inclement weather.
 - e. Service cap wear: the service cap will generally be worn at the discretion of the officer; however, it shall be worn under the following conditions:
 - 1) Crowd Control Assignments: at the discretion of the event commander;
 - 2) Escorts: funerals, parades, etc; and

- 3) Ceremonial functions and other occasions at the discretion of the chief of police or a supervisor.

2. Shirt:

- a. Officers may at their discretion wear the long-sleeve shirt.
- b. Longevity stripes may be worn on the left sleeve, with one stripe per five years of service, in color corresponding to rank.
- c. The midnite blue tie (or female midnite blue crossover tie) may be worn with the long-sleeve shirt. Tie pins, bars, or clasps are not authorized.

Note: Officers with the rank of lieutenant or above may wear a traditional style (midnite blue) tie.

3. Trousers/Skirts:

- a. Trousers shall be tailored so that the bottoms of the hems barely touch the tops of the shoes.
- b. Skirts shall be hemmed no shorter than one inch above the kneecap.

G. Criminal Investigations Division:

1. Male Detectives:

- a. Plainclothes attire is authorized.
- b. Attire shall be of a conservative and businesslike nature that projects a professional image.
- c. Trousers will be neatly pressed and have a conservative and dressy appearance.
- d. Shoes will be conservative and professional in appearance.
- e. Boots may be worn; however, the height of the boot shall be such as to preclude the trouser from catching onto the boot thereby remaining in an unsightly position.

- f. The following equipment will be carried on their person: badge, handcuffs, issued firearm, O.C. gas canister, and police credentials. This equipment will not be carried in any pouch, briefcase, or similar container.
 - g. When in public, the firearm will be concealed from view; exceptions may be made at crime scenes with supervisory approval. The firearm may be exposed while in police facilities. Proper police credentials must be displayed.
2. Female Detectives:
- a. Plainclothes attire is authorized.
 - b. Attire shall be of a conservative and businesslike nature that projects a professional image.
 - c. Acceptable attire shall include dresses, slacks, pantsuits, suits, or jackets worn with dresses and/or skirts.
 - d. Skirts and dresses will be no shorter than one inch above the top of the kneecap.
 - e. Shoes will be of a conservative and businesslike nature that projects a professional image. Shoes with heels greater than three inches in height may not be worn.
 - f. The following equipment will be carried on their person: badge, handcuffs, issued firearm, O.C. gas canister, and police credentials.
 - g. This equipment will be readily accessible and may be carried in a purse.
 - h. When in public, the police badge and issued firearm will be concealed from view. Exceptions may be made at crime scenes, with supervisory approval. The firearm may be exposed while in police facilities. Proper police credentials must be displayed.
4. On-Call Detectives: Detectives that are on call and respond to crime scenes during non-duty hours may exercise the following attire options:

- a. The standard issue utility uniform may be worn; however, issued leather gear and equipment will be worn in accordance with department policy.
 - b. The standard dress code may be relaxed to include dress slacks, knit shirt with collar, and businesslike shoes.
5. Narcotics Detectives:
- a. Plainclothes attire is authorized for narcotics detectives.
 - b. Attire may be of a casual nature and should be consistent with undercover and/or investigative objectives.
 - c. Proper raid attire shall consist of ballistic vest, authorized utility/raid vest, and facehood when possible.
 - d. The following equipment shall be in the possession of and/or available for quick access to: badge, police credentials, firearm, handcuffs, and police radio unless otherwise excepted by the supervisor as dictated by the assignment.
6. QUAD Officers:
- a. Plainclothes attire is authorized and subject to supervisory approval.
 - b. Plainclothes attire may be of a casual nature and should be consistent with the investigative objectives of the assignment.
 - c. The utility/raid vest will be worn with plainclothes unless otherwise authorized by the supervisor.
 - d. Proper raid attire shall consist of a ballistic vest and authorized utility/raid vest.
 - e. The following equipment shall be in the possession of and/or available for quick access: badge, police credentials, firearm, handcuffs, and police radio.
 - f. The uniform for QUAD officers will be the primary duty uniform.
7. SAC/Ybor Officers:

- a. Plainclothes attire is authorized and subject to supervisory approval.
- b. Plainclothes attire may be of a casual nature and should be consistent with the investigative objective of the assignment.
- c. The utility/raid vest will be worn with plainclothes unless otherwise authorized by the supervisor.
- d. Proper raid attire shall consist of a ballistic vest and authorized utility/raid vest.
- e. The following equipment shall be in the possession of and/or available for quick access: badge, police credentials, firearm, handcuffs, and police radio.
- f. The uniform of the day for SAC/Ybor officers will be the primary duty uniform.

H. Specialty Uniform Pieces:

- 1. Uniform Sweater: The uniform sweater shall be midnite blue and will be worn as an outer garment.
- 2. Uniform Jacket:
 - a. Any officer may wear the all-weather reversible jacket as an outer garment.
 - b. Longevity stripes will not be worn on the uniform jacket.
- 3. Utility/Raid Vest:
 - a. Plainclothes officers will wear the standard utility/raid vest when conducting street level operations to readily identify themselves as officers of the Tampa Police Department.
 - b. The utility/raid vest will not be worn under any other circumstances without prior supervisory approval.
- 4. Body Armor:
 - a. All sworn personnel will be issued body armor. All personnel are required to wear body armor while

performing uniform field assignments during on-duty, special assignments, or extra-duty.

- b. Officers assigned to administrative positions are exempt from this requirement unless performing duties as outlined above.
- c. Detectives or plainclothes officers are required to have their issued body armor readily available at all times.

I. Mandatory Non-Issued Uniform Accessories:

- 1. Socks: Socks will be black in color.
- 2. Shoes:
 - a. Shoes shall be black, conservative, round or square toe, smooth-grain leather (or leather-like) and capable of being shined. A conservative degree of non-decorative stitching is acceptable.
 - b. Shoes may be high or low cut. The height of the boot shall be such as to preclude the trouser from catching onto the boot, thereby remaining in an unsightly position.
 - c. Shoes or boots with ornamental buckles or straps are prohibited.
 - d. Platform shoes or boots may not have heels measuring above 1 ¾ inches.
 - e. Soft, pliable shoes are permissible as long as they conform to the above standards.
 - f. Rubber boots may be worn over regular shoes during inclement weather.
- 3. Belts: Belts will be black in color.
- 4. Sunglasses:
 - a. Sunglasses will be conservative in nature with only black, silver, dark blue, or gold frames.
 - b. Mirrored/reflective lens sunglasses are not authorized. Lenses shall be of a conservative color.

- c. Black athletic retainer straps may be worn with sunglasses or prescription glasses.
 - d. Sunglasses will not be worn in formations such as inspections.
5. Gloves:
- a. Will be worn only during inclement weather.
 - b. Fingerless gloves are authorized for wear only during bicycle patrol.
 - c. Gloves shall be black. Mittens or gloves with fancy detail and weighted gloves are prohibited.
 - d. White gloves are prohibited unless authorized by the funeral commander.
 - e. Orange gloves are approved for traffic control.
 - f. May be worn during searches.
- J. Department Badge, Collar, and Rank Insignia and Chevrons:
1. Police Badge:
- a. The badge will be worn on the left side of the uniform shirt, above the left pocket, pinned to the shirt using the reinforced strap sewn to the shirt.
 - b. Officers with the rank of sergeant and above will wear gold badges while those below the rank of sergeant will wear silver badges. Detectives will wear the detective badge.
 - c. Officers will insure that the badge is worn on the outer most garment unless the garment has an embroidered badge on it.
2. Collar Insignia:
- a. Officers with the rank of sergeant or below will wear the "TPD" collar insignia on both collars. Collar insignia for sergeants will be gold in color while officers below the rank of sergeant will wear silver collar insignia.

- b. Collar insignia on long-sleeved shirts shall be centered between the top and bottom edge of the collar, parallel to the top edge with the front edge of the insignia ½-inch behind the edge of the collar closest to the tie. Allowances will be made for plastic collar stays.
- c. Collar insignia on short-sleeved shirts shall be centered between the outside and inside edge of the collar and ½-inch above the stitching, parallel to the bottom edge. Allowances will be made for the plastic collar stays.

3. Collar Rank Insignia:

- a. Officers with rank of lieutenant or above will wear the officially designated rank insignia on both collars of their uniform shirt:

Chief	Two Gold Stars
Assistant Chief	One Gold Star
Major	Gold Oak Leaf Cluster
Captain	Double Gold Bar
Lieutenant	Single Gold Bar

- b. Collar rank insignia shall be worn on short-sleeve shirts in the same manner as prescribed for the TPD insignia.
- c. Collar rank insignia shall be worn on each shoulder epaulet of the jacket, centered between the edges and parallel to the edges.

4. Chevrons: Officers with the rank of senior sergeant, sergeant, senior corporal, corporal, and master patrol officer will wear the officially designated chevrons on both sleeves of the uniform shirt and jacket, with the chevrons centered on the sleeve ½-inch below the shoulder patch:

Senior Sergeant	Three Gold Stripes
Sergeant	Three Gold Stripes
Senior Corporal	Two Light Blue Stripes with Light Blue Star
Corporal	Two Light Blue Stripes
Senior Detective	One Light Blue Stripe with Rocker and Light Blue Star
Detective	One Light Blue Stripe with Rocker
Master Patrol Officer	One Light Blue Stripe

K. Uniform Shirt Accessories:

1. Nametags:

- a. Officers with the rank of sergeant or above will wear the gold metal nameplate with affixed accreditation pin to include initials and last name inscribed in black. The nametag will be centered directly over the right front shirt pocket with the bottom edge of the nameplate resting on the top seam of the pocket.
- b. Officers below the rank of sergeant will wear the silver metal nameplate with affixed accreditation pin to include initials and last name inscribed in black. The nametag will be worn in the same manner as described in item #1.
- c. Nametags will not reflect rank, specialty skills, or information other than authorized accreditation pin, initials, and last name.

2. Serving Since Pin: The “serving since” pin is an optional accessory that is authorized for wear. The pin is not an issued item. The top of the “serving since” pin will rest against the top seam of the pocket. The pin color will correspond to rank.

3. Specialty Pins:

- a. Only officers currently assigned to a specialty unit may wear a specialty medal and only one pin may be worn. The following are currently recognized specialty units that are authorized to wear a pin:

Aviation Unit
Field Training Squad
Hazardous Device and Materials Unit
Honor Guard
Hostage Negotiation Team
K-9
Motor Unit
Tactical Response Team
Underwater Search and Recovery Unit
Street Anti-Crime (SAC)
Recruiter

- b. The officially designated specialty team medal will be worn

3. Authorized Wear of Equipment:²
 - a. All officers, regardless of rank, will wear all authorized equipment when in the primary duty uniform.
 - b. Additional equipment for the gunbelt may include a small flashlight and cellular telephone.
 - c. Award bars authorized to wear in SOP 662 - Awards, may be worn on the uniform, over the right front breast pocket, above the department nametag. Additionally, the following award bars are authorized to wear by department graduates:
 1. FBI National Academy Association; and
 2. Southern Police Institute award bar.

Supersedes SOP 502, dated 1/04.

² CALEA [4th Edition] 41.3.4; 41.3.5

502.2 BODY ARMOR¹

- I. PURPOSE: The purpose of this policy is to ensure the proper wearing and care of issued body armor.
- II. POLICY: It is the policy of the Tampa Police Department to maximize officer safety, either while on patrol or during high-risk situations, through the use of body armor, in conjunction with the practice of prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for sound, basic safety procedures.
- III. DEFINITIONS:
 - A. High-Risk Situations: An actual or potential act of violence in which police officers are at a disadvantage and are subject to extreme danger. High-risk situations may include, but are not limited to:
 1. Barricaded subject;
 2. Civil disorder;
 3. Search warrants;
 4. Buy-bust operations;
 5. Hostage situations;
 6. Suicide intervention; and/or
 7. Other situations as directed by a supervisor.
 - B. Readily accessible: In an employee's assigned vehicle while working in the field.
- IV. PROCEDURES:
 - A. Issuance of Body Armor:
 1. All Tampa Police Department sworn personnel will be offered a department issued ballistic vest (body armor). Officers who initially decline a department issued vest may subsequently request a vest at any time.
 2. All sworn personnel are authorized to wear personally owned body armor. Authorization is contingent upon approval of the Training

¹ CALEA [4th Edition] 41.3.5

Unit. All such armor must meet or exceed current department specifications.

3. All body armor must comply with the current minimum protective standards prescribed by the National Institute of Justice.

B. Use of Body Armor:

1. Experience within this department has proven the life saving effectiveness of body armor and officers are encouraged, in the strongest possible terms, to wear the armor while on duty. However, whether or not officers accept the department issued body armor, actual use will be at the discretion of the individual officer except in known high-risk situations and TRT operations where the use of body armor is mandatory.
2. The wearing of body armor is required in all high-risk situations for uniform and plainclothes personnel.
3. Detectives or plainclothes officers are required to have their issued body armor readily accessible at all times while in the field.

C. Inspection of Body Armor:

1. Supervisors shall be responsible for ensuring that body armor is worn and compliance is met as required by this policy.
2. Immediate supervisors will inspect body armor, department issued and personally owned, of an employee at the time of the annual evaluation and during other inspections.

D. Care and Maintenance of Body Armor:

1. Each officer is responsible for the proper storage of body armor, in accordance with manufacturer instructions.
2. As dirt and perspiration may erode ballistic panels, each officer shall be responsible for inspecting his body armor for cleanliness and signs of damage. All officers are responsible for cleaning their issued body armor in accordance with the manufacturers' guidelines.
3. Officers are responsible for reporting any damage or wear to the ballistic panels or cover to the Training Unit.

Supersedes SOP 502.2, dated 7/03.

503 ASSISTING BAIL BONDSMEN

- I. Purpose: To provide employees with Department policy when they are called upon to assist bail bondsmen in retaking a subject on bail pursuant to Florida Statutes Chapter 903.

- II. Discussion: A bondsman has a legal and financial interest in assuring the appearance in court of a defendant for whom the bondsman has posted bail. If a defendant fails to appear, the bond is forfeited and the bondsman can then arrest the non-appearing party.

- III. Procedure:
 - A. Upon receipt of a request from a bondsman for assistance in retaking a subject, the officer shall determine if the subject is being retaken prior to forfeiture or after forfeiture (bond jumping), and shall require the bondsman to furnish a certified copy of the bond, upon which shall be written by the bondsman: "I, (bondsman's name), the surety mentioned in the annexed recognizance, do hereby authorize and empower any police officer of the City of Tampa, County of Hillsborough, State of Florida, in my name, place, and stead, to take, seize, and when proper, to surrender the said (defendant's name), and to deliver said defendant to the court therein mentioned, or deliver him to the custody of the proper authorities of said city in my exoneration as surety on said recognizance. Dated, Signed." See F. S. §903.22.

 - B. If the bond in question has been forfeited, the bondsman shall also be required to produce proof that the forfeiture has occurred within the two year period immediately preceding the day of the request for assistance. See F. S. §903.29.

 - C. A bondsman may authorize a police officer to arrest a subject, however, this shall be accomplished only after the authorization to arrest is properly endorsed on a certified copy of the bond. (Normally, an arrest warrant is outstanding on the subject which itself is authorization for an officer to arrest the subject).
 - 1. Only after such procedures have been properly complied with does a police officer have the power to interfere with the freedom of the accused and effect an arrest at the direction of a bondsman. If the safeguards are not met the officer and bondsman could face civil liability for their actions.

 - 2. The officer may then assist the bondsman in retaking the subject just as if an arrest warrant had been issued at any time, at any place within the officer's jurisdiction, and using such force as is required to accomplish the act(s). As in arrest warrant cases, a search

warrant would be required for officers to enter a residence of a person other than the wanted subject.

- D. An officer does not have to assist or remain with a bondsman, upon his/her request, during the arrest of a subject. It is important to note that mere presence of an officer at such an incident can lend the color and authority of law to the bondsman's act of arresting a subject. Consequently, an improper arrest or other illegal act(s) by the bondsman could expose the officer to civil liability.

An officer is not, however, restricted from being near the arrest scene, provided that he/she remains detached from the actual arrest.

- E. If officers respond to a disturbance involving a bondsman, they should first determine the extent of the bondsman's authority. Evidence of such authority, a certified copy of the bond, should be in the bondsman's possession.
 - 1. If the bondsman's broad authority applies to the facts as determined by the officers, the bondsman should be allowed to leave with the accused party in custody.
 - 2. If the bondsman has no authority, as in the case of third-party home forcible entries, enforcement action should be considered.
- F. A General Offense shall be originated, and a copy of the bond shall be routed to the Records Section. The name of the bonding company shall be listed in the business space and the subject retaken shall be listed as a defendant.
- G. When bondsmen proffer the excuse of "retaking subject on bail" to a complaint of false imprisonment and battery, among others, from a subject, the officer will require a certified copy of the bond as proof of such exception.

Supersedes SOP 503, dated 7/99.

504 TRAINING AND CAREER DEVELOPMENT

- I. DISCUSSION: Career development is the process by which an agency provides opportunities for individual growth and development for its employees at all levels identified in the organizational structure. It is designed to promote productive, efficient, and effective job performance and to improve the overall level of individual job satisfaction. Additionally, career development enhances specific opportunities for professional growth and improved job performance, thus preparing its employees for upward mobility.

The two primary elements of a successful career development program are career counseling and training. Career counseling, involving the interaction of counselor and employee, offers guidance to assist an individual in choosing, preparing for, entering, or progressing in a job assignment. All employees are encouraged to participate in the various training programs offered by the Police Department, from roll call training to Advanced and Specialized Training Courses. Management supports the concept of continuing education through participating in external training programs, i.e., City of Tampa Training Unit, university or college degree programs, seminars, etc.

As a means of encouraging continuing education and to reward employees who display the initiative to involve themselves in same, the City of Tampa participates in the following: Tuition Reimbursement Program; CJSTC Salary Incentive Program; and the Incentive Leave Program. Employees may request participation in tuition free training programs provided by CJSTC certified training schools. Additionally, the Tampa Police Department may, contingent upon available funding, provide reimbursement to employees attending training programs outside the agency's service area.

II. TERMINOLOGY:

- A. Certified Training Schools: Schools, which offer courses within the Basic, Advanced, Specialized, and Career Development training programs, which must be certified by the CJSTC. There are numerous certified training schools in Florida. Certified training schools are differentiated by type (A, B, or C), dependent upon the training programs they are approved to offer, and by geographic location (regions).
- B. City of Tampa Training & Development Unit: A component of the Department of Human Resources, Employee Relations Division that is responsible for the coordination of training programs for all classifications of employees within the City. This unit, located at 306 E. Jackson St., 7th floor (274-8041), also administers the Tuition Reimbursement Program.
- C. Criminal Justice Standards & Training Commission (CJSTC): A nineteen-member commission, within the Florida Department of Law Enforcement,

which administers the provisions of Chapter 943, Florida Statutes. The primary goals of the Commission are to improve the delivery of quality training, ensure job relatedness in employment and training standards, and increase the professionalism of officers throughout the State of Florida.

- D. Hillsborough Community College Criminal Justice Institute (HCCCJI): A Region IX certified training school, which provides training for all law enforcement and correctional entities within Hillsborough County.
- E. Hillsborough County Criminal Justice Training System Consortium/User's Committee:¹ A five member voting committee, which governs the administrative policies, procedures, and training needs of the HCCCJI. Voting members are the chief executive officers, or their designees, of the Hillsborough Community College; Erwin Vocational-Technical Institute; Hillsborough County Sheriff's Office; Florida Department of Corrections; and the Tampa Police Department.
- F. Mandatory Retraining: F.S. §943.135, states the Commission shall, by rule, adopt a program that requires all officers, as a condition of continued employment or appointment as officers, to receive periodic Commission-approved continuing training or education. Such continuing training or education shall be required at the rate of forty hours every four years. F.S. §943.1716, states that a Commission established program on Domestic Violence/Juvenile Offenders (for law enforcement only) and Human Diversity be part of the forty-hour requirement for mandatory retraining. An officer's mandatory retraining deadline is June 30th, following the four-year anniversary of their original certification date.

Example:	Original certification	October 31, 2000
	Four-year anniversary	October 31, 2004
	Mandatory retraining	June 30, 2005

- G. Region IX Training Council: A twelve member council which represents the certified training schools and all law enforcement and correctional entities located within Pasco, Pinellas, Manatee, and Hillsborough Counties. The Council is established to act as an extension of the Commission in the planning, programming, and budgeting of the Criminal Justice Training Trust Fund and to advise and assist the Commission in developing a plan for assessing regional training and criminal justice training schools' needs. The Tampa Police Department is represented as a voting member of the Council.
- H. TDY Status: Those training classes attended by officers while on-duty. TDY Status of courses will be based on departmental need and is

¹ CALEA [5th Edition] 33.2.3

determined by the Training Unit. Salary incentive courses do not qualify for TDY status.

III. TRAINING PROGRAMS AND COURSES: The Department adheres to the philosophy that the road to true professionalism in law enforcement lies in increased police training and college education. While sources for acquiring training are unlimited, the following are identified to assist supervisors and employees in locating programs to foster their particular needs.

- A. Advanced Training Program: Designed to add to an officer's knowledge, skills, and abilities to perform the job, advanced courses cover only one major topic and must be at least forty hours long. They must be approved by the Commission, offered by certified instructors, and require Commission approved examinations. Successful completion of these courses may qualify an officer for receipt of salary incentive payments or mandatory retraining credit, but not both. (See Appendix A for a list of approved advanced courses.)
- B. Career Development Program: Designed to prepare an officer for promotion to a higher rank or position, these courses must cover one subject and be at least forty hours long. They may be developed by FDLE, Bureau of Training; criminal justice agencies; or certified training schools. They must be approved by the Commission, offered by certified training schools, taught by Commission certified officers, and require Commission approved examinations. These courses may not be funded through utilization of the Criminal Justice Training Trust Fund.
- C. College Courses: Each employee is encouraged to achieve a minimum of a Bachelor's Degree from an accredited college or university. Courses successfully completed for college credit, in non-degree seeking programs may be approved for mandatory retraining credit provided the goals and objectives of the course relate to the work activities of the officer and that the course is equal to forty contact hours (three semester or four quarter hours). College credit may also be required as minimum standards for promotion (see SOP regarding promotions).
- D. Field Training and Evaluation Program:² A twenty to twenty-eight week internal program designed to provide one-on-one training and supervision for newly appointed sworn personnel. This training will include a review of department policies, procedures, and rules and regulations.
- E. In-Service Training Program:³ An annual internal training program wherein the curriculum is approved by the Chief's staff based upon statutory and contractual mandates, departmental needs, and suggestions

² CALEA [5th Edition] 33.4.3(a)

³ CALEA [5th Edition] 33.5.1

from employees. In-service training may be utilized to fulfill mandatory retraining requirements if the topics fall within the CJSTC approved categories as listed under specialized courses. This program may include high liability training to include firearms, defensive tactics, and driving for all sworn employees. Refresher training in dealing with the emotionally distressed or mentally ill will be conducted at least every three years.⁴

- F. Instructor Courses: Courses, approved by the Commission, that are required as a prerequisite to teaching (general or high liability topics) in basic recruit academies, advanced training courses, or any specialized training course which is funded with Criminal Justice Training Trust Fund monies.
- G. Law Enforcement Basic Recruit Program:⁵ This Commission approved entry level training program was developed by the FDLE based on job and task analyses. The program consists of minimum requirements for instruction which include topics, class hours, and competency training as specified in 11B-35.002(4), .003, .004, .0022, and .0024 F.A.C. Courses must be taught by Commission-certified instructors and offered by certified training schools. Completion of this course and/or successful passing of the Florida Law Enforcement Certification Exam is required prior to receiving sworn status with the Tampa Police Department.⁶
- H. Legal Bulletins:⁷ In order to provide training in a timely manner, the Police Legal Advisor will prepare and distribute Legal Bulletins to address or clarify newly enacted laws, recent court rulings, administrative procedures, and any other legal issues that have an impact on the employees of the Tampa Police Department.
- I. Mandatory Civilian Training Program:⁸ Entry level training programs are required for the following positions: Community Service Officers (CSO); Public Service Officers (PSO); Communication Technicians; and Crime Scene Technicians. These training programs shall be administered by the supervisor(s) of the affected component. In-service training for civilians shall be determined based upon need.
- J. New Supervisor's Training Program:⁹ A sixteen-hour internal program designed to orient newly promoted supervisors to the philosophy of the Department in the areas of supervision and management. This course includes, but is not limited to, discussion of: employee morale and discipline; career development activities; community relations; and contract administration.
- K. Other Sources: There are numerous public and private entities that provide criminal justice related training programs, seminars, and conventions. A

⁴ CALEA [5th Edition] 41.2.8 (e)

few of the well known organizations are: Institute of Police Technology and Management (IPTM); Northwestern Police Institute; Southern Police Institute (SPI); Federal Bureau of Investigation (FBI) Academy; National Institute of Traffic Safety Administration (NITSA); and the Explosive Ordinance Device School at Redstone Arsenal.

- L. Remedial Training Programs:¹⁰ Programs designed to assist employees by increasing their proficiency level in areas where performance deficiencies have been noted. Firearm qualification and driver improvement programs are structured and require mandatory participation (see related policies). All supervisory and managerial personnel are encouraged and expected to provide remediation for any employee who exhibits substandard performance.
- M. Roll Call Training:¹¹ Supervisory personnel are encouraged and expected to provide training to their subordinates whenever possible. Duties permitting, roll call provides the perfect opportunity to impart knowledge by reviewing departmental directives, discussing proper handling of cases, and demonstrating and practicing new or existing job related techniques. On occasion, video training will be conducted during roll call in an effort to disseminate information in a timely and efficient manner.
- N. Specialized Training Program: Courses that are developed using a “menu” concept to fulfill local training needs. This program has been designed to utilize Commission approved categories, topics, and objectives that encompass subject matter pertinent to training within the criminal justice field. The approved categories are: Communication Skills; Crime Prevention; Health; High Liability; Investigations; Legal Issues; Management/Supervision; and Science and Technology. Specialized courses must be a minimum of eight hours and may serve as mandatory retraining credit. (See Appendix B for a list of current specialized courses.)

IV. INCENTIVE PROGRAMS:

- A. Tuition Reimbursement Program: Full-time, permanent employees may be reimbursed tuition fees for approved college course(s). The City will not reimburse an employee for materials, books, supplies, application fees, lab fees, or transportation. For specific information regarding conditions for approval, criteria for payment, and amount of reimbursement, consult the City of Tampa Personnel Manual and applicable bargaining unit agreements.
- B. CJSTC Salary Incentive Program:¹² F.S. §943.22 provides for incentive payments for officers to continue their professional development. All full-

time certified law enforcement officers who have completed the required basic training are eligible to receive salary incentive.

Below is a list of the maximum amount of salary incentive money any officer may receive per month according to the type of salary incentive for which he is eligible.

TRAINING	MAXIMUM PAYMENT PER MONTH
Basic Law Enforcement Only	\$ 25.00*
Advanced Courses Only	\$120.00 (\$20.00/80 hours of approved training)
Education Only	\$ 30.00 – Two-year degree \$ 80.00 – Four-year degree
Basic & Advanced Only	\$130.00 – Maximum
Basic & Education Only	\$ 55.00 – Two-year degree \$105.00 – Four-year degree
Advanced & Education Only	\$130.00 – Maximum
Basic, Advanced, Education	\$130.00 – Maximum

* Only full-time law enforcement officers who were initially employed/certified prior to July 1, 1980 may receive basic salary incentive payments.

C. Incentive Leave Program: To reward employees for the inculcation of training into the performance of their assigned tasks, the City of Tampa grants incentive leave per the current contract each calendar year for exceptional performance for safe driving and/or firearm qualifications. (See SOP – Safe Driving Award and Policy Statement – Incentive Leave.)

D. Agency Reimbursement:¹³

1. Employees who are required to attend training shall be reimbursed for tuition/registration fees, per diem, hotel, and travel expenses.
2. Employees requesting participation in non-mandatory programs may, prior to attendance, request reimbursement for expenses. Approval is at the discretion of the Chief of Police and is contingent upon available funding.

E. Professional Leave: Training attended in an on-duty capacity requires the approval of the Chief of Police.

V. PROCEDURE:

A. Career Counseling:¹⁴

1. Process: Supervisors and managers of all ranks are expected to conduct career counseling by:

- a. Assessing the employee's skills, knowledge, and abilities;
 - b. Informing the employee of the available training opportunities and incentive programs;
 - c. Informing the employee of the Department's requirements necessary for promotion and/or assignment to specialized positions.
 - d. Assisting the employee in deciding the methods for attaining their own personal and professional goals.
2. Frequency and Documentation:
- a. Career guidance and counseling should be conducted on an on-going basis.
 - b. At the time of completion of the annual performance evaluation, the evaluator shall document on the Individual Employee's Goals and Objectives Form the employee's career development accomplishments as well as any training programs which are recommended for future personal or professional growth.
 - c. The immediate supervisor of a newly promoted/assigned employee will conduct an orientation and training conference with the employee within the first two weeks of the employee's transfer to the new position which will include:
 - 1) The duties and responsibilities of the position (Intra-Division Procedures);
 - 2) Performance expectations;
 - 3) Administrative reporting and paperwork requirements;
 - 4) Review of training and resources available to assist the employee with their new promotion/assignment; and
 - 5) Review of the performance evaluation guidelines (for supervisory personnel only).

B. Training:

1. Application and Approval Process:

a. College Courses:

- 1) Courses that will be attended on the employee's own time, at the employee's own expense, do not require any departmental approval.
- 2) If an employee desires to enroll in a college course that will conflict with the employee's existing work schedule, approval must be obtained in writing, through the chain of command, to the division commander. Documentation shall include course title, description, location, and course times.

Consideration for change of work assignment or the granting of time off by the division commander will be based on the needs of the Department.¹⁵

b. Advanced; Specialized; Career Development; and CJSTC Instructor Courses: Due to the fact that seat allocation in these courses is limited, and that class size may vary depending upon the type of course being offered, it is important that registration be managed by the Training Unit staff. Employees are forbidden from contacting training schools to enroll themselves or to reserve seats on a space available basis. Failure to comply with the below procedure may result in disciplinary action and/or suspension of the employee's privilege to participate in non-mandatory training programs.

- 1) The Training Unit will announce the course and provide information on TDY status.
- 2) Training Request (TPD 618): The employee must submit a training request, via his intra-division chain of command, to the Training Unit. The memo shall include: type of course; course title; date; time; location; and any particular information that might be of value when making selections (prior request denied; performance evaluation goal; etc.).
- 3) Selection:

- a) If the number of requests do not exceed the Department's seat allocation, all requests will be approved (contingent upon available funding and staffing requirements).
 - b) If the number of requests exceed the number of available seats, the following factors, among others will be considered when selecting participants: special needs of the department; representation by the various organizational components; special considerations as noted on the request memo (inclusion of need in employee's evaluation; denial of prior request; specificity to current assignment; etc.).
- 4) Notification:
- a) The Training Unit staff shall, approximately three weeks prior to the first day of class, prepare an Authorization to Attend Training order for the Assistant Chief of Administration signature. This order will be distributed to all major components of the Department and HCCCJI.
 - b) It shall be the responsibility of the Division/Bureau Commander to ensure timely notification of the affected employee.
 - c) It is the responsibility of the officer requesting training to contact the Training Unit to confirm approval/disapproval of training.
- 5) Dissemination of Information: Employees may be required to participate in disseminating the information to other employees.
- c. City of Tampa Training Unit Courses: Complete Application for Training Form, DA 84, and process according to directions on form.
 - d. Seminars, Conferences, and other Training Programs:

- 1) Request: Employees must submit a training request (TPD 618), via their intra-division chain of command, to the Training Unit along with the following:
 - a) A copy of the training bulletin, or equivalent literature; and
 - b) Training/Travel Expense Worksheet (TPD 618A).
- 2) Selection:
 - a) The Training Unit shall research, document, and forward to the Office of the Assistant Chief the following information:
 - (1) If a similar course is being, or could be, offered locally;
 - (2) If there is a less expensive means of providing this training; and
 - (3) Pertinent information about the employee's training history.
 - b) The appropriate Assistant Chief, after consultation with the Chief and the Fiscal Bureau Manager, will approve or deny the training request and return the request memo to the Training Unit.
- 3) Notification:
 - a) The Training Unit will be responsible for ensuring the completion and distribution of the Application for Training Form (TPD 618) for approved requests. Denied request memos will be returned to the affected division/bureau.
 - b) The requestor's Division/Bureau Commander shall ensure timely notification is made to the employee regarding the approval or denial of their request.

C. Program Development: In addition to the In-Service Training and Field Training and Evaluation Programs, situations may arise which necessitate the development of internal training programs. On these occasions, the following procedure shall be implemented:

1. The requesting supervisor shall communicate, in writing, the training need to the Training Unit supervisor who will coordinate a meeting to:
 - a. Identify specific goals and objectives as delineated in the CJSTC Specialized Training Program Manual;
 - b. Identify prospective instructors; and
 - c. Coordinate the training with HCCCJI.
2. All departmental training programs shall have a lesson plan approved by the Chief prior to implementation of the program.¹⁶
 - a. Lesson plans shall be prepared in accordance with guidelines established by the CJSTC in the Instructor Techniques Training Program Manual (available in the Training Unit).
 - b. It shall be the responsibility of the primary/lead instructor to ensure completion and submission of the lesson plan to the Training Unit at least three weeks prior to the first training date.
 - c. Lesson plans will be filed and maintained by the Training Unit.

D. Attendance:¹⁷

1. In-Service Training: All employees below the rank of Major must attend the entire annual IST program. Classes missed due to excused absences (court, illness, etc.) will be rescheduled by the Training Unit. Participation by members of the Chief's staff shall be at the discretion of the Chief of Police.

Employees missing the re-schedule dates will address a letter through their chain of command to the Special Support Division Commander. The letter will include an explanation of non-attendance. The Special Support Division Commander, along with the affected division/bureau commander, will initiate the

¹⁷ CALEA [5th Edition] 33.1.2

appropriate discipline or course of action. Unexcused absences will be considered a “failure” and be dealt with accordingly.

2. Departmental Training Programs: Participation is mandated by the Chief of Police dependent upon the nature and scope of the program.
3. Advanced/Specialized/Career Development Courses: In accordance with F.A.C., absences shall not exceed ten percent of the course duration.
 - a. Absences in excess of ten percent may be made up only upon approval by an official of the certified training school.
 - b. On-duty attendance requires one hundred percent attendance unless approved by the employee’s immediate supervisor.

E. Training Records:

1. Employee Training Files:¹⁸
 - a. Upon successful completion of any training program or course, the employee has the responsibility of submitting a copy of his certificate, or proof of completion, to the Training Unit for appropriate processing.
 - b. The Training Unit will update the officer’s training file and forward the certificates to the Personnel Unit.
 - c. The Personnel Unit will file a copy of the certificate in the employee’s personnel jacket and will process requests for salary incentive monies.
2. Course Files:¹⁹ The Training Unit will maintain records on each class conducted by the Department. These files will include lesson plans, test results, and attendance records.

Supersedes SOP 504, dated 2/07.

APPENDIX "A"

ADVANCED TRAINING COURSES

COURSE	HOURS
Line Supervision (006)	80
Middle Management (007)	80
Developing & Maintaining a Sound Organization (011)	40
Planning the Effective Use of Financial Resources (012)	40
Building & Maintaining a Sound Behavioral Climate (013)	40
Narcotics Identification & Investigation (016)	40
Criminal Law (019)	40
Case Preparation & Court Presentation (020)	40
Special Tactical Problems (032)	40
Sex Crimes Investigation (033)	40
Injury & Death Investigation (036)	40
Traffic Homicide Investigation (039)	40
Stress Awareness & Resolution (050)	40
Field Training Officer (051)	40
Crisis Intervention (053)	40
Organized Crime (054)	40
Radar Operators (055)	40
Writing & Reviewing Reports (068)	40
Community & Human Relations (073)	40
Drug Abuse Awareness & Education (074)	40
Underwater Police Science & Technology (077)	40
Computer Applications in Criminal Justice (080)	40
Advanced Traffic Accident Reconstruction (087)	40
Traffic Accident Reconstruction (088)	40
School Resource Officer Training (090)	40
Domestic Intervention (091)	40
Hostage Negotiation (093)	40

APPENDIX “B”

SPECIALIZED TRAINING COURSES*

COURSE

Arson Investigation

Child Abuse Investigations

Child Death Investigation

Crime Prevention Practitioner

Crime Scene Investigation

Crimes against the Elderly

Interviewing the Abused Child

Introduction to Management

Kenesic Interviewing Techniques

Officer Survival Techniques

Surveillance Techniques

Traffic Accident Photography

*Specialized Training Courses may be developed based upon CJSTC approved goals and objectives. The above listed courses have been previously approved and offered at the HCC Criminal Justice Institute.

504.10 PROMOTIONAL PROCEDURES¹

- I. **DISCUSSION:** The Tampa Police Department recognizes that the promotional process within the organization should be one of fairness and one that truly identifies those well rounded and qualified persons for leadership positions.

The department has established progressive educational and training standards for advancement. The utilization of these standards will increase the level of professionalism, both individually and collectively. The establishment of minimum qualifications for each promotional position was made with careful consideration to ensure that the required educational level matches, as closely as possible, the responsibilities incumbent to the position. By establishing these standards, the department recognizes and supports the concept and value of lifelong learning. The administration of this program shall be consistent with city policy.²

The department adheres to the practice of giving all qualified officers the opportunity to seek upward mobility within the organization. In assessing the aptitude and suitability of candidates for promotional consideration, a variety of methods may be utilized. These methods may vary from rank to rank and may include, but are not limited to, some or all of the following testing/assessment techniques:³

- Objective Written Tests
- Assessment Center Exercises
- Candidate Assessment by the Chief's Staff

Specific minimum qualifications for each rank up to the police major are outlined in this procedure.

II. **DEFINITION:**

- A. **College Credit/Degree:** All credits or degrees utilized to meet or exceed minimum qualifications as set out herein must be from an accredited college or university as defined below.
- B. **Accredited College, University, or Community College:** A college, university or community college or recognized institution as determined by the American Council on Education, Washington, D.C. and included in the most current published guide "Accredited Institutions of Post Secondary Education."

III. **ELIGIBILITY STANDARDS FOR ADVANCEMENT:**⁴

- A. The following are the standards for promotion effective January 1, 1994:

¹ CALEA [5th Edition] 34.1.1; 34.1.2;

² CALEA [5th Edition] 34.1.3(a); 34.1.6(b)(d)

³ CALEA [5th Edition] 34.1.3(b)

⁴ CALEA [5th Edition] 34.1.3(a)

1. To be eligible for a Corporal/Detective position, an individual must:
 - a. Successfully complete the probationary period in the current rank held.
 - b. Receive a rating of satisfactory or higher on the most recent performance evaluation.
 - c. Attain a minimum educational level equivalent to one year of college credit (30 semester hours or 45-quarter hours).
 - d. Effective January 1, 1995 passes the written portion of the most recent sergeant's exam.

2. To be eligible for a Sergeant's position, an individual must:
 - a) Have a minimum of four years experience with the Tampa Police Department in the capacity of a sworn officer;
 - b) Have received a rating of satisfactory or higher on the most recent performance evaluation;
 - c) Have a minimum educational level equivalent to an Associate Degree (60 semester hours or 90 quarter hours); and
 - d) Achieve a qualifying score on any required promotional examination.

3. To be eligible for a Lieutenant's position, an individual must:
 - a) Have a minimum of one year in grade as a police sergeant with the Tampa Police Department;
 - b) Have received a rating of satisfactory or higher on the most recent performance evaluation;
 - c) Have a minimum educational level equivalent to 3 years of college credit (90 semester hours or 136 quarter hours); and
 - d) Achieve a qualifying score on any required promotional examination.

4. To be eligible for a Captain's position, an individual must:
 - a) Have a minimum of one year in grade as a police lieutenant with the Tampa Police Department;

- b) Have received a rating of satisfactory or higher on the most recent performance evaluation;
 - c) Have a minimum educational level of a Bachelor's Degree.
5. To be eligible for a Major's position, an individual must:
- a) Have a minimum of one year in grade as a police captain with the Tampa Police Department;
 - b) Have received a rating of satisfactory or higher on the most recent performance evaluation; and
 - c) Have a minimum educational level of a Bachelor's Degree.

IV. PROCEDURE:⁵

- A. A list of eligible candidates for promotion to each rank will be established periodically by the City Personnel Division.
- B. Whenever a position having the rank of detective, corporal, sergeant, lieutenant, captain or major becomes available for promotion of personnel, a certified list of eligible candidates will be obtained by the Personnel & Training Section from the City Personnel Division.
- C. The Personnel & Training Section will provide the chief with the names of those candidates from the certified list who meet the minimum requirements for the rank as established by this SOP.

The candidates will be listed in the same order as they appear on the certified list.
- D. The chief will select the employee to be promoted.
- E. The Personnel & Training Section will prepare the administrative paperwork for the promotion.

Supersedes SOP 504.10, dated 1/07.

⁵ CALEA [5th Edition] 34.1.6 (e)
504.10

504.12 TRANSFERS AND ASSIGNMENTS

I. **PURPOSE:** To describe procedures for requesting assignments and transfers within the department and to specify minimum requirements for certain positions.

II. **DISCUSSION:** There are a variety of positions that can be filled within the department that do not require a formal promotional process. These positions do require demonstrated mastery of basic police skills and have different responsibilities from those of uniformed patrol officers. Assignment to, or transfer from, such positions shall be at the sole discretion of the chief of police.

III. **DEFINITIONS:**

Assignments: Assignments will be made at the sole discretion of the chief of police. Assignments may be made for membership on a specialty team (TRT, Dive Team, FTPEP, etc.) or for School Resource Officers, Air Service Observer or other specialty unit. Although an assignment may include advancement in pay grade, it is not a promotion. Officers may be removed from assignments at any time by order of the chief.

Lateral transfer: Transfers, at any rank, to other positions, bureaus, or divisions that are made without a change in the employee's rank or pay grade.

IV. **ELIGIBILITY STANDARDS:**

A. To be eligible for lateral transfer, an employee must:

1. Successfully complete the probationary period in the current rank, or pay grade, held.
2. Receive a rating of satisfactory or higher on the most recent performance evaluation.

B. Specialized Assignments - See SOP 504.13.

V. **PROCEDURES:**

A. Transfers:

1. Employees desiring transfer from their present division to another will document their request in letterform addressed to the chief of police, attention to the Major of the Special Support Division, in an original and three copies. The letter will be submitted to the employee's immediate supervisor and should contain the following information:
 - a. Present assignment;

- b. Division requested; and
 - c. Experience, training, or other special qualifications which would be beneficial in the desired assignment.
2. The immediate supervisor will attach a cover letter stating why he believes the request should or should not be considered.
3. Any supervisor in the chain of command who has information that would be beneficial when considering the request will document the information and attach it to the request.
4. After review by the officer's division/bureau commander, the original and three copies of the letter, and any other attachments, will be forwarded to the Office of the Chief of Police for review. After the letter and all copies are signed acknowledging review, they will be forwarded to the Special Support Division.
5. The Special Support Division will retain the original and one copy of the letter and attachments. They will obtain a photograph, from the Forensic Investigation Unit, of the employee requesting transfer. This photograph will be submitted to the requested division with the remaining original and one copy of the request.
 - a. One copy of the letter and attachments will be filed in the employee's department personnel service record.
 - b. The original letter with attachments will be filed in a "Request for Transfer" file which is divided by "division requested" and maintained in the Personnel Unit.
6. The commander of the requested division/bureau will retain the copy of the request with the photograph for his division/bureau file. He will forward the remaining copy to the requesting employee with acknowledgement of review.
7. The Personnel Unit will periodically review the "Request for Transfer" file and purge obsolete requests. Requests that have been on file for more than two years will be returned to the requesting employee for updating.

B. Specialized assignments: See SOP 504.13.

Supersedes SOP 504.12, dated 3/07.

504.13 SPECIALIZED ASSIGNMENTS¹

- I. Purpose: This directive is issued to identify certain assignments, which require specific training as a prerequisite for regular appointment to such assignments.
- II. Discussion: The department recognizes that the successful accomplishment of many police objectives is dependent upon the availability of specially trained personnel. These personnel provide a wide range of expertise to the department. When a specialized assignment is open, the department must fill the assignment with a qualified and capable employee. All eligible officers must have an equal opportunity to compete.
- III. Definitions:
 - A. Specialized Assignments: An assignment often characterized by increased levels of responsibilities and specific training.
 - B. Specialty Team: A group of individuals whose primary assignments are in various functional areas of the department but who train together, on a regular basis, to function as a team in the accomplishment of specific police missions. TPD specialty teams are Tactical Response Team; Hostage Negotiation Team; Dive Team and the Hazardous Devices/Materials Team.
 - C. Specialty Unit: A group of individuals who work together on a regular basis and have specific duties and responsibilities in addition to those assigned to other personnel within their division and job classification. TPD specialty units are K-9 squads; FTEP squads; Marine Unit, Motorcycle Unit, DUI Unit, Aviation Unit, and Mounted Patrol Unit.
- IV. Functions:
 - A. Specialty Teams:
 1. Tactical Response Team: This team has the responsibility of responding to any special threat situation. The objectives are the neutralization and apprehension of the suspect(s) through negotiations and/or assault procedures.
 2. Hostage/Negotiation Team: This team has the responsibility of responding to hostage situations, barricaded suspects, and subjects attempting to commit suicide.
 3. Dive Team: Handles requests for service requiring expertise in boating and underwater activities. The unit responds to emergency requests concerning victims of water mishaps, underwater evidence and property

¹ CALEA [5th Edition]16.2.1(a)(b)(c); 33.6.1(a)(b); 46.2.2; 46.2.4

recovery, marine traffic control, and enforcement of laws in and about the water of the city of Tampa.

4. Hazardous Devices/Materials Team: The team is responsible for the safe handling, transporting, and disposing of hazardous materials and explosive devices.

B. Specialty Unit:

1. K-9 Squads: Augments various department divisions by conducting searches in both buildings and wooded areas, tracking for lost/missing persons or wanted criminals, detecting unlawful possession of narcotics, and retrieving articles of evidence
2. Field Training and Evaluation Program Squads: Provides advanced on-the-job basic training to probationary officers to ensure they meet acceptable standards of performance, as set forth by department guidelines. An additional objective is to recruit and train qualified candidates as Field Training Officers.
3. Marine Unit: Handles requests for service requiring expertise in boating and underwater activities. The unit responds to emergency requests concerning victims of water mishaps, underwater evidence and property recovery, marine traffic control, and enforcement of laws in and about the water of the city of Tampa.
4. Motorcycle Traffic Unit: Performs traffic law enforcement in an effort to decrease traffic crashes, property damage, and injury or death on the public roadways. In addition, the unit participates in community awareness and education projects related to traffic safety.
5. D.U.I. UNIT: Enforces D.U.I. laws by deploying in areas where alcohol related traffic crashes are occurring. This unit also relieves any patrol officer who comes into contact with any driver suspected of D.U.I., thereby allowing the patrol officer to return to service.
6. Aviation Unit: Provides helicopter/airplane surveillance and aerial support during arrest scenarios. The unit also provides airplane transportation and monitors traffic control during special events.
7. Mounted Patrol Unit: Provides crime prevention, public relations, criminal apprehension, dignitary protection, search and rescue, special escorts and crowd control activities for the department.

V. Training Requirements:

- A. The specific training required by each team or unit varies depending upon the subject matter and the amount of training necessary to attain proficiency. Some training is governed by state or federal regulations, while other training is less regulated. Each employee in a specialized assignment must be sufficiently trained to safely, competently, and legally perform the expected duties.
- B. Some assignments require training as a prerequisite to assignment on the team or unit. Others may allow for training after the assignment; however, all minimum-training requirements must be initiated within a year of the assignment of an employee to the team or unit.
- C. General-training requirements will include:
 - 1. Development and/or enhancement of skills, knowledge, and abilities particular to the specialization;
 - 2. Review of policies, procedures, laws, etc., that relate to the specialized position;
 - 3. Evaluation of required performance standards; and
 - 4. Supervised on-the-job training.
- D. Records of each training exercise will be maintained by the unit/team and reported to the Personnel Unit.
- E. Periodic training exercises will be performed at the direction of the commander and/or coordinator of the specialty team/unit.
- F. Each specialized assignment shall be reviewed annually by the commander and/or team leader to ascertain the feasibility of the continued use and existence of that component.

VI. Eligibility Requirements:

A. General Requirements:

- 1. Have at least two years experience with the Tampa Police Department and five years experience for applicants applying for the Hazardous Devices/Materials Team.

This requirement may be waived by the chief of police in special circumstances based upon operational necessity.

- 2. Receive a rating of satisfactory or higher on the most recent performance evaluation.

3. Satisfy the specific training and/or physical requirements as stipulated in the intra-division procedure for each assignment.
- B. Specific Requirements: Specific requirements for each team/unit are enumerated in the intra-division procedure for each respective component.

VII. Appointment Procedures:

- A. When an opportunity for appointment to a specialized assignment becomes available, the Major assigned to the Special Support Division will prepare an announcement and distribute it department-wide.
1. The announcement will include the specific experience, training, and performance requirements for the assignment.
 2. The announcement will specify to whom the letters of application are to be sent and the closing date for receipt of the letters.
- B. Letters of application should describe the employee's education, training, experience, and other qualifications that would be beneficial in the assignment.
- C. All applicants who meet the minimum requirements for the assignment will be given the opportunity to interview and/or compete for the assignment.
- D. Applicants will be screened by a selection process review board, consisting of the division and/or team commanders. The final recommendation will be made by the selection team consisting of qualified officers, corporals, detectives, and S.R.O.s. Appointment shall be at the discretion of the chief of police.
- E. Promotion to the rank of sergeant may preclude an officer from continuing assignment on a specialty team.

Supersedes SOP 504.13, dated 4/98.

506 GRIEVANCE ANALYSIS¹

- I. PURPOSE: This policy establishes the requirement for annual analysis of employee grievances.

- II. DISCUSSION: Employee grievance procedures are an important element of a sound personnel administration program. Because some employees misunderstand changes in or enforcement of internal policies, orders, instructions, or feel as objects of mistreatment, real or imaginary, a variety of administrative problems are created. On occasions, administered discipline and union contract interpretations create unacceptable work area behavior or poor work performance. Such conditions and others that are work related produce distractions from assigned work and might create morale problems. Therefore, in the interest of all concerned, employees are permitted to express their grievances in a formalized manner.

Though recorded evidence exists of all employee grievances that have been filed and processed in accordance with the established program; management personnel cannot determine trends or principal causes of grievances filed sporadically. If management is to discover agency administrative problems that cause grievances, an annual analysis of those filed will provide all management levels of the department important information, which will be useful in minimizing the causes in the future.

- III. POLICY: It is the policy of the Tampa Police Department that an annual analysis of the causes of all grievances filed during the year shall be made by the Captain of Internal Affairs and submitted to the Chief of Police for his consideration and action.

Supersedes SOP 506, dated 2/00.

¹ CALEA [5th Edition] 25.1.3.

507 ALERT WATCH

- I. PURPOSE: To provide a clear understanding concerning the services rendered by the department in response to citizens' requests for an "alert watch."
- II. DISCUSSION: The increasing volume of daily calls for police service can place a strain on the department's ability to fulfill each and every request for an alert watch at a particular location. Nevertheless, the department remains committed to this concept which enhances the exchange of information both between department employees and the citizens they serve.
- III. PROCEDURES:
 - A. An alert watch is enhanced police attention, which focuses on existing conditions that are experiencing or indicating a high probability of criminal activity. This may, for example, include a residence or business with a history of burglaries. It may also include, time and availability permitting, certain properties as requested by an owner or occupant (i.e., home which is temporarily vacant while occupants attend a funeral).
 - B. When a citizen requests police activities that exceed the level of attention outlined in this directive, the department employee should offer suggestions on how to best protect the property in question (see SOP 631 - Crime Prevention Activities and SOP 632 - Security Surveys). The employee shall advise the citizen that time and caseload restrictions may limit regular inspections.
 - C. Department employees shall make available to their relief on a formal or informal basis, any appropriate and relevant information concerning alert watch requests.

Supersedes SOP 507, dated 1/99.

508 PERSONNEL SERVICE RECORDS - CONFIDENTIALITY

I. DISCUSSION: Chapter 119, Florida Statutes, provides that all state, county, and municipal records should at all times be open for personal inspection by any person. The legislature of the State of Florida has provided that personnel records are public records, with certain exceptions. Chapter 119, Florida Statutes, provides that every person who has custody of public records shall permit the records to be examined by any person desiring to do so, at reasonable times, under reasonable conditions, and under the supervision of the custodian of the records, or designee. The public records law recognizes that access to certain information may be denied such as, exempt or privileged matters as outlined in section 3 of this policy.

II. POLICY:

- A. Requests to review personnel records under Chapter 119, Florida Statutes, shall be accommodated pursuant to the following procedures:
1. The request for inspection of personnel records, whether they be central records or departmental, shall be made in person or in writing to the Office of the Director of Human Resources.
 2. Upon receipt of the request for inspection, the Director of Human Resources, or designee, shall begin steps to make the requested records available if they are not currently housed on site. This includes either retrieval of the records from the City's Records Center, if necessary, or notification and clearance arrangements with the department, if departmental records are requested.
 3. The Director of Human Resources, or designee, shall review the requested records and excise any information contained therein which is exempt from disclosure under the provisions of Chapter 119, Florida Statutes. Current exempt information includes:
 - a. The home address, telephone number, social security number and photograph of any current or former law enforcement personnel or their spouse or children;
 - b. The place of employment of the spouse of any current or former law enforcement personnel and the names and location of schools attended by their children;
 - c. Various types of criminal intelligence information as provided by Section 119.07;
 - d. Active internal affairs investigation records and/or criminal intelligence information;

- e. All medical records and medical claim records relating to current or former public employees or their eligible dependents if enrolled in a group insurance plan except upon written authorization of the employee or their legal representative or in response to subpoena;
- f. Answer sheets for employment and/or promotional examinations; and,
- g. Other information as may be exempted by law.

This information shall be blocked out on any copies made and covered on any originals shown to the public.

- 4. As soon as reasonably practicable, the Director of Human Resources, or designee, shall make the requested records available for inspection under his/her supervision, or under the supervision of a responsible departmental representative if departmental records are requested.
- 5. If copies of inspected records are requested, they shall be provided as soon as reasonably possible with payment for same, pursuant to Chapter 119 and/or applicable labor agreements, due upon receipt of said copies unless other arrangements are approved by the Director of Human Resources. Current charges are as follows:
 - a. Fifteen cents per one-sided page not to exceed 14" by 8 1/2", otherwise the actual cost of duplication defined as the cost of materials and supplies to duplicate the record and may not include labor or overhead.
 - 1) Two-sided duplicated copies shall be provided at a cost of .20 cents.
 - 2) Certified copies of public records shall be provided at one dollar per copy.
 - b. Exceptions:
 - 1) One copy of an employee's own notice of disciplinary action and attached documentation may be provided to the employee or their union representative free of charge.
 - 2) Requests by employees for a single copy of one item from their own personnel file such as the DD214 form, birth certificate, and prior

employment application, will be provided free of charge.

- 3) Authorized legal or union representative(s) may act on behalf of the employee requesting records.
 - 4) Particularly time consuming requests may merit charges for staff time and other considerations required to comply with the request(s). In such situations, charges shall be determined by the Director of Human Resources (or designee).
6. Under no circumstances shall original records be removed from the custody of the Director of Human Resources, or designee. Departmental records will be released to the division commander, or designee, for a period up to, but not exceeding, the next business day.
 7. Under no circumstances is the City obligated to compile, create or analyze data or records in order to comply with a request for information/records under Chapter 119, Florida Statutes. Requestors of information, which would require this type of action, should be informed of this policy and, if necessary, referred to the Director of Human Resources or designee.
- B. Subpoenas for personnel records under Chapter 119, Florida Statutes, shall be accommodated pursuant to the following procedure:
1. After receiving the subpoena for personnel records, the department shall forward the subpoena or the person serving the subpoena to the City of Tampa Director of Human Resources. If the subpoena is accepted by the department, it must be forwarded to the Employee Relations Division in a timely manner in order to comply with dates as indicated on the subpoena.
 2. If the subpoena provides for compliance by producing copies of the records, the Director of Human Resources (or designee) shall comply with the subpoena by providing the copies, with all information, which is exempt from disclosure under the records act (F.S. Chapter 119) excised.
- C. Any questions concerning public records requests or the propriety of subpoenas should be referred to the Legal Department.

Supersedes SOP 508, dated 2/99.

509 DISCIPLINE ADMINISTRATION¹

- I. DISCUSSION: Every organization needs the kind of discipline that is present when subordinates willingly carry out the instructions of their superiors and abide by established and known rules of conduct in the organization.

The key to effective discipline is in the hands of the supervisors and managers of all ranks. The most important link in the disciplinary chain is the immediate supervisor; for the immediate supervisor works closely with the employee, inculcates good habits and attitudes by example and instruction, and continually evaluates the employee's work performance.

The Chief of Police is responsible for the formulation of conduct and work performance standards, and ultimately for the competency and integrity of each and every employee of the Department. All supervisors in the chain of command are responsible for monitoring the conduct and work performance standards set by the Chief of Police. The command staff is responsible for the administration of disciplinary action on a Department-wide basis.

II. POLICY:

- A. An employee charged with disciplinary responsibility must discharge the task with knowledgeable discretion. This means all supervisors and managers must, when faced with a disciplinary issue, consider positive discipline first. Often an increase in training or instruction will correct the problem.
- B. There must be a consistency of application. Employees with identical, or nearly identical, records should be accorded like treatment. Disciplinary actions should be tailored to the gravity of the offense and the disciplinary history of the offender.
- C. All supervisors and managers are required to investigate any possible violation of the rules of conduct set forth by the Department and, after determining the facts, process the matter in accordance with SOP 641.

Supersedes SOP 509, dated 3/99.

¹ CALEA [4th Edition] 26.1.4; 26.1.5

511 REPORTS - RELEASING COPIES

- I. DISCUSSION: The release of documented information to the public may at times be very damaging to the parties involved and may expose the city to civil liability. Additionally, a release of sensitive information regarding an ongoing investigation may jeopardize the outcome of the investigation. The release of traffic crash reports is strictly limited and violation of the statute concerning those records is a felony.

Accordingly, the department must have a firm policy restricting the release of report copies unless otherwise required by court order or law.

Any member of the public who is denied a copy of a report has the option of judicial review through civil court or subpoena.

II. POLICY:

- A. The Report and Case Summary sections of reports are, by law, public records and therefore shall be made available to the public. Supplemental and follow-up reports containing a continuation of an investigation or supplemental information are subject to public disclosure when an investigation is complete or the case becomes inactive. There are exceptions to the release of public records; therefore, all requests for full report copies should be referred to the records custodian.
- B. The release of traffic crash reports will be accomplished **ONLY** through the Records Section and subject to their procedures and state law.
- C. Among other exceptions, the Florida Public Records Law, Chapter 119, provides that active criminal intelligence and criminal investigative information are exempt from disclosure. It will frequently be necessary to contact the primary investigating detective or officer to determine whether a particular report is exempt. Where any doubt exists, the legal advisor should be contacted.
- D. There is sometimes confidential information contained within a document that is otherwise a public record, for example, information tending to identify the victim of a sexual battery or a police employee's home address or telephone number. In these cases, the confidential information should be redacted and the remainder of the requested document released.
- E. Upon receipt of a duces tecum subpoena or court order to produce records at a civil proceeding, the officer will contact the police legal advisor. The Legal Advisor will decide whether or not to file a motion to protect the investigative portion of the report.
- F. Requests from other law enforcement agencies for complete copies of offense reports will be made through the Records Section supervisor. In cases originated

and retained by the Patrol Districts, the request for a complete copy may be granted. In those cases where the offense report was referred for latent investigation, or originated and retained by the Criminal Investigations Division, the requesting party will be referred to the affected division for authorization to receive a copy of the report.

G. Those agencies having jurisdiction in the judicial system, such as the State Attorney, and Probation and Parole, will be granted complete copies as needed to meet their responsibilities.

H. With exceptions for other law enforcement agencies, the State Attorney's Office, the Florida Department of Children and Families, Probation and Parole, the person or entity requesting documents in person will be charged fifteen cents per page. On-i (De,duh)il(the reqsrson will b to TJ-020005 Tc 10.08/11.5 0 Trd the ren lypagCl be 7

512 STUDENT INTERN PROGRAM

- I. Discussion: An effective student intern program may be utilized by the Department in several beneficial ways. First, a program of this type affords an excellent opportunity for recruitment of talented, college educated, prospective police officers and other prospective employees. Second, as an organization vitally concerned with community activities, it is important that adequate relationships be maintained with other institutions involved in compatible activities. Further, the rapport and communication, which evolves from the close association between police officer and student, is transmitted onto the campuses where it develops a halo effect to other students.

The intern program will be available to all universities and colleges; however, local institutions will be given preference should the placement requests exceed the number of persons that can effectively be utilized by the department. There are no numerical limits set; placements will be based on the availability of assignments at the time the requests are received.

II. Policy:

- A. The Administrative Division shall be responsible for coordination of the program between the department and the various institutions of higher learning.
- B. The processing of the intern applicants will be conducted in the same manner as police applicants, with the exception of the required physical and polygraph examinations, by the Administrative Division.
- C. Scheduling of assignments shall be the responsibility of the Administrative Division. Student interns will be exposed to various facets of department operations, and assignments may be made in the following areas:
1. District I;
 2. District II;
 3. District III;
 4. Criminal Investigations Division; or
 5. Administrative Division.

NOTE: Students in forensic or crime scene investigation college programs will be assigned to the Forensic Investigation Unit of the Criminal Investigation Division.

- D. The Administrative Division will maintain appropriate files on each student who submits an application for the intern program.
- E. The division commander of the division to which the intern is assigned shall be responsible for the day to day assignment of the intern and for ensuring that supplied evaluation forms are completed and forwarded to the Administrative Division.
- F. The student intern shall be responsible for adherence to all guidelines, directives, regulations, and requirements of the department.
- G. The student intern shall read and sign the TPD Guest Passenger and Observer Request and Release Form, which shall be dated to apply to the entire duration of the internship.
- H. Interns shall be a minimum of 18 years old.
- I. The department reserves the right to refuse participation to any applicant for any non-discriminatory reason.

Supersedes SOP 512, dated 3/99.

513 POLYGRAPH EXAMINATIONS¹

- I. PURPOSE: To provide guidelines for the use of polygraph examinations in conjunction with investigations conducted by the department.
- II. DISCUSSION: The polygraph technique is a highly successful and valuable investigative aid to the department, the results of which should be considered within the context of a complete investigation. Polygraph results are not to be relied upon to the exclusion of other evidence or knowledge obtained during the course of a complete investigation.
- III. POLICY: The following guidelines will govern the approval to administer polygraph examinations.
 - A. Investigative Polygraphs:
 1. All requests for polygraph examinations require supervisory approval.
 2. The polygraph will not be used to screen large numbers of suspects or substitute for logical investigations by conventional means.
 3. Polygraph examinations will be utilized only after the follow-up of all investigative leads and the interviews of all available witnesses have been conducted.
 4. Polygraph examinations will be administered only to individuals who agree or volunteer to take the exam. Individuals will be required to sign a consent form for a polygraph examination prior to the exam.
 - B. Pre-Employment Polygraphs:
 1. All requests for polygraph examinations require supervisory approval.
 2. The pre-employment polygraph will be administered to individuals under consideration for employment with the City of Tampa in public safety, security, cash handling or other sensitive occupations, as controlled by federal law.
 3. Additional pre-employment polygraphs may be administered as determined by the examiner's supervisor.

¹ CALEA [4th Edition] 42.2.8

4. The results of the pre-employment examination will not be the sole determining factor in the selection process of a City of Tampa employment applicant.
- C. Administrative Polygraphs: Polygraphs may be administered in the course of Internal Affairs investigations consistent with state law and PBA contract provisions.²

Supersedes SOP 513, dated 3/99.

515 CLOTHING ALLOWANCE

- I. Discussion: Plainclothes officers receive a clothing allowance during January of each fiscal year. The purpose of the payment is to provide funds for both summer and winter clothing. Payment is pro-rated for promotions/transfers. The clothing allowance is detailed in the current PBA contract. The terms of which will control in the event of conflict with this SOP.

- II. Policy:
 - A. Sworn employees shall be eligible for consideration provided they are assigned to plainclothes duty assignments.

 - B. Sworn officers shall become eligible for a clothing allowance upon recommendation of their division/bureau commander and certification by the chief of police.

 - C. Civilian employees, and sworn employees assigned to plainclothes duty on a temporary basis, are not eligible for consideration.

Supersedes SOP 515, dated 1/99.

517 EMPLOYMENT OF PERSONS WITH PRIOR EXPERIENCE

- I. Purpose: To outline the department policy for reinstating, re-employing, or employing officers with previous full time sworn law enforcement experience.

- II. Discussion: It is the intent of this policy to outline the criteria for determining the proper classification and pay step of officers returning to the department or employed having previous full time law enforcement experience in a sworn capacity. In all cases, the reinstatement, re-employment, and employment of new officers will be at the discretion of the chief of police. This policy is not applicable to non-sworn employees.

- III. Definitions:
 - A. Reinstated: Sworn individuals who return to the department within 180 days of their separation and who had completed the required probationary requirements during their previous tenure.

 - B. Re-employed: Sworn individuals who return to the department after 180 days from their separation date or who did not complete the required probationary period during their previous tenure.

 - C. New Employment With Previous Full Time Sworn Law Enforcement Experience: Individuals who have no previous employment history with the Tampa Police Department, but have accumulated experience while serving as a full time sworn law enforcement officer with a comparable law enforcement agency, and are being hired as sworn officers. The previous full time law enforcement experience must have been accumulated within the 4-year period prior to the hiring date.

- IV. Policy:¹
 - A. Reinstatement:
 - 1. Sworn employees who are reinstated within sixty days of their separation date will be reinstated at the same pay step held before separation if reinstated to the same pay grade; if the employee is reinstated to a lower pay grade, the employee is placed at the appropriate step which would have been used for a change in assignment or voluntary demotion as specified in the PBA Contract. The salary review date will be the date of reinstatement.

 - 2. Sworn employees who are reinstated later than sixty days and up to 180 days from their date of separation will be reinstated 1.0 step below the pay step held before separation if reinstated to the same

¹CALEA [4th Edition] 22.1.1 (a); 32.2.10

pay grade; if the employee is reinstated to a lower grade, the employee is placed 1.0 step below the appropriate step which would have been used for a change in assignment or a voluntary demotion as specified in the PBA Contract. The salary review date will be the date of reinstatement.

3. Sworn employees who are reinstated will not be placed on probation.

B. Re-employed:

1. Sworn employees returning to the department who did not complete probation during their previous tenure will be required to complete a probationary period for their particular position as though they were new employees.
2. Sworn employees returning to the department who had completed their probation during the previous tenure will be placed on probation for six months.
3. Sworn employees who are re-employed will start at the first pay step of their particular classification if they have less than two years experience.
4. Sworn employees having two years or more, but less than four years, of experience will begin at the second step of their particular classification.
5. Sworn employees with four years or more experience will begin at the third step of their particular classification.
6. The salary review date will be the date of re-employment. Pay step increases will be awarded per standard procedure.

C. New Employment with Previous Law Enforcement Experience: Sworn personnel having previous full time sworn law enforcement experience, accumulated within the four year period prior to the hiring date, must be state law enforcement certified and meet all other employment requirements.

1. Sworn personnel employed by the Tampa Police Department will be required to serve a normal probationary period (twelve months) regardless of previous experience.

2. Sworn personnel with less than two years previous full time sworn law enforcement experience will start at the first step of their particular classification.
3. Sworn personnel having two years or more, but less than four years, of previous experience as a full time sworn law enforcement officer will begin at the second step of their particular classification.
4. Sworn personnel with four years or more previous experience, as a full time sworn law enforcement officer will begin at the third step of their particular classification.
5. The salary review date will be the date of appointment as a police officer. Pay increases will be awarded per standard operating procedure.

Supersedes SOP 517, dated 9/06.

519 CRASHES INVOLVING DEPARTMENT VEHICLES and/or CRASHES INVOLVING POLICE PURSUITS

- I. Discussion: Motor vehicle crashes are a significant cause of injury and damage in department operations. It is essential that these crashes be thoroughly and objectively investigated to determine cause and preventability, as well as to facilitate the collection and analysis of injury and damage data. This data is helpful in evaluation of the effectiveness of safety programs and the ultimate reduction of civil liability exposure to the City of Tampa.

Although the law does not protect a department employee from arrest or citation in situations involving a violation of a statute, it is understood that on occasion a police officer will be required to operate a vehicle in a manner not permitted to the general public. A crash occurring in these situations, including police vehicle pursuits, will be evaluated in light of the officer's responsibilities. In the case of a crash, which has resulted from a pursuit, specific personnel will be dispatched to the scene. The notification and investigation provisions of this policy shall apply to crashes resulting from police pursuits even if no city vehicle was actually involved in the crash.

Since a favorable public image is essential to gain voluntary citizen compliance with laws and ordinances it is important that there be no actual or perceived partiality directed toward a department employee who is involved in a crash with a citizen. As in any other motor vehicle crash investigation, the investigator may issue a citation to the party at fault, regardless of whether that party is an employee or citizen.

II. Policy:

- A. Any employee who is involved in a vehicle crash while on duty or while operating a city vehicle will, regardless of the amount of damage, immediately stop. An exception might be justified when in pursuit of a felon, under authorized conditions, or in other cases of extreme emergency.
- B. The employee will inform the Communications dispatcher of the crash and provide its location, nature and seriousness, and request any necessary emergency equipment.
- C. An employee who becomes aware of any crash that may have occurred as a result of a pursuit involving a Tampa Police Department vehicle will inform the Communications dispatcher of the crash and provide its location, nature, seriousness, and request any necessary emergency equipment.

- D. The dispatcher will inform the employee's immediate supervisor and the shift commander in the affected district of the crash.
 - E. The immediate supervisor, if available, or another supervisor, will respond to the scene to ensure that the crash is thoroughly investigated (or coordinated with another agency if the crash occurred outside the city of Tampa). Crashes occurring in unincorporated Hillsborough County will be investigated by the Hillsborough County Sheriff's Office. The supervisor will also ensure that all other policies or procedures relative to injury to employees and/or damage to city property are followed.
- III. Crashes Involving Serious Injuries or Death: The procedures outlined in II. A – E will be followed in addition to the following:
- A. The dispatcher will contact the Auto Theft/Hit & Run sergeant in the event of any serious crash involving a department vehicle or related to pursuit. If the affected shift commander is notified of a serious crash before it is reported to Communications, the shift commander will contact the Communications Section supervisor and request that the Auto Theft/Hit & Run sergeant be dispatched to the scene.
 - B. The Auto Theft/Hit & Run sergeant will assign a Forensic Mapping Team to investigate a traffic crash or pursuit involving a Tampa Police Department vehicle resulting in life-threatening injuries or death.
 - C. Upon arrival at the crash scene, the Auto Theft/Hit & Run sergeant will assume command of all police personnel involved in the investigation of the crash.
- IV. Culpability:
- A. Following the investigation, if it is determined that a violation of the law has occurred on the part of either the employee or the driver of the other vehicle, if one is involved, the appropriate charge may be made and a citation may be issued at the direction of the supervisor in charge of the investigation.
 - B. In crashes where both the employee and a citizen are found to be at fault and a determination is made to place charges, both parties will be charged. When both parties are at fault and a determination is made not to file charges, the crash report shall accurately reflect any fault attributable to the respective drivers.
 - C. Regardless of whether the officer is at fault or not, he and his immediate supervisor will make a written report to the division commander indicating details sufficient to support a finding of *at fault* or *not at fault*.

- D. Subsequent to the on-scene investigation and any related follow-up activities, the Safety Committee shall conduct a final review of the crash involving a police vehicle to rule on preventability or non-preventability (see SOP 609.4).

- E. Should an employee be charged in a crash, he may receive a traffic citation and will stand as does any citizen on his own defense. However, in view of the city's civil liability, the employee should enter a plea of either nolo contendere or not guilty.

Note: Under no circumstances will any employee commit the city in any way or discuss any legal settlement of liability claims with persons other than the city attorney or designated assistants. Any such inquiries made by a citizen will be directed to the city attorney.

Supersedes SOP 519, dated 4/03.

520 POSITION CLASSIFICATION AND JOB DESCRIPTIONS¹

- I. PURPOSE: This policy explains the department's responsibility in maintaining and updating as necessary the position classification plan and job descriptions.
- II. DISCUSSION: The position classification plan is the basic document of a modern personnel administration program. It has important roles in recruiting and testing applicants and, equally important, for establishing competitive compensation for the positions in each class of work. As the duties and responsibilities of positions change, those changes should be reflected in the class descriptions. Otherwise, recruiting, testing, and compensating employees will be administered on the basis of erroneous information.

Information for evaluation of the classification plan is gathered, in part, from the documented duties and responsibilities of each job assignment. Therefore, failure to maintain those documents in a current fashion will result in a breakdown of the classification plan system.

- III. POLICY:
 - A. It is the policy of the Tampa Police Department that all class descriptions and job descriptions be maintained in a current fashion, and that a statement of the duties and responsibilities of each job assignment be kept on file in the Intra-Division Procedures manual.
 - B. To accomplish such maintenance, each supervisor is charged with the responsibility of a periodic review of the job description applicable to each subordinate.
 - C. Should the statement of duties and responsibilities of any position need revision, relative to an addition, modification, or elimination of a particular task or responsibility, the supervisor will note such change and forward same through the chain of command.
 - D. Annually, at the time of budget preparation each commander will review each job description for employees under his/her command and ascertain that the tasks are consistent with the class description for that particular assignment. Class descriptions for each class of employee are filed in the Personnel Unit.
 - E. During such review, the commander will consider whether any sworn positions under his/her command should be designated as civilian.
 - F. Any identified non-current description will be noted in the annual budget document with a request for re-classification.

Supersedes SOP 520, dated 1/99.

¹ CALEA [4th Edition] 16.5.1; 21.2.2; 21.2.3

521 OLEORESIN CAPSICUM¹

- I. PURPOSE: This policy provides guidelines and procedures for use of the issued non-lethal inflammatory agent, Oleoresin Capsicum (OC).
- II. DISCUSSION: There are instances when a police officer must resort to physical force with a subject. In a majority of these instances the officer will utilize unarmed defense techniques or employ the use of impact weapons. The use of OC, which is issued in an aerosol dispenser, has been approved to provide an added measure of protection in the officer's defense.

OC is designed to be a fast-acting incapacitator with no after effects. It is intended to be deployed from a minimum of 3' (arm's reach) to a maximum of 10' for control and the avoidance of collateral contamination of officers and bystanders.

OC is generally effective on animals and most humans and renders the subject incapacitated for 15 to 45 minutes. The subject's recovery time is affected by the availability of fresh moving air, verbal reassurance, water, and the subject's own physical abilities.

The effects of OC on humans are generally limited to a burning sensation, inflammation and swelling of affected areas, and possibly gagging or gasping for breath.

- III. POLICY: OC may be used by an officer to defend himself or to protect another from an attack or when the officer cannot safely or effectively restrain a subject by other means. As with any use of force, the indiscriminate use of OC is expressly forbidden. Use of OC is a serious matter because it inflicts substantial, but temporary, pain upon a subject. OC use will be monitored under the department's early intervention program, SOP 651 and will be documented in the Incident Report.
- IV. PROCEDURE:
 - A. Care and Maintenance:
 1. Periodically inspect the container for wear and damage.
 2. Shake canister once monthly to ensure proper mixture and help extend shelf life.
 - B. Authorized Use:
 1. As with any use of force situation, the officer must consider all factors of the force continuum and be able to articulate reasons necessitating the force used. If circumstances warrant the use of OC:

¹ CALEA [5th Edition]1.3.4

- a. A verbal warning should be issued to the subject(s) about to be sprayed, if practical.
- b. Officers should spray a one to two second burst directly into the subject's face. Failure to spray in the face may not accomplish the desired incapacitation effect.
- c. Immediately handcuff/secure the subjects to capitalize on the subject's incapacitation and to prevent harm or further contamination from occurring to the exposed subject.²
- d. Notify a supervisor of the custody status, i.e., "10-15 OC". The supervisor shall ensure that the subject is constantly monitored for one hour and that medical assistance is obtained immediately if the subject shows evidence of respiratory distress or if the symptoms persist beyond forty-five (45) minutes.³
- e. Decontamination⁴:
 - 1) After the subject has been restrained or handcuffed, mitigate the painful effects of the spray by the use of fresh moving air, verbal reassurance, and water if available.
 - a) If possible and police operations are not adversely affected, allow the sprayed subject to face into the wind prior to transporting.
 - b) If water is available, flushing the subject's face may help in the decontamination process.
 - c) Do not allow the subject to rub his eyes.
 - d) Do not put salve, lotions or creams on the sprayed skin.
 - 2) The arresting officer must remain in contact with the exposed subject reassuring him of his well being and the short-term effects as well as monitoring his safety. Sprayed subjects must be kept under constant surveillance and their breathing closely monitored. This is especially important if the subject was involved in strenuous activity immediately prior to being sprayed or is in poor physical condition.

² CALEA [5th Edition]1.3.4; 1.3.5

³ CALEA [5th Edition]1.3.4; 1.3.5

⁴ CALEA [5th Edition]1.3.5

- f. Before transporting exposed person(s), the OC solution should be allowed to dry on them. This only takes a few minutes after exposure. If they are handled/transported while "wet" with OC the handling officer could become contaminated. Other decontamination procedures should be implemented before transport whenever practical.
 - g. Each time OC is utilized, its use will be documented in the Incident Report.
2. Officers must remember that OC is considered non-lethal but may become the means by which an officer is rendered incapacitated. The threat of being sprayed by OC alone does not constitute a threat of deadly force or serious bodily injury to the officer.

The effects of the spray can be minimized by:

- a. Putting distance between the officer and the aggressor.
- b. Closing the eyes.
- c. Turning the head away from the spray.
- d. Holding one's breath.

C. Limitations on Use: Due to the intensity of the reaction sprayed subjects endure, officers should refrain from spraying subjects in the following circumstances unless it is necessary to prevent death or great bodily harm:

1. Innocent bystanders or other officers are in the line of spray;
2. Inside an enclosed area such as a building, where there is greater risk of contamination to innocent people. It should only be used if it is the most appropriate response to the threat, and the danger of threat outweighs any discomfort caused to other people; *or*
3. Into a strong wind or breeze which would force the spray back onto themselves/bystanders;

D. Prohibitions:

1. OC shall not be used to disperse or control crowds.
2. OC cannot be taken inside of central booking. Officers must notify central booking personnel when their prisoner has been sprayed with OC.

E. Training:⁵

⁵ CALEA [5th Edition]1.3.10

1. All officers below the rank of captain are required to complete the training in the use of OC, but are not required to carry it as an intermediate weapon if an expandable baton and electronic control device (taser) is carried.
2. Every sustained complaint of unnecessary use of OC will result in remedial training of affected officer(s) to include personal experience regarding the effect of OC, in addition to appropriate discipline.

Supersedes SOP 521, dated 4/98.

521.1 CS CHEMICAL AGENT¹

- I. Purpose: This policy provides guidelines for the use of CS (Orthochlorobenzalalonitrile).
- II. Discussion: There are instances when an officer may find it necessary to deploy CS to disperse a hostile crowd. CS may also be used to extract a subject from a structure or conveyance.

CS is a fast acting spray, which takes effect in one to two seconds. CS is ordinarily effective against most (not all) subjects. It normally affects them for approximately ten to twenty minutes.

Contact with CS will cause a burning sensation to the skin and eyes, copious tearing, a constricting feeling of the chest, which gives a feeling of suffocation and heavy nasal discharge.

Taser equipped officers will not use aerosol spray canisters of OC or CS (which contain flammable alcohol propellant) in conjunction with the Taser, due to the risk of ignition.

CS can be deployed the following ways:

- A. Aerosol canister;
 - B. Pyrotechnic grenades (burning);
 - C. Expulsion grenades (non-burning);
 - D. Barricade penetrating rounds; or
 - E. ISPRA delivery system.
- III. Policy: CS spray (aerosol) may be used when the need arises for an officer to disperse a crowd after verbal warnings have failed. CS may be utilized through other means of deployment in a Tactical Response Team (TRT) situation with the approval of the TRT supervisor or in a Mass Incident Response Team (MIRT) situation, with the approval of the MIRT team leader or specialist in charge. Certified personnel may, within training guidelines, utilize non-aerosol means of deployment under exigent circumstances.
 - IV. Procedure: Officers must be careful not to spray into a strong wind or breeze, which would force the spray back onto themselves.
 - A. Officers will take every precaution to ensure that innocent bystanders are not in the line of fire prior to discharge.

¹ CALEA [5th Edition]1.3.4

- B. When deploying CS, the officer must ensure that an avenue of escape is provided for the aggressor(s).
- C. Officers may choose to indirectly affect a crowd with aerosol CS through general atmosphere contamination and not directly spraying anyone. This would be accomplished by means such as, but not limited to, spraying a nearby surface that causes a slight discomfort to those in the area without full exposure. This shall be considered an extremely mild use of chemical agent and would be appropriate for groups that refuse to disperse, are not entirely hostile, but their continued presence represents passive resistance. Such resistance would be interfering with lawful activities, other citizens, creating a potential safety risk to officers or others and no lesser means of dispersing the crowd is appropriate or effective.
- D. The indiscriminate use of CS is expressly forbidden.
- E. Subjects taken into custody after exposure to CS will be decontaminated as soon as practical via the use of water and fresh air. Subjects will be monitored for 15-20 minutes after exposure for any complications. Subjects will be discouraged from rubbing their eyes and will not be allowed to apply salves, lotions or creams on the affected skin.
- F. Each time CS is utilized, its use will be reported electronically on the Use of Force form.
- G. Hybrid forms of CS (which are composed primarily of CS with small amounts of other chemical agents such as OC) will be considered the same as CS--only for practical use purposes.

Supersedes SOP 521.1, dated 8/05.

521.2 ELECTRONIC CONTROL DEVICE (TASERS):¹

- I. PURPOSE: The purpose of this Standard Operating Procedure is to define guidelines governing the carry and use of Electronic Control Devices (ECD). Only those sworn personnel who have completed the approved ECD user certification course are authorized to carry and deploy the device.
- II. SCOPE: This procedure shall apply to all sworn personnel. Members of any Tactical Team shall adhere to team-specific policies, procedures and training providing such policies, procedures, and training do not conflict with this directive.
- III. DISCUSSION: Combative, actively resisting and/or violent subjects may cause handling and control problems that require special training and equipment. In an effort to reduce injury to both sworn personnel and the subject during arrest or custodial situations electronic control devices are issued to authorized sworn personnel to neutralize combative, actively resisting, and/or violent subjects. Sworn personnel shall use only that degree of force necessary to bring a subject and/or situation under control.²
- IV. DEFINITIONS:³
 - A. Electronic Control Device: A device designed to disrupt a subject's peripheral nervous system by means of deploying battery powered electrical energy sufficient to cause uncontrolled muscle contractions and override an individual's voluntary motor responses.⁴
 - B. Deployment: The intentional discharge of an ECD at or towards a subject using either probes or drive/touch stun mode. Deployment does not include unintentional discharge, testing, training, unholstering or display of an ECD without discharge.
 - C. Drive Stun: The intentional discharge of an ECD after removal of the probe cartridge while the ECD is in direct physical contact with the subject.
- V. PROCEDURE:⁵
 - A. **Under no circumstances shall the ECD be deployed in a punitive manner.** Sworn personnel shall deploy the ECD as trained and in accordance with policies and procedures.⁶
 1. Sworn personnel's response level to subject resistance should always take into account subject/officer factors to include but not limited to: seriousness of the incident, age, size, weight, apparent medical and physiological concerns, and the subject's apparent ability to physically challenge the officer or do harm to himself or others.

¹ CALEA [5th Edition]1.3.4,1.3.9(a)

² CALEA [5th Edition] 1.3.4, 1.3.9(a)

³ CALEA [5th Edition] 1.3.4

⁴ CALEA [5th Edition] 1.3.4, 1.3.9(a)

⁵ CALEA [5th Edition] 1.3.4, 1.3.9(a)

⁶ CALEA [5th Edition]1.3.4

2. The ECD shall not be intentionally aimed at a person's head, neck, upper chest or groin.⁷
 3. If tactically feasible, personnel on scene will give a verbal cue in reference to the impending deployment of the ECD.
- B. Sworn personnel's decision to deploy the ECD shall involve an arrest or custodial situation wherein the subject is impeding the officer's attempts to gain or maintain physical control. The decision to deploy the ECD could be predicated upon any one of the following:⁸
1. The subject is exhibiting more than mere verbal refusal to comply and a reasonable belief by sworn personnel that an attempt to employ "hands on" techniques to gain control would likely result in injury to them or to the subject;
 2. Sworn personnel believe and are able to articulate the belief that escalation of resistance from passive physical resistance to active physical resistance is imminent;
 3. Sworn personnel safety factors (such as subject's refusal to show hands).
- C. Prior to deployment of the ECD, sworn personnel must take into consideration environmental factors which may contribute to serious injury. These factors include but are not limited to: subjects standing on or near the edge of a roof, stairwells, next to a window or body of water.⁹ Also, persons on bicycles or near moving vehicles may be unintentionally injured as a secondary consequence of being stopped by an ECD. In all of these and other foreseeably dangerous circumstances, the ECD should not be used absent compelling necessity.
- D. No policy or guideline can anticipate every situation that sworn personnel might face, but in general terms, the following deployment procedures are established. An ECD may be utilized under the following circumstances:¹⁰
1. When the subject is exhibiting threatening body language associated with verbal threats or refusing to comply with sworn personnel's instructions and the subject has the apparent ability to physically challenge sworn personnel. Threatening body language includes but is not limited to:
 - a. Blading the body;
 - b. Assuming a boxer stance;
 - c. Circling sworn personnel's position;

⁷ CALEA [5th Edition]1.3.4

⁸ CALEA [5th Edition]1.3.4

⁹ CALEA [5th Edition]1.3.4

¹⁰ CALEA [5th Edition]1.3.4

- d. Clenching of the hands from an open to closed position, forming a fist, etc.
 2. When a subject makes physically evasive movements to defeat sworn personnel's attempt to control. This may be in the form of:
 - a. Bracing or tensing of the subject's body;
 - b. Attempts to kick, pull or push away;
 - c. Fleeing on foot from an officer who reasonably believes the subject has committed or is committing a felony or misdemeanor criminal offense or legally justified investigatory detention. Provided, however, that the ECD shall not be utilized on a subject fleeing a traffic infraction stop when the only known criminal charge will be obstruction based solely on the flight from the traffic stop.
 3. When a subject makes overt, hostile, attacking movements, which may cause injury, but are not likely to cause death or great bodily harm to the sworn personnel or others.
 4. When a subject makes overt, hostile, attacking movements with or without a weapon with the intent and apparent ability to cause death or great bodily harm to the sworn personnel or others.
 5. When lesser force options may be ineffective.
- E. The ECD shall not be deployed by sworn personnel solely to force a passive subject into compliance unless other authorized techniques and methods have been attempted and rendered ineffective and it is imperative that the subject be immediately controlled for safety of the public or sworn personnel. Should the subject during control attempts escalate beyond the threshold of passive resistance to a higher level of force then use of the ECD may be authorized in accordance with the guidelines set forth in this directive.
- F. Following or during application of the ECD, officers should immediately handcuff the subject if they can do so safely. If the subject continues active resistance after one five-second cycle, and cannot be safely handcuffed, the ECD may be reactivated if necessary and justified. However, studies indicate that the potential for serious medical consequences increases when the ECD is employed repeatedly to a subject. Accordingly, use of the ECD on a subject for more than three five-second activations or fifteen (15) seconds total must be justified by the circumstances and fully documented in reports. Justification for use of the ECD beyond the fifteen second threshold requires continuing combative behavior by the subject and the lack of alternatives other than resorting to deadly force.
- G. The ECD may be used in drive stun mode although drive stun is substantially less effective than probe deployment. Drive stun may be used:

1. After a failure in probe cartridge deployment;
2. When one or both probes fail to make good contact with the subject;
3. All available cartridges have been expended; or
4. In close quarter fighting as a pain-compliance technique.

Because in drive stun mode the effects of the ECD are localized, the three activation (15 total seconds) concern is not as severe. However, no excessive ECD use will be tolerated and all ECD usage, particularly above three activations (15 seconds) per subject, must be justified by the circumstances and the subject's resistance. All ECD usage in excess of three activations (15 seconds) per subject will be reviewed by Training and Internal Affairs (informally) to ensure the adequacy of TPD's training and report writing.

When only one probe makes good contact with the subject or when both probes make good contact but are positioned closely together, the effectiveness of the ECD can be increased by applying a drive stun to a more distant portion of the subject's body while the probes remain in place. Use of the ECD in this manner is not considered a drive stun but rather a full deployment.

H. SPECIAL CONSIDERATIONS:¹¹

1. Flammable Liquids: Sworn personnel shall not discharge an ECD near flammable liquids or fumes. The ECD shall not be discharged if flammable self-defense spray has been deployed.¹²
2. Pregnancy: The ECD should not be used on women who are known to be, or appear to be pregnant unless exigent circumstances are present.¹³
3. Handcuffed Subjects: Sworn personnel shall not utilize an ECD on an in-custody handcuffed subject unless exigent, aggravated circumstances exist. These circumstances include, but are not limited to: the subject being uncontrollable due to size and/or physical abilities in relation to the sworn personnel; and the subject poses an immediate threat of bodily harm to the sworn personnel or to other persons present.¹⁴ When circumstances allow, warnings of impending ECD usage should be given prior to application on a handcuffed subject. Normally, drive stun mode, rather than probe deployment, would be appropriate when ECD use is necessary to achieve control of a handcuffed individual.
4. Fleeing Subjects: Sworn personnel's decision to deploy the ECD on fleeing person(s) who are subject to arrest or detention should be

¹¹ CALEA [5th Edition]1.3.4

¹² CALEA [5th Edition]1.3.4

¹³ CALEA [5th Edition]1.3.4

¹⁴ CALEA [5th Edition]1.3.4

predicated upon the totality of the circumstances and the considerations outlined in this directive.¹⁵

- a. The ECD may be utilized to apprehend a fleeing subject when the officer has probable cause to arrest the subject for a felony or misdemeanor offense.
- b. The ECD may be utilized to apprehend a fleeing subject when the officer has attempted to lawfully detain the subject based upon a reasonable suspicion that the subject is engaging in specific criminal activity and the subject is obstructing the officer by ignoring the officer's lawful order to stop. Examples:
 - 1) On a traffic stop the officer smells the odor of marijuana emanating from the stopped vehicle. The officer orders the driver to get out of the car for further investigation. The driver gets out but runs. After ordering the driver to stop, the ECD may be used subject to the other considerations in this SOP.
 - 2) Responding to a suspicious person call an officer finds a subject in some bushes behind a house. The officer orders the subject to show himself but the subject runs away. The ECD may be used subject to the other considerations in this SOP.
- c. However, the ECD may not be used on a subject fleeing a traffic infraction stop when the only known criminal offense is obstruction based solely on the flight from the stop. If the subject engages in any physical resistance other than flight, i.e., pushing, pulling away or striking, the ECD may be utilized subject to the other considerations in this SOP.
- d. In consensual encounter situations where the officer lacks a reasonable suspicion to lawfully detain the subject, no force whatsoever (and certainly not the ECD) may be used on a subject who walks or runs away from the officer.

Example: An officer decides to stop and talk with a couple of people standing on the sidewalk in a typical residential neighborhood. As the officer approaches on foot, one of the subjects turns and walks away and then runs as the officer gets close. Because the officer has no knowledge of any criminal activity being committed by the subject, no force may be used to stop him.

5. Involuntary Commitment: Sworn personnel's decision to deploy the ECD on a subject whom sworn personnel are attempting to take into custody

pursuant to the Baker Act, or a court order for involuntary commitment, should be predicated upon the subject clearly exhibiting behavior that would cause harm to themselves or others and who has the apparent ability to carry out those intentions.¹⁶

6. Animals: The ECD may be used on animals in circumstances where the use of such device is necessary for the safety of sworn personnel, the public, or the animal.¹⁷
7. Vehicles: The ECD should not be deployed on subjects in physical control of a motor vehicle while the engine is running unless intervention is absolutely necessary due to exigent circumstances and without such intervention there is an immediate threat to the safety of the public or to sworn personnel that may not be resolved by the application of an alternate method or technique.¹⁸
8. Generally, officers should avoid intentional activation of more than one ECD at a time on the same subject. However, thick or layered clothing or other tactical considerations may justify intentional simultaneous deployments.

I. TRAINING AND CERTIFICATION:¹⁹

1. Only sworn personnel who have successfully completed an agency-approved course of instruction on the use of the ECD shall be issued an ECD.
2. The agency shall provide initial and regularly scheduled in-service training regarding the use of the ECD to all affected sworn personnel as defined within the scope of this directive.²⁰
3. Basic certification will require each trainee participate in a minimum of six hours of training. Annual recertification training will require each trainee to participate in function and decision making drills according to the proper method and technique.²¹
4. Only certified agency instructors shall engage in teaching department approved ECD training courses.²² Personnel are similarly prohibited from displaying the ECD to citizens or allowing citizens to handle or examine the device except during specifically authorized training or familiarization events.

¹⁶ CALEA [5th Edition]1.3.4

¹⁷ CALEA [5th Edition]1.3.4

¹⁸ CALEA [5th Edition]1.3.4

¹⁹ CALEA [5th Edition]1.3.10

²⁰ CALEA [5th Edition]1.3.10

²¹ CALEA [5th Edition]1.3.10

²² CALEA [5th Edition]1.3.10

J. EQUIPMENT:

1. The ECD shall only be carried as follows:
 - a. When worn on the belt with a firearm the ECD shall be carried in an authorized holster, opposite the firearm side, cross-draw style. The ECD holster shall not be positioned on the belt so as to allow the wearer to draw the ECD with the reaction hand while simultaneously drawing the firearm with the weapon hand.
 - b. Officers are authorized to remove either the OC or expandable baton from their duty belt when carrying an ECD not both. OC or expandable baton will be carried as a backup to the ECD in case of equipment malfunction.
 - c. When not worn on a belt, the ECD may be placed in a carrying case.
2. The ECD and accessories shall be stored in accordance to manufacturer's recommendations.
3. No changes, alterations, modifications, or substitutions shall be made to the ECD. All repairs to the ECD or accessories shall only be performed by an authorized vendor designated by the agency. Faulty equipment shall be returned to the Personnel and Training Unit in order to be sent out for repair.
4. The battery magazine should not be carried in a pocket or anywhere the gold contacts may touch metal. Once opened, store the battery magazine in the ECD.
5. Batteries shall be replaced when the capacity drops to 20% or less. The discarded batteries shall be sent to the Personnel and Training Unit.

K. POST DEPLOYMENT:

1. Sworn personnel shall comply with all procedures and directives involving the use of less-lethal force in reference to reporting requirements for incidents involving deployment of the ECD. This will be accomplished via completion of the Use of Force detail page in Versadex as well as detailed in the narrative portion of the report of the deploying officer. After sworn personnel deploy the ECD on a subject, the sworn personnel shall:²³
 - a. Handcuff the subject to minimize the threat of injury to either sworn personnel or the subject.²⁴

²³ CALEA [5th Edition]1.3.6(b)(c)

²⁴ CALEA [5th Edition]1.3.4, 1.3.5
521.2

- b. Continuously monitor the subject for any signs of physical distress, particularly difficulty in breathing, profuse sweating or high body temperature.
 - 1) Once properly handcuffed, the subject should be seated upright or otherwise positioned in a manner that facilitates ease of breathing.
 - 2) Immediate medical attention must be provided to any subject exhibiting signs of physical distress.
 - 3) Subjects who exhibit signs of excited delirium should be provided with medical attention as quickly as possible after being secured regardless of whether an ECD was used in their apprehension. See Legal Bulletin #07-17.
- c. Remove the probes at the earliest opportunity. The probes shall only be removed by sworn personnel who have completed the agency-approved training in the use of the ECD.
 - 1) Probes that have struck the face, neck, head, groin, or female breasts shall only be removed by EMS, fire/rescue, or medical personnel.²⁵
 - 2) Probes that have struck a person's body shall be considered a biological hazard and shall be handled and disposed of in accordance with established procedures and directives.
- d. Visually examine the area struck (impact site) by the ECD probes to determine the level of trauma.²⁶
- e. Supervisor notification and response to the scene:
 - 1) The deployment of the ECD on an individual requires the notification of a supervisor. This includes a deployment in which the probes miss the targeted subject. It is the supervisor's responsibility to respond to the scene and initiate the ECD deployment form (TPD 1052).²⁷ This form will be forwarded to Personnel and Training.
 - 2) The responding supervisor will make the determination if the impact sites will be photographed.
 - 3) By the end of the shift during which the ECD was used in either probe deployment or drive stun mode, the supervisor will download the ECD data for retention and review.

²⁵ CALEA [5th Edition]1.3.4, 1.3.5

²⁶ CALEA [5th Edition]1.3.4, 1.3.5

²⁷ CALEA [5th Edition]1.3.6(b)(c)(d)

Involved officers are permitted to review the downloaded ECD data prior to completion of reports. The ECD data is attached to the ECD deployment form (TPD 1052) and forwarded to the Training Unit for review.

- 4) Whenever the supervisor determines that more than three ECD activations (or more than 15 seconds of ECD activation) in either probe deployment or drive stun mode, appear to have been applied to a subject, the supervisor will also forward a copy of the incident report, the Deployment form (TPD 1052) and the ECD download to Internal Affairs for review.
 - f. Sworn personnel shall advise any receiving facility (e.g. jail, crisis center, hospital) when an ECD has been used on a subject.
 - g. Any intentional discharge of the ECD, other than the function test or training, shall necessitate the immediate notification of a supervisor. An accidental discharge shall require a memo to the Personnel and Training Unit via the sworn personnel's chain of command.
 - h. The data port on the ECD stores the time and date the device was deployed. The officer will have their taser downloaded at the time of their annual performance evaluation. This download will be conducted by the immediate supervisor, division lieutenant, Internal Affairs Bureau, or a member of the Training Unit that is authorized and trained to perform the taser download.
2. Replacement cartridges and batteries shall be obtained from the authorized replacement source.

Supersedes SOP 521.2, dated 5/11.

TAMPA POLICE DEPARTMENT
Response to Resistance Report – Electronic Control Device

Instructions: The Response to Resistance Report – Electronic Control Device (ECD) should be completed by each supervisor of officers deploying the weapon. The original Response to Resistance Report – Electronic Control Device (ECD) must be routed to Records for inclusion in the police report.

Officer (Last, First, M.I.)				Payroll #:		Gender:		Age:	
On Duty? Yes No		In Uniform? Yes No		Activity: Dispatched Observed			Officer Injured? Yes No		
Officer Hospitalized? Yes No		Why was Force Used? Other (Explain): Protect Self Protect Citizen Effect Arrest Animal Attack							
Type of Injury:						Body Armor? Yes No		Backup Present? Yes No	
Verbal Commands (verbatim):									
Suspect (Last, First, M.I.)				Race:		Gender:		D.O.B.:	
Height:	Weight:	Suspect Factors: Alcohol Drugs Mental Pregnant Other (Explain):				Level of Resistance: Verbal Passive Active Aggressive Aggravated			
Did the Suspect have a Weapon? Yes No		Type of Weapon(s):			Suspect Injured? Yes No		Suspect Offered Medical Treatment? Yes No REFUSED		
Probes Removed By:			Suspect Hospitalized? Yes No			Type of Injury:			
Incident Location:						Date:		Time:	

District: Da57 Nor wh(u)517each p90e struck51EFU No

523 MEMBERS OF THE PISTOL TEAM

- I. PURPOSE: This directive provides the Tampa Police Department with a uniform policy by which to select a Pistol Team to represent the department at tournaments approved by the chief of police.

- II. DISCUSSION: The police department has for many years sent a team of officers to different parts of the country to compete in pistol tournaments. This policy has enabled the department to build good public relations, not only with other police departments, but also with civilians and military alike. Because these officers are representatives of the department and are in direct view of the press, officials, and police departments from other cities, it is imperative that we select officers of the highest standards to fill this position.

- III. POLICY:
 - A. The appearance and conduct of the individual concerned must always be that of a professional officer.
 - B. The individual must meet the requirements established by the National Rifle Association and the specific tournament regulations.
 - C. The individual must shoot at least one practice or match session per week for a period of six weeks prior to any match, which he/she will attend as a representative of the department.
 - D. The individual must attend the required number of qualification matches prior to attending competitive matches.
 - E. An individual who indicates a lack of interest or desire for self-improvement will not be selected for the team.
 - F. Officers desirous of an opportunity to qualify for the shooting portion of the requirements may, when feasible, be permitted to attend the qualification sessions during duty hours. Their selection for qualification sessions shall be based on the following considerations:
 - 1. They must have the necessary match target weapon and equipment for matches;
 - 2. They must have completed at least one year of service with the department and have completed their probationary period;
 - 3. There must be an evaluation of past service record; and

4. There must be a recommendation and approval of the officer's division commander.
- G. If at any time an officer cannot attend a qualification because of official police duties, special consideration will be made and the officer will be given another opportunity to qualify.
- H. The team captain will be selected by the chief of police. He shall be responsible for making the necessary entries and arrangements for attending approved matches.
- I. Selection of the team will be made by the team captain for approval by the chief of police. Selections will be based on the following considerations:
1. Scores fired during qualifications;
 2. Past performance in competition; and
 3. Time and effort that the individual devotes to practice and local matches which he attends on his own.

Supersedes SOP 523, dated 7/99.

527 **MISCONDUCT BY OFF-DUTY PERSONNEL**¹

- I. **DISCUSSION:** Employees who become involved in off-duty conduct which could be considered a violation of a statute or ordinance may place themselves in administrative, criminal, and/or civil jeopardy.

The conduct of an officer or employee whether on or off duty reflects directly upon the Department. Employees must at all times conduct themselves in a manner which does not bring discredit to themselves, the Department, or the City. This demands exemplary behavior in respecting the law and the legal rights of all citizens. Employees must scrupulously avoid any conduct which violates the law.

II. **POLICY:**

- A. When an incident of misconduct involving an off-duty employee comes to the attention of the Department, a thorough investigation will be conducted.
- B. Employees who become involved in off-duty incidents of a criminal nature will be subject to dismissal or suspension unless the investigation reveals that the employee was a victim or witness and acted only to defend himself or otherwise acted in accordance with Department regulations or procedures.
- C. The Chief of Police may, immediately or at any time during the investigative or deliberation process, elect to relieve employees from their duties.
1. During the investigatory process, sworn officers will remain on full salary and shall not lose any benefits during this period of time.
 2. Civilian employees will be relieved of their duties without pay.
- D. Upon conclusion of the administrative investigation, the case will be assigned a disposition and handled in accordance with Standard Operating Procedure 651.

If disciplinary action is levied against the employee, it shall be handled in accordance with Standard Operating Procedure 641.

- E. In the event an indictment or information is filed against an employee, upon conclusion of the administrative investigation the employee might be dismissed or, if the application of lesser disciplinary action is approved, the employee might be suspended from duty without pay pending the

¹ CALEA [4th Edition] 52.1.8

disposition of the criminal case. However, in no such case will the suspension be for a period of time exceeding sixty days.

- F. A guilty verdict or plea, or a plea of nolo contendere, shall constitute grounds for dismissal, notwithstanding suspension of sentence or withholding of adjudication.

Supersedes SOP 527, dated 1/99.

530 ABSENCES FROM DUTY¹

- I. Discussion: In order to avoid any misconceptions relative to terminology used in reference to an absence from duty, this directive provides the intended meaning of such terminology and attendance sheet codes used in these cases.
- II. Definitions:
 - A. Household Member: Defined as any person residing at the employee's residence, and with whom the employee is living as a family or caregiver.
 - B. Immediate Family: Defined as spouse, son, daughter, brother, sister, father, mother, father-in-law, mother-in-law, grandparents, granddaughter, grandson or any other member of the employee's immediate household.
 - C. Relative: Defined as a aunt, uncle, brother-in-law, sister-in-law, nephew or niece.
- III. Policy:
 - A. Annual Leave (vacation):²
 1. Annual leave is accumulated as provided in the City of Tampa Personnel Manual, section B7, and applicable union contract.
 2. Two hundred forty hours (thirty 8.0 hour days) is the maximum amount that sworn or non-sworn personnel may carry over into a new calendar year.
 3. When an employee resigns from the department, the division commander or his or her designee will contact the Fiscal Bureau to ascertain leave status for payroll purposes (see SOP 610). The employee will be paid for unused leave up to thirty days, except when his or her probationary period has not been completed. In addition, an employee who fails to give fourteen days notice prior to termination shall have one day of leave deducted for each calendar day short of fourteen days.
 4. An employee will be granted at least ten days annual leave during any year. Sworn employees shall be afforded the opportunity of taking at least 80 hours of annual leave during any year as provided in article 19.5 of the PBA bargaining agreement, if properly requested, providing adequate time has been accumulated. As provided in Article 19.5 of the P.B.A. bargaining agreement,

¹ CALEA [5th Edition] 22.2.1

² CALEA [5th Edition] 22.2.1(d)

employees shall not be authorized the use of annual leave until after completion of six months of the entrance probationary period. The attendance sheet will reflect "ANN" when an employee is on annual leave (vacation).

- B. Compensatory Time:³ The period of time during which an eligible employee is absent from his or her normal tour of duty, with compensation, as a result of having accumulated a corresponding amount in overtime. Compensatory requests should be directed to the immediate supervisor of the requesting employee as far in advance as required by the division. The attendance code is "CPL."

- C. Funeral Leave:
 - 1. An employee will be granted three days funeral leave for a death in the immediate family, or for a death of a household member's immediate family. The attendance code is "DEA." The A.T.U. Contract, article 14.4, with the authorization of the Director of Human Resources, employees may be granted the use of sick leave to attend the funeral of family members not otherwise covered by this article.
 - 2. An employee will be granted two days funeral leave for the death of a relative or for the death of a household member's relative.
 - 3. Funeral leave is not deducted from the employee's accumulated sick or annual leave.
 - 4. Based on the individual circumstances, an employee may request two additional days for the death of a family member or relative. The two extra days will be deducted from sick or annual leave time at the employee's discretion.

- D. Day Off (attendance code "N"): Those dates on which a department employee is authorized to be absent from his or her normal tour of duty. Days off are so designated by the proper authority.

- E. Holiday:⁴ Those days designated by the Mayor, by executive order, to be dates of authorized absences, plus one additional Floating Holiday (FHL) an employee can request per PBA 18.4, ATU 26.6 and City of Tampa Personnel Manual B6A.6. Because all personnel cannot be granted a holiday at the same time:

³ CALEA [5th Edition] 22.1.1(e)

1. If a holiday or excused day falls on a work day (and it is not taken off) or on a regular day off, the employee shall receive pecuniary compensation;
 2. Sworn employees with the rank of Lieutenant or below may bank holiday time (HOB) or receive pay.
 3. The attendance code for an employee who uses a holiday is "HOL." If the employee works on the holiday, the attendance space for that employee is to be accurately filled in by the employee.
 4. In the event that an employee fails to utilize the Floating Holiday within the fiscal year, there shall be no carry over of the unused time to the next fiscal year nor cash payment in lieu of usage. Employees shall not be eligible for payment of the unused Floating Holiday upon separation from employment.
- F. Leave of Absence Without Pay: May be granted in certain circumstances. The attendance code is "AWP." Refer to SOP 645 for additional information.
- G. Military Leave (attendance code "MIL"):⁵ An authorized absence from work, with pay, because of an order of the armed services for the employee to fulfill regular military duties, field training, or emergency military obligations.
- All personnel who are fulfilling military obligations will be granted leave with pay for scheduled military functions, not to exceed seventeen work days per calendar year (see Policy 539). Military leave will generally be granted ONLY when the employee presents written orders from an authorized military commander directing the employee to report for training or duty.
- H. Jury Duty:⁶ Occurs when an employee is summoned by a court to serve as a juror. The employee will receive full pay and benefits for the period during which the employee is in attendance in such activity. The attendance code is "JUR." Other reasons for "JUR" are listed in the City of Tampa Personnel Manual and A.T.U. Contract. "JUR" applies only to non-sworn employees.
- I. Sick Leave:⁷ Sick leave accumulated as reflected in the City of Tampa Personnel Manual, section B8, shall be allowed:

⁵ CALEA [5th Edition] 22.2.1(a)

⁶ CALEA [5th Edition] 22.2.1(a)

1. In case of actual sickness or disability, or necessary medical appointments (attendance code "SCK"); or,
 2. In case of illness of the employee's spouse, child, or household member, up to 45.7 (sworn) or 40 (civilian) hours per calendar year may be granted to the employee (attendance code "SKO"). This time is to be deducted from the accumulated sick time.
 3. When a holiday and sick day coincide, the holiday will prevail.
 4. At the time of longevity or disability retirement (including deferred retirement), employees will be paid for one-half of the total accumulated sick leave. This will also be paid upon the death of the employee to the employee's legal heir(s).
 5. Absences of more than three days will necessitate the completion of Sick Leave Not in Line of Duty Report, TPD Form 676, and Medical Status Report, TPD 675 (refer to SOP 623.1).
 6. See SOP 645 regarding procedures for leave under the Family and Medical Leave Act of 1993.
- J. Special Duty:⁸ An assignment away from an employee's normal duties, when the assignment occurs outside Hillsborough County. For an employee to be carried "special duty" an order must be signed by the Chief of Police or his designee. A copy of that order must accompany the daily attendance record when the bi-weekly report in which the first day of the special duty occurs is forwarded to the Fiscal Bureau.
- K. Temporary Duty:⁹ Any assignment which takes an employee away from his/her normal duty station for at least a full workday, and which does not meet the criteria for special duty. An order signed by the Chief of Police will be issued; however, a copy of the order attached to the daily attendance record is not required.
- L. Overtime:¹⁰ The amount of time expended by an employee in the performance of duties beyond the normal tour of duty or on days previously designated as days off. Employees must refer to SOP 688 and the City of Tampa Personnel Manual, section B4, and applicable union contract for further information on this subject.
- M. Absence without Leave (attendance code "AWL"): An absence for any part of a workday, which is not approved by the employee's immediate

⁸ CALEA [5th Edition] 22.2.1(a)

⁹ CALEA [5th Edition] 22.2.1(a)

¹⁰ CALEA [5th Edition] 22.1.1(f)

supervisor. Absence without leave of three consecutive days may result in dismissal as quit without notice.

N. Injury:

1. Sworn personnel injured on duty: A sworn employee injured in the performance of duty will be carried "WFP" (Workers' Compensation) on the attendance sheet. No deduction is to be made from his or her sick leave account (refer to SOP 623).
2. Non-sworn personnel injured on duty: A non-sworn employee injured in the performance of duty will be Workers' Compensation (code "WGE") on the attendance sheet. The use of annual or sick leave, holiday, or compensatory time is prohibited during this period.
3. Sworn or non-sworn employee injured off duty: A sworn or non-sworn employee injured off duty will be carried sick (SCK) on the attendance sheet.
4. Refer to SOP 623 and 623.1 for additional instructions.

O. Union Business Leave:

1. PBA representatives will be granted time off to conduct union business in accordance with the current agreement between the City of Tampa and the Police Benevolent Association. The attendance sheet will reflect "UNP."
2. ATU representatives will be granted time off to conduct union business in accordance with the current agreement between the City of Tampa and the Amalgamated Transit Union. The attendance sheet will reflect "UNG."

P. Relieved from Duty with Pay (attendance code "RFD"): Occurs when an employee is instructed not to report for normal duties (while continuing to receive full pay and benefits) when it is in the best interest of the city and is authorized by the Chief of Police.

Q. Suspension (code "SUS"): Occurs when an employee has, usually as a result of a disciplinary action, been temporarily barred from office or position without pay.

Supersedes SOP 530, dated 4/94.

530.1 INCENTIVE LEAVE

- I. DISCUSSION: Sworn employees shall receive 8.0,10.0, or 11.4 hours, as applicable to the employee's work schedule, of incentive leave per calendar year for exceptional performance for safe driving and/or firearms skills in accordance with Article 39 of the PBA Contract.

- II. POLICY:
 - A. Incentive leave shall be accrued if the employee's duties require the daily and consistent operation of a City vehicle and the employee has not had any at fault accidents or documented driving violations for one year.

 - B. Incentive leave shall be accrued if the employee receives a master rating with the authorized service weapon at the annual firearms requalification.

 - C. In the event that the employee has not utilized accrued incentive leave by the end of the payroll calendar year, such remaining leave shall be paid at the employee's regular rate of pay at 8.0, 10.0, or 11.4 hours as applicable to the employee's work schedule.

Supersedes SOP 530.1, dated 1/99.

535 **SEXUAL HARASSMENT**¹

- I. Purpose: The purpose of this directive is:
- A. To state department policy concerning allegations of sexual harassment which adequately address the avoidance and alleviation of sexual harassment at all levels and phases of Tampa Police Department operations;
 - B. To establish procedures for reporting incidents of sexual harassment which objectively and impartially provide for the immediate investigation and timely resolution of all reported incidents; and
 - C. To define instances of sexual harassment.

- II. Policy: The policy of this department is that all personnel, sworn and civilian will work in an environment free from sexual harassment. Sexual harassment by any employee will not be condoned or tolerated.

The department will immediately investigate all sexual harassment complaints and, where founded, take appropriate, necessary and immediate disciplinary action (which may include termination) against any employee who violates this policy.

- III. Definition: Sexual harassment consists of any sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when an employee's response to such conduct affects that employee's job status or working environment.

Sexual harassment includes, but is not limited to, the use of slurs, derogatory comments, or other physical or verbal conduct directed at or based upon gender, or sexual advances or suggestions wherein:

- A. Submission to such conduct is either an expressed or implied term or condition of employment; or
- B. Submission to or rejection of such conduct is used as a basis for an employment decision affecting the harassed person; or
- C. The conduct has the purpose or effect of unreasonably interfering with an affected person's work performance or creating an intimidating, hostile or offensive work environment.

- IV. General:

- A. Employee Responsibility:

¹ CALEA [4th Edition] 26.1.3

Any employee who believes that he or she is being sexually harassed by any other employee or non-employee who comes to the work environment, e.g., sales person, repair person, should promptly take the following steps:

1. Initially, the employee has the option of politely, but firmly, confronting whoever is doing the harassing, stating how the actions are perceived and requesting that the person cease the harassment immediately. As soon as practical, the harassed employee should report the attempts to personally resolve the sexual harassment problem to his or her immediate supervisor, requesting that a written record be made of efforts to solve the problem. All relevant details and results of the attempts should be reported. This may be done orally or in writing, or, step IV.A.2. (below) may be initiated without attempting to resolve the situation personally.
2. If it is believed that some adverse employment consequence might result from a direct confrontation, the immediate supervisor should be consulted. If the circumstances prohibit this action, the behavior should be reported to the division or bureau commander (or in his/her absence, the respective assistant chief). The specific and relevant details of the sexually harassing behavior should be given in writing. Who did the harassing? What was done? What was said? When did this happen? Were there any witnesses (if so, name them)? Has this happened before? Has this happened to others?

Should the harassment continue during the investigation or after initial resolution of the reported problem, the above (step 2.) should once again be utilized.

3. If after a reasonable length of time, (5-10 calendar days) the employee believes inadequate action is being taken to resolve the complaint, the employee should go directly to the chief of police for resolution of the complaint. The nature and severity of the complaint might readily mandate elevating the complaint in less than 5-10 calendar days.

B. Management Responsibility:

All managers and supervisors, as part of their job requirements, are responsible for preventing and eliminating sexual harassment in their respective work areas.

1. Any complaint of sexual harassment will receive the immediate attention of the supervisor or manager to whom it is made. The

complaint will be forwarded in writing via confidential mail to the division or bureau commander (or in his/her absence the respective assistant chief). The immediate supervisor of the accused employee will explain the nature of the complaint to the employee as soon as possible and take steps to ensure no further incidents occur during the pendency of the investigation.

2. The division or bureau commander (or assistant chief) to whom the complaint is forwarded will cause the chief of police to be notified of the incident and will forward written details of the complaint (through the appropriate assistant chief) to the Internal Affairs Bureau.
3. Because of their sensitive nature, complaints of sexual harassment will be investigated by the Internal Affairs Bureau, and will be coordinated with the Department of Human Resources.

Upon completion, the report will be forwarded to the chief of police, who may designate any staff member to review the incident and, if necessary, confer with the parties involved and any witnesses.

4. To protect the confidentiality of an employee who files a complaint, to encourage the reporting of any incidents of sexual harassment, and to protect the reputation of an employee who might wrongfully be accused of sexual harassment, information concerning a complaint of sexual harassment will not be released by an employee of this department to anyone in or out of the department, except as provided in established rules governing Internal Affairs Bureau investigations.
5. If the investigation reveals that the complaint is valid, prompt measures will be taken designed to stop the harassment immediately and prevent its recurrence. Such measures might include disciplinary action ranging from reprimand or suspension for single minor offenses, to demotion or termination for multiple or major offenses.
6. Retaliatory action against an employee who files a sexual harassment complaint will not be tolerated.

Supersedes SOP 535, dated 3/99.

536 **PROFESSIONAL RESPONSIBILITY AND PHILOSOPHY OF ENFORCEMENT**¹

- I. **PURPOSE:** This policy statement is used to ensure that employees of the Tampa Police Department fully understand the department philosophy regarding their conduct and any responsibilities in the performance of their duties.

- II. **DISCUSSION:** The primary missions of any law enforcement agency are to protect life and property, maintain peace and order, and provide other police services. In order to ensure the attainment of these goals, it is essential that all employees of the department act in a professional manner, which reflects an understanding of the department philosophy of enforcement.

- III. **POLICY:**
 - A. **Equal Protection under the Law:** The police officers of this city represent all citizens and are committed to the concept of equal treatment under the law. Officers shall enforce the law impartially without regard to race, creed, color, sex, national origin, or situation in life and shall be unequivocal in protecting all citizens in the lawful exercise of their civil rights.

 - B. **Preservation of Public Order, Peace and Safety:** It is the responsibility of the police to prevent crimes insofar as possible, to search out and arrest violators of the law, and to present the facts of the case to the prosecuting agency. The responsibilities of prosecuting, judging, acquitting the innocent, sentencing, and punishing or rehabilitating offenders are assigned to other agencies.

Although the police do not make the laws, they are obliged to enforce regulations and impose restrictions called for by laws and ordinances for the sole purpose of preserving public order, peace, and safety, as well as protecting individual rights and freedoms. This shall be accomplished in the public interest and within the framework of the law. While the rights of persons shall always be respected, there are times when it shall be necessary for individuals and private groups to defer to the overall welfare of the community.

- C. **Community Relations:** This department is firmly committed to establishing and maintaining close ties with, and responding to the needs of, the community. The department is equally committed to its partnership with the community.
 - 1. Personal contacts made by each employee of the department are essential to promote a program of desirable police community relations. Therefore, the responsibility for achieving the department's community relations objectives must be shared by all personnel. Tact, patience, and courtesy shall be strictly observed in all circumstances.

¹ CALEA [5th Edition] 1.2.7; 1.3.1; 26.1.3; 31.2.3

2. The department is committed to modifying policies, practices, and behavior that might contribute to community tension and grievances, perceived or otherwise. Sworn employees, as police officers, must learn to distinguish between the right to hold personal opinions as a citizen and sworn duty as police officers. Any conduct inconsistent with this philosophy is totally unacceptable behavior. Supervisory officers shall demonstrate by example, and shall instruct subordinates in, proper and desirable behavior in relations with the public.
- D. Citizen Grievances: All persons who furnish the police with information or who file or report complaints, including complaints about the police, will receive courteous and serious attention. All complaints will be evaluated carefully on the facts presented and will be investigated thoroughly as outlined in current department policies and procedures.
- E. Use of Force by Police: When situations arise in which police officers employ physical force or deadly force, the department's policy is that "excessive" force on the part of the police officers will not be tolerated. The guidelines on which this policy is based are as follows:
1. By law, police officers are required to arrest law violators. Officers are allowed to use only such force as is necessary to complete the arrest.
 2. It must be clearly understood that this department not only supports, but expects all officers to defend themselves from physical attack while engaged in the performance of their official duty. If the person being arrested offers no resistance, then no force is required and none will be used.
 3. There are two kinds of situations involved in the use of force. The first is a case in which an officer must defend himself from physical attack, and the second is a case in which there is no physical attack on the officer, but force must nevertheless be used to overcome resistance in carrying out the police mission.
 4. Officers, when not in uniform, must takes steps to clearly identify themselves. Department policy in these situations is as follows:
 - a. Any action taken by an officer in self-defense or in defense of others, up to and including the death of the assailant, or any action taken by an officer in apprehending a suspect, will be considered warranted and justified if there is sufficient cause, as would appear real and reasonable to a prudent police officer, to fear the life or safety of the officer or another, or providing each of the following factors is present, given the special circumstances at hand:

- 1) The police officer is acting officially within the boundaries of legal authority and established department policies and procedures;
- 2) The means and the force employed are not such as a prudent officer would consider excessive, unreasonable, or unnecessary and is within the law and established department policies and procedures; and
- 3) The use of firearms is within the guidelines set forth in current policies and procedures.

F. When it comes to undertaking a specific police mission and bringing it to a successful conclusion -- getting the job done -- and there is no immediate or apparent danger calling for self-defense by the officer, action must be tempered by good judgment, common sense, restraint, and understanding. Action taken by an officer would not fall within the definition of unnecessary force provided:

1. The officer is acting officially within the restrictions imposed by law and established Tampa Police Department policies and procedures;
2. The officer's conduct is impartial and dispassionate;
3. The officer is firm without being unreasonable;
4. If circumstances permit, the officer provides reasonable opportunity for compliance with the law;
5. The officer used proper force only after other available means of securing compliance have failed; and
6. The force employed is not more than is required to produce compliance.

G. It is the policy of this department that police officers shall not use discourteous, abusive, or insulting language under any circumstance in the performance of their duties. Officers shall enforce the law impartially and professionally. When it is necessary for an officer to give orders or otherwise address people, he/she will do so in ordinary, businesslike language. The department policy in this matter is set forth as follows:

1. An officer shall not use profanity or derogatory terms in the discharge of duties;
2. An officer shall not address people in harsh, belittling or sarcastic terms nor use undue familiarity in the discharge of duties; and

3. When it is necessary for an officer to issue orders, give a warning, or request cooperation, the officer will do so in clear, positive terms using ordinary civil language. An officer is expected to speak affirmatively and emphatically, as the circumstances require.

H. Discriminatory Conduct: City of Tampa Personnel Manual section B1.2, titled "Discriminatory Conduct" is adopted as the policy of the Tampa Police Department, and is quoted in its entirety below.

1. The City of Tampa is committed to the equal treatment of all persons, without regard to race, color, national origin, sex, religion, handicap or age. As part of that commitment, the City has forbidden its employees the use of slurs, derogatory comments, or any other physical or verbal conduct directed at or based upon another person's race, color, national origin, sex,

7. Violation of this policy shall be grounds for immediate dismissal in the absence of extenuating circumstances, but in no case shall the disciplinary action for a violation be less than a suspension without pay for fifteen working days.
8. Investigations and disciplinary action shall continue to be conducted and administered in accordance with any applicable federal, state or local laws regarding the methods of investigations, complaint reviews, and employee rights of appeal.

Supersedes SOP 536, dated 7/03.

536.1 PROFILING¹

- I. PURPOSE: This policy statement is to ensure that employees of the Tampa Police Department fully understand the department philosophy regarding the issue of profiling and the exercise of law enforcement authority on the basis of impermissible criteria.
- II. DISCUSSION: There is a perception held by some members of the community that some police officers conduct vehicle and pedestrian stops based solely or primarily on the race, ethnic origin, gender, age, economic status, or sexual orientation of an individual. The effect of this perception is the deterioration of the public's trust in some law enforcement agencies. Because public trust in law enforcement is essential to effective policing, all officers must understand that they must treat every member of the community fairly, ethically, and legally.

The Tampa Police Department is committed to fair treatment of all members of the community. Trust between members of the community and our officers will further the department's mission to provide police services that are fair, unbiased, judicious, and respectful of the dignity of all individuals.

To that end, race, ethnic origin, gender, age, economic status, or sexual orientation of an individual are **not** to be independent factors or reasons for any action by any member of this department.

III. DEFINITIONS:

- A. Enforcement Action: Includes but is not limited to: vehicle stops, stop and frisks, search and seizures, street checks, field interviews, the application and/or use of force, and the initiation of forfeiture proceedings.
- B. Identification Criteria: Physical characteristics used to describe or identify a particular individual. The use of race, ethnic origin, gender, age, or any other physical characteristic to describe or to identify a particular individual is not profiling.
- C. Police Authority: Any use of authority as a law enforcement officer to stop, question, detain, or arrest an individual.
- D. Profiling: Detention, interdiction, targeting, selection or special enforcement efforts directed toward an individual based solely or partially on the race, ethnic origin, gender, age, economic status, or sexual orientation of any individual, except when gender or age is an element of a suspected offense, i.e., exposure of breasts (applicable only to females) and underage drinking (applicable only to minors).

IV. POLICY:

¹ CALEA [5th Edition] 1.2.9

- A. The Tampa Police Department does not practice, nor will it condone or tolerate, the practice of profiling by any of its members. Officers are reminded that the stopping, detention, or seizure of any member of the public must be based on reasonable and articulable facts. These facts, when viewed through the eyes of a trained and experienced law enforcement officer must be sufficient to cause him/her to believe that criminal activity or civil violations have occurred, or are about to occur, without regard for the race, ethnic origin, gender, age (except when gender or age is an element of the offense), economic status, or sexual orientation.
- B. To this end, all police activities must be based solely on facts, which can be articulated, based on the law and department policy.
- C. Profiling, as defined in this policy, shall not be a factor in determining probable cause or as part of any articulable statements of facts, leading to enforcement action and therefore is strictly prohibited.
- D. While profiling is strictly prohibited, the use of identification criteria remains an essential element of effective law enforcement. An officer who stops an individual because, or partially because, the individual's race is different from the race of the majority of residents in the area in which the individual is found is engaging in profiling. An officer who stops an individual because the individual's race, along with other investigative circumstances are consistent with that of a particular suspect in a particular crime, is properly using identification criteria.

V. TRAINING:

- A. All officers shall receive training on a biennial basis.
- B. All complaints of alleged profiling will be referred to the Internal Affairs Bureau.

538.1 HIGH LIABILITY TRAINING AND EVALUATION COMMITTEE (HLTEC)

- I. **PURPOSE**: The purpose of this policy is to establish a committee with knowledge and expertise on issues involving high liability subjects such as, but not limited to: firearms, defensive tactics, use of force and vehicle operations.

- II. **SCOPE**: This committee will be responsible for reviewing SOPs, IDPs, training lesson plans or police actions and situations relative to high liability issues or subjects. The committee will also be responsible for the evaluation or screening of proposals relative to equipment, tactics, or techniques relative to these subjects.

- III. **DISCUSSION**: High Liability subjects such as firearms, defensive tactics, use of force and operation of motor vehicles pose an inherent risk to the agency and/or officer and therefore require the utmost consideration in the formulation and application of policies and procedures. A committee comprised of personnel knowledgeable in different high liability subjects, i.e., firearms, defensive tactics, use of force, driving, legal, technical application and management perspective is essential to ensure issues are reviewed by qualified personnel.

- IV. **ORGANIZATION**: The High Liability Training and Evaluation Committee reports to the Assistant Chief of Investigations and Support and will be comprised of personnel who are responsible for the development of training, policy or possess expertise in subjects pertaining to high liability subjects. Members of the committee will be appointed by the Assistant Chief of Investigations and Support and will be comprised of, but not limited to:¹
 1. Special Support Division Commander (Chairman);
 2. Internal Affairs Bureau Commander (Assistant Chairman);
 3. Firearms Coordinator;
 4. Civil Disorder /Crowd Control Supervisor;
 5. Defensive Tactics Coordinator;
 6. Personnel and Training Supervisor;
 7. Department Legal Advisor;
 8. Report Writing System Coordinator;
 9. Driving Coordinator; and

¹ CALEA [5th Edition] 33.1.1(a)(b)(c)

10. Specialty Teams Commander.

V. GENERAL:

A. RESPONSIBILITIES OF HIGH LIABILITY COMMITTEE:²

1. The High Liability Committee will be responsible for reviewing and evaluating policies and procedures submitted to the Tampa Police Department where such directives have relevance to a high liability subject issue. The issues are to include, but not be limited to:
 - a. Use of force or deadly force;
 - b. Mass demonstrations;
 - c. Operation of vehicles;
 - d. Early intervention program; and/or
 - e. Any other policy which is relative to high liability issues.
2. Review employee IDPs to ensure that each employee has the required training and knowledge to complete the tasks of the job described.
3. Review lesson plans involving all high liability classes to ensure that teaching of classes is consistent with current policies and procedures.³
4. Ensure remedial training is completed; outcomes reported and reviewed.⁴
5. Review early intervention packages, as a fact-finding measure, to establish conformity or non-conformity with policies and procedures.
6. Assist the Internal Affairs Bureau with investigations regarding use of force and high liability subject issues. The High Liability Committee will be used by Internal Affairs to validate procedural conformity or non-conformity, establish the deviation in policy (if any) and establish a remedial program if required.
7. Record and document issues involving high liability subjects to establish patterns or trends, which could indicate a procedural or training deficiency.

² CALEA [5th Edition] 33.1.1(d)

³ CALEA [5th Edition] 33.1.4(c)

⁴ CALEA [5th Edition] 33.1.5

8. Review data regarding use of force to insure accuracy of reporting.

B. CONVENING OF HIGH LIABILITY COMMITTEE:

1. The committee will be required to meet quarterly for the purpose of reviewing any revisions to the aforementioned SOPs, IDPs, lesson plans and to review high liability subject incidents for the purpose of recording and documenting patterns and trends.
2. The committee can be called to convene at any time by the chief of police, or his designee, for circumstances dictating an immediate response.
3. The chairman of the committee is a member of the Chief's Executive Staff. The chairman will report issues and findings to the staff or directly to the chief of police when necessary.

Supersedes SOP 538.1, dated 5/98.

539 MILITARY LEAVE

- I. PURPOSE: To provide guidelines for the granting of military leave and the processing of such requests.
- II. DISCUSSION: Florida law permits municipal employees to take up to seventeen days (more for members of the Florida National Guard) of military leave with pay during any one annual period. The law further provides that additional leave without pay during the same annual period may be granted by the employer (F.S. §250.48, §115.07).

The department is fully aware of the responsibilities and demands placed upon personnel in fulfilling their military obligations. It cannot, however, lose sight of the objective and method of assisting all personnel in satisfying their military obligation while at the same time maintaining the smooth and efficient operation of this organization.

III. POLICY:

- A. All personnel who are fulfilling military obligations will be granted leave with pay for scheduled military functions, not to exceed seventeen workdays per calendar year. (Thirty days for members of the Florida National Guard under certain circumstances.)
 - 1. The seventeen workdays may be utilized for the annual summer encampment and/or for monthly drills.
 - 2. A military leave of absence without pay shall be granted according to state and federal regulations. The employee has the option to use all accumulated annual leave prior to the military leave of absence. Any sick leave accumulated prior to the military leave of absence shall remain available to the employee upon reinstatement (see SOP 645).

Supersedes SOP 539, dated 3/99.

540 MEDIA RELATIONS¹

- I. PURPOSE: This policy provides guidelines in regard to media relations and the release of information to the news media and/or other members of the general public.
- II. DISCUSSION: To operate effectively, a contemporary law enforcement agency must obtain the support of the public it serves. By providing the news media and the community with information on agency operations and administration, a relationship of mutual trust, cooperation, and respect can be maintained. This department is committed to informing the community and the news media of events of public interest that are handled by or involve the department, and every effort should be made to cooperate with media representatives and assist in their objective of informing the public. A proactive public information program can be an asset to the department in gaining community support for its service and enforcement programs.

The Public Information Office has developed a proactive approach to communicating the police department's mission of reducing crime and improving the quality of life in our city. This helps build rapport and trust with citizens that is critical to carrying out the department's philosophy of community oriented policing. Each PIO assignment is designed to accomplish one of the five focus areas of the Public Information Office.

The following process will be followed to determine what information is released proactively to the media: Is there a public safety issue; if there is no public safety issues, then it should meet at least one of the following five criteria:

- A. Educate citizens on how officers are serving and improving their neighborhoods;
- B. Inform citizens on how they can avoid becoming a victim of crime;
- C. Motivate citizens to get involved in community oriented policing by educating them on how they can help improve their neighborhoods;
- D. Generate public input to help identify a suspect or create leads in a case; or
- E. Improve officer and employee morale by highlighting their efforts and accomplishments to the public.

The police public safety information coordinator is charged with the responsibility of performing the public information function.² The department's goal is to be as transparent as possible in regards to media relations. Every employee has the right to speak with the media as to matters of public concern, with certain exceptions as noted below, but they are required to coordinate any statements and/or activities through the Public Information Office.

III. POLICY:

¹ CALEA [5th Edition] 54.1.1

² CALEA [5th Edition] 54.1.1(d)

- A. It is the policy of this department to maintain a cooperative and proactive approach to providing information on matters of public concern to the news media and general public. Information released to the news media will be disseminated equally to any interested legitimate news organization or by public records requests.
- B. As a general rule, release of public information will be by the chief of police, public safety information coordinator, member of the chief's general staff, managerial staff level officer, or other person specifically authorized to report on a particular newsworthy incident or situation.³ Employees other than those referred to above are not required to participate in an interview with media personnel; however, subject to certain exceptions, no employee is prohibited from speaking with media personnel, but all employees must coordinate with and notify the Public Information Office prior to communicating with the media.
- C. The administration established an after hours, weekend and holiday procedure to ensure a consistent level of service to the media. This procedure assigns a lieutenant to Public Information Office duties during non-business hours. The Public Information Office will train the lieutenants selected by the Chief's Office on Florida Statute Chapter 119 and the department's media policy. The after hours Public Information representative gives the opportunity to show the department's diversity and accelerates the lieutenants media skills for promotion within the department.
- D. Division commanders and shift/bureau commanders shall advise the public safety information coordinator as to new programs, outstanding achievements, current or investigative developments likely to prompt media attention or inquiries, and any other newsworthy information from their respective areas of responsibility that will assist him/her in maintaining a proactive media relations program.
- E. To ensure that a cooperative and proactive media relations program is maintained, and is operated in the interest of providing consistent factual information while protecting certain privacies as provided by law, the following guidelines are set forth:⁴
 - 1. At incident scenes, media personnel seeking information should be referred to the scene supervisor. The ranking supervisor shall be responsible for the official release of information in the absence of the public safety information coordinator.⁵

If in the opinion of the ranking supervisor there is a need for someone to coordinate the media, he or she will direct Communications to contact the

³ CALEA [5th Edition] 41.2.4

⁴ CALEA [5th Edition] 54.1.1(a)

⁵ CALEA [5th Edition] 54.1.1(a)

lieutenant on PIO Duty who will then determine if a representative of the Public Information Office should be contacted during non-business hours.

2. In after hours breaking news scenarios, media representatives contacting employees should be referred to the appropriate district shift commander or the lieutenant on PIO Duty for information on such incidents.
 - a. If the shift commander is not available and in the event Communications receives a specific inquiry regarding a call for service, the Communications Supervisor will be responsible for the following:
 1. Confirm whether or not the call for service has been received; and
 2. Provide the nature of the call, location and time of the call, and refer the media representative to the affected district shift commander or lieutenant on PIO Duty.
 - b. If the incident has been referred to another division for investigation or is being handled entirely by another division, the inquiries should be referred to the proper district shift commander or lieutenant on PIO Duty.
3. The PIO office will provide media releases as facts are gathered, and provide the media with timely updates to investigations/incidents via media alert.
 - a. When the public safety information coordinator is present at the incident scene or at headquarters in response to the developing incident, media inquiries will be referred to him/her.⁶
 - b. In either event, a concerted effort will be made to accommodate media requests for information.
4. Requests by media personnel for information unrelated to an incident e.g., statistical information, interviews with employees reference any facet of police operations, investigative efforts, or administration shall, be referred to the public safety information coordinator. These requests are not considered breaking news and will be handled during normal business hours.
5. Requests for PIO response to breaking news or other news issues during non-business hours (nights, weekends, and/or holidays) will be made through the Communications supervisor, the affected Shift Commanders, or the lieutenant on PIO Duty.

⁶ CALEA [5th Edition] 54.1.1(b)(c)

F. Restrictions on Release of Information:⁷

1. The name of a victim in an incident will normally be released with the following exceptions:
 - a. All records concerning reports of child abuse or neglect and all records generated, as a result of such reports shall be confidential;
 - b. The name, address, or other identifying fact or information of the victim of any sexual offense shall not be released; and
 - c. The name of a deceased victim will not be released until after notification of next of kin. If the deceased is the victim of an ongoing investigation, an employee must obtain approval from the appropriate Latent Supervisor (i.e. Homicide, Hit and Run, Child Abuse).
2. Any information, which reveals personal assets of a victim of a crime, other than property stolen or destroyed during commission of the crime, will not be released.

Prior to releasing the amount of money or property taken in a crime, consideration will be given to whether or not such release might jeopardize the investigation.
3. Any information, which would reveal the identity of a confidential informant, will not be released.
4. Any information revealing police tactics, surveillance techniques, procedures, or personnel will remain confidential.
5. Any information, which would reveal the identity of any undercover person of any criminal justice agency, will not be released.
6. The home address, telephone number, or photograph of a current or former law enforcement officer; or such information including the place of employment of such officer's spouse; or such information including names and/or location of any school attended by the children of such officers shall not be released.
7. The name of a person taken into custody but not yet charged will not be released unless approved by an investigating supervisor. An arrested person's name may be released when the original report of an incident or a statistical data report shows the person as arrested.

⁷ CALEA [5th Edition] 54.1.1(d)(e); 82.1.1(c)

8. The name of a suspect not in custody will not be released unless a warrant or *capias* has been issued or unless approved by an investigating supervisor.
9. The identity, testimony, or credibility of any prospective witness will not be released upon request of the witness or if it appears the witness might be in jeopardy. This does not preclude releasing the identity of a crime victim if such release is not otherwise prohibited.
10. Results of any examinations conducted, refusal by an accused to submit to an examination, polygraph results, descriptions of evidence, and the existence and/or text of confessions will not be released.
11. Information regarding the existence, or details, of any Internal Affairs investigation shall not be released until that investigation is concluded and the offending officer has been served the discipline.
12. Information, which would hinder an investigation or jeopardize the outcome of a case, will not be released, including active criminal intelligence or active criminal investigative information.⁸
13. No personnel shall comment on active civil litigation cases in which the city is, or may be, a party.

G. Juveniles:⁹

1. The name and address of a child who has been charged with an offense which, if committed by an adult, would be a felony may be released.
2. The name and address of any child who has been convicted by a court for having committed at least three misdemeanor violations may be released.
3. In the case of a juvenile who has been prosecuted as an adult and found guilty of that offense or a lesser included offense, the child may thereafter be treated in every respect as if an adult and, therefore, information about his/her involvement in an incident will be handled as if it were an adult situation.

H. Other General Guidelines:¹⁰

1. Because of the potential for jeopardizing the outcome of a case, revealing legally protected information, or causing irreparable harm to the reputation of a citizen, release of certain types of information must be accomplished with great care. Such information includes, but is not limited to:

⁸ CALEA [5th Edition] 54.1.1(e)

⁹ CALEA [5th Edition] 54.1.1(d)(e)

¹⁰ CALEA [5th Edition] 82.1.1(c)

- a. The prior criminal record, character, or reputation of an accused;
 - b. Mugshots of an accused;
 - c. Statements by an accused, or the failure or refusal of an accused to make a statement;
 - d. Any opinion of department personnel regarding the guilt or innocence of an accused;
 - e. Any opinion of department personnel regarding the merits of a case or quality of evidence gathered; and
 - f. Information received from other law enforcement agencies without their concurrence to release the information.¹¹
2. When presented with an inquiry from a media representative relative to information such as is listed above, the request should be referred to the public safety information coordinator or, in his/her absence, the division commander responsible for the investigation of the case.
- I. Access to Incident Scenes:¹²
- 1. The general public will be denied access to any incident scene, which is cordoned by the investigators.
 - 2. Representatives of the news media will be denied access only:
 - a. On private property at the owner or custodian's request;
 - b. To preserve evidence;
 - c. If their presence will impede the work of firemen or police; or
 - d. If a danger to the physical well being of the media person exists.
 - e. If one or more of the above conditions exist, the media will be directed to stage in a location directly outside of the external perimeter and consideration will be given to ensuring that their needs are accommodated. In the absence of a representative from the Public Information Office, the ranking on-scene supervisor or the lieutenant on PIO Duty will be responsible for directing and responding to the media.¹³

¹¹ CALEA [5th Edition] 54.1.1(f)

¹² CALEA [5th Edition]54.1.1(a); 54.1.3

¹³ CALEA [5th Edition] 54.1.1(a)

3. Even though media personnel are granted access to an incident scene, with supervisor approval (beyond yellow tape), they will be escorted throughout their presence therein. In the absence of a representative from PIO, the ranking supervisor or lieutenant on PIO Duty will be responsible for coordinating any scene access such as a pool camera, etc.
4. It should be noted that media has access anywhere around a crime scene where the general public is allowed. If there is an area investigators don't want the media or camera equipment, they must tape that area off from the general public.
5. The use of a radio by media personnel or the general public will be denied when the threat of a bomb exists.

J. Role in Incident Command System (ICS):

1. Under the Incident Command System (ICS), the Public Information Officer (PIO) is a key staff member supporting the Incident Command structure. The PIO represents and advises the Incident Command on all public information matters relating to the management of the incident. The PIO handles media and public inquiries, emergency public information and warnings, rumor monitoring and response, media monitoring, and other functions required to coordinate, clear with appropriate authorities, and disseminate accurate and timely information related to the incident, particularly regarding information on public health and safety and protection.
2. The PIO is also responsible for coordinating public information at or near the incident site and serving as the on-scene link to the Joint Information System (JIS).
3. In a large-scale operation, the on-scene PIO serves as a field PIO with links to the Joint Information Center (JIC), which is typically collocated with the Federal, regional, State, local, or tribal EOC tasked with primary incident coordination responsibilities.
4. The JIS provides the mechanism for integrating public information activities among JICs, across jurisdictions, and with private-sector and non-governmental organizations.

Supersedes SOP 540, dated 6/03.

541 EXTRA DUTY WORK TRESPASS ARREST

- I. PURPOSE: This directive provides guidelines for making a "trespass after warning" arrest while functioning in an extra-duty work capacity.

- II. DISCUSSION: Most arrests made while working in an extra-duty status cause little if any problems. There is, however, the question, "Does an officer working in an approved extra-duty capacity for a private employer have the legal authority to make an arrest for trespass after warning in instances where the officer is the person giving the warning?" Normally, any officer working in this capacity is instructed to handle any incident that arises as though he had received the call while on duty; however, there are isolated situations wherein this is not practical. The purpose of this policy is to point out some exceptions and establish guidelines within which the officer should function.

- III. POLICY:
 - A. In instances wherein a subject's presence is not desired, the officer should, if at all possible, have the owner or person in charge request the person to leave, then take any necessary action.

 - B. If the owner or person in charge is in a remote location or otherwise inaccessible, the officer, should, if possible, charge the party involved with the violation that generates their undesirable status.

 - C. In instances where neither of the above are applicable, the officer will advise the subject that the officer is working in an extra-duty status for (name the employer) and is authorized to order persons to leave the premises. After warning by the officer, if the subject fails to leave as directed, the officer may make the arrest for "trespass after warning."

Supersedes SOP 541, dated 1/99.

541.1 TRESPASS WARNING

- I. Purpose: To enable officers to apply F.S. §810.09 as a criminal charge against individuals who continue to trespass after having been warned.

- II. Discussion: There is a requirement under F.S. §810.09 Trespass On Property Other Than Structure or Conveyance, that an individual must be placed on notice that he is trespassing. While notice can be given by fencing, cultivation, or posting the property, it can also be given by verbal or written communications. These forms of communications shall be recorded so that while one officer may be present when the warning is issued; another officer may effect an arrest. The Trespass Warning Form (TPD 709) is designed to be documented proof of the warning and provides the arresting officer with pertinent information for testimony in court.

- III. General Use:
 - A. The trespass warning form will be used any time an individual has been advised that he is trespassing on a particular piece of property.

 - B. The officer may issue the trespass warning for the property owner (or agent) if such person so desires and directs, by acting as an “authorized person” as defined in the statute. A current contract must exist between the City of Tampa Police Department and the property owner/agent, which makes the officers agents of the owner/agent. If no contract exists, the owner/agent must specifically authorize the officer on each occasion to issue a trespass warning to a particular individual. In either case, the details of the authorization should be noted on the warning form if the warning is issued by the officer instead of the owner/agent.

 - C. Landlords or owners of private apartment buildings or similar multi-unit complexes having common areas, are generally not able to exclude individuals from apartments or common areas if the individuals were invited by a tenant. Nor may an owner or landlord exclude persons invited by the lessee of a single-family residence. However, the landlord or owner may exclude invited guests of tenants if the right to do so has been clearly reserved to the landlord or owner in the lease agreement. The Tampa Housing Authority (T.H.A.), for example, has reserved in all of its leases the right to trespass guests who commit crimes or rule violations on the property. Once trespassed, individuals may not return to T.H.A. property even if invited by a current resident. See Legal Bulletin 2008-13.

- IV. Form Distribution:
 - A. Citizen complaints: the complainant will receive the top (original) part of the form. The second page (copy) will be routed to the respective District

for placement in an alphabetical file. The trespassed individual will be given the third page.

- B. Except on THA property, when an officer acts as an agent on private property, two copies of the form will be routed to the respective District for placement in the alphabetical file. On THA property, one copy of the form will be provided to THA for their files.
- C. The completed trespass form will be forwarded to the division CSO or the appropriate administrative assistant. The CSO or appropriate administrative assistant will enter information from the form into the Tampa Police Trespass Database. The form will then be filed alphabetically in the Division file.
- D. Officers may obtain information on an individual's status by accessing the Tampa Police Trespass Database on the K: drive, via MDT or by contacting the applicable District office personnel.

Supersedes SOP 541.1, dated 10/06.

542 **AGENCY FUNCTIONS AND JURISDICTION**

- I. Purpose: To establish the functions and jurisdiction of the department.

- II. Discussion: Although many federal, state, and local law enforcement agencies, including the Hillsborough County Sheriff's Office, the Hillsborough County Aviation Authority, the University of Tampa, and the University of South Florida have responsibility for providing, within the scope of their authority, certain law enforcement functions within the City. The City of Tampa Police Department has primary responsibility for providing law enforcement service within the City of Tampa.

- III. Functions: Functions of the department are to:
 - A. Preserve life and property and protect the civil and constitutional rights of all persons;
 - B. Identify problems that are potentially serious law enforcement or governmental problems and work to resolve those problems;
 - C. Resolve conflicts;
 - D. Aid individuals who are in danger of physical harm;
 - E. Assist citizens by giving directions or taking them to locations or addresses and referring them to appropriate agencies to get help;
 - F. Respond to calls for police service;
 - G. Participate in crime prevention programs by identifying hazards and encouraging citizen participation in implementing sound crime prevention measures; design, implement, and continue programs leading toward preventing and controlling juvenile delinquency;
 - H. Facilitate safe and expedient movement of vehicular and pedestrian traffic with minimum public inconvenience, penalty and resentment;
 - I. Promote and preserve civic order consistent with freedom;
 - J. Maintain respect for the rule of law by proper enforcement;
 - K. Within the guidelines of department policy, competently investigate violations of law, traffic accidents, and other matters which require a police report; and

- L. Cooperate with and assist, when possible, other governmental departments and agencies charged with law enforcement and/or public service responsibilities.
- IV. Each officer is issued a grid map depicting the city's geographical jurisdiction.
- V. Cooperation with other law enforcement and/or public service agencies:
- A. It is department policy to cooperate with other law enforcement and/or public service agencies in matters of mutual interest. Such cooperation enhances the:
 - 1. Exchange of information concerning criminal and traffic activity and other matters of police interest;
 - 2. Development of joint plans to deal with activity of police interest, including mutual aid plans;
 - 3. Arrest and return of fugitives;
 - 4. Accomplishment of department goals and objectives; and
 - 5. Professional image of the department and/or agencies involved.
 - B. To facilitate cooperation, the department will:
 - 1. Maintain membership in professional organizations such as the Florida Police Chief's Association, the Tampa Bay Area Police Chiefs, the Hillsborough County Board of Criminal Justice, the Tampa Bay Area Intelligence Unit, the Florida Intelligence Unit, and the Regional Organized Crime Information Center;
 - 2. Participate in joint operations with those agencies in adjoining jurisdictions, agencies having concurrent authority in the department's jurisdiction, and any other agency whose investigation is of such a nature that the Tampa Police Department has a mutual interest; and
 - 3. Enter into agreements with other agencies to provide mutual aid and support during times of need.

Supersedes SOP 542, dated 1/99.

542.2 ASSISTING OTHER AGENCIES¹

- I. Purpose: To inform all employees of the department's policy to provide assistance to law enforcement agencies, which are located within the jurisdictional boundaries of the city of Tampa.
- II. Discussion: Currently there are two law enforcement agencies whose jurisdictional authority is within the confines of the city of Tampa. These agencies are the University of South Florida Police and Tampa International Airport Police. Officers of those departments are certified by the Criminal Justice Standards and Training Commission as police officers.

The Tampa Police Department has concurrent authority with these agencies and it is our policy to provide assistance in the interest of professional law enforcement. This department can provide valuable assistance to these agencies whose resources may be limited due to size. We can offer such services as the crime lab, Tactical Response Team (TRT), Hostage Negotiations, Bomb Squad, K-9's, aircraft, manpower and other specialty units.

This policy does not affect Mutual Aid Agreements with surrounding agencies, nor is it intended to affect the autonomy of the agency receiving Tampa Police Department assistance. The intent of this policy is to provide technical expertise or manpower for incidents beyond the capability of the requesting agency and to provide the means for recovering the cost of providing these services to these agencies.

- III. Policy:
 - A. The Tampa Police Department will respond when, in the opinion of the requesting agency, assistance will provide the resources necessary to the processing or solution of a crime or to neutralize a tactical situation.
 - B. Any employee receiving a call for assistance from one of the named agencies will refer the requesting agency to the appropriate shift commander. The shift commander will evaluate the request and cause the appropriate departmental resources to be dispatched.

Requests for Criminal Investigations Division or Narcotics Bureau assistance will be referred to the major of the requested services, unless emergency circumstances require direct dispatch by the shift commander.

- C. When a response for assistance by personnel of this department is provided, such assistance will be documented via a Tampa Police Department General Offense Report and titled "Assisting Other Agency".

- D. With respect to agencies **other than** USF and TIA, TPD's ability to provide assistance may depend on whether a mutual aid agreement exists with the other agency. Once the nature of the requested assistance is determined, the Legal Advisor should be contacted to determine whether legal considerations will limit TPD's ability to respond.

The requesting agency may be requested to compensate the Tampa Police Department for salaries of personnel involved and materials expended.

1. At the time of the request for assistance, the requesting agency will be informed that they will receive an invoice at a later date after all service-related costs are known.
2. The supervisor of the personnel requested will provide the Fiscal Bureau with the names of the employees affected the time frame of the assignment and an itemized list of expended materials.
3. The Manager of the Fiscal Bureau will provide the requesting agency with an invoice for the expenses incurred and a request for payment to the City of Tampa for the service provided.

Supersedes SOP 542.2, dated 1/99.

542.4 INTERAGENCY RADIO COMMUNICATIONS

- I. PURPOSE: To provide instruction for the use of the local mutual aid talk groups available on the Tampa Police Department 800 MHz radio system.¹
- II. DISCUSSION: The Hillsborough County Sheriff's Office (HCSO) maintains the 800 MHz radio² system, which the Tampa Police Department utilizes for all radio communications. Other agencies monitoring the mutual aid talk groups are HCSO, Hillsborough County Fire/Rescue, University of South Florida Police, and the Hillsborough County School Security.
- III. DEFINITIONS:
 - A. Local Interagency Communications: The ability of the Tampa Police Department to have voice radio communications with local agencies.
 - B. CO-WIDE: "County Wide" is the hailing talk group that will be used to request assistance or report an event in a neighboring jurisdiction.
 - C. CO-W-TAC: "County Wide Tac" will be used for on-going operations.
 - D. Intra Cty E/W: "Intra County East/West" are the Fleets that have the talk groups that will be used for prolonged mutual aid operations. (EX: TAC E1, TAC E2, TAC W1, TAC W2).
 - E. Plain Talk: The use of the English vocabulary in radio transmissions without the use of codes and/or signals.
- IV. PROCEDURES:³
 - A. The CO-WIDE talk group will be monitored at all times by the communication centers of the previously listed agencies. Plant City Police Department, Tampa Fire Rescue, Tampa International Airport Police and Temple Terrace Police communications centers monitor this talk group and request can be made for them, however, their field units do not have access to this talk group.
 - B. At any time assistance or an incident needs to be reported to another agency, the TPD unit will switch to the CO-WIDE talk group and call the corresponding agency's communications center and make the request using "plain talk".

¹ CALEA [5th Edition] 81.3.4

² CALEA [5th Edition] 81.3.4

³ CALEA [5th Edition] 81.2.4(d)

- C. If the request does not require interagency participation, the TPD unit will receive confirmation from the participating agency that the situation is being handled and will switch back to his/her primary talk group.
- D. If the request requires interagency participation, the TPD unit will make the request and continue to monitor CO-WIDE. If the situation develops into an on-going situation, all units will be instructed to switch to CO-W-TAC. If the situation is deemed to be a prolonged event, the units will be advised to switch to one of the Intra-County TAC talk groups.
- E. It will be the responsibility of the communications center that is making the request to handle all radio traffic regarding an on-going or prolonged event.
- F. In the event a local agency requires assistance from TPD, they should raise the TPD Communications Supervisor on CO-WIDE.
- G. Once the request is received, the Communications Supervisor will follow through with the request and will provide confirmation action has been taken.
- H. If the situation requires interagency participation, the TPD Communications Supervisor will continue to monitor, but the requesting agency will control the incident.
- I. All users will speak in plain talk only. Do not use codes and signals.
- J. All participating agencies will be active in the weekly testing of the system to ensure equipment is functioning and communication centers are monitoring as per agreement.

Supersedes SOP 542.4, dated 10/06.

543 STAFF MEETINGS:

- I. PURPOSE: This directive outlines the format and conduct of departmental staff meetings.
- II. DISCUSSION: Periodic staff meetings are important management activities to enhance departmental goals and objectives. Staff meetings provide opportunities to discuss the success and weaknesses of on-going activities, and plans for the future. Through the open exchange and discussion of ideas, management is able to ensure that policies and activities are planned, organized, coordinated, and administered effectively and efficiently. This exchange and discussion can be best accomplished by staff meetings at various levels throughout the organization. Such staff meetings may be general in nature or convened for a specific purpose.
- III. DEFINITIONS:
 - A. Chief's Administrative Staff: The Administrative staff meetings which are attended by the Assistant Chiefs, are chaired by the Chief of Police or his/her designee. Such meetings are informal and can be of a general or specific nature.
 - B. Chief's Executive Staff: Executive staff meetings are chaired by the Chief of Police or his/her designee. Participants, in addition to the Chief, include the Assistant Chiefs, Majors, the Police Legal Advisor, and the Public Safety Information Coordinator. Others who attend meetings are the Internal Affairs Bureau Captain, the Criminal Intelligence Bureau Captain and the Communications Director. As the need arises, other personnel are invited to present and/or discuss subjects of interest to the staff.
 - C. Division Staff: Division staff meetings are chaired by the division commander or his/her designee. Participants include division management personnel and, if applicable, other division supervisors. Others are invited to attend as necessary. Division staff meetings are conducted in the same manner as the executive staff meetings.
 - D. Component Staff: Any bureau, unit, or other component of the organization may conduct staff meetings as deemed necessary for the proper administration of such component.
- IV. POLICY:
 - A. To promote an environment conducive to an open yet professional discussion of matters before the staff, such meetings generally are to be informally structured and information shall be disseminated as directed, or necessary.

Supersedes SOP 543, dated 12/06.

544 STOLEN PROPERTY LOCATED IN PAWNSHOPS

- I. Purpose: To establish the department's position with respect to the recovery of stolen property located in pawnshops.

- II. Discussion: The department is routinely confronted with problems involving stolen property located in pawnshops. In order to ensure cooperation from secondhand dealers, the following guidelines are established.

- III. Policy:
 - A. Recovery of stolen property located in pawnshops shall conform to F.S. §539.001.

 - B. Any stolen property located in a pawnshop must be positively identifiable in order to be recovered.

 - C. The officer must ensure that a timely police report was filed by the victim of the theft of the property in question. If a timely report has not been made, and probable cause to believe the property has been stolen appears, a hold will be placed on the property and the complainant will be referred to the appropriate division.

 - D. The pawnshop representative must be given the opportunity to file charges of dealing in stolen property against the person, who pawned, pledged or sold the stolen property.

 - E. Upon developing probable cause to believe property held by a pawnshop is stolen and the pawnshop representative contests the identification or ownership of the property, the officer will place a written hold on said property using form TPD 726, Law Enforcement Hold on Property. A copy of the completed form will be given to the pawnshop representative and the original submitted for scanning. The editing supervisor shall cause this report to be referred to the appropriate division for latent investigation.
 - 1. A written hold placed by law enforcement shall be in effect for a period of ninety days, including the normal thirty-day holding period provided by F.S. §539.001.

 - 2. The claimant shall be advised that he must file a replevin action pursuant to F.S. §539.001 and serve the pawnshop representative according to law within 60 days, in order to recover the property.

 - 3. At the end of the ninety-day period, the hold shall terminate automatically after the pawnshop representative sends a demand

letter to TPD, return receipt. The hold expires ten days later unless the hold is extended by a court order.

4. Officers may seize the subject property only if the property must be retained by this agency as evidence or the property is of substantial value and there is reason to doubt the continuing existence of the pawnshop representative. However, the property must **not** be returned to the claimant without a court order or unless subsection **F** below is applicable. Once property taken as evidence is no longer required by this agency, it shall be released to the pawnshop representative. The legal advisor will be contacted when any doubt exists.

F. If the pawnshop representative does not contest the identification or ownership of stolen property; the non-contestment form must be completed and signed by the dealer or his representative. The victim should be contacted and referred to the pawnshop to pick up their property. The pawnshop representative will be given a written receipt, TPD form 726, for all property confiscated. All property will be photographed prior to being returned to the claimant.

Supersedes SOP 544, dated 4/06.

544.1 OPERATION INVENTORY BROCHURES

- I. PURPOSE: This directive identifies procedures and provides guidelines to assist victims of home and business burglaries. The intent of this program is to provide citizens with crime prevention advice and a form to inventory property. The probability of recovering stolen/missing items and identifying those responsible for the thefts is greatly enhanced when identifying information can be provided to the police.
- II. DISCUSSION: When a citizen reports a home or business burglary, theft or attempt of either crime, the officer will provide the citizen with an “Operation Inventory” brochure and additional “Operation Inventory” forms. The citizen will be advised to keep the form in a safe location in the event their items need to be reported stolen or missing.
- III. PROCEDURE:
 - A. Officers responding to home/business burglaries, after taking the report, will provide the victim with the “Operation Inventory” brochure and/or a blank “Operation Inventory” sheet.
 - B. The officer will then advise the citizen to complete and store the forms in a safe place for future use if necessary.
 - C. In the event that the officer is out of forms, the officer will advise the citizen to log onto the City of Tampa Website, (www.tampagov.net/police). The form link is located on the Police Web Page, or have the citizen contact the respective District Crime Prevention Team.
 - D. Time permitting, the officer will assist the citizen in starting the inventory by making the first entry, assisting in locating serial numbers, model numbers, etc. The objective being to ensure that citizens actively participate in the program.

545 **CRIME SCENE INVESTIGATIONS**

I. **PURPOSE:** To train and coordinate the efforts of the police officer, Forensic Investigation Unit personnel, and latent investigator concerning the following crime scene procedures:

- A. Recognize and identify a crime scene and locate evidence therein;
- B. Collect the evidence discovered;
- C. Preserve the evidence discovered;
- D. Identify and interview witnesses;
- E. Identify the suspects and link the suspects to the scene, the evidence and the crime; and
- F. Utilize the crime scene and evidence towards a successful conclusion of a criminal case.

II. **DISCUSSION:** The protection and processing of the crime scene is the first order of business in police work and clearly of utmost importance. The crime scene is defined as "the area within the immediate vicinity in which evidence might be found".

Theoretically, the judge and jury should be able to go to the crime scene and inspect it for themselves. Effective case prosecution requires that the scene be reproduced in court to the extent reasonably possible; therefore, it is necessary to process the scene until sufficient evidence is developed to satisfy case requirements.

III. **GENERAL PROCEDURES:**

- A. The responding officer should prevent any possible disturbances to the crime scene, protecting it until all evidence has been collected, or in major crimes, until the arrival of Forensic Investigation Unit personnel and/or latent investigators. Such disturbances include:
 - 1. Curious people, including well meaning citizens trying to assist, or uninvolved police officers;
 - 2. Intentional alteration of the scene to conceal a crime, to simulate a crime for personal reasons, to confuse or discredit investigators, or to steal incriminating evidence; and

3. Weather conditions, which might destroy or damage evidence.
- B. All found physical evidence will be marked by the locating investigator in a manner to ensure positive identification at a later time. The markings will be sufficient to verify the item as that recovered, without destroying its usefulness as evidence. If the item is too small or delicate to mark, it will be placed in a suitable container and labeled accordingly.
 - C. Upon recovery of evidence, the applicable report will include a complete description of the evidence, where located or from whom obtained, and who recovered or collected the items.
 - D. Each time there is a transfer of custody of evidence said transfer will be documented on the applicable form (offense, supplement or evidence - property receipt). This documentation shall include date and time, persons involved, and reasons for transfer.
 - E. Evidence should be transported carefully to avoid damage or destruction.
 - F. The investigator will always ascertain whether or not the evidence has been moved since the commission of the crime. A record must be made of all changes at the scene of the crime.
 - G. The investigator should consider as important evidence anything, which might lead to the identification of the perpetrator, the exclusion of possible suspects, or to the manner in which the crime was committed. These include: fingerprints, footprints, tire tracks, tools, traces of tools, weapons, shells, bullets, personal property, clothing, broken headlamps, glass, narcotics, blood, hairs, seminal stains, tooth marks, discarded food stuffs, and handwriting.
 - H. The Tampa Police Department fully adopts the procedures of the FDLE Crime Laboratory system as set out in the current edition of the FDLE Evidence Submission Manual, and the guidelines of the FBI Crime Lab.
 - I. All personnel who process a crime/accident scene or evidence will document their actions in the appropriate report. This documentation will be sufficient to render the information legally admissible and useful.
 - J. During the processing of a scene, the officer or detective in charge, will supervise the activities of the Crime Scene Technician (CST), who is trained in evidence and scene processing. The officer or detective shall inform the CST as to the particulars of the case and highlight what specific tasks must be undertaken. The CST will not be left alone at crime scenes.

- K. If photographs are not taken or physical evidence is not recovered at the scene of a serious crime, the investigator will document the reasons for same in the appropriate report.
- L. If photographs are taken, the photographer will document the following in the report: type of camera; type of film, including ASA speed if non-digital; lens description; date; and times identifying the beginning and ending of the photographic session. A brief description of the subject matter will also be documented.

When photographing, the photographer should photograph the scene first. Evidentiary articles should be photographed before removing them. It is desirable that the Crime Scene Technician performs the photography, under the guidance of the investigator. When in doubt as to whether an article should be photographed or not, photograph it.

- M. When necessary, officers will attempt to locate additional witnesses by conducting a neighborhood survey.

IV. MAJOR CRIME PROCEDURES:

- A. The responding officers should protect the scene by first clearing the area and keeping it cleared. Officers should be posted at doors, gates, and other entryways to prevent unauthorized persons from entering the scene. Officers posted at entryways to crime scenes will identify and make a list of all persons entering and exiting the crime scenes with the corresponding times. This list becomes a supplement to the report.
- B. The officers first responding to the scene should locate, detain and separate witnesses until the arrival of the latent investigator. If the suspect is still present he/she also will be detained.
- C. Once the latent investigators arrive, responsibility for the crime scene will be assigned in accordance with department policy, as dictated by the seriousness of the offense. Officers will continue to coordinate their efforts with other personnel as directed by the on-scene supervisor.

Detectives should direct the crime scene technicians and/or officers in collecting and preserving evidence.

- D. To assist in laboratory analysis, comparison samples of materials and substances will be collected when possible. When requests for examination are made, a request for written results of the lab analysis should be included. The latent investigator assigned to the case will be

responsible for requesting any examinations and ensuring that proper procedures are utilized.

- E. Officers are often called to draw a crime-scene sketch. The following will be included:
1. Measurements/dimensions;
 2. Relation of the crime scene to other buildings, geographical features, or roads;
 3. Address, floor, room number, and type of building, where applicable;
 4. Location of significant features of the scene to include the victim and all physical evidence;
 5. Any other item deemed relevant to the offense, scene, or situation;
 6. Direction of north; and
 7. Identification of preparers along with date and time of preparation.

V. GUIDELINES FOR THE CRIME SCENE TECHNICIAN:

- A. Respond in a timely manner which is regarded as being within an hour of the original request.
- B. Bring all of the appropriate equipment and supplies necessary to process the crime scene efficiently.
- C. Follow the directions of the investigator in charge of the crime scene.
- D. Interact with the investigator regarding any new and specialized knowledge the crime scene technician may have received in specialized training.

Supersedes SOP 545, dated 1/99.

545.1 BUCCAL ORAL SWABS/DNA

I. **PURPOSE:** It is important for officers to understand the proper procedure when obtaining an oral swab from a subject during an investigation. Once the oral swab has been legally and properly obtained, it may be placed into the DNA database at FDLE. The sample would be maintained within the database and could assist in proving the innocence or guilt of a subject. DNA samples have linked offenders to crimes in other jurisdictions, helped solve cold cases and have been a critical piece of evidence that afforded the successful prosecution of countless subjects.

II. **DISCUSSION:** Prior to obtaining the oral swab, the section on the Consent and Release Form titled Consent to Search/Waiver of Search Warrant for Oral Swab/DNA *must* be read to the subject in its entirety. Oral buccal swabs can be obtained from any consenting subject. Supervisors will maintain an ample supply of the sterile swabs. Once an oral buccal swab is taken from a subject, the shelf life of the sample is unlimited as long as the sample is air dried and stored in the cardboard box (never plastic) in a dry location.

III. **PROCEDURES:**

A. Consent to Search/Waiver of Search Warrant for Oral Swab/DNA:

1. The officer will read the form to the subject and X the box in the front of the first sentence.
2. The officer will have the subject place his/her initials where designated.
3. The officer will have the subject print his/her name and sign the same in the bottom portion of the form.
4. The officer will fill in the day, date and year where designated, then sign his/her name and badge # in the section provided.

B. Sterile Oral Buccal Swabs:

1. The officer will remove the two swab sticks from the cardboard swab box.
2. Either the officer or the subject can swab the inside of the subject's mouth, back portion, between the gums and molar teeth.
3. The officer will place the two (2) swab sticks back into the cardboard swab box. The officer will punch out the two small holes on the sides, to allow air into the swab box.

4. The officer will then fill in the blanks on the swab container box by writing the report number, the subject's name consenting to the swab, the officer's name, date and time swab taken.
 5. After approximately 15 to 20 minutes, (allowing time for the swab to air dry) the officer will put the cardboard box into an envelope (never plastic) and put it into evidence.
- C. The original Consent and Release form will be entered into evidence *only after* a copy is made for imaging into Versadex.
- D. A notation will be made in the body of the officer's report that a voluntary oral swab was obtained and the consent form was placed into evidence. When the officer enters the subject's information into the entity section, he/she will note that an oral swab was taken in the caution section.
- E. If no report is originated, a street check will be completed on individuals who consent to providing an oral swab.

546 CONTRACTS

- I. PURPOSE: To provide uniform guidelines for the execution of contracts to which the police department is a party.
- II. DISCUSSION: The department enters into a variety of contracts for the performance of services, purchases of equipment, leases, mutual aid agreements, and establishment of task forces with other law enforcement agencies. As with any other city department contract, the contract must be recommended by the Mayor, approved by the City Council, and signed by the Mayor. It is the function of the legal department to insure that all contracts conform to any statutory or other legal requirements.
- III. POLICY:
 - A. All proposals for contracts will be routed to the appropriate division commander. The division commander shall:
 1. Examine the nature of the contract;
 2. Determine the scope of services the department will provide or services to be provided to the department;
 3. Determine the costs to be incurred by the department in the performance of the contract and the source of funds necessary to cover those costs; and
 4. Forward the proposed contract to the legal advisor.
 - B. The legal advisor will prepare the contract or approve an existing contract for legal sufficiency, and insure that all legal and departmental requirements have been addressed. The legal advisor will then submit the proposed contract to the chief of police.
 - C. Upon obtaining approval from the chief of police, the legal advisor will prepare the documentation necessary to implement the contract, and commence procedures for placement on the City Council's agenda.
 - D. Non-agenda submissions ("walk-ons") are not permitted.
 - E. Upon passage of the contract by City Council and execution by the Mayor, a copy of the executed contract and resolution shall be returned to the legal advisor. The legal advisor shall maintain copies of all contracts involving the department.

Supersedes SOP 546, dated 3/99.

547 DEPARTMENTAL INFORMATION SERVICES¹

- I. Purpose: To provide a process for acquiring technology services and support that assures integration of departmental systems and insures the development of enterprise strategy.
- II. Discussion: Data is the life-blood of an organization and with the proliferation of raw data in the department, it is necessary to build a sensible corporate network of hardware and software. The department needs to provide a process that links data systems and encourages information sharing across the organization and the community. Data resources must be leveraged to support systems to provide data warehousing, data mining, and e-business solutions. In addition, hardware and software must be maintained and repaired until obsolescence.
- III. Responsibility:
 - A. It is the responsibility of the Office of the Assistant Chief of Administration to develop business practices for the purpose of ensuring the evolution of departmental systems. This assistant chief will provide control in the process for acquiring and maintaining all computer systems to ensure the stability and growth of the electronic infrastructure.
 - B. It is the responsibility of the Information Technology & Planning Manager to maintain the integrity of the Tampa Police Department computer systems. The scope of duties includes the submission of recommendations for system infrastructure, management of technology projects, supervision of the Information Technology & Planning Bureau, and ensuring that the strategic information is fiscally sound. The Information Technology & Planning manager will act as point of contact for hardware and software vendors. The Information Technology & Planning manager will chair a departmental user committee for the purpose of managing system changes and responding to organizational needs for electronic media.
- IV. Policy:
 - A. The Information Technology & Planning Bureau will serve as the liaison with the City of Tampa, Technology and Innovation Department. All departmental software and hardware problems will be reported to the bureau for resolution. If bureau personnel are unable to resolve system problems, they will contact the T & I Help Desk by entering the client information into the Help Desk application, or in case of emergency, by telephone. The ITP Bureau will provide follow-up of all reported problems. In the event of entire system failures, i.e., the CAD system or FCIC line down, the bureau should be contacted after hours via unit pager through the communications supervisor. The bureau should **not** be

¹ CALEA [4th Edition] 82.1.6

contacted after hours for password changes or for a single personal device failure. In the event a personal computer is disabled after hours, you may e-mail, Versadex mail, or leave a voice mail message for the ITP Bureau. You will be contacted the next business day.

- B. The Information Technology & Planning Bureau will ensure system security by maintaining password integrity for all departmental systems. All personnel will be assigned a security level and any modification to system access will be handled by completing the Access Change Form and delivering it to your supervisor for the division or bureau commander's approval. The form will then be sent to the ITP Bureau for processing. Upon retirement or termination of employment of an employee, the Personnel Unit will notify the Information Technology & Planning Manager in writing, who will submit an Access Change form to delete system access.

- C. All departmental recommendations for application or software development will be submitted in writing via your chain of command to the Information Technology & Planning Manager. The submissions will be presented in the monthly user committee meeting and the committee will decide on the feasibility of the submission. The committee will be comprised of key personnel from all divisions, selected by division commanders, and the total number should be not greater than ten members.

Supersedes SOP 547, dated 9/01.

547.1 MOBILE/PORTABLE COMPUTER DEVICES¹

- I. Purpose: To establish policy and guidelines for the use of departmental mobile and laptop computers.
- II. Discussion: The police department has provided sworn employees with portable computer devices to aid them in accomplishing their community service objectives as well as providing them with a measure of safety through information awareness. In order to maximize the benefits, it is necessary to establish protocol for the appropriate use of the equipment.
- III. Policy:
 - A. Ownership: MDT/laptop devices and their contents are the property of the Tampa Police Department and will only be used for conducting official business. Use of the equipment for any other reason may result in revocation of the device and discipline.
 - B. Damage: Damage that is caused due to normal use is covered under warranty agreements with the manufacturer. Damage that is caused by carelessness or negligent actions of the employee may result in discipline and/or financial responsibility for repairs.
 - C. Privacy Issues: Employees are advised that they do not maintain any right to privacy in the device contents that are loaded on the computer. Unissued, personal software is not permitted on department computers.
 - D. Electronic Messages: Electronic messages are not private or confidential. They are subject to disclosure under the Public Records Law. Employees shall use professionalism when sending electronic messages. Downloading or transmitting materials that contain obscene or disparaging language or graphics is strictly prohibited. Employees who use messaging for activity other than departmental business may be disciplined accordingly.
 - E. Confidentiality: Release of confidential information to the general public that is accessible from the computer system is strictly prohibited and may constitute a criminal act. The general public includes family members and friends who are not law enforcement employees. Confidential information will include, but not be limited to:
 1. Criminal history;
 2. Intelligence files;

¹ CALEA [4th Edition] 41.3.7

3. Software designed to conduct department business and software setups; and
 4. Department files or databases.
- F. Software and Software Updates: All PCs will be installed with a standardized program set-up appropriate for the work assignment. Any additional software requires written authorization from your division or bureau commander and approval from the Information Technology & Planning Bureau manager. Periodically, as software needs to be revised, bureau personnel will contact employees and schedule updates. It is the officer's responsibility to submit their assigned device for updates.
1. Employees shall not download or install on their PC any materials from the Internet or external sources without contacting the Information Technology & Planning Bureau. Freeware and shareware software is not to be loaded on any PC without authorization from the ITP Bureau Manager.
 2. In no case shall external materials or applications be downloaded directly to shared network drives.
 3. Employees shall observe the copyright and licensing restrictions of all software applications. Any software for which proof of licensing cannot be provided by the employee will be removed from the PC.
 4. Employees are responsible for completing and maintaining the online inventory worksheet at the following address: http://www.tampagov.net/appl_customer_service_center/form.asp?strServiceID=379.
- G. Passwords: Employees will not use password-protected screensavers. Passwords will not be shared with other employees.
- H. Repairs: Repair of personal computers will be scheduled with the ITP Bureau. The employee may be issued a laptop on loan if their PC requires extensive repair. Once the device is repaired, the employee will be called to bring back the loaner and pick up his original device. Employees should be aware that the department is not responsible for any personal software that may be lost in the repair of the PC.

Supersedes SOP 547.1, dated 9/01.

-600 DEPARTMENT ORGANIZATION¹

- I. **PURPOSE:** The purpose of this directive is to establish the organizational structure of the Tampa Police Department. The organizational structure is graphically depicted in an organization chart, which is updated, as the need arises.² Each organization component is under the direct command of only one supervisor³, and each employee is accountable to only one supervisor at any given time.⁴ However, all employees shall comply with the lawful order of any supervisor and all supervisors have the obligation to timely address any perceived impropriety on the part of any employee of lesser rank.
- II. **ORGANIZATION:**
- A. The nomenclature used to identify each organizational component of the department is as follows:
1. **Division:**
 - a. A division is the largest functional work group within the department. District I, District II, District III, the Criminal Investigations Division, and the Special Support Division are the major components of the department.
 - b. Divisions are commanded by majors or non-sworn managers who report to the Assistant Chief of Operations or the Assistant Chief of Investigations and Support.
 - c. Divisions are sub-divided into bureaus, sections, squads, units, or teams; in addition, the Districts are sub-divided according to their deployment.
 2. **Bureau:** A bureau is a primary organization component of a division or reports directly to the Chief or an Assistant Chief. Bureaus are commanded by captains, lieutenants, or non-sworn managers, who report to the higher authority responsible for the bureau.
 3. **Section:** A section is the organizational equivalent of a bureau. A section may include squads or units. The latter are so designated in terms of size and scope of assigned activities.
 4. **Squad:** Squads are sub-divisions of a bureau or section. As required, squads might be subdivided into units. Squads are normally supervised by sergeants.

¹ CALEA [5th Edition] 11.1.1

² CALEA [5th Edition] 11.1.2

³ CALEA [5th Edition] 11.2.2

⁴ CALEA [5th Edition] 11.2.1

5. Unit: A unit is a functional work group that cannot be sub-divided. Units are responsible to the next highest authority.

6. Team: Teams are specialized work groups comprised of individuals whose primary assignments may be in various functional areas of the department but who are brought together for a special purpose as needed.

Team commanders have direct supervision over team members for those special operational purposes. Team commanders report to a higher authority as designated by the chief of police, for staff control purposes.

7. Coordinator: An individual with specific responsibilities who reports directly to a bureau commander or higher authority.

8. Command Structure:⁵ The order of rank for departmental personnel is:

- a. Chief of Police
- b. Assistant Chief of Operations
- c. Assistant Chief of Investigations and Support
- d. Majors/Division Commanders
- e. Captains
- f. Lieutenants
- g. Non-sworn Managers
- h. Sergeants
- i. Corporals (when designated as “acting sergeants”)

9. Order of Succession:

a. During absences of the chief of police, the assistant chief of operations or the assistant chief of investigations and support (unless otherwise designated by the chief of police) shall be in charge of the department.⁶ Whenever possible, the chief shall designate the acting chief through a memorandum.

b. During concurrent absences of the chief of police, the assistant chief of operations and the assistant chief of investigations and support, the chief of police shall designate one of the majors to serve as acting chief for a specific period of time.

c. In the event the key leadership is disrupted or incapacitated as a result of a natural or man-made disaster, terrorist incident, building fire or any other incident, the order of succession will be the chief of police, assistant chief of operations, assistant chief of investigations and support, district I major, district II major, district III major, criminal investigations major and the special support

⁵ CALEA [5th Edition] 12.2.1(d)

⁶ CALEA [5th Edition] 12.1.2(a)

division major. This order is consistent with the Continuity of Operations Plan (COOP). Notification of the designation of acting chief and if necessary, implementation of the Continuity of Operations Plan shall be made as soon as possible by the next available officer in the order of succession. If possible, the notification shall be made through a memorandum and will remain in effect until amended.

d. The order of succession will be revised at the discretion of the chief of police by updating and distributing this standard operating procedure.

B. Span of Control: A manager's or supervisor's span of control is dictated, in part, by the degree of competency of immediate subordinates and by the level of difficulty and specialization of the assigned tasks. The official span of control for all levels of the police department is limited to eleven immediate subordinates per manager or supervisor. Special circumstances might require a higher number. The Incident Command System suggests a span of control of not more than seven, with five being the optimum for ICS situations.

C. Delegation of Tasks: Managers and supervisors should give consideration to delegating tasks, which have become routine matters or when a temporary or permanent increase in workload dictates the need. Through proper delegation, subordinate employees will be provided with gradual preparatory training for possible upward mobility. Delegated tasks must be accompanied by commensurate authority. Although tasks may be delegated, responsibility may not. Managers and supervisors should utilize delegation to train subordinates by identifying the needs of the subordinates; providing clear instructions; reviewing work on a regular basis; and providing necessary training.⁷

III. ORGANIZATIONAL FUNCTIONS OF MAJOR COMPONENTS: Specific information regarding the functions, duties, and responsibilities of assigned personnel, and procedures for each component are located in the Intra-Division Procedures (IDP) Manual, which is located in the office of each major component. Each employee shall read and be familiar with the Intra-Division Procedure(s), which pertain to their assignment and assigned component.

IV. ORGANIZATIONAL CHART: The organizational chart shall be updated as required and posted for viewing on all designated sites.

Supersedes SOP 600, dated 4/04.

⁷ CALEA [5th Edition] 11.4.1(a)(b)

601 WRITTEN DIRECTIVES¹

- I. DISCUSSION: This directive authorizes the development, revision, and maintenance of written directives, thereby furnishing a continuous flow of uniform, updated, and relevant information to all personnel. It is the responsibility of each individual to be familiar with those documents specific to his duties.

The chief of police may, at his discretion, issue, modify, approve, or rescind departmental directives. Commanders and supervisors of all ranks are vested with the authority to issue written directives; however, such directives must not conflict with existing SOPs and, with respect to directives issued by Majors or below, will apply only to those persons under the command of the issuing authority. For instance, a directive issued by the Major of District I will apply only to employees in those components, which report to that major. For a directive to be binding on all employees of the department, it must be issued by the chief of police, or an assistant chief of police or their designee.

II. DEFINITIONS AND TERMINOLOGY:

- A. CALEA: Commission on Accreditation for Law Enforcement Agencies. A national organization that promulgates uniform standards for accredited law enforcement agencies and regularly assesses their compliance with same.
- B. Directives Transmittal Form (TPD 255): This form shall accompany each proposed or revised, SOP, Policy, Rule, Regulation, or IDP.
- C. Gender: Except in rules or regulations that are designated as applicable to specifically male or female persons, pronouns such as “his”, “him”, and “their” used in any directive include both male and female employees, and shall not exclude either. This is done in the interest of sentence structure and readability.
- D. General Order: A written order issued by the Chief of Police relating to a specific matter affecting the whole department. A general order is distributed to all major components in the department and made available for everyone to read.
- E. Immediately: The term “immediately” shall be construed to mean “as soon as possible and practicable” throughout departmental directives.
- F. Intra-Division Procedure (IDP): A document detailing procedures or other functions that are normally restricted to a particular division, or which are placed therein for reference after initial training. Each major component will maintain copies of the intra-division procedures for their respective component.
- G. Legal Bulletin: A document formulated by the police legal advisor, by authority of the Chief of Police, which provides information about changes in laws, new laws, court decisions, and application of laws in given circumstances. Legal

¹ CALEA [5th Edition] 1.3.12; 12.1.1(c); 12.2.1(b)(d-i); 12.2.2(a)(c); 21.2.2; 26.1.1

bulletins are distributed to every supervisor, who is charged with the responsibility of discussing *the* same with each of his subordinates.²

- H. Directive: A specific order given by the Chief of Police or designee to an individual, a particular division or unit, or the entire department to address a particular topic or issue. A directive may be issued in writing or orally.
- I. Training Bulletins: Documents originated by the Personnel & Training Unit and distributed to the Department at large to address a particular performance technique or investigative topic. Training bulletins will be maintained by the Personnel & Training Unit and made available for viewing by department members.
- J. Major Component: Includes, and is limited to, division-level components and above; specifically:
 - Chief of Police
 - Assistant Chief of Operations
 - Assistant Chief of Investigations and Support
 - Criminal Intelligence Bureau
 - Internal Affairs Bureau
 - Criminal Investigations Division
 - District I
 - District II
 - District III
 - Special Support Division
- K. Manual of Regulations (MOR): Incorporates standards of conduct, the law enforcement code of ethics, and regulations pertaining to sworn and non-sworn personnel. The Personnel Unit is designated as the official repository for the manual of regulations, copies are available on the City's I-NET.
- L. Memorandum: A written communication initiated at any level and intended for a specific person or persons. Memoranda issued by competent authority shall have full force. Only memoranda issued by, or under the express authority of the Chief of Police shall establish departmental policy and procedure, or amend the Manual of Regulations.
- M. Plurality: In departmental directives, the singular includes the plural, and the plural includes the singular, unless specified as either.
- N. Policy: A statement of general guidelines, which shall be followed in activities, which are directed toward the attainment of departmental objectives.
- O. Revision Mode: The original terminology of the directive remains on the revised document but lined through, denoting the portion of the directive being deleted.

² CALEA [5th Edition] 33.5.1

The new terminology is in red to reveal the changes in the document. This mode allows the reader to review the directive for changes without having to search for the revisions.

- P. Rules and Regulations: Directions issued by the Chief of Police to define the police purpose and the duties and conduct of all employees.
- Q. “Shall” and “Will”: The words “shall” and “will” as used in written directives indicate mandatory action without exception.
- R. Special Order: An order issued by the Chief of Police relating to some specific circumstance or situation, usually of a temporary nature, that ordinarily does not affect the entire department or does not meet the criteria for a general order, e.g., travel for investigative purposes, PBA business, special events in the City, and training. While a special order is distributed to all major components of the department, special distribution may be designated when appropriate.
- S. Standard Operating Procedure (SOP): A directive that enables affected personnel to perform certain functions in a prescribed manner as approved by the chief of police. The Personnel Unit is designated as the official repository of the SOPs, copies are available on the City’s I-NET
- T. Standards for Law Enforcement Agencies Manual: A loose-leaf binder containing standards promulgated by the Commission on Accreditation for Law Enforcement Agencies. A manual will be maintained in the office of each major component, the Accreditation Manager and other locations as specified by need
- U. Tense: In departmental directives, words used in present tense include the future, and vice versa.

III. PROCEDURE:

- A. A Directive Transmittal Form (TPD 255) shall be initiated whenever a proposal for a new or revised SOP, Policy, Rule, Regulation, or IDP is drafted.
 - 1. The transmittal form will be issued by the Personnel Unit and shall accompany the “draft” throughout the entire review process.
 - 2. The Personnel Unit shall monitor the review process and file the transmittal form upon completion of the review.
- B. Documentation, Review, Approval, and Distribution of Directives:
 - 1. General Orders:
 - a. General orders are to be originated by the Office of the Chief of Police or a designated component.

- b. If originated by another component, the division office support specialist assigned to the division commander will be responsible for preparing and routing the general order to the Chief's Office via e-mail.
- c. The chief's executive aide or designee will assign a general order number, obtain the chief's signature on the original paper copy, file the original, insert the chief's signature electronically on the order in the computer, and distribute the order via e-mail to all divisions.
- d. The office support specialist will make copies and distribute the order within their respective division.
- e. Legal bulletins are issued under the authority of the Chief of Police and are, therefore, the equivalent of a general order.

2. Special Orders:

- a. Special orders, which are related to training, are to be originated by the Office of the Assistant Chief of Investigations & Support. Non-training related special orders will be prepared by the affected division.
- b. Training requests, including all related documentation, will be reviewed by the Training Unit and routed to the Assistant Chief's Office. If the Assistant Chief approves the request, his office support specialist or designee will prepare the special order, assign a special order number, insert the Assistant Chief's signature electronically on the order in the computer and distribute the order via e-mail to all divisions. The original special order will be routed to the Training Unit for filing.
- c. Non-training related special orders will be routed via e-mail to the concerned Office of the Assistant Chief of Police. The Assistant Chief's office support specialist or designee will assign a special order number, insert the assistant chief's signature electronically on the order and distribute the order via e-mail to all divisions.
- d. The division office support specialist will make copies of the special orders and distribute the order within their respective division.

3. Standard Operating Procedures, Policies, and Rules and Regulations:

- a. Any component, which identifies a need, has appropriate expertise, or which is assigned such activity, may propose the creation of, or the revision to a SOP, policy statement, or regulation.

- b. Without exception, an electronic draft of the document must be submitted to the Personnel Unit. Any additions or deletions to revised directives shall be in "revision mode" format.
- c. Subsequent to review, the Personnel Unit shall route the document along with a Directive Transmittal Form (TPD 255) to the accreditation manager, division commander, PBA, staff, legal advisor, and Chief of Police.

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- f. The approved intra-division procedure will be returned to the Personnel Unit for distribution, and filing.

C. Numbering System:

1. General, Special, and Lower Level Orders:

- a. The order number shall consist of the last two digits of the year followed by the number corresponding to the month of the year; a decimal; and finally the sequential number of directives written during the calendar year for that series. Each different type of order, e.g., general, special, or other type, shall have a different series of numbers, although the numbering system will remain the same.

Example: G.O. 975.18 (The directive was written in May 1997 and was the 18th general order written in 1997.)

- b. Issuance Logs:

- 1) The Office of the Chief of Police shall issue general order numbers and maintain a log of same.
- 2) The Office of the Assistant Chief of Police shall issue special order numbers and maintain a log of same.
- 3) Other components, which issue directives, shall maintain their corresponding numerical logs.

2. SOPs, Policies, and Regulations: Numbers are assigned by the Personnel Unit based on content and availability of numbers within each system.

3. Intra-Division Procedures:

- a. For uniformity and control, each division is assigned a series number. The following system will be used:

Chief of Police	100
Legal & Forfeiture Unit	102
Internal Affairs Bureau	103
Criminal Intelligence Bureau	104
Assistant Chief of Operations	200
Public Information	201
Crime Mapping Unit.....	202
Uniform Districts	300
Assistant Chief of Investigations and Support.....	400

Special Support Division:	
Special Operations Bureau.....	500
Special Services Bureau.....	600
Criminal Investigations Division	700

Homeland Security.....900

- b. Each major component series number will be a three-digit prefix as assigned above. The Personnel Unit will be responsible for assigning numbers to new IDPs.
- c. At the start of each series, there must be an index for that series only.

D. Effective Dates:

- 1. All directives in the SOP Manual will have the effective date written on every page of the document by month and year, allowing for revision and distribution of a particular page without reprinting the entire document.
- 2. Directives are not self-canceling unless specifically stated in the directive. Each directive is in effect until and unless superseded, rescinded, or abrogated by law or court decision.

E. Receipt and Acknowledgement:

- 1. New or revised directives will be distributed as soon as possible, via e-mail after being signed by the Chief of Police, copies will be posted for roll call training.
- 2. The Personnel Unit shall obtain acknowledgement of receipt of new or revised directives from each component via e-mail to which the directives are distributed. Such receipts shall be filed for a period of three years.
- 3. Each component is responsible for obtaining and filing, for a period of three years, written acknowledgement of receipt of the directives from individual employees within that component.

F. File Maintenance and Indices:

- 1. The Personnel Unit shall maintain a copy of current and obsolete SOPs, Policies, IDPs, and the Manual of Regulations as well as an index of such directives. An up-to-date version of such will be maintained on the department share drive.
- 2. The Office of the Chief of Police will maintain a copy of all current and obsolete general orders and memoranda having the influence of an order, as well as an index of such directives.

3. Each component which is assigned a series number for intra-division procedures is responsible for maintaining a file of current and obsolete intra-division procedures which are/were applicable to that component and/or contained in the number series of that component. The original document of any new intra-division procedure shall be filed with the Personnel Unit
4. The issuing authority shall be responsible for maintaining a copy of any directives issued which are not departmental in scope, and for keeping an index of those directives.
5. Indices shall be alphabetical and cross-referenced. Copies of current and obsolete directives shall be maintained in numerical sequence.

G. Reviewing and Updating of Directives:

1. General Orders: The Office of the Chief of Police shall ensure general orders are reviewed on an annual basis to determine if the information should be purged or incorporated into a policy or procedure.
2. SOPs and Policies: The Personnel & Training Unit shall ensure policies and standard operating procedures are reviewed periodically to determine if they should be cancelled, revised, or continued.

The Lieutenant's Forum will be used as a means to systematically carry out this review. When directed by the Chief of Police or designee the Forum Coordinator will create and distribute a task list to each Lieutenant directing them to review certain assigned SOPs and policies and make contact with affected divisions and stakeholders to solicit input as to any necessary revisions. The assigned Lieutenant will act as a "manager" to ensure that the review process described in B.3 moves forward to completion. The Personnel Unit will maintain records of each individual and division that had input into the revision for accountability purposes. The Lieutenant's Forum Coordinator will ensure that assigned tasks are completed in a time certain and that the Personnel Unit is provided a copy of the task list for accountability.

3. Intra-Division Procedures and lower level directives: Major components shall review directives issued at their respective levels on an annual basis or more frequently if need dictates.

Supersedes SOP 601, dated 12/06.

602 EMPLOYEE SUGGESTIONS PROGRAMS

- I. DISCUSSION: The City of Tampa and the Tampa Police Department recognize that employee involvement and appreciation have a positive impact on productivity and morale. Thus, the departmental and city suggestion programs actively seek such employee involvement, without regard to rank, or sworn or non-sworn status.

The city program has a potential for reward beyond that which the department can provide for ideas aimed at increased efficiency or improved quality of services or implementation of cost reduction measures. For recommendations concerning internal changes, however, the departmental program can serve the employee well.

Recommendations will receive equal attention whichever one of the two programs is chosen by the employee. It shall be the policy of this department to consider, in a timely manner, each suggestion and, as a matter of professionalism and sensitivity, notify the employee of his or her suggestion's status, specifically, whether the idea will be implemented or rejected and the reasons therefor.

II. PROCEDURE:

A. City of Tampa Employee Involvement Program:

1. Employees desiring to make suggestions relative to increased efficiency, improved quality of services, or cost reduction measures shall document the suggestion on the "Suggestion Award System" form provided by the Director of Human Resources, City of Tampa. This form is available at Employee Relations in City Hall.
2. The employee shall complete all information on the form as indicated and retain the pink copy for his/her records.
3. The top two copies of the above form shall be forwarded directly by the employee to the Director of Human Resources, City of Tampa.

B. Operations Review Incentive Program:

1. This program is separate from the Employee Involvement Program and is operated by the Operations Review Team Oversight Group.
2. An individual or group who has a cost savings/revenue enhancement suggestion may submit the proposal by sending a memorandum directly to the Director of Internal Audit.

3. Any cost savings or new revenue sources will be awarded to the budget of the department, division, or section. The amount of the award will be determined by the Oversight Group.
 4. The Oversight Group might request assistance from the individual or group submitting the suggestion during the analysis or implementation phase.
- C. Tampa Police Department Employee Suggestion Program:
1. Employees, who desire to make suggestions concerning the improvement of departmental operations will document their suggestions on TPD Form 200, provided for that purpose and forward such document to the Chief of Police.
 2. Upon receipt of the suggestions, the Chief of Police will:
 - a. Make a recommendation on the proposal itself; or
 - b. Delegate the proposal to a subordinate division or bureau commander for further study and recommendation; or
 - c. Accept the proposal and assign a specific person or component to implement the suggestion. A copy of the proposal and accompanying documentation will be routed to the assigned person or component.
 - 1) The affected division or bureau commander or designee will determine whether such approval and implementation requires a revision or creation of appropriate departmental written directives (SOP, IDP). If so, this bureau will proceed pursuant to SOP 601, Written Directives.
 3. Upon completion of the study and/or research by the subordinate division or bureau commander, the proposal will be returned to the chief.
 4. After the proposal has either been accepted or rejected by the Chief of Police, the suggestion document will be routed to the Personnel Unit, where a letter will be prepared for the chief's signature, to advise the originator of the final outcome of the suggestion.

- a. The Personnel Unit files will contain copies of any and all correspondence attached to the suggestion as it is received by the Personnel Unit and/or the Chief of Police.
- b. All logs will reflect records of any action taken on the suggestions, for example, the date and to whom it was assigned for further study.
- c. The Lieutenant's Forum will review the pending suggestion file to address and reach a conclusion on those suggestions that have been on file for longer than sixty days. The Personnel Unit will notify the affected division or bureau commander to initiate a follow-up on any delayed processing. A report will subsequently be made by the Lieutenant's Forum to the Chief of Police when a suggestion has not been resolved in ninety days or longer.

Supersedes SOP 602, dated 12/10.

603 EMPLOYEE PERFORMANCE EVALUATION

- I. DISCUSSION: An employee's performance evaluation is the systematic appraisal of the employee's on-the-job work performance. It should assist both the employee and the department in the determination of the employee's strong and weak points. The performance evaluation is a valuable tool, which is used by management in determining training needs and identifying and recognizing the high production employee.

To receive a meaningful performance evaluation, an employee must work under the direct supervision of a supervisor for a sufficient period of time for the supervisor to have an opportunity to observe an adequate and timely sample of the employee's behavior and work habits. The employee must be given an opportunity to perform. The evaluation must be based on observable behavior during the rating period; biases, false perception, and social pressures should be avoided.

II. RESPONSIBILITY:¹

- A. The Personnel Unit, is responsible for ensuring that information from the computer generated list of employees who are due for an evaluation is forwarded to the appropriate division/bureau commander prior to the evaluation due date.
- B. Division commanders are responsible for ensuring that a list of the names of all employees assigned to their command that are due an annual evaluation, a mid-year review, a merit salary increase, or will be completing a probationary period, is posted as required reading for supervisory and management personnel at least six weeks prior to the evaluation due date required by this procedure.
- C. Supervisors and managers are responsible for evaluating the work performance of all employees under their direct supervision and completing the probationary evaluation, and annual performance evaluation by the dates required in this directive. They shall also initiate a performance evaluation at any time an employee under their direct supervision is not performing in a manner consistent with departmental standards.
1. Non-probationary employees shall be advised in writing whenever their performance is deemed to be unsatisfactory. The written notification shall be given to them at least 90-days prior to the end of the annual rating period.
- D. Supervisors and managers should first consult the appropriate rater's manual to ensure that the proper evaluation forms are utilized before beginning the actual written evaluation process.

¹ CALEA [5th Edition] 32.2.10; 34.1.2; 34.1.7; 35.1.1; 35.1.2; 35.1.3; 35.1.4; 35.1.5; 35.1.6; 35.1.7; 35.1.8; 35.1.9; 35.1.10; 35.1.11; 35.1.12

- E. The City Personnel Division shall inspect the performance evaluation system annually to determine how well it is functioning and to identify and analyze instances of extreme ratings, contested evaluations, and other anomalies.

III. DEFINITIONS:

- A. Police Performance Evaluation (EVAL TPD 1): A form designed for use in evaluating the work performance of sworn employees below the rank of major.
- B. Professional, Technical, and Administrative Employee Performance Evaluation: A form designed for evaluating the work performance of non-sworn employees in the same classes of work.
- C. Supervisory Employee Performance Evaluation: A form designed for evaluating the work performance of non-sworn employees in the “S” pay plan.
- D. Administrative Support Employee Performance Evaluation: A form designed for evaluating the work performance of non-sworn employees in the Administrative Support classes of work.
- E. Services/Trades Employee Performance Evaluation: A form designed for use in evaluating the work performance of non-sworn employees in the Services/Trades classes of work.
- F. Rater’s Manual: A guide designed to assist supervisors in completing performance evaluations. A different rater’s manual has been prepared for each evaluation form.
- G. Individual Goals & Objectives (DA 291): A form designed to document each employee’s goals and objectives for the coming year. It is a mandatory supplement to each type of performance evaluation. The Individual Goals & Objectives describes any need for and implementation of remedial training. It will be used to enhance employee development, and to increase the skills, knowledge, and abilities of employees. Additionally, it will reflect a means and target date for accomplishment of desired goals. Individual Goals & Objectives for sworn personnel under the rank of major will be documented on the Police Performance Evaluation Form (TPD 1). The DA 291 form is not required. (See rater’s manual for further information.)
- H. Periodic Review Checklist: A form designed to document the current work performance of non-sworn employees, to be completed at various times throughout the rating period. A separate checklist has been created for each evaluation form. See the appropriate rater’s manual for instructions and due dates.

- I. Evaluation Attachment (EVAL ATCH TPD 5): A form to be attached to each employee's evaluation. The employee completes the "Personal Data Update" sections and the rater completes the "Safe Driver Award" section.
- J. Pending Evaluation File: A file designed to store documentation, which may later be used in preparing the performance evaluation (refer to SOP 603.1).
- K. Purge Review Letter (TPD 667): A form that is used as documentation that a review of the employee's department personnel service records has been completed and purged.
- L. Written Reprimand Void Request (DA 20) A form used to request certain material presented in an employee's departmental personnel service records be voided in accordance with the City of Tampa Personnel Manual (in the case of non-bargaining unit employees), or the prevailing union contract (in the case of bargaining unit employees).
- M. Remedial Training: Shall consist of those steps taken to correct deficiencies in the skills, knowledge, and abilities of the employee. The immediate supervisor shall document on the Individual Goals & Objectives (DA 291) any need for remedial training, along with the steps to be taken and the timetable to complete such training. This assessment will be part of the evaluation process and will be monitored by the supervisor to ensure compliance.
- N. Special Evaluation: An evaluation completed due to transfer, probation extension, or a 90-day re-evaluation.

IV. EVALUATION DUE DATES:

- A. Probationary Police Officers: Police officers will be on a twelve-month probationary status following their date of appointment as police officers.
 - 1. While assigned to a squad for training, probationary officers will be evaluated according to the Field Training and Evaluation Program guidelines.
 - 2. Upon completion of the Field Training and Evaluation Program, probationary officers performing at a satisfactory level or better will be evaluated every two months, with the last probationary evaluation due six weeks prior to completion of the probationary period
 - 3. Probationary officers performing at less than a satisfactory level will be evaluated monthly, with the last probationary evaluation due six weeks prior to completion of the probationary period.

- B. Non-Sworn Probationary Employees: Non-sworn employees will be on a six-month probationary status following their date of employment with the City of Tampa.
1. Probationary employees performing satisfactorily will be given a mid-point evaluation after three months of employment. The Periodic Review Checklist found in the appropriate rater's manual will be utilized for this evaluation. The employee will sign a copy of this to be placed in the employee's pending evaluation file.
 2. Probationary employees performing at less than a satisfactory level will be evaluated monthly with the last probationary evaluation due six weeks prior to completion of the evaluation period.
- C. Regular Employees: Regular employees will be evaluated annually on their salary review date. Salary review dates are determined as outlined in the City of Tampa Personnel Manual, Section B18, and/or the appropriate labor agreement.
1. Performance in individual categories which is rated below average, below expectations, poor, unsatisfactory, or unacceptable, or falls to that level during the rating period, will be discussed with the employee and noted in writing for the pending evaluation file at ninety-day intervals or more frequently as the situation arises.
 - a. The rater's entry into the pending file should document the following:
 1. Substantiation of outstanding or above expectations performance;
 2. Substantiation of performance less than meets expectations or satisfactory rating;
 3. Confirmation in writing that the employee has been advised of the rating and needs to improve performance.
 4. Details in writing of the actions that should be taken to improve the performance.
 - b. Following the meeting between the rater and the employee, the documentation will be submitted via the chain of command to the division commander for approval. This documentation will be placed in the employee's pending file and handled according to SOP 603.1.

- c. Employees will be notified in writing at least 90 days prior to receiving a less than satisfactory (overall) evaluation.
 2. Regular employees who receive an evaluation rated at a less than satisfactory or acceptable level will receive another evaluation in sixty days.
- D. Promoted Employees: Promoted employees will be on a six-month probationary status following the date of promotion.¹⁰
 1. Promoted probationary employees performing at a satisfactory level or better will be evaluated bi-monthly. A department memo shall be used to document the performance at the end of the second and fourth month. The performance evaluation form will be utilized to document successful completion of the promotional probationary period.
 2. Promoted probationary employees performing at less than a satisfactory level will be evaluated monthly with the last probationary evaluation due thirty days prior to the completion of the probationary period.
 3. Sworn employees who receive an unacceptable or below expectations rating in any category will be re-evaluated in those categories in sixty days.
- E. Terminating Employees (In accordance with SOP 610):
- F. Transfer of Employee or Supervisor: The work performance of an employee will be evaluated at the time an employee is transferred or changes supervisors, unless the employee's last evaluation is less than three months old.
 1. The annual evaluation form will be utilized.
 2. The evaluation will be forwarded to the new supervisor and retained in the employee's pending file.
 3. This information is intended to provide information to the supervisor who will later write the employee's annual evaluation.
- G. Reserve Officers: Reserve officers will be evaluated annually by the Reserve Force Coordinator.
 1. Reserve officers who are in the Field Training and Evaluation Program (FTEP) will be evaluated in accordance with FTEP guidelines.

V. PROCEDURE FOR THE RATER:

- A. Before initiating the performance evaluation, the employee's immediate supervisor (known as the "rater") will complete the Equipment Inventory Control Log after verifying that the employee has possession of the equipment.

Note: Missing items will be accounted for according to department procedures.

- B. Driver's License Check:

- 1. Sworn Personnel:

- a. Supervisors of sworn personnel will visually check the employee's driver's license and conduct a computer check to ensure that it is valid and current.

- b. Document such information on the Evaluation Form.

- 2. Non-sworn Personnel: Supervisors of non-sworn personnel who operate city vehicles or who are required to possess a valid Florida Driver's License shall visually check the employee's driver's license and conduct a computer check to ensure that it is valid and current. This information shall be noted on the Evaluation Form.

- C Review the employee's personnel service record and pending evaluation file (see SOP 603.1).

- D. Evidence Purge: The rater will cause an evidence print out to be generated. The employee will purge evidence according to SOP 339 – Entry & Disposition of Property that is Deposited in the Evidence Control Section.

- E. Sworn supervisors shall check with the Personnel Unit to ensure sworn employees' photographs are less than five years old. Civilian personnel photographs are only taken during the initial hiring process.

- F. Purge the department personnel service records of the employee in accordance with SOP 641.3.

- 1. Route a photocopy of the completed form DA 20 to the division commander if the applicable evaluation form does not contain a space for such information.

- 2. Any material purged from personnel service records must also be deleted from Employment History and Performance Summary forms (no longer used).

- G. Complete the performance evaluation form utilizing the appropriate rater's manual.

Note: The employee is to be evaluated solely on the job performance in the position(s) occupied during the rating period.²

- H. Review and discuss the performance evaluation and supporting documentation with the next higher supervisor (known as the “reviewer”) to ensure a fair and balanced appraisal.
- I. Conduct an evaluation review conference with the employee.

VI. THE EVALUATION REVIEW CONFERENCE/RATER AND EMPLOYEE:

- A. The rater and employee should review the duties and responsibilities of the employee’s position, including:
 - 1. Tasks of the position.
 - 2. Level of performance expected.
 - 3. Evaluation rating criteria.
- B. Using the evaluation form as a guide, the rater should review with the employee their performance during the rating period and obtain the employee’s signature on the form.³
 - 1. Open discussion and comments from the employee should be encouraged. The employee may write comments on the form or submit a separate written statement within two days of being served the evaluation.
 - 2. The employee’s signature on the form indicates the evaluation has been read and discussed with the rater.
- C. Utilizing the Individual Goals & Objectives Form or Section⁴, the rater and employee will mutually develop a plan to improve the employee’s work performance.
 - 1. A plan for the employee’s overall professional development and improvement will be designed, regardless of the rating.
 - 2. The developmental plan will be considered remedial training for each category of the evaluation marked below expectations, unsatisfactory, or unacceptable two points or less (non-sworn personnel).

² CALEA [5th Edition] 35.1.4

³ CALEA [5th Edition] 35.1.8; 35.1.9; 35.1.10

⁴ CALEA [5th Edition] 35.1.9(b)(c)

3. When establishing goals for the coming year, raters and employees should consider the standards for advancement outlined in SOP 504.10, Promotional Assessment.
- D. Raters are encouraged to refer to the relevant rater's manual for guidelines on conducting the review conference.

VII. PROCEDURE FOR THE REVIEWER/DIVISION COMMANDER:

- A. Upon receipt of a performance evaluation that is marked other than fully meets or higher, the reviewer will edit it for completeness, initial the report above the rater's signature, and return it to the rater with instructions to discuss the evaluation with the employee.
- B. Outstanding, excels, below average, below expectations, poor, unsatisfactory, or unacceptable performance evaluations are to be signed by the respective division commander as the department head. However, prior to the final signing, these evaluations are to go through the chain of command, including the division commander as part of the review process. The division commander may at his discretion, include the assistant chief in the review process if necessary. After being served, it will then go back through the chain of command to the division commander for signature. After signature it will be forwarded to the Personnel Unit for processing.
1. Raters will be evaluated by their supervisors regarding the quality of ratings given employees.¹²
 - a. Supervisors should evaluate the rater regarding the fairness and impartiality of ratings given;
 - b. Their participation in counseling rated employees; and
 - c. The ability to carry out the rater's role in the performance evaluation system.
 2. The supervisor should ensure that the raters apply ratings uniformly.
- C. The reviewer and rater should be in agreement as to the scoring and content of the evaluation before it is presented to the employee.
1. If agreement cannot be reached, the reviewer's supervisor should mediate and attempt to reach a consensus before the evaluation is served.
 2. If agreement still cannot be reached, the reviewer should document his comments in the form of a supplement to the evaluation. The division

¹² CALEA [5th Edition] 35.1.8

commander will make the final decision as to the scoring of the evaluation before it is served.

- D. After the rater has discussed the evaluation with the employee, the reviewer shall review the evaluation with the employee, sign and date the report, and attach comments relative to the interview.
- E. Evaluation forms and all attachments will be routed through the chain of command to the respective division commander (or assistant chief or chief of police for bureaus that report directly to them). All ranks in the chain of command will initial the evaluation or initiate an attachment with comments when deemed necessary.
- F. Upon receipt of a performance evaluation, the division commander shall review the evaluation, and add any necessary notations. The division commander, acting on behalf of the chief of police, will sign in the space designated for the department director's signature on all satisfactory evaluations, except for evaluations including management personnel, and/or contested evaluations.
 - 1. For the purpose of the evaluation process, management includes lieutenants and higher-ranking sworn officers and non-sworn employees who manage a bureau.
- G. Evaluations not signed by the division commander as department director will be routed to the concerned assistant chief, who will review it and sign in the space designated for the department director's signature.
 - 1. Management personnel evaluations will be reviewed by the assistant chief and routed to the chief of police.
 - 2. The assistant chief will ensure that a copy of contested evaluations and those rated outstanding, excels, below average, below expectations, poor, unacceptable, or unsatisfactory are routed to the chief of police.

VIII. DISTRIBUTION:

- A. The manager who signs as department director will forward all completed performance evaluations to the Personnel Unit where they will be distributed as follows:
 - 1. Original to the employee⁵;
 - 2. A copy for the Personnel Unit for filing in the employee's department personnel service record and processing of the evaluation attachment. Past evaluations will be maintained in the employee's personnel service

⁵ CALEA [5th Edition] 35.1.11

record with the Department of Human Resources, Employee Relations Division and will be retained as per current Florida State Statute Retention Guidelines.

3. A copy of all annual, probationary, or any other performance evaluation that may affect the wages or benefits of an employee to the Fiscal Bureau.
- B. The Fiscal Bureau is responsible for forwarding a copy of any performance evaluation that may affect wages or benefits of an employee, to the Department of Human Resources, Employee Relations Division.

IX. CONFIDENTIALITY:

- A. Performance evaluations are confidential documents and, therefore, access to these reports in any file is limited to persons authorized by the employee, the City of Tampa, or prevailing law.
- B. A request for access to performance evaluations must be made in writing to the Department of Human Resources, Employee Relations Division.
- C. Employee performance evaluations must be transmitted in sealed envelopes marked “confidential.” Opening of such envelopes by anyone other than the address for any purpose is prohibited.

X. CONTESTED EVALUATIONS⁶:

- A. Perceived discrepancies may be handled formally or informally. Both methods may be used but only if the informal process is exhausted prior to the beginning of the formal process.
- B. Review Process: An employee may contest an evaluation by informal means. This consists of meeting with the reviewer’s supervisor (the position above the immediate supervisor of the rater) within two working days after being served the evaluation. This offers the employee the opportunity to clarify and fully voice his position and feelings regarding the evaluation. The reviewing authority will supplement the evaluation with the results of the meeting. Should the employee not find satisfaction at this stage, he may utilize the grievance process.
- C. Grievances: An employee may appeal an evaluation or any other perceived injustice connected with this procedure by filing a grievance in accordance with the City of Tampa Personnel Manual or prevailing union contract.
- D. Contested evaluations changed by informal or formal means will be retyped to reflect the final ratings. The contested evaluation may be attached to the retyped evaluation if desired.

⁶ CALEA [5th Edition] 35.1.12

XI. EVALUATIONS OF LIGHT DUTY EMPLOYEES:

- A. There are items on the officer evaluation form that rate performance which can only be achieved on full duty status. Unless the light duty employee has demonstrated performance during the rating period that would justify a score, the light duty employee will not be rated and NOT APPLICABLE will be marked on the evaluation form. The following phrase will be written in the comments section: "This employee has been on light duty status during this rating period."
- B. In all other categories, employees who were on light duty status during the rating period will be rated on observed performance.

Supersedes SOP 603, dated 5/10.

603.1 PENDING EVALUATION FILE¹

- I. **DISCUSSION:** In order to accurately evaluate employees, information pertaining to job performance must be continually assembled throughout the rating period. This material can be used to refresh the supervisor's memory concerning employee behavior and document examples of typical, outstanding, or less than acceptable job performance. Supervisors should accumulate a variety of examples corresponding to each employee's job performance so as to be representative of their overall work during the rating period.¹ The pending file is the designated location to store such material.

- II. **DEFINITION: Pending Evaluation File:** A file maintained by every supervisor on each employee under his command. Its purpose is to contain pertinent material, which will be considered for inclusion in the employee's performance evaluation.

- III. **PROCEDURE:**
 - A. Each supervisor will ensure that a file marked "pending evaluation file" is maintained for each employee in a readily accessible location within the division, separate from the personnel service record.
 - B. Supervisors should become familiar with the relevant rater's manual for discussion of pending files and examples of appropriate material.
 - C. Documentation entered in the pending file should be specific and reflect actual job performance. It should be accumulated throughout the rating period and include enough examples to clearly describe the employee's behavior.
 1. Non-probationary employees shall be advised in writing whenever their performance is deemed to be unsatisfactory. The written notification shall be given to them at least 90-days prior to the end of the annual rating period.
 - D. Prior to placing materials in a pending file, which may warrant either commendation or disciplinary action, the supervisor should consult with his immediate supervisor.
 - E. Any material to be placed in the pending file will be reviewed with the employee and the employee will initial it to acknowledge the entry. The material will then be placed in the pending file without further review by the chain of command. Pending files are open, not secret, and can be examined by the employee at any time.

¹ CALEA [5th Edition] 35.1.5(g); 35.1.6

- F. Entry of an item into the pending files is not a negative action. The pending file is neutral; it should contain information that provides an accurate picture of an employee's actual job behavior.
- G. Employees may request that certain items or information be included in the pending file.
- H. At the time the employee's performance evaluation is to be written, the supervisor will review the material in the pending file as an aid in determining ratings. The supervisor is not required to document all pending file items in the evaluation but only those items the supervisor determines to be relevant to the overall job performance. If the information indicates a pattern of behavior (a number of similar or related items), then such information should be entered in the performance evaluation.
- I. After pending file material has been reviewed for use in the employee's annual evaluation, it may be purged.
 - 1. If an item in the pending file has only been there a relatively short time prior to the performance evaluation, e.g., entered in the file several weeks or months prior to the annual evaluation, then it will remain in the pending file until the next performance evaluation is due.
 - a. Notation as to letters of counseling and written reprimands will be purged in accordance with the City of Tampa Personnel Manual or union contract, whichever is appropriate.
- J. If an employee's performance is at a less than satisfactory level, then all information in the pending file will continue to be maintained even though it has been entered in the performance evaluation. Upon the completion of a satisfactory, meets expectations, or higher evaluation, the file may then be purged; or at the discretion of the division commander, it may be retained.
 - 1. Notation as to letters of counseling and written reprimands will be purged in accordance with the City of Tampa Personnel Manual or union contract, whichever is appropriate.
- K. Material that is to be purged from the pending evaluation file will be marked as "void" and given to the supervisor of the Personnel Unit to be forwarded to the Department of Human Resources, for any retention deemed to be required pursuant to law.

Supersedes SOP 603.1, dated 1/02.

603.2 POLICE EVALUATION RATER'S MANUAL

- I. **DISCUSSION:** It is the intent and purpose of the evaluation form to provide raters and employees with a document that is simple, informative and useful. Performance evaluation is not a mechanical process that can be properly accomplished by relying only on the adequacy of the forms and procedures; the thoughtful participation of those using the system is critical to its success.

There is a substantial body of case law from a number of court cases that have established four important criteria for the design and administration of a performance evaluation program. This system is designed to meet those requirements, which are:

- A. The evaluation process must be standardized and as objective as possible.
- B. The evaluation must be job related.
- C. Those conducting the evaluation must be properly trained in its use.
- D. The evaluation must be carefully reviewed by the next higher management level to help eliminate subjectivity.

The progress of employees on the job must be monitored and evaluated. Sound evaluation methods, properly implemented and followed, make it possible to distribute rewards, take corrective action on a timely basis, and identify employees with promotional potential. The rater must be concerned with observed and documented facts and concrete results rather than personality traits and subjective impressions. Employees must be evaluated on a continuing basis during the rating period rather than being evaluated at the last moment with limited facts. The consistent and proper use of the Pending Evaluation File will ensure that documented facts are the basis of evaluation.

II. **RESPONSIBILITY:**

- A. It is the responsibility of each sworn employee, whether supervisor or subordinate, to familiarize themselves with the concepts of the evaluation system and the practical application of it by use of the rater's guide.¹
- B. It is the responsibility of the Training Unit to ensure that all personnel receive the necessary training to ensure knowledge of, and compliance with, the evaluation system, and to provide continued training, as needed, to guarantee that all goals related to the evaluation process are met.²

¹ CALEA [4th Edition] 35.1.1(c)

² CALEA [4th Edition] 35.1.1(d)

III. DEFINITIONS:

- A. Pending Evaluation File: The pending evaluation file is maintained by the supervisor for each employee. The entering of documentation in this file will help insure that the performance evaluation is based on employee performance information representative of the entire evaluation period. In the situation of employees who are transferred from one supervisor to another, this information is invaluable in assuring that a comprehensive evaluation is done. Positive as well as negative information should be included. It should be noted that subordinates are encouraged to contribute material to their own pending file. They have a vested interest in bringing positive information to the rater's attention, such as completion of a college degree or other specialized training. Such information should be considered subject to the same guidelines as everything else in the pending evaluation file. Raters are reminded that the employee must initial all items. Materials kept in the pending evaluation file must be maintained until all reviews and appeals relating to the performance evaluation have been completed. At that time, materials in the pending evaluation file can be purged in accordance with department policy as indicated in Operations Manual 603.1.
- B. Mid-year Review: It is required that a mid-year review be conducted with each subordinate, approximately halfway through the evaluation period. This review will consist of the major categories of the evaluation and will include areas in need of improvement. The categories are JOB KNOWLEDGE, JOB PERFORMANCE, WRITTEN AND VERBAL COMMUNICATIONS, DEPENDABILITY, INTERPERSONAL SKILLS, REASONING ABILITY AND PROBLEM SOLVING, and SUPERVISORY SKILLS when appropriate. The review will be briefly documented on a department memo form and stored in the pending evaluation file. The employee should be given a copy.

The purpose of this discussion with the employee is to provide the employee with a general view of where they stand at that point in time. It provides the employee with a "status check" before the annual evaluation is completed and gives adequate time for improvement before the rating period ends.

- C. Individual Goals and Objectives: The Individual Goals and Objectives is a valuable component of the evaluation system and its use is essential to providing guidance to subordinates in the enhancement and development of skills at a higher level. Goals should be established by the employee and the rater together. Necessary guidance should be provided to assist the employee in finding the resources needed to accomplish them. Supervisors should be prepared to do everything within their power to aid those who work under their leadership in realizing their career goals. The

specific objective, i.e., what they should know or be able to do when the goal is achieved, must be stated. Progress toward achieving the goals should be documented in the mid-year review. The success or failure to accomplish goals and objectives will be documented in the annual performance evaluation.

Note: GOALS MUST BE ESTABLISHED FOR ANY ITEM RATED BELOW “ME.” Goals can also be used to enhance an exceptional skill in a category where an employee has been rated “EX.” A minimum of one goal must be included in each evaluation.

- D. The Evaluation Form: This form is derived from previous performance evaluation forms that have been utilized by the police department. It is specifically designed for ease of completion without comprising accuracy and completeness. The form is to be used for all sworn personnel below the rank of Major.

The rating form consists of seven major categories with specific areas to be evaluated. Each specific area will be considered by the rater and (N/A) NOT APPLICABLE will be placed in the blank if the item does not apply to the officer being rated. Those areas that do apply will be rated according to the rating definitions.

- E. Rating Definitions:

1. EXCELS (EX): This rating describes the employee who has performed at the level of master and may well qualify as an expert or be close to such status. It is quite likely that the employee is a resource turned to by other staff and possibly even outside agencies.
2. ABOVE EXPECTATIONS (AE): In brief, this is journeyman level performance. The employee has demonstrated knowledge and/or skill across the full range of the category that is without significant weakness. The supervisor has full confidence in the employee in this area of responsibility. There may be clear indications that the employee has considerable growth potential in this area. The global description would be that the employee does a consistently good or better job.
3. MEETS EXPECTATIONS (ME): This rating applies to the employee who is meeting or somewhat exceeding the expectations of the category. It is inappropriate to think or speak of this as “average” as by definition it recognizes the performance as good and meeting the organization’s requirements. The supervisor must clearly establish in mind the point where this category begins, as

there is a great deal of sensitivity associated with the line that marks the transition from this to the next lower category. If given a global description, one would say that the employee does a consistently adequate job.

4. BELOW EXPECTATIONS (BE): Performance is below the level considered necessary for satisfactory performance and as such is a matter of supervisory concern. With proper management and guidance, the employee can reasonably be expected to achieve the desired level of performance in an acceptable time frame. From the supervisory perspective, effort invested in subordinates rated at this level has potentially great return on support given to their developmental needs.
5. UNACCEPTABLE (UN): This rating is applicable when the employee is performing at such a low level as to be essentially incompetent and is clearly well below the most minimal level of acceptability. It is not a matter of a reasonable or moderate amount of improvement being necessary but rather of a major improvement in order to meet the minimum of satisfactory performance. Performance in any area of the job at this level is a matter of serious concern and could, in and of itself, be the basis for disciplinary action if the deficiency is not rectified.

F. EXPLANATION OF RATING CATEGORIES: Most of the areas to be evaluated are self-explanatory and only selected areas are defined herein to assist the rater. The rater should refer to the TPD PERFORMANCE RATING DEFINITIONS to determine the appropriate rating and should enter the two-letter rating on the form.

1. Job Knowledge: The job knowledge category refers to the officer's overall knowledge of the job. The rater should consider the employee's knowledge of laws and ordinances, policies and procedures, assigned area, and the community resources available to him.
 2. Job Performance: The job performance category is the part of the evaluation where the employee's actual job performance of their particular job is assessed. All police officers will not necessarily perform each of the sub-categories of this section. The rater will place the (N/A) notation in the appropriate blank if the officer did not perform that function. The rater should consider each sub-category and how it relates to the officer's actual job.
- (12.) Driving Skills: This category is specifically included to assess the employees driving skills. This does not mean

that the employee does or does not qualify for the “Safe Driving” award. It refers to the employee’s demonstrated ability to skillfully operate a motor vehicle in a reasonable and prudent manner. Examples that should be documented include observed excessive speed, unnecessary rapid starts, disregard for stop signs, etc.

3. Written and Verbal Communications: The written and verbal communications category is essential to all functions of the police officer’s performance. Special care should be given when completing this section, in order to identify any recognizable communications problems before serious misinterpretations are made.
4. Dependability: The focus of this category is on the reliability of the employee in being at work when and where expected and following through on assignments without leaving loose ends. Consideration should be given on how well the employee follows through on assignments, meets deadlines, and satisfies expectations for quantity and quality of work produced.
5. Interpersonal Skills: The ability to relate effectively to the public, to treat others with respect and courtesy, and to establish and maintain sound-working relationships is extremely important in law enforcement. The rater must be cognizant of the employee’s ability to promote the ideals and philosophies of the police department.
 - (2). Ability to Relate Effectively and Impartially to Others: The emphasis of this category is on the employee’s ability to relate to the public with effectiveness and impartiality. The employee’s demeanor should have a “calming effect” on others in stressful situations; therefore, the ability to be calm, controlled, objective, and generally inoffensive are important considerations for the rater.
6. Reasoning Ability and Problem Solving: Reasoning ability and problem solving includes the ability to recognize a problem, analyze the situation, and arrive at a solution. It requires the recognition of related events and the effect that the situation has on other issues. The rater should focus on the effectiveness of the employee’s decisions.
7. Supervisory Skills: This category may not be applicable to all evaluations, but is required for corporals and above. The rater should consider each sub-category to determine if the employee

has demonstrated knowledge or ability in it. It should be recognized that some employees possess these skills even when their official position does not require it.

IV. MISCELLANEOUS:

- A. Commendations: List the number of commendations received by the employee in each category (citizen, department, or other). NOTE: Exceptional circumstances relating to commendations should be documented in the SUMMARY/COMMENTS section of the evaluation.
- B. Safe Driver: Fill in date and number of years.
- C. Firearms: List the score of qualification as well as the rating (i.e., Master, Expert, or Marksman), and the date obtained.
- D. Physical Fitness: This is a pass-fail (P/F) qualification. The date of testing should be included.
- E. Personnel File Purged: Date purged should be included.
- F. Evidence Purged: When the supervisor is informed that an evaluation is due, the supervisor will obtain a list of the employee's evidence inventory from the property room. This will provide sufficient time for the employee to review the inventory and dispose of those items that meet the criteria described in the Operations Manual. Fill in the date purged.
- G. Valid Florida Driver's License: Fill in the date the license was checked.
- H. Updated Photo: Photograph should be replaced every three years. Fill in date of last photo.
- I. Recommended for Step Increase: Check the appropriate block and list the effective date.
- J. Meets Requirements for: Check the appropriate block, to be completed for initial or continuing recommendation. A separate letter is required for initial recommendations.
- K. Summary/Contents: Comments are required on all evaluations. Comments should be personalized and be linked to the goals and objectives of the employee. Efforts should be made to identify the "most acceptable" and "least acceptable" areas of performance. More documentation is needed for ratings at upper and lower ends of performance, and is required for ratings of *UN* and *BE*. It is not necessary to address each category and it is not recommended that extra pages be

attached unless it is needed to discuss ways to improve. The employee's talents should be highlighted and notations should be made of what the employee did accomplish as well as those things they did not accomplish very well.

- L. Inventory Control Log: Fill in the required information.
- M. Goals: Additional pages may be attached if more space is needed to document achievement of last year's goals or list new goals.
- N. Employee's Acknowledgement: This category is self-explanatory; however, employees who wish to contest a rating must submit a letter explaining why they feel a different rating is warranted. The supervisor should review the employee with the next higher supervisor, including the existing documentation, and communicate a decision in writing to the employee.

Supersedes SOP 603.2, dated 1/02.

604 PROCUREMENT OF DEPARTMENT PROPERTY¹

- I. DISCUSSION: A uniform method for the procurement, requisition, and issuance of departmental property is necessary for the efficient operation of the department and is essential to provide an accurate accounting of inventory and expenditures.

- II. RESPONSIBILITY:
 - A. The Department of Revenue and Finance is responsible for overseeing the procurement of all, goods and services, and for the arrangement of the payment for the requested item(s) according to Intra-Division Procedure. Upon receipt, and approval, of a purchase order, Revenue and Finance shall provide the Supply Unit with a copy of the purchase order to use as a reference in receiving goods and services.

 - B. The Supply Unit is responsible for inspecting, receiving, and distributing all property ordered; notifying the originating authority and Revenue and Finance; and placing all non-expendable property on department inventory according to Intra-Division Procedure. The Supply Unit is not responsible for substitutions that may occur due to purchasing guidelines.

 - C. Division or Unit commanders are responsible for approving requests for the purchase of property submitted by personnel under their respective commands. Division commanders are responsible for ensuring that all orders follow City of Tampa purchasing guidelines (i.e., discount for City, bid list, etc.). If there are any questions, Revenue and Finance should be contacted.

- III. PROCEDURE:
 - A. Procurement of Expendable Items: Employees in need of expendable items, such as pencils and flashlight batteries, which will be used for departmental purposes will obtain the items through their division secretary or District Support Specialist. The District Support Specialists are responsible for the bulk pickup for distribution in each district and ensuring that sufficient stock are maintained. The District Support Specialists will also be responsible for maintaining an inventory of these items by assuring that they are kept in a secure place and a sign out sheet is filled out for all property items taken.

 - B. Petty Cash Purchases:
 1. Employees in need of items not stocked by the Supply Unit will obtain prior approval from their supervisor before purchasing the item. The employee will submit the sales receipt signed by their supervisor, to the Support Services Bureau for cash reimbursement.

¹ CALEA [5th Edition] 17.3.1(a)(d); 17.5.1; 17.5.2; 22.2.5

2. Petty cash purchases will not exceed fifty dollars (\$50.00) in value. The purchase of items separately to circumvent the petty cash cap is prohibited.
3. After normal working hours, shift or bureau commanders will have the authority to approve emergency purchases of non-stocked items valued at less than fifty dollars.

C. General Purchases:

1. The division or unit commander will evaluate all requests for purchases for his unit and determine justification and submit a “Unfunded/Replacement Equipment ” request (TPD Form 1054). Once the respective assistant chief approves the request, it will be forwarded to the corresponding area (Supply, Fleet, etc.) to produce the Intra-Department Requisition (TPD Form 250) which will be attached to the TPD 1054 and route to Revenue and Finance through the chain of command. The requisition must contain a point of contact for the unit that will be receiving the item.
2. Upon receipt of an Intra-Department Requisition, Revenue and Finance will confirm that funds are available. If funds are available, the request will be processed according to Intra-Division procedure. When the original requisition is processed, a copy of the finished purchase order will be forwarded to the originating authority and the Supply Unit.
3. Upon delivery to the Supply Unit an inventory technician will inspect the item and determine if it is in good condition. The inventory technician will accept the item and sign/date the delivery slip or bill. The inventory technician will then notify the requesting authority that the item has been received. The copy of the requisition and any delivery slips or bills will be forwarded to Revenue and Finance for processing.

D. Uniform Procurement:

1. Initial Issue:
 - a. The requisition for the procurement of uniforms and equipment for sworn personnel will be coordinated by the Personnel & Training Section.
 - b. Included in the initial issue will be police credentials, e.g., badge and metal goods (also see SOP 620). Employee identification cards will be supplied by the Forensic Investigation Unit.

- c. In order to maintain the integrity of police credentials, the Personnel & Training Section will maintain a supply in secure storage within the division for assignment to individual officers, provided they are procured and accounted for through the purchasing and property control process outlined in III, C, of this procedure.
- d. The requisition for the issuing of uniforms for non-sworn employees will be prepared by their assigned division.

2. Replacement Items:

- a. The Personnel & Training Section will complete requisitions for items of clothing or insignia that must be procured for any employee because of promotion or transfer.
- b. In the event credentials become lost, the affected officer's division commander will determine whether or not the employee was negligent.
- c. Should an officer be found negligent he will be held liable for the cost of the credential and disciplinary action may be initiated at the discretion of the officer's division commander.
- d. An officer who loses a badge will, upon written approval from his division commander, be temporarily issued a badge by the Personnel & Training Section.
- e. A requisition for a replacement badge bearing the officer's assigned number will be forwarded to Revenue and Finance by the Personnel & Training Section.
- f. Each district will be supplied a badge to issue in the event an officer loses their assigned badge during non-business hours. The badge will be kept in a secure place and anyone who uses the badge will sign it out. If an officer is temporarily assigned this badge, he/she will respond to the Personnel and Training Section as soon as possible to obtain a temporary badge from them. The badge received from the district will be immediately returned to the shift commander.
- g. The Personnel & Training Section will coordinate with the Supply Unit to ensure that the new issue is entered on the officer's individual property record.

3. Re-issue, Tailoring and Survey of Uniforms:

- a. Re-issue, tailoring, and survey of uniforms is accomplished through the employee's assigned division. Requests are made by memo to the requestor's supervisor, who will evaluate the request.
- b. If approved, the immediate supervisor will forward the request to the division commander or designee who, upon approval of the request, will affix his signature to the memo. A memo processed in this manner will constitute the employee's authority to contact the Training Unit for uniform articles. The memo will specify the required uniform article and the identity of the employee authorized to receive same.
- c. Upon receipt of a uniform request memo, the Training Unit will attempt to fill the request from the existing stock. A memo will be originated by the Training Unit documenting disposition of the request and returned to the initiating division commander for his information.
- d. When the uniform request is not completely filled by the Training Unit, the division, which initiated the returned request, will initiate a TPD Uniform Requisition specifying the article to be requisitioned from the contract company.
- e. The originating division will retain a copy of the TPD Uniform Requisition form and forward the remainder to the respective assistant chief.
- f. Upon approval by the assistant chief, the TPD Uniform Requisition form will be forwarded to the Supply Unit.
- g. The requesting employee's District Support Specialist will be notified upon receipt of the requested articles and will retrieve them from the Supply Unit. New articles will not be issued until the corresponding articles being surveyed are turned in. The adjustments on the Individual Property Record (TPD 603) will be made by the Supply Unit as needed and will be initialed by the employee receiving the issue.
- h. In the event the articles received are not satisfactory in regard to proper fitting, a new TPD Uniform Requisition must be originated requesting "tailoring" and hand-carried by the requesting employee to the company that provided the uniform, equipment, etc.,
- i. Should some reason exist why a clothing requisition must be hand-carried through the process, e.g., expediency or measurements, the

requestor must indicate this on the form. Upon approval by the respective assistant chief, the requisition will be returned to the requestor who will then report directly to the contract company.

- j. Requisitions may be hand-carried to the contract company as in the preceding paragraph; however, employees who have a need to pick up clothing from the contract company must deliver the invoice to the Supply Unit.

4. Return of Uniforms and Equipment:

- a. Employees terminating employment with the department will contact the Training Unit to schedule an appointment for the return of all issued serviceable uniforms, equipment, and credentials.
- b. Serviceable clothing being turned in will be clean and neat. Failure to comply with this requirement may result in assessment of cleaning charges.
- c. The Training Unit will coordinate the return of items and clearing the employee for discharge.

Supersedes SOP 604, dated 11/06.

604.1 ISSUANCE OF EQUIPMENT¹

- I. **PURPOSE:** To set forth a procedure for assigning, tracking, and returning department uniforms and equipment issued to employees.
- II. **DISCUSSION:** The police department retains ownership of uniforms and equipment issued to employees. This procedure is established to detail assigned articles. Refer also to SOP 604 (Procurement of Department Property) and SOP 643 (Firearms).
- III. **DEFINITIONS:**
 - A. **Individual Property Record (TPD 603):** a form and computerized records that provides a record of issued uniforms and equipment assigned to individual employees.
 - B. **Equipment List:** includes all items listed and/or recorded as issued on an individual property record.
 - C. **Radio Equipment Form (TPD 562):** a multi-purpose form used for radio equipment transactions as follows:
 1. Authorizes radio repair (Electronics Division – 3701 N. 12th Street) to issue radio equipment;
 2. Authorizes radio repair to make replacements of radio equipment;
 3. Authorizes radio repair to configure specialized radio frequency; and
 4. To notify radio repair when a specialized frequency is ready for removal.
 - D. **Uniform/Equipment Transaction Form (TPD 603-A):** a form used by the Supply Section to record the issue of replacement uniforms and equipment.
- IV. **PROCEDURES:**
 - A. **Uniforms - Issuance:**
 1. The initial issue of uniforms for sworn officers is coordinated by the Personnel and Training Unit (SOP 604). The division to which the employee is assigned is responsible for ordering replacement uniforms and initial orders for non-sworn personnel.
 - B. **Uniforms - Replacement:**
 1. See SOP 604 for “Purchasing – Notice of Delivery.”

¹ CALEA [5th Edition] 17.5.1; 17.5.2; 22.2.5

2. Maintaining of records for replacement uniforms:

- a. The Personnel and Training Unit will complete a uniform/equipment transaction form when issuing uniforms or equipment received from the contract company and whenever articles are issued from stock.
- b. The Personnel and Training Unit will use the uniform/equipment form to update the individual property record. If the issue was from stock the Personnel and Training Unit will send a copy to the Fiscal Bureau to update their uniform records. Additionally, used uniforms that are in serviceable condition will be made available to designated Department employees. The Personnel and Training Unit will maintain the location where these uniforms are stored.

C. Equipment:

1. The Personnel and Training Unit shall maintain a sufficient supply of replacement stock of equipment articles shown on the equipment list and place orders for new officers if stocking such items is not practical, i.e., requires specific sizing.
2. The Personnel and Training Unit will obtain the new recruits' waist sizes and gun hand preference for holsters and gunbelts.
3. Prior to the equipment issue date the Personnel and Training Unit will assemble an equipment package for each recruit.
4. The equipment issue date will be coordinated by the Personnel and Training Unit so that articles will be received in conjunction with training needs, graduation, and post graduation street assignment.

D. Replacement of Lost, Stolen, or Unserviceable Equipment: The same procedures required for replacement of uniforms and/or service weapons (SOP 604) will be utilized as applicable, to obtain replacement of equipment.

E. Service Weapons:

1. Service weapons are obtained and test fired by the range master as indicated in SOP 643.
2. Service weapons are tracked and inventoried by serial number.

3. Following test firing at the range, the designated firearms instructor will provide an inventory list of the weapons for the Personnel and Training Unit's records.
4. The Personnel and Training Unit will issue the weapons by serial number. Copies of the issue records will be entered into the individual property record.

F. Service Weapon Replacement:

1. If a service weapon is lost or stolen the assigned officer will make an incident report and submit a copy with a letter of request for replacement to the Personnel and Training Unit through their division commander for approval.
2. A copy of the incident report and the approved request letter will be delivered to the Personnel and Training Unit prior to replacement of the weapon.
3. The designated firearms instructor will issue a replacement and update the individual property record .
4. If a service weapon must be replaced because it has become inoperable and cannot be repaired, the assigned officer will direct a letter of explanation and request for replacement approval, to the Training Unit through their division commander.
5. Whenever an officer is waiting for a division commander's approval, if needed, the Personnel and Training Unit will issue a temporary replacement until permanent replacement approval is obtained.²

G. Written Directive and Legal Bulletins:

1. The Planning Unit is responsible for maintaining, updating and providing departmental written directives including Standard Operating Procedures (SOPs), Intra-Division Procedures (IDPs) and Manual of Regulations (MORs). Employees may access the directives via the City's INET.
2. The Legal Unit is responsible for maintaining and distributing all legal bulletins.

H. Badges and Employee Identification Cards (ID Cards):

² CALEA [5th Edition] 22.2.5

1. The Forensic Investigative Unit will issue employee identification or ID cards (SOP 604). A listing of the employee's name, payroll number, and badge number will be sent to the Personnel and Training Unit.
 2. The Personnel and Training Unit will record the issue of ID cards and badges on the "individual property records."
- I. Issue and Accountability of Permanently Assigned Radios and Radio Equipment:
1. The Electronics Division (radio repair) will maintain the capital assets inventory for radios based on the total assignment to the police department.
 2. The districts/divisions will maintain individual records of assignments for radios that are issued by radio repair. They will provide the Personnel and Training Unit with a copy of the radio assignment list for accountability purposes.
 3. Initial assignment of radio equipment (including shoulder microphone, desk charger, and radio belt chip) shall be as follows:
 - a. When new officers report to their assigned division they will be directed by the immediate supervisor to report to the radio repair shop to be issued permanently assigned radio equipment.
 - b. The employee will initial an "assigned radio and equipment record" and obtain his/her supervisor's signature to authorize the issue.
 - c. Upon receipt of the authorization, radio repair will issue the radio equipment and enter the radio serial number and asset number. A copy of the completed radio and equipment record (TPD 562), will be sent to the Personnel and Training Unit by radio repair.
 - d. Upon receipt of the completed form the Personnel and Training Unit will record the issue on the "individual property record (TPD 603)."
 4. Addition of a specialized radio frequency:
 - a. When an officer's assignment requires a specialized radio frequency, his/her immediate supervisor will direct the officer to complete a radio and equipment record form (TPD 562), obtain the signature of their division commander and report to radio repair.

b. Radio repair personnel will verify the division commander's approval signature and the identity of the officer through the employee identification card.

c. Radio repair will add the specialized frequency.

5. Removal of a specialized frequency:

a. When an officer transfers or terminates employment from an assignment that requires a specialized frequency, that frequency will be removed from the assigned radio.

b. If the frequency is to be removed because of a transfer, the officer's immediate supervisor will complete an assigned radio and equipment record form (TPD 562) and obtain the division commander's authorizing signature. The immediate supervisor will deliver or send the approved assigned radio and equipment record form to radio repair and direct the officer to report to radio repair for frequency removal.

c. Radio repair will maintain a tickler file for the removal authorization forms. If the officer does not respond within ten days, radio repair will report this information to the authorizing division commander for further action.

d. If the specialized frequency is to be removed because of employment termination, the immediate supervisor will complete an assigned radio and equipment form, obtain the division commander's approval, and send the form to radio repair. The officer will be directed to return the radio and radio equipment to the Supply Unit.

e. Replacement of lost or stolen radio equipment:

1) If radio equipment is lost or stolen the assigned officer will make an incident report and submit a copy with a completed radio and equipment form to his/her division commander for approval of a replacement.

2) The assigned officer must submit the approved radio and equipment form to radio repair prior to receiving a replacement.

J. Return of Uniforms and Equipment:

1. Employees who are terminating employment will return all issued serviceable uniforms, equipment, radio, radio equipment, ID cards, badges, manuals, traffic citations, and any other city owned property in their possession to the Personnel and Training Unit. Uniforms that are serviceable will be returned cleaned and pressed to allow re-issue to another employee.
2. The designee accepting the returned articles will check off, and initial each item that is returned on the individual property record (TPD 603). Any items that are not returned will also be noted on the form. A copy of the individual property record with the notations will be given to the terminating employee as a receipt.
3. The last paycheck due all terminating employees will be held by the Fiscal Bureau until all city property is returned.
4. If a terminating employee returns only part of the issued property the Personnel and Training Unit will send a copy of the individual property record to the Fiscal Bureau. This copy will note the missing items, be stamped "hold" and show the date the employee promises to return the rest of the property. This will serve to notify the Fiscal Bureau to hold the final check or take steps to deduct the value of the property.
5. When the terminating employee returns all issued property the Personnel and Training Unit will stamp "cleared" on the individual property record and send it to the Fiscal Bureau to facilitate the release of the employee's final check.
6. Employees failing to return or account for city property may be subject to criminal prosecution and civil action.

K. Disposition of Returned Uniforms and Equipment:

1. The Personnel and Training Unit will be responsible for the following dispositions of returned uniforms and equipment:
 - a. ID Card:
 - 1) Staple to the "cleared" individual property record and deliver to the Fiscal Bureau;
 - 2) Return badges to the Personnel and Training Unit;
 - 3) Return radio and radio equipment to the Electronics Division (radio repair);

- 4) Evaluate and place uniforms in stock for re-issue or disposition;
- 5) Return all service weapons and all other equipment to the Supply Section; and
- 6) Evaluate ammunition for serviceability and/or destruction.³

Supersedes SOP 604.1, dated 4/92.

³ CALEA [5th Edition] 17.5.1; 17.5.2

605 ADMINISTRATIVE REPORTS¹

- I. SUBJECT: A directive establishing an administrative tracking system and central repository for all administrative reports.
- II. DISCUSSION: An organization's level of professionalism is based not only upon the standards of conduct displayed by its employees, but also upon the effectiveness of the services it provides and the efficient use of its resources.

An optimum level of effectiveness and efficiency can only be achieved through a continual process of reporting statistical information relative to activities, identifying and analyzing needs, inspecting facilities and equipment, and evaluating programs, services, departmental directives and procedures.

The Tampa Police Department endorses the efforts of the Commission on Accreditation for Law Enforcement Agencies (CALEA) and, as an accredited agency since 1985, agrees to comply with the national standards promulgated by the Commission.

III. TYPES AND PURPOSES OF REPORTS:²

- A. Monthly Activity Report: These reports may be computer generated (i.e. the "COPPER" report). They serve as a management tool and an aid in identifying crime trends, personnel, deployment, workload assessments and training needs.

Crime Mapping and Analysis generates the reports based on computer entries from the various departmental components. Non-automated components may submit their monthly report in written document format. The report(s) should include a statistical summary of component activities, and may provide guidance in analyzing/evaluating police/community problems and concerns, programs and services, etc. The report(s) is submitted to the Chief of Police through the appropriate chain of command.

- B. Annual Activity Report:³ This report may take various forms. Prepared by the Public Information Office, the report may include statistical information and other data that will inform the citizens of Tampa of the activities of their police department. This report is submitted to the Chief of Police and is available to all personnel and to the general public.

Affected components shall address the following issues as part of the Annual Activity Report:⁴

1. Review of specialized assignments: a statement of purpose for the assignment; an evaluation of the initial problem or condition that required

¹ CALEA [5th Edition] 11.4.1(a-e), 11.4.3, 15.2.2

² CALEA [5th Edition] 11.4.1(b)(c)(d) 11.4.1(a-e), 11.4.3, 15.2.2; 16.1.2

³ CALEA [5th Edition] 11.4.1(a-e), 11.4.3, 15.2.2, 41.2.2(j)

⁴ CALEA [5th Edition] 11.4.1(a-e), 11.4.3, 15.2.2, 41.2.(j)

the assignment; and a recommendation to continue or discontinue the assignment.

2. Statistical summary of Internal Affairs investigations;⁵
- C. Annual Analysis of Use of Force:⁶ A review of all use-of-force incidents for a specific calendar year. This report shall include significant statistical data regarding levels of resistance encountered as well as the resultant levels of force applied. The Personnel and Training Unit shall generate this report for submission to the Chief of Police. The Training Unit will review the report for patterns or trends, if any, and make specific recommendations for training and/or policy revisions if necessary.⁷
- D. Early Intervention Program Report:⁸ This report is designed to inform the department of officers who may be experiencing job related stress and/or performance problems. The report is generated by the Internal Affairs Bureau annually. It is based upon an analysis of multiple incidents that may otherwise seem insignificant when examined individually. Specific information regarding the frequency of alerts on employees who meet the criteria of the program, a year to year comparison of number of alerts generated, and training and use of force information is analyzed within this report.
- E. Position Management Review:⁹ This report is generated monthly by the Personnel Unit, and is utilized for the quick identification of authorized persons within the department by number, type, location, and status (filled or vacant). The report is submitted to the Chief of Police and electronically to the attention of all component commanders.
- F. Budget Recommendation Report: An annual report, which reflects budgetary needs that are supported by functional goals and objectives. This report is submitted by component commanders that report directly to the Chief of Police or an Assistant Chief of Police.
- G. Quarterly Reconciliation of Cash Accounts: All component commanders who are permitted to receive, maintain, or disburse cash, and who do not reconcile it on a monthly basis with the City of Tampa Department of Revenue and Finance, must submit a quarterly reconciliation statement. The report is submitted to the City of Tampa Department of Revenue and Finance.
- H. Independent Fiscal Activity Audit:¹⁰ Independent audits are conducted by the City of Tampa in accordance with City Code – Article VII., Finance, Sec. 2-562. Annual Post-audit. Copies of these reports are submitted to the Chief of Police

⁵ CALEA [5th Edition] 11.4.1(a-e), 11.4.3, 15.2.2, 41.2.2(j)

⁶ CALEA [5th Edition] 1.3.13, 11.4.1(a-e), 11.4.3, 15.2.2

⁷ CALEA [5th Edition] 1.3.13, 11.4.1(a-e), 11.4.3, 15.2.2

⁸ CALEA [5th Edition] 11.4.1(a-e), 11.4.3, 15.2.2, 35.1.9(c)

⁹ CALEA [5th Edition] 11.4.1(a-e), 11.4.3, 15.2.2, 16.1.1(a-c)

¹⁰ CALEA [5th Edition] 11.4.1(a-e), 11.4.3, 15.2.2, 17.4.3

and are maintained with the City of Tampa Department of Revenue and Finance, Internal Audit Section.

- I. Grievance Analysis Report: An annual analysis of grievances is performed to assist management in resolving agency problems by identifying trends in filed grievances and taking steps to minimize the causes of such grievances in the future. The Internal Affairs Bureau prepares the report. The report is submitted to the Chief of Police.
- J. Specialty Team Training Reports:¹¹ Training curricula and attendance records shall be submitted to the Training Unit immediately following the periodic training sessions.
- K. Community Relations Report:¹² This quarterly report contains a description of current concerns voiced by the community; a description of potential problems that have a bearing on law enforcement activities within the community; and a statement of recommended actions that address these concerns and problems. All patrol districts and the Special Support Division will complete the report. The Special Support Division will compile one departmental report for submission to the Chief.
- L. Emergency Equipment Inspection Reports: These reports reflect the type, quantity, serviceability, and location of equipment that would reasonably be anticipated for use in support of emergency operations; and require the signature of the person who conducted the monthly inspection.
- M. Review of Emergency Management Manual: This review shall be conducted by the emergency management coordinator on an annual basis or as needed, to ensure a continued state of operational readiness. Written verification of this review shall be submitted to the Chief of Police.
- N. Evidence Control Inspection Reports:¹³ Prepared semi-annually by the Evidence Control supervisor or his/her designee, these reports reflect the findings of inspections conducted for adherence to property control procedures. The report is distributed to the Chief of Police and the appropriate supervisors.
- O. Evidence Control Audit: An annual audit prepared by a supervisor not routinely or directly connected with the control of property, to ensure the accountability of property and integrity of the system. The report is distributed to the Chief of Police and the appropriate supervisors.
- P. Three-Year Plan:¹⁴ This multi-year plan includes long-term goals and operational objectives, anticipated workload and population trends, and anticipated needs for personnel, equipment, and capital improvement projects.

¹¹ CALEA [5th Edition] 11.4.1(a-e), 11.4.3, 15.2.2, 33.1.6; 33.6.2

¹² CALEA [5th Edition] 45.2.2

¹³ CALEA [5th Edition] 11.4.1(a-e), 11.4.3, 15.2.2, 17.4.3

¹⁴ CALEA [5th Edition] 11.4.1(a-e), 11.4.3, 15.2.2, 15.1.3(a-d)

The annual written goals and objectives will be formulated for each organizational component and will become part of the Three-Year Plan, compiled by the Office of the Chief. Established goals and objectives will be available to all affected personnel.¹⁵ The reports are submitted to the Chief of Police.

The Three-Year Plan will be reviewed and updated, and an additional year added to the plan on an annual basis.

- Q. Review of Goals & Objectives:¹⁶ Component commanders will review the goals and objectives on an annual basis and evaluate the progress made, or attainment of, their goals and objectives from the past year. This review will be completed during the annual update of the Three-Year Plan, and submitted under separate cover to the Chief of Police.

IV. PROCEDURE:

- A. Responsibility, Frequency, and Distribution: See attached chart.¹⁷
- B. The Accreditation Unit is the central repository of all administrative reports and shall maintain a tracking system to ensure timely submission of same.

Note: All administrative reports shall be forwarded to the Accreditation Manager following review by the receiving authority.

- C. Administrative reports are available for review by all employees.

Supersedes SOP 605, dated 4/98.

¹⁵ CALEA [5th Edition] 11.4.1(a-e), 11.4.3, 15.2.1, 15.2.2

¹⁶ CALEA [5th Edition] 11.4.1(a-e), 11.4.3, 15.1.3(e), 15.2.1, 15.2.2

¹⁷ CALEA [5th Edition] 11.4.1(a-e), 11.4.3, 15.2.2

ADMINISTRATIVE REPORTS
CALEA 5th Edition 11.4.1(a)(b) (d)(e)

REPORT	RESPONSIBILITY	PERIOD COVERED	FREQUENCY	DUE DATE	DISTRIBUTION	CALEA #s
Monthly Activity/COPPER	All Div., CIB & IAB Commanders	Previous Work Cycle or Month	Monthly	Ten Days After Work Cycle	Chief → Affected Division → IAB	N/A
Annual Activity	All Div., CIB & IAB	Previous Calendar Year	Annually	April 1st	Chief → IAB	N/A
Review of Specialized Assignments	TRT, Dive Team, Bomb Sq., Hostage Neg., CISD Teams, FTEP and K-9	Previous Calendar Year	Annually	April 1st	SSD → Chief → IAB	16.2.1
IAB Statistical Summary	IAB	Previous Calendar Year	Annually	April 1st	IAB → Chief	52.1.5
Juvenile Enforcement/Prevention Program Evaluation	PAL – Support Services Bureau	Previous Calendar Year	Annually	April 1st	PAL → SSD → IAB	44.1.3
Use of Force Analysis	Personnel and Training Unit	Previous Calendar Year	Annually	Mar 31st	Chief → IAB	1.3.13
Early Intervention Program Analysis	IAB	Previous Calendar Year	Annually	April 1st	Chief → IAB	35.1.9
Review of Goals & Objectives	All Div., CIB & IAB Commanders	Previous Calendar Year	Annually	Mar 1st	Office of the Chief → Chief → IAB	15.2.2
Position Management Review	Personnel Unit	Per Occurrence	Monthly	10th	All staff members, Personnel & Training and IAB	16.1.1
Budget Recommendations Report	All Div., CIB & IAB Commanders	Upcoming Fiscal Year	Annually	Jun 30th	Asst. Chief → Chief → Dept. of Revenue & Finance	17.2.2
Reconciliation of Cash Accounts	CID, CIB & IAB	Previous Quarter	Quarterly	Apr 20th Jul 20th Oct 20th Jan 20th	Dept. of Revenue & Finance → IAB	17.4.2
Independent Audit - Fiscal Activities	Dept. of Revenue and Finance, Internal Audit Section	Previous Year	Annually	Not Specified	Chief → IAB	17.4.3
Grievance Analysis	Internal Affairs Bureau	Previous Year	Annually	April 1st	Chief	25.1.3
Specialty Team Training Reports	TRT, Dive, Bomb, Hostage Neg.	Per Occurrence	On-going	Within 10 days	Personnel & Training Unit	33.1.6; 33.6.2

Community Relations Report	Patrol, SSD	Previous Quarter	Quarterly	Apr 20 th Jul 20 th Oct 20 th Jan 20 th	Patrol → SSD → Chief →IAB	45.2.2
Emergency Equipment Inspections	Uniform District II (Paddy Wagon), SSD (Air Service, Marine Patrol, Command Post, Specialty Teams), CID (Evidence Control Section)	Per Occurrence	Monthly	10th or in conjunction with training	Emergency Operations Coordinator & IAB	46.1.8
Review of Emergency Management Manual	Emergency Management Coordinator	Previous Year	Annually	June	Chief, IAB	46.1.9
Evidence Control Section Inspection Report	Special Support Div. - Evidence Control Mgr.	Per Occurrence	Quarterly	10th	Special Support Div. Commander, IAB	84.1.6(a)
Evidence Control Section Audit	Special Support Div. or City Auditor	Per Occurrence	Annually	Per order of Chief	Special Support Div. Commander, Chief	84.1.6(c)
Three-Year Plan	All Div., CIB & IAB Commanders	Annual Review and Update	Annually	Mar 31st	Office of the Chief → Chief	15.1.3

ADMINISTRATIVE REPORTS
(CALEA 13.1.1)

REPORT	RESPONSIBILITY	PERIOD COVERED	FREQUENCY	DUE DATE	DISTRIBUTION	CALEA #s				
Monthly Activity	All Div., CIB & IAB Commanders	Previous Work Cycle or Month	Monthly	Ten Days After Work Cycle	Chief → Planning → Accreditation Unit	n/a				
Annual Activity	All Div., CIB & IAB					n/a				
Review of Specialized Assignments	TRT, Dive Team, Bomb Sq., Hostage Neg., CISD Teams, FTEP and K-9					16.2.1				
IAB Statistical Summary	IAB					52.1.11				
Training Compliance	Training Unit					1.3.10 1.3.11 33.5.1 33.5.3				
Crime Analysis & Program Evaluation	CIB					15.1.1(f)				
Task Force Analysis	Affected Components					42.2.7				
Juvenile Enforcement/Prevention Program Evaluation	Admin (Comm. Aff.), CID, CIB					44.1.3				
S.T.E.P. Evaluation	Special Ops., Traffic Squad					Previous Calendar Year	Annually	Jan 15th	Chief → Accreditation Unit	61.1.1
Use of Force Analysis	IAB					Previous Calendar Year	Annually	Feb 1st	Chief → Accreditation Unit	1.3.13
Early Intervention Program Analysis	IAB					Previous Quarter	Quarterly	Apr 20th Jul 20th Oct 20th Jan 20th	Chief → Accreditation Unit	1.3.13
Review of Goals & Objectives	All Div., CIB & IAB Commanders	Previous Calendar Year	Annually	Jan 15th	Planning → Chief → Accreditation Unit	13.2.2				
Position Management Review	Fiscal Bureau	Per Occurrence	Monthly	10th	All staff members, Personnel & Training, IAB, and Accreditation Unit	16.1.1				
Personnel Allocation Report	District I Div. Commander	Previous Quarter	Quarterly	Apr 20th Jul 20th Oct 20th Jan 20th	Chief, Asst. Chief, Deputy Chiefs, Uniform Patrol Div. Commanders, Accreditation Unit	16.1.2				

ADMINISTRATIVE REPORTS
(CALEA 13.1.1)

REPORT	RESPONSIBILITY	PERIOD COVERED	FREQUENCY	DUE DATE	DISTRIBUTION	CALEA #
Budget Recommendations Report	All Div., CIB & IAB Commanders	Upcoming Fiscal Year	Annually	Apr 1st	Deputy Chiefs → Asst. Chief → Chief → Fiscal Bureau	17.2.2
Reconciliation of Cash Accounts	CID, CIB, IAB,	Previous Quarter	Quarterly	Apr 20th Jul 20th Oct 20th Jan 20th	Fiscal → Accreditation Unit	17.4.2
Independent Audit - Fiscal Activities	Fiscal Bureau	Previous Year	Annually	Not Specified	Chief → Accreditation Unit	17.4.3
Grievance Analysis	Accreditation Coordinator	Previous Year	Annually	Feb 1st	Chief	25.1.4
Specialty Team Training Reports	TRT, Dive, Bomb, Hostage Neg.	Per Occurrence	On-going	Within 10 days	Personnel & Training Unit	33.6.2
Community Relations Report	Admin. Div. (Community Affairs)	Previous Quarter	Quarterly	Apr 20th Jul 20th Oct 20th Jan 20th	Chief → Accreditation Unit	45.2.2
Citizen Survey & Analysis Report	Admin. Div. (Community Affairs)	n/a	Biennially	Sep 1st	Staff, IAB, PIO, Accreditation Unit	45.2.3
Emergency Equipment Inspections	Uniform District II (Paddy Wagon), CID (Air Service, Marine Patrol, Command Post, Paddy Wagon), Property Section, Specialty Teams	Per Occurrence	Monthly	10th or in conjunction with training	Emergency Operations Coordinator & Accreditation Unit	46.1.7
Review of Emergency Management Manual	Emergency Management Coordinator	Per Occurrence	Annually	April	Chief, Planning, Accreditation Unit	46.1.8
Staff Inspection Reports	Staff Inspections Unit	Every Major Component on Triennial Basis	Triennially	Per order of Chief	Chief, Affected Staff	53.2.1
Property Room Inspection Report	Admin. - Property Unit Mgr.	Per Occurrence	Monthly	10th	Admin. Div. Commander, Accreditation Unit	84.1.6(a)
Property Room Audit	Admin Div. or City Auditor	Per Occurrence	Annually	Per order of Chief	Admin. Div. Commander, Chief	84.1.6(c)
Three-Year Plan	All Div., CIB & IAB Commanders	Annual Review and Update	Annually	Jan 15	Planning Bureau → Chief → Accreditation Unit	13.2.3

607 EXPLORER RIDE-ALONG PROGRAM¹

- I. DISCUSSION: The Explorer Ride-Along Program is designed to provide the Law Enforcement Explorer with first-hand knowledge of basic police procedures; supplement classroom training through observation of and conversation with officers and civilian employees during their performance of routine patrol functions; and, foster mutual respect between community youth and the criminal justice system.

It is the intent of this program to expose the explorers to the police function, while taking precautions to avoid hazardous situations. Care must be taken to minimize the possibility of injury to the explorers and avoid the risk of liability on behalf of the City. The examples listed in this procedure are only intended to suggest guidelines for the officer or civilian employee, as there might be other areas in which an explorer should or should not participate; therefore, each situation should be considered separately according to the circumstances.

II. DEFINITIONS:

- A. Post: The Tampa Explorer Post #275.
- B. Explorer: Fourteen to twenty year-old young men and women interested in law enforcement as a career.
- C. Post Advisor: The Crime Prevention Officer assigned to oversee functions of the post and act as a liaison between the post and the post committee.
- D. Post Committee: Three or more employees of the department, or citizens of the community, as appointed by the Chief of Police.
- E. Police Officer: A non-probationary, sworn police officer who has volunteered to participate in the ride-along program.
- F. Civilian Employee: A full-time, non-sworn employee of the department who has volunteered to participate in the ride-along program.

III. PROCEDURE:

- A. An explorer who has qualified to participate in the observer program will wear the police explorer uniform unless otherwise directed by the Post Advisor.
- B. The explorer will be assigned to ride with a selected officer or civilian employee who is familiar with the ride-along program.

¹ CALEA [4th Edition] 16.4.1(b)

- C. Explorers may ride a prescribed number of hours per month as set forth by the Post Advisor.
- D. A participating explorer may ride on various shifts with advisor approval.
- E. The Explorer will provide a “Ride Along Authorization Form” to the shift commander for an approval signature. The form will be signed by the shift commander and returned to the advisor. The explorer will report to the supervisor or shift/bureau commander on duty prior to reporting for roll call.
- F. No explorer will smoke at any time while riding with an officer or civilian employee, in or out of the vehicle.
- G. The duties of the explorer are primarily limited to observing the police function. However, specific duties are left to the discretion of the person with whom the explorer is riding, provided that the explorer will not actively participate in any potentially explosive situations or arrests except in dire emergency.
 - 1. Explorers may exercise crowd control procedures, write reports, operate the police radio under supervision, and carry a duplicate set of keys for the vehicle in which the explorer is riding.
 - 2. Explorers may not guard or search prisoners or suspects, write or issue traffic citations, drive city vehicles, complete arrest affidavits, or operate the police radio independently.

IV. GUIDELINES:

- A. Any member of the Tampa Police Explorer Post #275 who meets the following qualifications as well as other requirements imposed by the Post Committee will be permitted to ride as an observer with civilian employees of the department, providing the following are met:
 - 1. Must be a member of the post for a minimum of six months;
 - 2. Must complete, sign and have parents or legal guardian complete, sign and have notarized the Release of Responsibility Form provided by the Post Advisor. The form will be retained in the Explorer’s personnel file kept within the Post.
 - 3. Must have satisfactorily completed the Tampa Police Explorer Ride Along Examination with a passing grade of 86%. The exam will test knowledge of Explorer SOPs, criminal law, civil law, communications, first aid, and constitutional law; and

4. Must be approved by the Post Advisor.
- B. Any member of the Tampa Police Explorers who meets the following qualifications as well as other requirements imposed by the Post Committee will be permitted to ride as an observer with a police officer of the department, providing the following are met:
1. Must fulfill all of the requirements of the guidelines above;
 2. Must hold a valid Red Cross CPR card;
 3. Must possess a valid Florida Driver's License;
 4. Must be proficient in Tampa Police Department radio procedures and be able to utilize and understand all signals used by the department; and
 5. Must have passed the Ride Along Examination as provided in Section IV.A.3.

Supersedes SOP 607, dated 1/00.

608 TRAVEL AUTHORIZATION AND TRAVEL EXPENSES

- I. DISCUSSION: Travel for official business must be authorized by a division commander and approved by the chief of police. Travel expenses will be paid by the City of Tampa through reimbursement to the individual or through cash travel advance under certain circumstances. These procedures also apply to grant related travel.

Policy on reimbursement and advance pay is dictated by the director of finance with the approval of the mayor (refer to the current City of Tampa Travel Manual). Questions about that policy should be directed to the Fiscal Bureau.

II. PROCEDURE:

- A. Upon approval of the affected division commander, written request for travel authorization will be forwarded to the chief of police via the appropriate assistant chief. City travel documents are available on the Inet. The mode of transportation must be documented in the request for travel, which is submitted to the appropriate assistant chief.

1. City vehicle: Most travel will be via the employee's assigned city vehicle. If the employee does not have an assigned vehicle, the employee shall contact the department's fleet services technician to obtain use of a city vehicle.
2. Commercial airline: The employee will contact the Fiscal Bureau to determine if it is feasible to utilize the contract travel agency for the City of Tampa to obtain airline tickets. If this is not possible due to time constraints, etc., the employee may make the arrangements themselves. For commercial airline travel, the employee is required to fly using the most economical airfare available. The traveler may select any travel agent or obtain the ticket directly through the airline of choice. The employee must obtain authorization to travel before purchasing the airline ticket.
3. Department aircraft: The employee may request the use of the department's aircraft. Travel by department aircraft will generally be limited to scenarios, which involve multiple city employees travelling together for a distance of more than 100 miles. This travel is usually accomplished in one day, which eliminates the need for overnight accommodations for the travelers.
 - a. If a request is to be submitted, the traveler must first contact the Aviation Unit to determine if an aircraft and pilot are available for their requested travel date.

- b. The traveler will obtain a request for department aircraft worksheet from the Aviation Unit. The top portion of the worksheet will be completed by the traveler and submitted to the Aviation Unit. Each traveler will complete a request worksheet.
- c. It is incumbent upon the requestor to obtain and document the costs and travel time associated with their travel if they were to travel by another means (commercial airline or ground transportation).
- d. Aviation Unit personnel will complete the bottom section of the worksheet and submit the completed worksheet to the appropriate assistant chief for approval.
- e. The assistant chief will advise the Aviation Unit of the approval or disapproval of the travel request. The assistant chief will sign the completed request form and return it to the Aviation Unit for filing.
- f. The Aviation Unit will advise the requestor(s) of the decision of the assistant chief. If the approval is granted, the Aviation Unit will coordinate the details of the trip with the requestor(s) and advise the Office of the Assistant Chief of Police of the final arrangements, and an order authorizing the travel will be issued.
- g. If a request for use of the police department aircraft is made by a representative of another city department, the requestor will follow the previously listed steps (3. a-f). The approving authority for requests made by other city departments will be the mayor or the mayor's chief of staff. The approving authority will sign the request form and indicate to which city department the travel expenses will be charged. The Aviation Unit will be informed of the approval or disapproval and the request form will be returned to the Aviation Unit. If approved, the Aviation Unit will contact the traveler(s) and coordinate itinerary. If the request is approved, the Aviation Unit personnel will also notify the Office of the Assistant Chief to obtain departmental travel authorization.
- h. The requestor shall keep the Aviation Unit informed of the status of the request, as pilot schedules may need to be altered to accommodate the request.

- i. If a passenger is approved for travel on a departmental aircraft, and the traveler is not a full-time city employee, the passenger will be required to sign a release of responsibility/waiver of liability form. This form can be obtained from the Aviation Unit and will be filed at the Aviation Unit office prior to departure.
4. Rental car: If an employee needs to utilize a rental car for department authorized travel, the employee must request authorization in advance. The employee will not be reimbursed for the cost of the rental car without obtaining prior approval.
 - a. The employee must submit a written request to the Fiscal Bureau detailing the need for a rental vehicle.
 - b. The Fiscal Bureau will review the request and forward it to the chief accountant of the City of Tampa for approval.
- B. If a travel request is denied by the chief of police, or his designee, the request will be so noted and returned to the originating division.
- C. Upon approval of the chief of police, the travel request will be forwarded to the Office of the Assistant Chief for drafting and routing of an appropriate order to include the following:
 1. Officer affected;
 2. Destination;
 3. Purpose of travel;
 4. Method of travel;
 5. Duration of trip; and
 6. Attendance status during the time period affected.
- D. The chief of police may, at his discretion, direct the Office of the Assistant Chief to complete an order authorizing travel of an employee without a written request.
- E. The traveler will then report to the Fiscal Bureau with a copy of the order for the purpose of making travel arrangements and encumbering funds.
 1. Transportation arrangements will be coordinated through the Fiscal Bureau.

2. Lodging, class, and conference reservations are the responsibility of the traveler.
 3. Upon reporting to the Fiscal Bureau, the traveler shall be prepared to furnish the following information for completion of a Request for Travel and Reimbursement form, DA 13:
 - a. Anticipated cost of lodging;
 - b. Estimated date and time of departure from Tampa;
 - c. Estimated date and time of arrival back in Tampa; and
 - d. Any other known anticipated expense that will be incurred, e.g., parking fees, taxi service.
- F. Upon return, the traveler shall report to the Fiscal Bureau for completion of paperwork for reimbursement of funds expended.
1. The traveler should be prepared to provide receipts for any expenses other than the standard meal allowances.
 - a. Meal allowances WILL NOT be reimbursed:
 - 1) Travel is one day or less in duration; and/or
 - 2) Travel is within: Hillsborough, Pinellas, Polk, Manatee, Sarasota, Hernando, and/or Pasco County.
- G. If the travel requested is for a school or course, which requires payment of a tuition fee, several weeks are necessary for the City to process such a fee request; therefore, any employee who has been approved for attendance at such a course should immediately notify the Fiscal Bureau if the institution will not bill the department for the fee. If the institution will bill the department for the tuition, there is no urgency, and paragraph E., above will be followed.
- H. Investigative travel is handled as a separate category and is accomplished through personal contact between the traveler, with approval of his division commander, and the Fiscal Bureau. If departmental aircraft is to be utilized, authorization must be obtained from the appropriate assistant chief.

Supersedes SOP 608, dated 9/01.

609 **ISSUANCE OF VEHICLES FOR TEMPORARY USE**

I. DISCUSSION: A program designed to provide uniform procedures to monitor the issuance of vehicles for temporary use and to ensure the maintenance of those vehicles.

II. DEFINITIONS:

- A. Temporary Use Vehicle (TUV): A vehicle that is not assigned to an officer and is considered to be a spare. An assigned vehicle may also be used as a temporary use vehicle if the officer the vehicle is assigned to will not be using it for an extended period of time.
- B. Temporary Use Vehicle Log (TPD Form 566): A log used for the issuance of a temporary use vehicle. The supervisor authorizing the temporary use vehicle will complete this log.
- C. Requestor: An authorized TPD employee needing the issuance of a temporary use vehicle.
- D. Vehicle Damage Log (VDL – TPD Form 561): A log assigned to each police vehicle and kept in the glove box of that vehicle to be used for recording all damage occurring to the vehicle or found on the vehicle.

III. PROCEDURES:

- A. Vehicles containing specialized or sensitive equipment are exempt from assignment as a temporary use vehicle.¹
- B. All vehicles shall be issued and controlled at the discretion of the Chief of Police.
- C. Marked, unmarked, or undercover vehicles:
 - 1. The officer’s supervisor can issue the temporary use of a marked vehicle. If the officer’s immediate supervisor is unavailable, authorization must be obtained from the shift/bureau commander.
 - 2. Shift commander approval is required for temporary use of an unmarked vehicle.
 - 3. Vehicles normally used in an undercover capacity will not be issued for Extra Duty use unless authorized by the division commander.

¹ CALEA [5th Edition] 41.1.3(a)

4. Personnel of the rank of lieutenant and above are exempt from this procedure.
- D. Temporary Use Vehicle Log (TPD 566): It is the responsibility of each division to maintain a log of the division's assigned spare/TUV and their keys. This log should be kept in the shift/bureau commander's office.
- E. Issuance of a Temporary Use Vehicle:
1. The requestor of the TUV will bring the request to his immediate supervisor for authorization.
 2. After verifying the need to issue a TUV, the supervisor will check the TUV log for availability, complete the log accordingly, and give the requestor the appropriate keys.
 - a. If a vehicle is unavailable and the supervisor feels a vehicle is needed, the supervisor may contact the shift commander from another division and obtain authorization to issue a vehicle from that division.
 - b. The requestor will then respond to the appropriate division and obtain the keys for the vehicle to be used. The supervisor of the issuing division will then complete the log accordingly.
- F. Vehicle Damage Log (TPD 561):
1. It is the responsibility of the requestor to examine the TUV thoroughly, inside and out, prior to its use.
 - a. If damage is found on the vehicle, the requestor will check the VDL to ensure that it was previously noted.
 - b. Damage not noted on the VDL will be brought to the issuing supervisor's attention immediately.
 - c. The damage will then be recorded on the VDL and initialed by the issuing supervisor.
 - d. The issuing supervisor will write a letter to the division commander, including the vehicle information, the identity of the last requestor, and a detailed description of the damage found.

- e. The issuing supervisor will forward a copy of this letter to the vehicle coordinator.
2. The issuing supervisor will be notified if the TUV is found to be in an unacceptable condition such as trash or contraband found in the vehicle or if the gas tank on the vehicle was not refilled.
 - a. The issuing supervisor will then write a letter to the division commander, including the vehicle information, identity of the last requestor, and a description of the condition of the vehicle.
 - b. If the vehicle is missing assigned equipment (i.e., fire extinguisher, first aid kit, etc.) the supervisor will advise the district support specialist or appropriate division personnel.
 3. In the event that the vehicle is involved in an accident during temporary use, the responding supervisor will be responsible for completing the VDL. The supervisor will also be responsible for ensuring that the existing policies regarding involvement *of* TPD vehicles in crashes are adhered to.

G. Return of Temporary Use Vehicles:

1. It is the responsibility of the requestor to return the TUV and its keys to the issuing supervisor.
 - a. If the TUV was issued from another division and the issuing supervisor is not available, the keys may be returned to the on-duty supervisor of that division.
 - b. If the vehicle must be returned after hours and there is no division supervisor available, the requestor will return the vehicle to its proper division and contact that division's on-duty shift commander by phone to arrange where to leave the keys (normally with the district support specialist).
 - c. It is the responsibility of that shift commander to return the keys to the spare vehicle key folder and log the vehicle back in.
2. It is the responsibility of the requestor to return the TUV in the appropriate condition.

- a. The requestor must inspect the vehicle for cleanliness prior to returning the vehicle.
 - 1) All garbage must be removed from the vehicle.
 - 2) All of the requestor's personal belongings will be removed from the vehicle.
 - 3) All contraband/items that need to be placed in the Evidence Control Section must be removed from the vehicle.
- b. The requestor will ensure that the fuel tank is full prior to returning the vehicle.
- c. Tires will be inflated to the manufacturers' recommended gauge.

H. General:

- 1. All department vehicles will be operated in accordance with traffic laws.
 - a. Seatbelts will be worn while the vehicle is in use.
 - b. Safety equipment will be in working order.
- 2. All department procedures will be adhered to.

Supersedes SOP 609, dated 5/08.

609.1 ASSIGNED VEHICLE PROGRAM

- I. PURPOSE: The purpose of this directive is to establish guidelines for participation in the department's Assigned Vehicle Program. This directive applies to all employees who are assigned a marked or unmarked vehicle, whether it is a take-home vehicle or not.
- II. DISCUSSION: It is the policy of the Tampa Police Department to implement and maintain an Assigned Vehicle Program, whereby designated employees have the opportunity to be assigned a vehicle to drive to and from work. The objectives of the program are as follows: 1) to increase the visibility of marked police vehicles to provide crime deterrence and a reduction of traffic infractions; 2) to provide a more rapid mobilization of off-duty personnel during emergency or disaster situations; 3) to improve response times to crimes in progress or on-scene situations; 4) to decrease average vehicle costs through increased vehicle life and decreased maintenance and repair costs; and 5) to provide enhanced police service to citizens.
- III. DEFINITIONS:
 - A. Police Vehicle: A motor vehicle owned or leased by the police department.
 - B. Assigned Vehicle: A motor vehicle owned or leased by the police department which is assigned specifically to one individual for use in routine duty or specialty unit assignments. This also includes vehicles that are assigned as take-home vehicles, which an employee may drive to and from work and to any other function as authorized by the chief of police.
 - C. Staff Vehicles: Motor vehicles owned or leased by the police department which are assigned to members of the department's executive staff (chief, assistant chief, majors, legal advisor, public information coordinator, and all captains). Staff vehicle use will be determined by the chief of police.
 - D. Marked Police Vehicle: A police vehicle, which has been marked and painted with police insignia and colors, and has been designated for routine patrol enforcement.
 - E. Unmarked Police Vehicle: A police vehicle, which does not bear official police insignia and colors.
 - F. Authorized Passengers: Sworn police personnel, persons in custody, citizens requiring official services, and persons specifically authorized by command authority.
 - G. Command Authority: Members of the police department holding the rank of captain or above.
- IV. PROCEDURE:
 - A. Administration:

1. Subject to the provisions of the current PBA contract, the Assigned Vehicle Program may be terminated in whole or in part and any vehicle may be withdrawn from the program at any time at the sole discretion of the chief of police.
2. Employees assigned a take-home vehicle will be required to complete and sign a Vehicle Authorization Form (FIN20). Approval of the request is contingent upon department need, vehicle availability, and authorization by the chief of police.
3. The use of an assigned vehicle is a privilege and not an automatic fringe benefit or employment right. This privilege is subject to revocation solely at the discretion of the chief of police. Management retains the right to assign police vehicles.
4. Division commanders will ensure that employee activities involving this program are monitored and that any indiscretions are investigated.
5. All policies and procedures of the Tampa Police Department shall remain in effect while assigned vehicles are operated either on or off-duty.
6. Squad sergeants will inspect the assigned vehicles at least once each pay period and check for cleanliness, working order of equipment, and compliance with scheduled maintenance.
7. Any supervisory officer may stop any vehicle operated by an employee who is off-duty upon reasonable cause that the employee is operating the vehicle contrary to department regulations. If corrective action cannot be taken immediately, the operator will be removed from the vehicle and the vehicle driven to headquarters by another officer. Any corrective action taken will be documented and forwarded to the appropriate division commander.

B. Eligibility:

1. Officers must have successfully completed their probationary period to be considered for assignment of a take-home vehicle.
2. Although eligibility in the Assigned Take-Home Vehicle Program is primarily limited to employees who reside within the boundaries of Hillsborough County and/or within an adjoining county, officers who live beyond the scope of the assigned boundaries may request to participate in the program via their respective chain of command. Participation is not mandatory.
3. Eligibility for the Assigned Take-Home Vehicle Program in and of itself does not guarantee assignment of a vehicle nor are eligible employees required to participate in the program. Noncompliance with eligibility requirements will be grounds for immediate termination from the program.

- C. Vehicle Assignment: Assigned take-home vehicles shall be assigned/reassigned at the discretion of the chief of police or his designee.
1. A Vehicle Authorization Form (FIN20) must be completed by the employee requesting assignment for any reason, including replacement of a vehicle involved in a traffic crash.
 2. An Assigned Vehicle Parking Registration Form (TPD 571) must be completed by officers who live beyond the scope of the take home, assigned vehicle boundaries, (i.e. beyond Pinellas, Pasco, Polk or Manatee County lines).
 3. Officers must register their vehicle parking location with the Fleet Coordinator. This includes anyone who does not park their assigned vehicle at their registered address, regardless of the contiguous county, boundary, and/or limits.
- D. Restrictions of Assigned Take-Home Vehicles:
1. Vehicles will only be operated by authorized police personnel, with the exception of vehicle maintenance personnel performing required services.
 2. During off-duty hours, assigned take-home vehicle use will be limited to, travel to and from work, attending court or depositions on off-duty time, official city functions (awards ceremonies, funerals, etc.), or other functions specifically authorized by the chief of police. Utilization of a take-home vehicle during off-duty hours to travel to a physical fitness center or to attend college is permitted, on the condition that travel must be conducted while driving to or from work. Only authorized passengers (no civilian passengers or family members) may be transported in the take-home vehicle. This restriction does not apply to staff vehicles.
 3. Officers utilizing an assigned take-home vehicle are not entitled to claim overtime for travel to and from work.
 4. Officers on light duty status will not operate department vehicles without the approval of the appropriate division commander.
 5. Unattended vehicles of off-duty officers must be locked at all times and parked where readily accessible in the event that an emergency should arise. Vehicles will be parked off the street at the employee's residence; however, if this is not possible, documentation explaining the situation must be submitted through the chain of command to the police Vehicle Coordinator (Extra-Duty/Fleet Manager) for inclusion in the Fleet database.
 6. Officers assigned a take-home vehicle will not be paid overtime for repair work or preventative maintenance performed while off-duty. Officers

may have repair work or preventative maintenance performed while on-duty; however, if the work is to take longer than an hour, the officer's immediate supervisor must be contacted for further instructions.

7. Officers will not leave material relative to their assignment, or other issued equipment, in the vehicle while it is left for service or repair overnight or for an extended period of time. At no time will weapons be left in a vehicle left for service or repair.
8. Seat belts must be used by employees and passengers at all times while the vehicle is being operated.¹
9. During vacations or other absences other than regular days off, the vehicle will not normally remain at the officer's residence, but will be taken to a location designated by the officer's commanding officer.
10. Officers on disciplinary suspension or relieved of routine duty for disciplinary reasons for any reason shall automatically lose their take home vehicle privileges during the period of time they are relieved of their duties. The officer will be required to turn in their vehicle to the appropriate supervisor for the duration of the suspension period.
11. Officers using an assigned take-home vehicle for transportation to a deposition or to court are not entitled to retain any witness travel expense reimbursement. Any such payments received must be immediately turned in to the Fiscal Bureau.
12. A member(s) of a Specialty Team, at times, may be required to drive their assigned vehicles during off duty hours, due to an on going condition, or unique situation, which would require quicker than normal response to a call out. The Assistant Chief of Investigations and Support, through the Specialty Team chain of command will authorize the activation of this special vehicular operation.

During this type of vehicular operation, the designated team member(s) will have modified Staff privileges, but no civilian passengers or family members may be transported in their take-home vehicle.

- a. The officer may utilize the vehicle for personal use; however, they must be within the City of Tampa limits, or closer to the city limits than where their home is located. All of the other restrictions of assigned take-home vehicles, as dictated in this policy shall apply.
- b. Specialty Team members shall be defined as members of the Tactical Response Team, the Hostage Negotiation Team, the Bomb Squad and the Under Water Search and Recovery Team.

¹ CALEA [5th Edition] 41.3.3

E. Vehicle Operation Procedure:

1. All employees assigned a departmental vehicle shall exercise good judgment and shall not drive or use the vehicle so as to cause unfavorable comment or bring discredit to the department.
2. While off-duty, officers operating a take-home vehicle will comply with the departmental dress code and have in their possession their badge, identification card, and service weapon.
3. While using the vehicle off-duty, the radio will be kept on at all times and tuned to the frequency for the area in which the vehicle is being operated, whenever possible.
4. Off-duty officers utilizing an assigned vehicle within Tampa City limits shall intervene in emergency or criminal situations where public safety is endangered and no on-duty units are available or in close proximity. The officer shall preserve evidence and maintain continuity until relieved by an on-duty officer.
5. Off-duty officers shall stop at roadway incidents, which require police attention, such as accidents or stranded motorists. Officers should be cognizant of the resulting negative public image of the department if they fail to stop and assist citizens in need.
6. Officers in civilian attire operating marked or unmarked vehicles shall not enforce minor traffic infractions or conduct traffic stops, unless the subject vehicle creates a danger to persons or property.
7. An off-duty officer required to perform a police function will provide the radio dispatcher with the appropriate information. When contacting the dispatcher, the off-duty officer will utilize the designation "O.D." (off-duty) before his payroll or permanent assignment number. Should the circumstances require that the officer be logged on the computer, the officer will provide the dispatcher with his payroll number.
8. An off-duty officer who is required to perform a police function shall be compensated consistent with department procedure reference to overtime.

F. Assigned Vehicle Maintenance Procedure:

1. An employee assigned a vehicle shall be responsible for the proper care of the vehicle and for ensuring that routine maintenance and required service is performed as scheduled. However, the employee shall refrain from performing any personal maintenance/repair work. All such work will be conducted by authorized personnel only.
 - a. Maintenance for vehicles shall be scheduled as follows:

- 1) For all police vehicles, marked or unmarked, that are routinely utilized for patrol operations, preventive maintenance (PMs) shall be performed every 3,000 miles or 3 months (Severe Duty).
 - 2) For all police vehicles, marked or unmarked, that are utilized for canine patrol operations, preventive maintenance (PMs) shall be performed every 2,000 miles or 3 months (Special Duty / High Idle Time).
 - 3) For all police vehicles, marked or unmarked, that are not routinely utilized for patrol operations, (i.e. vehicles assigned to: detectives, PSOs, CSOs and personnel above the rank of sergeant, as well as vans, prisoner transport wagons, etc.) preventive maintenance (PMs) shall be performed every 5,000 miles or 6 months (Regular Duty/Non-Severe Duty).
- b. All employees that are responsible for an assigned unit will be required to sign a Vehicle Maintenance Agreement (TPD 572) and return it to the police vehicle coordinator (Extra-Duty/Fleet Manager).
2. An employee who is assigned a vehicle will refrain from:
 - a. Altering the body, general design, appearance, or markings of the vehicle;
 - b. Using fuel, oil, lubricant, or other liquid additives in the vehicle other than those authorized by the department or listed in the owners' manual; and
 - c. Affixing any unauthorized stickers or decals to any portion of the vehicle.
 3. Any mechanical or electrical alterations, or any equipment or accessories added by authorized personnel must first be approved by the assistant chief of police.
 - a. All requests will be documented on a TPD-1054, "Unfunded Vehicle Equipment Request Form" and routed through their chain of command to the police vehicle coordinator (Extra-Duty/Fleet Manager).
 - b. After obtaining a cost estimate, the vehicle coordinator will submit the request to the assistant chief of police for final approval.
 - c. The requesting division will then be notified if the request was approved, and arrangements made for the work to be completed..

4. Officers will be held responsible for the condition of their vehicles and equipment, to include the cleanliness of the interior and exterior of the vehicle.
5. An officer who is operating an assigned vehicle which is involved in a crash during hours other than the officer's scheduled tour of duty, or scheduled volunteer extra-duty, shall not be paid overtime pay for time expended as a result of the crash or reporting the crash.
6. While a vehicle is in for extended repairs, the officer may be issued a replacement vehicle after checking with his commanding officer, who will ascertain that there are sufficient vehicles available.
7. Tire pressure on all vehicles will be maintained at the maximum level recommended by the tire manufacturer. Tire pressures will be checked by the assigned operator at least once every workweek.
8. All fluid levels will be checked a minimum of once each workweek. Fluid levels will be filled only at authorized locations.
9. Procedures and regulations relative to energy conservation, proper care of vehicles, and prudent operation of vehicles, shall apply to all operators of assigned vehicles.
10. If, a vehicle must be returned to a repair facility for what is perceived to be the same mechanical problem, the officer will be required to complete a TPD 565, "Rework Maintenance Form" and send it to the Vehicle Coordinator.

Supersedes SOP 609.1, dated 3/10.

609.2 VEHICLE DAMAGE ESTIMATES

- I. DISCUSSION: This directive outlines the procedure to be followed in obtaining vehicle damage estimates and repairs. This procedure is for damaged vehicles and does not apply to mechanical malfunctions. Damage may result from accidents or intentional acts.
- II. DEFINITIONS:
 - A. Vehicle Damage Estimate: A written report by Central Maintenance or private vendor personnel reference a damaged vehicle, showing the approximate cost to repair the vehicle.
 - B. Vehicle Abuse Report: A written report by Central Maintenance or private vendor personnel reference a vehicle which was damaged intentionally or by neglect, or when damage occurs and is not properly reported to Central Maintenance or the Tampa Police Department Vehicle Coordinator.
- III. PROCEDURE:
 - A. Vehicles Assigned to Divisions:
 1. Within five days of the damage occurrence to an operable vehicle, the division to which the vehicle is assigned will be responsible for obtaining a repair estimate from Central Maintenance or the private vendor. The estimator will determine if the vehicle should be left for repair or scheduled for repair at a later date.
 2. Inoperable vehicles will be towed directly to Central Maintenance or appropriate private vendor.
 - B. Although this procedure allows for a delay of up to five days in reporting damage estimates, vehicles that are damaged to the extent that they no longer project a proper image of the department, or tend to degrade the department, will be turned in immediately for repair and will not be operated on the public streets.

Supersedes SOP 609.2, dated 6/00.

609.3 MARKED VEHICLE EQUIPMENT¹

- I. PURPOSE: To ensure that every marked vehicle is properly and sufficiently equipped.
- II. DISCUSSION: In order to effectively serve and protect the public, as well as to ensure the safety of the officer, each vehicle must have certain basic equipment. This basic equipment may be increased or upgraded at any time, but shall not be diminished in any manner without the authority of the chief of police.
- III. PROCEDURE:
 - A. Each marked patrol vehicle will be equipped with the standard police equipment as set out in departmental specifications (for marked vehicle) and in the labor agreement. In addition, each patrol vehicle will contain a fire extinguisher, first aid kit, and emergency flares. Each officer may add to this equipment any departmentally approved equipment which they are authorized and trained to carry and use.
 1. An officer operating any marked vehicle, which is not properly equipped, will direct a memo to the appropriate administrative CSO or designated person indicating which items need to be replaced in the vehicle.
 2. The administrative CSO or designated person in each division will arrange for the essential equipment to be replaced in the vehicles assigned to their respective divisions.
 - B. Each vehicle operated by a supervisor will include investigative and safety equipment such as flares, measuring tape, camera, chalk, and crime scene tape.
 - C. The operator of a marked patrol vehicle shall be responsible for ensuring that all equipment is in proper working order. This includes a usable spare tire and jack. When an officer uses the fire extinguisher, that officer shall return it to the administrative CSO or designated person for recharging and shall be issued a replacement fire extinguisher. If no replacement is available, the respective administrative CSO or designated person is to ensure that the fire extinguisher is replaced when one becomes available.

Supersedes SOP 609.3, dated 6/00.

¹ CALEA [4th Edition]41.3.2

609.4 SAFETY COMMITTEE

- I. **PURPOSE:** To actively promote a philosophy of safety awareness as well as traffic crash and personal injury prevention within the Tampa Police Department. In order to attain its goals of reducing and preventing crashes and personal injuries of any kind incurred in the official line of duty, this committee shall (1) determine crash and injury preventability; (2) solicit and analyze information regarding job related injuries; and (3) function as the office of record concerning the crash and injury histories of department employees.

Issues that relate to safety, generally involve elements of labor management relations. Consequently, the Safety Committee shall be a sub-committee of the Labor Management Committee.

- II. **DISCUSSION:** The Tampa Police Department's scope of responsibilities extends well beyond its employees and internal operations. It must take every reasonable step to ensure the safety of its employees and the citizens it serves. In view of these several wide-ranging responsibilities the department has established a Safety Committee to monitor, analyze and evaluate personal injuries occurring during training, the arrest process or other official duties, as well as other safety matters that affect the safe operation of the workplace and residents of Tampa's communities.

Based on the department's reliance upon motor vehicles in nearly every phase of its emergency and non-emergency activities, the safe operation of a police vehicle must be a goal of the highest priority. To that end, it shall be the function of the Safety Committee to review all department motor vehicle crashes and, based upon available relevant evidence including oral testimony, determine the preventability of such incidents.

- III. **DEFINITIONS:**

- A. **Non-Preventable:** An incident over which the department employee has no control as, for example, a police vehicle which is struck from behind while lawfully stopped at a traffic signal, or a department employee who is injured by a flying object and who could not reasonably have known of or avoided the object under the circumstances. The employee did everything reasonably possible to prevent the injury or motor vehicle crash.
- B. **Preventable :** An incident in which the employee failed to do everything reasonably possible to prevent the injury or motor vehicle crash. These are incidents, which are likely to be reduced through participation in enhanced safety awareness programs and, in the case of motor vehicle crashes, driving improvement instruction.

1. The determination of preventability is to be distinguished from any disciplinary action that may be imposed by a commanding officer. The preventability concept exists solely for reporting purposes and for identifying employees who may require remedial training.¹
2. Preventability Criteria: Factors developed and utilized by the panel which reflect the principle that law enforcement should be held to a higher standard of performance and subject to strict scrutiny.
 - a. The determination of motor vehicle crash preventability is made independently of any findings relative to legal liability; however, any violation of law which contributes to an incident shall constitute prima facie evidence that the incident was preventable.
 - b. A determination that a motor vehicle crash was preventable may be reached even though the operator is not liable as a matter of law and/or has not committed any violation of law.

IV. PROCEDURES:

- A. Pursuant to the City of Tampa's Loss Reduction Program, the Tampa Police Department has designated a Safety Committee consisting of a chairperson (Personnel and Training Unit supervisor) and additional members to be appointed by the chief of police, the names of whom shall be submitted to City Risk Management. In addition, one member of the committee should be identified as the co-chairperson. Members shall, at a minimum, include:
 1. One member of the Chief's Executive Staff;
 2. One member of the Criminal Investigations Division who is assigned to hit-and-run investigations and appointed by the bureau/division commander;
 3. One member from the City's Safety Bureau;
 4. One member who is a Criminal Justice Standards and Training Commission certified driving instructor;
 5. One member who is the current supervisor of the Personnel and Training Unit (chairperson);

¹ CALEA [5th Edition] 33.1.5

6. One member of the Personnel Unit who is responsible for the maintenance of injury records; and
 7. The Departmental Vehicle Coordinator.
- B. Meetings: The committee shall meet quarterly or at such other times as circumstances warrant.
- C. Review of Traffic Crashes Involving Department Vehicles:
1. The Safety Committee shall review all traffic crashes involving department vehicles. It shall find the crash to be either preventable or non-preventable, subsequent to the completed investigation and based upon a thorough review of the accident reports required under SOP 519, preventability criteria, and any other relevant evidence.
 - a. If the Safety Committee categorizes a crash as non-preventable, this determination shall be recorded by the committee and maintained by the Training Unit.
 - b. Upon a finding of preventability, the chairperson shall so advise the employee and the employee's division commander, in writing.
 2. After having received the committee's findings the division commander of the employee may then require appropriate medical examinations and remedial training.
 3. The Training Unit shall in all cases retain a record of the committee's findings. A copy of the crash report, supervisor's report, and any committee letter shall be placed both in the employee's personnel jacket and in the motor vehicle crash files maintained by the Training Unit, as part of the employee's motor vehicle crash history.

Traffic Crash Reports, crash histories and related materials shall be exempt from purge requirements.
 4. The Safety Committee shall further be responsible for the review of any motor vehicle pursuit incident or forcible stopping, which results in the crash of a department vehicle subsequent to the completed investigation.²
- D. Review of Personal Injuries:

² CALEA [5th Edition] 41.2.2(i), 41.2.3(e)

1. The Safety Committee shall also be established for consideration of the following: exposure injuries; contact injuries; training injuries; and environmental injuries.
 2. Safety Committee findings shall be maintained by Training Unit.
- E. Training programs shall be developed and implemented by the Training Unit in conjunction with the TPD Driving Improvement Program and the City of Tampa Risk Management Bureau. Training levels of varying complexity should be designed to specifically address the safety habits and actions of department employees as evidenced by the analysis of crash reports.³
- F. The Safety Committee shall also review all safety-related recommendations and suggestions submitted to its attention, coordinate research, and analyze feasibility and cost factors. The chairperson shall present the committee's recommendations to the Labor Management Committee for final action.

Supersedes SOP 609.4, dated 6/06.

³ CALEA [5th Edition] 33.1.5

609.5 DRIVER IMPROVEMENT PROGRAM

I. DISCUSSION: The Driver Improvement Program is a training program designed to benefit the employee and the department. The prevention of traffic crashes is of great concern to the department, most importantly due to the possible injuries to citizens and our employees, as well as the potential loss of equipment, and the potential liability for employees and the department. The program will operate independently of any disciplinary procedures followed by the department.

II. PROGRAM GUIDELINES:

A. The Driver Improvement Program consists of four levels of training.¹ The Safety Committee will recommend the appropriate level of training as determined by the number of prior preventable crashes involving the employee.

1. First preventable crash: The employee will attend the National Safety Council's "Defensive Driving" course.
2. Second preventable crash: The employee will attend the National Safety Council's "Emergency Vehicle Operation: Police" course.
3. Third preventable crash: The employee will attend the National Safety Council's "One on One Coaching" course.
4. Fourth preventable crash: The employee will attend the Tampa Police Department's driving course in an attempt to identify and correct driving deficiencies.
5. Five or more preventable crashes: Action to be taken will be at the discretion of the chief of police.

B. All instruction will be presented by Tampa police officers that are CJSTC certified instructors and/or National Safety Council certified.

III. PROCEDURE:

A. The chairperson of the Safety Committee will provide written notification to the Training Unit when it is determined that an employee was involved in a preventable crash and is required to participate in the Driver Improvement Program.

B. The Training Unit will maintain an active log indicating employees who require training and the level of training needed.

¹ CALEA [4th Edition] 33.1.5

- C. All documentation of training will be maintained in the employee's permanent personnel files.
- D. Training will be scheduled at irregular intervals dependent upon the following factors: type of training required; number of officers needing that respective course; and criticality of need.

Supersedes SOP 609.5, dated 3/97.

609.6 FUEL CREDIT CARD USAGE

- I. **PURPOSE:** This directive provides guidelines and procedures for the use of the individually issued credit card for fuel.

- II. **DISCUSSION:** Officers are authorized to use their fuel card to purchase unleaded gasoline (Octane level 87) for police vehicles and cruisers. Diesel fuel is authorized for those specialized vehicles that require diesel. The purchases on the credit card are to be used in vehicles assigned to the police department and certain specialized vehicles authorized by the chief and/or assistant chief for police purposes only. The list of authorized locations is available in each section or it may be obtained from the Fiscal Bureau. The card is designed for wide spread use in Hillsborough County.

The credit card system provides for pay-at-the-pump convenience. Before exiting your vehicle, please make note of your odometer reading. The vehicle number and the odometer reading are required. Incorrect odometer readings generate a variance report.

- III. **PROCEDURE:**
 - A. To use the card at the pump, the card should be inserted and withdrawn quickly at the pump.
 1. The pump window will request that the vehicle number and the odometer reading be entered.
 2. After entering the requested information, you will be prompted to begin pumping the gasoline.
 3. Press “yes” when asked if you want a receipt and insert the receipt into the gasoline receipt pouch.

 - B. If the card is not working at the pump, the POS system is down, or a power outage has occurred, go inside the service station and ask the attendant to process the sale inside.
 1. The attendant will swipe the card and ask that the vehicle number and odometer reading be entered.
 2. If the transaction is completed manually, write the vehicle number and odometer reading on the charge slip.
 3. Report incidents of this nature to your immediate supervisor who will notify the Fiscal Bureau.

- C. All employees who are assigned a credit card must keep the card in their possession at all times. The card is assigned to the person and not the vehicle; therefore, do not leave the card in the vehicle.
- D. If the card is not available, the user shall pay cash for the gasoline and submit a receipt for reimbursement through petty cash to the Fiscal Bureau.
- E. If the card is lost, stolen, or misplaced, the user's supervisor must be notified immediately.
 - 1. The user must complete the "Driver or User Report-Request to Replace Lost, Stolen, or Misplaced Credit Cards" and submit it to the user's supervisor along with a \$10.00 administrative fee, unless the user gets a waiver of the charge. Checks or money orders must be made payable to the City of Tampa Police Department.
 - 2. The supervisor will complete the "Shift Commander or Supervisor's Report on Lost, Stolen, or Misplaced Cards" and information on the notification to Shell and send the form along with the \$10.00 check or money order to the Fiscal Bureau.
 - 3. The user will be issued a temporary credit card to be used until a replacement card is received.
- IV. MONITORING AND AUDITING: Fuel credit card usage will be subject to monitoring and auditing by TPD Fiscal Bureau, Internal Affairs Bureau, General Accounting, Internal Audit of the City of Tampa, and any external audit firm. They will have query capability to review all transactions on-line and browse all transactions by vehicle number, card number, and location for any time period.
- V. RECONCILIATION OF CREDIT CARD PURCHASES (Original Receipts): The Fuel Credit Card System follows the same procedure for credit card processing that has been established for any credit card used by City of Tampa employees. The original purchaser reconciles credit card purchases to the credit card statement on a monthly basis.

Supersedes SOP 609.6, dated 11/01.

609.7 IN-CAR VHS VIDEO/AUDIO RECORDING EQUIPMENT¹

- I. **PURPOSE:** The purpose of this Standard Operating Procedure is to establish guidelines for the proper use, care, and maintenance of in-car video/audio recording equipment. It also provides an outline for usage in collecting and documenting evidence. In addition, it provides for security and a uniform method of recording, and storing audio/video recordings.
- II. **SCOPE:** This procedure shall apply to all department employees who are issued in-car video/audio recording equipment.
- III. **DISCUSSION:** In-car video/audio recording equipment has been demonstrated to be of value in the prosecution of traffic and criminal offenses, in the evaluation of officer performance, as well as in training. In order to maximize the utility of this equipment in these and related areas, officers shall follow the procedures for in-car video/audio recording equipment.
- IV. **PROCEDURES:**
 - A. In-car video/audio recording equipment will be installed in department owned vehicles based on the availability of the equipment. Officers who are assigned vehicles that are equipped with in-car video/audio systems will adhere to the following procedures:
 1. At the start of an officer's shift, they will ensure that the power to the in-car video/audio system is in the "on" position and that the system is functioning properly. Officers will conduct a test recording at the start of their shift or at the start of an extra-duty assignment, if the extra-duty assignment is on a day off.
 2. Officers will activate the in-car video/audio system and state their name, the date, the time, their shift and their vehicle number. The officer will play back the tape to verify that the system is functioning properly. If the system did not record properly, the officer will initiate the repair procedure and notify their supervisor.
 3. Officers will ensure that a tape containing a sufficient amount of recording time is in the VCR. If the officer feels that the tape does not contain a sufficient amount of recording time to complete the shift or assignment, he will contact a supervisor and the supervisor will replace the tape.
 4. Tapes will be clearly marked on the outer edge with the vehicle number, officer's name (printed) with first and middle initials and payroll number. The officer will note the start date when placing a

¹ CALEA [4th Edition] 41.3.8

new tape in the machine and when the tape is complete the officer will enter the ending date on the tape.

5. The in-car video/audio system will automatically activate and begin recording when the vehicle's emergency lights and/or siren are activated. At their discretion, officers may also manually activate the system to begin recording without activating the emergency equipment. All traffic stops, police pursuits, "code one" situations, and DUI investigations will be recorded.

For D.U.I. investigations, the recording officer will turn over their VHS tape to the Hillsborough County Sheriff's Office – Central Breath Testing Technicians at the time of arrival at Central Breath Testing. Central Breath Testing is responsible for the tracking and delivery of the tape to the State Attorney's Office for evidentiary purposes. The officer will ensure that the recordings are marked as outlined in section IV.A.4. In all other criminal cases, VHS recordings will be placed into evidence as outlined in section VI.A.1.

6. The in-car video/audio system may be manually deactivated during non-enforcement activities such as protecting traffic crash scenes.
7. The wireless microphone shall be worn on the officer's gun belt and shall be activated to provide narration along with the video. The vehicle operator in a two-officer unit will wear the wireless microphone. The officer will carry extra batteries for the wireless microphone.
8. Officers will not activate their wireless microphones while in the patrol districts or police headquarters.
9. Failure to activate the in-car video/audio system as outlined in this SOP, properly retain and store tapes, or the abuse or misuse of the in-car video/audio system may result in disciplinary action.
10. All officers whose vehicles are equipped with in-car video/audio systems and their respective supervisors shall be issued, and have in their possession, keys to lock and unlock the VCR vault. The VCR vault will always remain locked, other than when removing or inserting a video/audio tape into the vault.

V. SUPERVISORY RESPONSIBILITIES:

- A. The in-car video/audio system is a valuable tool for law enforcement officers. To ensure that this program maintains its integrity, it is imperative that supervisors adhere to the following procedures:

1. Supervisors will perform random checks, at least once per month on all in-car video/audio systems assigned to their squads. If a system is found inoperable and the officer did not notify his/her supervisor, then the supervisor will initiate a memo to the division commander notifying them of the policy violation. Supervisors will ensure that repairs and replacement of damaged or non-functional in-car video/audio systems are performed.
2. In the event that an officer captures and records a sequence that may be of value for training purposes, the supervisor will review the incident. If the supervisor feels the recorded event would prove useful for training purposes, he will forward a copy of the recording to the Training Unit. The original will be retained and handled like any other recording.

VI. SYSTEM MAINTENANCE:

- A. The in-car video/audio system is an expensive and delicate piece of equipment. It will be the responsibility of the assigned officer to ensure that the system is operated and maintained according to the manufacturers' instructions.
 1. Video/audio tapes placed into evidence will be handled in accordance with SOP 339. In addition to entering the tape into evidence, the officer will note in his report that the video/audio tape exists and is in the Evidence Control Section. These tapes will be entered on the log described in Subsection A.3 below with a notation that the original tape has been booked into evidence.
 2. Officers will dispose of any video/audio tape booked into evidence as they would any other piece of evidence. The only exception will be if the case is disposed of within 90 days of incident. In those cases, the officer will remove the video/audio tape from evidence and provide it to the appropriate district CSO for storage.
 3. When a video/audio tape has a significant amount of recording time on it, the officer will remove the tape from the VCR vault and provide it to his/her supervisor. The supervisor will replace it with a blank tape. The supervisor will ensure that the tape has been marked by the officer as outlined in section IV.A.4. The supervisor will complete a log indicating the officer's name, payroll number, vehicle number, and the dates covered by the tape. The supervisor will then place the tape into a locked storage container located in the appropriate district or headquarters building.
 4. The designated district CSO will maintain control of the locked storage container. Monthly, the CSO will review the dates on the

video/audio tapes and purge those tapes that are older than 90 days. The CSO will obtain approval from a shift commander prior to disposing of the tapes. The shift commander will initial the logbook under each video/audio tape entry set for disposal to indicate approval for the CSO to dispose of the tape.

- B. It is the policy of the Tampa Police Department that all recordings generated on departmental equipment are the property of the Tampa Police Department. Copying or reproduction of any tape segment generated by the Tampa Police Department in-car video/audio equipment or removing such recordings outside the Tampa Police Department without authorization from the Chief of Police is prohibited.
- VII. RELEASE OF RECORDINGS: Requests for copies of video recordings by persons or agencies outside of the department or state attorney's office shall be directed to the Public Records Office and subject to the provisions of Florida Statutes Chapter 119. The requesting person will be responsible for the cost of duplication pursuant to state statute.

Supersedes SOP 609.7, dated 9/06.

609.8 IN-CAR DIGITAL/AUDIO RECORDING EQUIPMENT¹:

- I. PURPOSE: The purpose of this Standard Operating Procedure is to establish guidelines for the proper use, care, and maintenance of in-car digital/audio recording equipment. It also provides an outline for usage in collecting and documenting evidence. In addition, it provides for security and a uniform method of recording and storing digital/audio recordings.
- II. SCOPE: This procedure shall apply to all department employees who are issued in-car digital/audio recording equipment.
- III. DISCUSSION: In-car digital/audio recordings have been demonstrated to be of value in the prosecution of traffic and criminal offenses, in the evaluation of officer performance, as well as in training. In order to maximize the utility of this equipment in these and related areas, officers shall follow the procedures for in-car digital/audio recording equipment.
- IV. PROCEDURES:
 - A. In-car digital/audio recording equipment will be installed in department owned vehicles based on the availability of the equipment. Officers who are assigned vehicles that are equipped with in-car digital/audio systems will adhere to the following procedures:
 1. Units with the (digital) “Digital Patroller” or “L3” recording systems, shall:
 - a. At the start of an officer’s shift or assignment, they will ensure that the camera/recording system is receiving power and functioning properly. Officers will conduct a test recording at the start of their shift or at the start of an extra-duty assignment, if the extra-duty assignment is on a day off.
 - b. Officers will activate the in-car digital/audio system and state their name, the date, the time, their shift and their vehicle number. The officer will play back the digital recording to verify that the system is functioning properly. If the system did not record properly, the officer will initiate the repair procedure and notify their supervisor.
 - c. Officers will ensure that a minimum of 20-hours recording time is available on their system. Officers will download recordings from the digital system as needed.

¹ CALEA [5th Edition]41.3.8

- d. Officers utilizing the “Digital Patroller” system will electronically tag all digital files of evidentiary value with the incident type and report number. All other non-evidentiary recordings will be tagged by default through automatic system settings.
- e. Officers will be responsible for transferring the sorted digital folder from their linked laptop hard-drive to either a CD, DVD format for archiving; or, to a base server through the wireless network at the assigned District. No digital recordings shall be purged from the system without archiving. Archives will be purged only by the parameters outlined in section VI.A.1.d. below.
 - 1. If an up-link to a server is not available, officers will contact the city T & I manager to have the files manually transferred to the server system. Officers with the “Digital Patroller” system may transfer digital files to either CD or DVD format by burning the media on their laptop computer. The CD or DVD media (disk) will be marked with their name, payroll and vehicle number, start date and time, end date and time, and if case specific, the case number.

Officers have the discretion to archive single stops/recordings on a CD/DVD based on the severity of the offense and evidentiary potential (i.e. felonies or D.U.I.s that are case specific and caught on camera).
 - 2. If an up-link to a server is available, officers will transfer digital files to the server by the prevailing means available (i.e. USB firewire connection, USB flash drive, wireless transfer, etc.).
- f. The in-car digital/audio system will automatically activate and begin recording when the vehicle’s emergency lights are activated. At their discretion, officers may also manually activate the system to begin recordings without activating the emergency equipment. All traffic stops, police pursuits, “code one” situations, and DUI investigations will be recorded.
- g. The in-car digital/audio system may be manually deactivated during non-enforcement activities such as protecting traffic crash scenes.

- h. The wireless microphone shall be worn on the officer's gun belt and shall be activated to provide audio along with the video. The vehicle operator in a two-officer unit will wear the wireless microphone. The officer will ensure that the microphone is placed in the cradle when not in use to provide charging and to allow the unit to synchronize.
- i. Officers will not activate their wireless microphones while in the patrol districts or police headquarters.
- j. Failure to activate the in-car digital/audio system as outlined in this SOP, properly retain and store recordings, or the abuse or misuse of the in-car digital/audio system may result in disciplinary action.

V. SUPERVISORY RESPONSIBILITIES:

- A. The in-car digital/audio system is a valuable tool for law enforcement officers. To ensure that this program maintains its integrity, it is imperative that supervisors adhere to the following procedures:
 - 1. Supervisors will perform random checks, at least once per month on all in-car digital/audio systems assigned to their squads. If a system is found inoperable and the officer did not notify his/her supervisor, then the supervisor will initiate a memo to the division commander notifying them of the policy violation. Supervisors will ensure that repairs and replacement of damaged or non-functional in-car digital/audio systems are performed.
 - 2. In the event that an officer captures and records a sequence that may be of value for training purposes, the supervisor will review the incident. If the supervisor feels the recorded event would prove useful for training purposes, he will forward a copy of the recording to the Training Unit. The original will be retained and handled like any other recording.

VI. SYSTEM MAINTENANCE:

- A. The in-car digital/audio system is an expensive and delicate piece of equipment. It will be the responsibility of the assigned officer to ensure that the system is operated and maintained according to the manufacturers' instructions.
 - 1. Units with the (digital), "Digital Patroller" or "L3" recording systems, shall:
 - a. Digital/audio recordings placed into evidence will be handled in accordance with SOP 339. In addition to

entering the CD or DVD into evidence, the officer will note in his report that the digital/audio recording exists and is in the District server.

- b. Officers will dispose of any digital/audio recording booked into evidence as they would any other piece of evidence. Provided, however, that all recordings of evidentiary value shall be held a minimum of 90 days regardless of whether the case is disposed of before that time.

In addition to the above procedures, for D.U.I. investigations, the recording officer will create a Compact Disk (CD) on their linked laptop computer. This recording will be turned over to the Hillsborough County Sheriff's Office – Central Breath Testing Technicians at the time of arrival at Central Breath Testing. Central Breath Testing is responsible for the tracking and delivery of the CD's to the State Attorney's Office for evidentiary purposes. The officer will ensure that the recordings are tagged as outlined in section IV.A.1.e. In all other criminal cases, digital recordings will be placed into evidence as outlined in section VI.A.1.d.

- c. The designated T & I manager will maintain control of the District storage servers. The server software will be programmed to automatically review the dates on the video/audio recordings and purge those recordings that are older than 90 days.

- B. It is the policy of the Tampa Police Department that all recordings generated on departmental equipment are the property of the Tampa Police Department. Copying or reproduction of any digital recording segment generated by the Tampa Police Department in-car digital/audio equipment or removing such recordings outside the Tampa Police Department without authorization from the Chief of Police is prohibited with the exception of those incidents as outlined in section VI.A.1.(a-d) herein.

VII. RELEASE OF RECORDINGS: Requests for copies of digital recordings by persons or agencies outside of the department or state attorney's office shall be directed to the Public Records Office and subject to the provisions of Florida Statutes Chapter 119. The requesting person will be responsible for the cost of duplication pursuant to state statute.

Supersedes SOP 609.8, dated 12/06.

610 RESIGNATION

I. DISCUSSION: Compliance with this directive ensures that necessary information is obtained and the appropriate persons are informed of an employee's resignation. It is the responsibility of any employee who resigns to notify their immediate supervisor in advance of leaving the Department or the Department may consider such employee as having abandoned their position and take appropriate action by dismissal of the employee.

II. PROCEDURE:

A. The immediate supervisor of the resigning employee shall write a letter evaluating the employee's performance during employment and indicate whether they would or would not recommend the employee for re-employment. Supervisors are encouraged to go into considerable detail in these final review letters as they are an important source of information if the employee should re-apply for employment, or if inquiries are received from other agencies. The letter will be submitted as an original document which, along with one copy, will be forwarded to the Chief's Office.

1. The original will be retained by the Chief's Office.
2. The copy will be forwarded to the Administrative Division.

B. The affected employee's division/bureau commander will require that a Notice of Separation, DA 266, be completed. The division/bureau secretary will attach the resigning employee's City of Tampa identification card to the original DA 266. The DA 266, with one additional photostatic copy, will be forwarded to the Chief's Office with the letter of resignation for distribution.

White copy	Employee Relations
Yellow copy	Personnel Unit
Pink copy	Employee
Photostatic copy	Fiscal Bureau

D. Employees are required to give fourteen calendar days notice of resignation. Authorization for a waiver of that requirement can only be given by the Employee/Labor Relations Director.

E. City of Tampa employees who have executed a contract for reimbursement of hiring and training expenses must contact the commander of the Administrative Division to discuss the reimbursement obligation.

- F. All employees are required to make an appointment with the Personnel Unit sergeant for an exit interview.

The Division/Bureau Commander of the resigning employee will require that the Administrative Division, Personnel Unit be notified via telephone or e-mail as soon as the employee gives notice of intent to resign. This will assist in scheduling the exit interview before the effective date of the resignation.

- G. The return of all issued equipment source material, and police identification, will be required prior to the resigning employee's final paycheck being issued. Failure to turn in any required item may result in deduction of an appropriate amount from the final paycheck or other civil or criminal action.

Supersedes SOP 610, dated 12/00.

612 DATE AND TIME SYSTEM

I. DISCUSSION: The method of using numerals, abbreviations, and military versus civilian time systems to determine and describe date and time for official business must be uniform throughout the department. This directive will provide guidelines in that respect.

II. PROCEDURE:

A. Date:

1. The MRE default date system using all numbers will be the standard for entry into this application.
2. The normal civilian style, e.g., October 29, 2006, will be used for all correspondence (both internal and external).

B. Time:

1. For internal correspondence, time of day will be expressed as in the military system of using the twenty-four hour clock method. Whole hours will run from 0100 through 2400 hours, with 0100 hours being 1:00 a.m., 1200 hours being 12:00 noon, and 2400 hours being 12:00 midnight. Five minutes after midnight would be written as 0005 hours.
2. Letters being sent to the non-police community will not utilize this military system, but will be written in normal civilian style, e.g., 2:45 p.m.

Supersedes SOP 612, dated 1/99.

613 RESERVE FORCE¹

I. DISCUSSION: The Reserve Force consists of unpaid, volunteer reserve I and II police officers. Its primary purpose is to provide additional manpower to the department during emergencies or special events which would otherwise affect the department's ability to provide proper police service. Additionally, the Reserve Force expands available police services and increases citizen participation in department activities. The selection criteria for reserves are the same as that for full-time officers.² Reserve officers serve at the pleasure of the chief, and may be terminated at any time for non-discriminatory reasons if determined to be in the best interest of the department.

II. DEFINITIONS:

A. Reserve Force: The term *RESERVE FORCE* means all volunteer reserve I and II police officers.

B. Police Reserve I Officer: A part-time volunteer police officer with a minimum of three years prior law enforcement experience, with a maximum of a four year lapse since last active law enforcement involvement, who has met all pre-employment and training requirements for full-time officers prescribed by the department and the Criminal Justice Standards and Training Commission.³ After having satisfied these mandatory training requirements, a police reserve I officer may exercise full police authority consistent with law and department rules and regulations. Reserve officers other than former TPD officers that meet these requirements will be considered Reserve II officers until they have completed the requirements listed below.

Reserve I officers will be placed on probationary status for a minimum period of one year and a minimum of 288 hours of street patrol time, excluding the FTETP training time. Prior to completion of the probationary period, the reserve officer shall have successfully completed the full-time Field Training and Evaluation Program. Former TPD employees who have previously met the requirements will not be placed on probation.

C. Police Reserve II Officer: A volunteer police officer who has met all pre-employment and training requirements prescribed for reserve II officers by the department and the Criminal Justice Standards and Training Commission.⁴ After having satisfied these mandatory training requirements, a reserve II officer may aid and assist a full-time or reserve I officer and may exercise police authority commensurate with his training while under the direct supervision of a full-time or reserve I officer. Reserve II officers will be placed on probationary status for a period of one year and a minimum of 144 hours of street patrol time excluding FTETP training.

¹ CALEA [5th Edition] 16.3.1

² CALEA [5th Edition] 16.3.2

³ CALEA [5th Edition] 16.3.3

⁴ CALEA [5th Edition] 16.3.3

- D. A Reserve II officer is not eligible to become a Reserve I officer without meeting the criteria in section II-B, coupled with a minimum of three years full time/paid police experience with a law enforcement agency. The Chief of Police reserves the right to deny any reserve applicant Reserve I status for any non-discriminatory reason.
- E. Reserve Force Coordinator: A sworn police officer assigned to the Special Support Division will serve as the Reserve Force Coordinator and manager of the Reserve Force. The Reserve Force coordinator will report to the sergeant within the Special Support Division that is designated by the Division Commander. The Reserve Force coordinator will be responsible for maintaining all Reserve Force files, including routing of documentation to the appropriate division (i.e., Personnel & Training Unit), and providing status reports on Reserve Force activities to the Special Support Division sergeant. The coordinator is also responsible for scheduling officers for unpaid special events; scheduling in-service training; scheduling and conducting monthly meetings; and recruiting of Reserve I and II officers.

III. GENERAL:

A. Recruiting:

The Reserve Force Coordinator is responsible for the recruiting and processing of police reserve I and II candidates whose qualifications meet or exceed Tampa Police Department and Criminal Justice Standards and Training Commission requirements, except, persons whose appointment might create the perception of a conflict of interest.

B. Requirements:

1. Reserve Force officers shall serve a minimum of twenty unpaid hours of directed duty each month, which consists of attending the two hour monthly Reserve Force meetings/in-service training, riding patrol in the districts, working assignments in other bureaus within the department or working any approved assignments. Reserve Officers will not work any assignments other than special events and district patrol prior to completing their probation period without approval of the Reserve Force sergeant. The Special Support Division Commander is responsible for approving any unusual assignment involving the reserves. Requests for excused absences shall be referred to the Reserve Force coordinator, through the Reserve Force chain of command.
2. Reserve officers will be required to submit monthly time sheets documenting volunteer hours and the area in which they worked. This time sheet will be signed by the supervisor of which the hours were completed.
3. Reserve officers will be required to attend annual in-service training.

4. Reserve Officers will be required to work three of the major special events during the heavy special events season. Major events are considered, but not limited to: the Gasparilla Day Parade, Children's Gasparilla Parade, Gasparilla Knight Parade, St. Patrick's Day Parade, Gasparilla Distance Classic and the Bank of America Marathon Run. The volunteer hours from these events will be credited toward the mandatory monthly hours. There will be no extra duty permitted during the times of the mandatory events.

C. Carrying Concealed Firearms:

1. Reserve I officers are subject to the same policy as full-time sworn officers when carrying a concealed firearm off-duty. (See SOP 643 and Manual of Regulations 1500).
2. Reserve II officers shall not carry a concealed, departmentally issued firearm while off-duty and out of uniform. According to F.S. §790.06 all law enforcement officers are permitted to carry a concealed firearm without having to obtain a license; therefore, Reserve II officers may carry a personally owned firearm, concealed, while off-duty, but may not act in any law enforcement capacity.

D. Extra-Duty: Reserve Force officers shall, while performing on duty or extra-duty assignments, or otherwise representing the police department in any matter, be subject to all department orders, rules, policies, and procedures. A reserve officer has no recourse if he is suspended from extra duty for failure to comply with department orders, rules, regulations, policies, or procedures.

1. Reserve I and II Officers:

- a. Are not eligible to work paid extra-duty assignments until the Field Training and Evaluation Program has been successfully completed, an additional 144 hours of uniform patrol is completed and the Reserve Force Coordinator and Reserve Force Sergeant have granted written approval.
- b. Officers requesting to work extra-duty assignments shall submit, in writing, a request to the Reserve Force Coordinator. Extra-duty work requests submitted by Reserve Force officers who have not fulfilled their monthly directed duty obligation and training requirements may be subject to disapproval and suspension of extra-duty privileges.
- c. Requests for extra-duty assignments will be handled per existing procedures (see SOP 672).

- d. Reserve II officers cannot sign up to work an extra duty assignment unless a Reserve I or a full time officer has already signed up to work the assignment. If the Reserve I or full time officer fails to show for the assignment, the Reserve II will contact the affected shift commander and advise him/her of the situation. If a full time officer is not assigned to the job, the Reserve II will not be allowed to remain and work the assignment alone. The Reserve II will submit the pay voucher for 3.0 hours extra duty pay. (Refer to SOP 672).

E. Operating Departmental Vehicles:

1. Reserve I officers can check out and operate marked police vehicles when an assignment dictates.
2. Reserve II officers normally will not operate departmental police vehicles. Reserve II officer will only operate police vehicles in exigent/emergency circumstances or with approval of the Special Support Division commander.

IV. INSURANCE AND LIABILITY COVERAGE:

While on duty, Reserve Force officers are entitled to benefits provided under Florida's worker's compensation law. While on duty, Reserve Force officers have the same liability protection as full-time officers under applicable Florida law and city policy.⁵

V. UNIFORMS AND EQUIPMENT:⁶

A. All Reserve Force officers will be furnished with a uniform, badge, identification card, Manual of Regulations, Operations Manual, and Legal Manual. The requisition for the procurement of the following uniforms and equipment for sworn personnel will be coordinated by the Reserve Force Coordinator.

1. Basic Uniform Issue:

Short Sleeve Shirt	(2)
Long Sleeve Shirt	(1)
Trousers	(2)
Black Turtle Neck	(1)
Reversible Jacket	(1)
Yellow Raincoat	(1)

⁵ CALEA [5th Edition] 16.3.7

⁶ CALEA [5th Edition] 16.3.4

	Service Cap	(1)
	Midnite Blue Clip-on Tie	(1)
	Traffic Gloves	(1 pr.)
2.	Equipment Issue:	
	Service Pistol	(1)
	Pistol Magazines	(3)
	Service Cap Shield	(1)
	Reserve Police Badge	(1)
	Collar Insignia	(1 pr.)
	Name Plate	(1)
	Whistle	(1)
	Gun Belt	(1)
	Holster	(1)
	Magazine Pouch	(1)
	Handcuff Case	(1)
	Rubber Gloves/Case	(1)
	Handcuffs	(1)
	Gun Belt Keepers	(3)
	Portable Police Radio	(1)
	Radio Holder	(1)
	Chemical Agent and Holder	(1)
	Body Armor	(1)
	Traffic Citation Holder (Reserve I only)	(1)
	Clipboard	(1)

Flashlight	(1)
Traffic Vest	(1)
Traffic Cone (Flashlight)	(1)

- C. Upon termination of appointment, either by resignation or dismissal, all department property shall immediately be returned to the Reserve Force Coordinator. Anyone failing to return department property will be assessed and charged for that property. The unlawful taking of department property will result in the initiation of criminal charges.

VI. RANK:

- A. The Reserve Force will be supervised by the Reserve Force Coordinator and a sergeant designated by the Special Support Division commander.
- B. Reserve Force officers will not have rank above Reserve Officer I and II. Reserve Force officers who demonstrate exceptional leadership qualities and dedication to the achievement of department goals and objectives may be appointed as Squad Leaders or Assistant Squad Leaders after being recommended by the Reserve Force Coordinator and approved by the designated sergeant of the Special Support Division.
- C. Members who are awarded Squad Leader and Assistant Squad Leader shall wear a pin above their nametag designating their title "Squad Leader" / Assistant Squad Leader". Their responsibilities will be to assist the Coordinator with the day-to-day managing of the Reserve Force.
- D. All reserve I and II officers shall submit to the authority and direction of any sworn officer.
- E. Reserve officers who have been appointed as Squad Leaders and Assistant Squad Leaders serve at the pleasure of the Reserve Force sergeant and can be removed without recourse.

VII. ASSIGNMENTS:

- A. The Reserve Force coordinator will be responsible for assigning newly appointed Reserve Force officers to Field Training and Evaluation Program (FTEP).
- B. New Reserve Force officers will report to the FTEP coordinator for placement in a FTEP squad until successful completion of the training requirements.
1. The Reserve Force FTEP will consist of 120 hours of training with a certified Field Training Officer.

2. The probationary Reserve Force officer will be evaluated upon the completion of segments at 30, 60, 90 and 120 hours in the FTEP.
- C. The FTEP squad sergeant, to whom the Reserve Force officer is assigned, will be responsible for verifying the officer's volunteer hours by signing the individual's attendance sheets. To effectively evaluate the performance of individual Reserve Force officers, the sergeant will ensure that entries are made into the FTEP Manuals.
1. Upon completion of the FTEP segments, the Reserve Force officer will maintain a probationary status until the completion of 288 hours of street patrol time.
 2. Reserve Force officers will be evaluated annually upon completion of their probationary period.
- D. Once the FTEP is completed, Reserve Force officers may patrol in any district they choose during any shift, unless assigned to a specific district by the Reserve Force coordinator.
- E. Reserve Force officers may volunteer their hours to a plainclothes bureau or unit such as CID, QUAD, CIB, etc., by submitting a request in writing to the Reserve Force sergeant for approval by the effected Division Commander. If selected to work a plainclothes assignment, they will do so only with the respective Division Commander's knowledge and approval and must have completed their FTEP and probationary period.
- F. Reserve Force officers who possess specialized skills may be assigned to a specific division or unit.
- G. Division supervisors are responsible for ensuring that Reserve Force officers, when assigned under their command, are effectively utilized, supervised, evaluated, commended, and disciplined when appropriate. Copies of all documents shall be forwarded to the Reserve Force coordinator for presentation at monthly Reserve Force staff meetings.
- H. Reserve Force officers that hold a Reserve status, as a requirement for a specialized assignment within their regular city employment will not be required to put in the mandatory volunteer hours, attend the monthly meetings or work any special events. They are not eligible to work paid extra duty assignments unless they commit to all the mandatory requirements of a regular reserve officer. This commitment has to be an ongoing commitment and cannot be changed from time to time. They have to attend all the in-service training that the regular reserve officers are required to attend:
1. These Reserve officers are defined as:

- a. Tactical Medical Response Team Members (Tampa Fire Paramedics assigned to the Tampa Police Department Tactical Response Team).
- b. Tampa Police Department Extra Duty Coordinator.
- c. Tampa Police Department Special Events Coordinator.
- d. Tampa Fire Department Arson Investigators.

VIII. TRAINING:

- A. All members of the Reserve Force will be provided with training that meets or exceeds department and Criminal Justice Standards and Training Commission requirements, including annual in-service training prescribed by the Training Unit.⁷
- B. In-service training programs will be developed by the department's Training Unit and conducted during regularly scheduled Reserve Force meetings, if practical.
 - 1. Reserve Force officers shall receive in-service training equivalent to that of full-time officers performing like functions.⁸
 - 2. Reserve I officers must attend and pass all prescribed in-service training classes in order to maintain reserve I status. If these goals are not met, reserve I officers will be reduced to reserve II status until these goals are met.
 - 3. Reserve Force officers shall be tested for firearm proficiency with the same frequency as full-time officers. Qualifying standards will be identical to those for full-time officers.⁹
 - a. Any Reserve Force officer failing to fire a qualifying score will be temporarily suspended from working any assignment until such time that a passing qualification score can be attained.
 - b. Any Reserve Force officer who fails to attend the required firearm proficiency course will be subject to suspension and subsequent dismissal from the Reserve Force.
- C. The Tampa Police Department strongly supports the philosophy that Reserve Force officers should be utilized to provide additional manpower during emergencies and special events and to expand police service to the community. Training must be enhanced to follow more closely the Criminal Justice Standards and Training Commission (CJSTC)

⁷ CALEA [5th Edition] 16.3.3

⁸ CALEA [5th Edition] 16.3.5

⁹ CALEA [5th Edition] 16.3.6

requirements established for full-time police officers. To accomplish this, all Reserve Force officers will receive formal training during the monthly meetings. Advanced and/or specialized training courses offered at the police academy may be attended, providing space is available. Reserve officers receiving specialized training i.e., CJSTC Radar Operators Course, will be allowed to perform those specialized functions, as would a full-time police officer with equivalent training.

Supersedes SOP 613, dated 4/08.

613.1 CIVILIAN VOLUNTEER PROGRAM

- I. **PURPOSE:** To establish the methods by which the Tampa Police Department's Civilian Volunteer Program will be administered.
- II. **DISCUSSION:** Volunteers have been vital to police organizations since policing began. The Tampa Police Department's Volunteer Program is designed to enhance our delivery of services by allowing enthusiastic, dependable, committed people to work alongside our regular employees. The addition of such people should make us all more conscious of our connections to the community, and give members of the community more insight into our problems and actions.

Volunteers will be used to supplement and complement, but not replace, paid staff. By serving, they will be provided the opportunity to make a positive contribution to their community. Volunteers will receive recognition for their efforts.

The volunteers will be expected to follow the same chain of command procedures, as do other employees of the Tampa Police Department. The volunteers will be accountable to the coordinator designated by the Tampa Police Department to administer any necessary discipline.

- III. **PROCEDURE:**
 - A. The Civilian Volunteer Program will be managed by the coordinator designated by the Tampa Police Department. The coordinator will:
 1. Be responsible for the efficient management of the program; and
 2. Be responsible, along with the appropriate board members, for recommending discipline involving members of the program to the chief of police or designee for final approval.
 - B. Qualifications necessary to be a CVAP Volunteer:
 1. Volunteers must be at least eighteen (18) years of age.
 2. All volunteers will be subjected to a criminal history name check before being allowed access to the building.
 3. No one will be accepted as a volunteer until at least one approved form of identification has been examined and confirmed. The identification information will be listed on the required registration form.
 - C. Recruiting, coordinating of volunteer assignments, and maintaining files of those activities will be performed by a CVAP member, under the supervision of the designated coordinator.

- D. Any unit within the Department desiring the assignment of a volunteer(s) will notify the CVAP coordinator. Volunteers are not permanent employees and should not be expected to fill permanent positions. Volunteers must receive training appropriate to the duties required by their assignment.
- E. Application:
1. Prospective volunteers will be instructed to contact a CVAP representative and set up an appointment to obtain an application.
 2. Once the prospective volunteer has completed the application, he/she will meet with a designated CVAP representative. The CVAP representative will advise him/her that several procedures must be completed prior to being accepted as a volunteer.
 3. A criminal history check will be conducted on each applicant. If the criminal history reveals an arrest in the applicant's background resulting in a felony conviction or certain misdemeanor convictions, the applicant will be deemed unsuitable and will not be processed any further.
 4. If the criminal history check does not reveal any arrest, the applicant will be formally interviewed by a member of CVAP.
 5. Once the interview is completed, the applicant will be directed to the Forensic Investigation Unit to have their fingerprints completed.
 6. When the fingerprint information is returned on the applicant and nothing negative is revealed, the CVAP representative will contact the applicant and advise him/her that they have been accepted into the CVAP Program. The CVAP representative will schedule a date and time for the applicant to obtain an identification card.
 7. When the applicant receives his/her identification card, the CVAP representative will:
 - a. Furnish a copy of the TPD Volunteer's Manual¹;
 - b. Scheduled an orientation and a tour of the building;
 - c. Discuss the hours the volunteer is available to work and where the volunteer will be assigned; and

¹ CALEA [5th Edition] 16.4.1

- d. Provide the volunteer with all the necessary contact information as needed.
 8. The designated CVAP representative will initiate a file on the applicant.
 9. The Forensic Investigation Unit will be responsible for photographing and fingerprinting the volunteer. A standard TPD number will be assigned and the fingerprint card will be filed in the Forensic Investigation Unit, after processing, as with regular employees.
 10. The identification card will be issued to the volunteer. The volunteer will sign the appropriate paperwork acknowledging receipt of the identification card and return same upon departure from the CVAP program.
- F. Volunteer Organization: The volunteers have formed a not-for-profit, 501 (c) 3 corporation known as the “Civilian Volunteers Assisting Police, Inc.” to facilitate fundraising and social activities. A board of directors, consisting of the officers of the corporation and various directors-at-large, manages the corporation.
1. The officers of the organization and of the corporation will consist of a president, vice president, treasurer, sergeant-of-arms, secretary and the coordinator designated by the Tampa Police Department.
 2. The president or designee, in addition to the normal duties and responsibilities of a corporate president, will be responsible for maintaining a list of active and inactive volunteers.
 3. The treasurer of the CVAP board of directors, in addition to the normal duties and responsibilities of a treasurer, will be responsible for keeping track of hours worked by each volunteer. The treasurer will submit a report of the number of hours worked to the designated coordinator each month. Copies of the report will be furnished to the Chief of Police and to all members of the chief’s staff.
- G. Finances:
1. The CVAP organization will engage in fundraising activities periodically.
 2. The group will be responsible for placement of any vending machines within the facilities of the Tampa Police Department and will use the profits from the machines as described in this section.

3. Any monies above normal operating costs will be used to benefit police officers, other police employees, and/or enhance the police mission through grants.
 4. If funds are available, CVAP will provide refreshments upon request. Employees desiring to obtain funding for such should make contact with the treasurer or CVAP coordinator at least five (5) working days in advance.
- H. Volunteers must have their identification card visible at all times while inside any police building and follow the department's dress code.
- I. Volunteers will be advised that if they so desire, they can change jobs at any time.
- J. Volunteers are covered by Worker's Compensation insurance just like regular employees with the exception of salary replacement. They are only covered while actually on duty and/or at an authorized police function. If a volunteer is injured:
1. All standard regulations and procedures will be followed as if the injury involved a regular employee;
 2. A Risk Management Report will be prepared by a supervisor;
 3. If needed, the volunteer will be taken or referred to a City approved doctor or hospital;
 4. A DA 36 will be prepared to accompany the volunteer to the doctor or, in case of emergency, will be taken to a hospital or medical facility;
 5. If the volunteer is exposed to body fluids, the Biohazard Report will be prepared; and/or
 6. If necessary, the designated coordinator, or his/her designee, will be asked to notify the volunteer's next of kin.
- K Reporting for Duty:
1. Volunteers reporting for duty at the police building will respond to the C.V.A.P. office to report in, note their presence on the Volunteer Log, and to read roll call board information.
 2. Volunteers working in facilities other than One Police Center (TPD Headquarters), will ensure that the treasurer receives their volunteer hours prior to the 25th of each month.

L. Parking:

1. Four (4) parking garage access cards are granted to CVAP board members. The cards will grant access for board members to park during their working hours at 411 N. Franklin St.
2. Other CVAP personnel, who volunteer at One Police Center (TPD Headquarters), will be allowed to park in a City of Tampa parking lot free of charge. The volunteer will obtain a parking ticket from the attendant and present it to the designated coordinator, who will validate the ticket. This applies only when the CVAP volunteer is working within 411 N. Franklin St.

M. CVAP volunteers may ride as a civilian observer with sworn personnel, provided they follow the same guidelines and procedures as outlined in SOP 642 - Guest Passengers and Observers.

N. Resignations:

1. If a volunteer wants to resign, he/she is encouraged to do so in writing.
2. Any credentials, keys, or other property of the Tampa Police Department will be returned immediately.
3. If a volunteer resigns or becomes inactive, his/her personnel file will be marked as such. Identification cards will be placed inside the folder and saved. Later, if the volunteer reactivates, the identification card will be reissued and the file reactivated.

Supersedes SOP 613.1, dated 12/03.

613.3 CIVILIAN MOUNTED PATROL

¹ CALEA [4th Edition] 16.4.1

614 CALLS FOR SERVICE¹

- I. PURPOSE²: To establish procedures for screening calls for police service, and assigning a priority status to all such calls for service; and to provide criteria for certain calls which shall be handled in some fashion other than the response of a field officer.
- II. DISCUSSION: In establishing specific guidelines and priorities for response, the department maintains control of the patrol function while simultaneously providing better service for serious incidents which require timely response and attention. The process of originating and/or supplementing by telephone certain reports, which, by their nature, do not require the on-scene presence of a police officer, is a cost efficient and expedient alternative to dispatched response.

The dispatch signal and priority should serve only as a guide to officers in determining their mode of response. Officers should exercise discretion instead of being dictated to by a dispatch signal or priority. Officers are responsible for operating their vehicle in a safe and prudent manner at all times. They are in a better position to be aware of existing conditions, i.e., traffic, weather, etc., than communications personnel.

III. DEFINITIONS:

A. Priorities:

1. Priority One: This category includes life threatening emergencies or certain major incidents which are classified as "in progress"³, i.e., a rapid response by a police unit would more likely prevent loss of life, serious injury, or major property damage or loss. The goal in Communications is that priority one calls be dispatched within forty-five seconds, and assigned to the closest available unit, even if units must be released from previous calls. The response goal for a priority one call is eight minutes from the time of dispatch to arrival of the first unit.
2. Priority Two: This category includes various incidents that require an immediate response.⁴ These incidents are often listed as "in progress" or "just occurred."⁵ The goal in Communications is that priority two calls be assigned within two minutes to the next available unit, with the response goal of twelve minutes from the time of dispatch to the arrival of the first unit.
3. Priority Three: Includes most minor crimes generally "just occurred," or "delayed,"⁶ and other "in progress" calls of a non-emergency nature.

¹ CALEA [5th Edition] 41.2.1

² CALEA [5th Edition] 41.2.1; 81.2.14

³ CALEA [5th Edition] 41.2.1; 81.26(b); 81.2.14

⁴ CALEA [5th Edition] 41.2.1; 81.26(b)

⁵ CALEA [5th Edition] 41.2.1; 81.2.14

⁶ CALEA [5th Edition] 41.2.1; 81.2.6(b); 81.2.14

Priority three calls should be assigned to a unit or a buffer assigned to the actual zone in which the event occurred. If neither the zone or buffer unit is available, any available unit will be dispatched. A reasonable effort will be made to ensure police response prior to situations escalating to violence. Additionally, possible apprehension of suspects will be considered an extenuating circumstance that may require a more rapid response. The dispatch goal for priority three calls is 30 minutes from the time the call is received. The response goal for the dispatched unit is 15 minutes.

4. Priority Four: This category includes only minor incidents without significant on-scene evidence or potential for escalation. The call should be assigned to the unit or a buffer assigned to the actual zone in which the incident occurred, however zone integrity may not be upheld if the zone or buffer unit will not be available within an hour. The dispatch goal for priority four calls is one hour from the time the call is received, with the responding unit arriving within 30 minutes.
- B. Closest Available Unit: Unit or units nearest to a priority one call unless already on a priority one assignment. If necessary, a unit will be released from a lesser priority call to facilitate the rapid response to a priority one call. The same unit, or another unit, can then be assigned to the lesser priority call as time permits.
 - C. Next Available Unit: The unassigned unit closest to a priority two call. Preference shall be given to a unit assigned to the zone or to a buffer assigned to the zone in which the call is dispatched.
 - D. Communications Call Guides: Administrative Intra-Division Procedures used by the Communications Bureau to outline the relevant information to obtain from callers, actions required by the call taker, dispatcher responsibilities, and any pertinent special instructions or SOP.
 - E. Call (Case) Types: Signals and modifiers applied to calls entered into the CAD for police response. The CAD Case Type Table provides a computer assisted differential response system designed to assist Communications Personnel in determining urgency (priority) of the situation, recommending the optimal response (number and type of units), and providing other procedural information.
 - F. Call Modifiers: Letters or symbols used in conjunction with dispatch signals to facilitate the dispatch process and convey event information in an abbreviated manner. The letters are not announced over the radio, but are viewed on the status screen of MDTs or CAD.
 1. *: Identifies calls where weapons are involved or calls that are life threatening or of a violent nature.
 2. "A": Denotes an audible alarm.

3. **“B”**: Multiple uses: indicates a robbery or an alarm at a bank or identifies CAD calls that are BOLOs.
4. **“C”**: Multiple uses: identifies calls relating to the burglary or robbery of a commercial business; customer dispute; or a traffic stop on a vehicle with a “CAT” sticker.
5. **“D”**: Delayed cases. The reported event occurred more than twenty minutes immediately prior to the complainant’s call.
6. **“E”**: Exchange of Information. When accidents are reclassified to a driver’s exchange and no follow up police report is expected.
7. **“F”**: Denotes fireworks on a disturbance call or reclassifies an alarm to indicate it was false (46F).
8. **“H”**: Multiple uses: home invasion when used with Signal 23, hold-up alarm when used with Signal 46, or Hazmat when used with Disaster (unnatural).
9. **“I”**: Multiple uses: indicates cases in progress; vehicular crash with injuries; robbery of an individual; or an intrusion alarm.
10. **“J”**: Cases that have just occurred. The reported event occurred within twenty minutes immediately prior to the complainant’s call.
11. **“M”**: Denotes loud music on a disturbance call.
12. **“N”**: Vehicular crash with no injuries or a neighbor dispute on a disturbance call.
13. **“P”**: Used for classifying an alarm as panic/duress/ambush.
14. **“R”**: Identifies cases relating to the burglary of a residence, a roommate dispute on a disturbance call or Road Damage when used with Natural Disaster.
15. **“S”**: Indicates shot heard/fired on a disturbance call or silent alarm.
16. **“T”**: Trees when used with Natural Disaster.
17. **“U”**: Vehicular crash with unknown injuries.
18. **“V”**: Car jacking; used with Signal 23.
19. **“ATC”**: Attempt to contact; used with Signal 14.

- F. CAD: An abbreviation for the Computer Aided Dispatch system that automates the call taking and dispatching functions of Communications.
- G. Call Taker: A Communications Technician assigned to answer 911 and administrative telephone lines within the Communications Bureau.
- H. Dispatcher: A Communications Technician assigned to a dispatch radio frequency in the Communications Bureau.
- I. Alert Tone: A tone, which is broadcast over the police radio and used to announce a priority one call.

IV. PROCEDURE:

A. Screening and Dispatching Calls:⁷

1. Priority One - Call Taker Duties: When a call for police service is received, the call taker shall assume command of the conversation.⁸ If the call taker determines by questioning and use of the Communications Call Guides that the complainant is reporting a priority one call, the call taker shall immediately enter the call into the CAD system and send for dispatch. The initial CAD entry shall include the call type, priority, location, and at least one line of descriptive remarks.

The call taker will keep the complainant on the telephone, specifically asking that person to stay on the line to prevent the complainant from thinking that they are no longer needed, and disconnecting.⁹ Once the call taker has transmitted the priority one call to the appropriate dispatcher, the call taker will return to the complainant and attempt to obtain other pertinent details including, but not limited to: extent of injuries, description of suspects (with particular attention to armed subjects) description of vehicles, direction of travel, and complainant identifying information. The additional facts are to be added to the remarks section of the CAD incident.

2. Priority One - Dispatcher Duties: Once the dispatcher of the affected frequency has received the priority one call, they shall immediately dispatch the call to the closest available unit, utilizing the alert tone to announce the call. The dispatcher of the affected frequency will be responsible for ensuring that the information is broadcast on the radio to adjacent sectors.

If necessary, a unit may need to be released from a call of lesser priority. Releasing the closest assigned unit on a lesser priority call is preferred

⁷ CALEA [5th Edition] 81.2.6(a)

⁸ CALEA [5th Edition] 41.2.1; 81.2.6(b)

⁹ CALEA [5th Edition] 41.2.1; 81.2.6(b)

over assigning a unit from a longer distance. If no unit is available, or previously assigned units do not answer, the call shall be assigned to the area supervisor.

Should the affected dispatcher be unable to assign the call immediately, the affected shift commander and the on-duty communications supervisor shall be notified. It is absolutely imperative that priority one calls be dispatched immediately.

Additional relevant information shall be relayed to the responding units as it becomes available to the dispatcher.

3. Priority Two - Call Taker Duties: If the call taker determines by questioning and use of the Communications Call Guides that the complainant is reporting a priority two call, the call taker shall obtain the location, and all relevant information. All pertinent information is to be entered into the CAD system and sent for dispatch. If additional calls are received for the same incident, the receiver will add any additional information obtained to the remarks section of the CAD incident.
4. Priority Two - Dispatcher Duties: Upon receiving a priority two call, the dispatcher shall immediately dispatch the “priority two” call to the next available unit. If all units are committed, the dispatcher shall BOLO the call requesting a unit come back into service to respond to the call. If no units take action, the dispatcher will view units dispatched and attempt to find a unit on a lesser priority case, which can be reassigned. If no unit is available, or previously assigned units do not answer, the call shall be assigned to the area supervisor. Should the affected dispatcher be unable to assign the call immediately, the affected shift commander and the on-duty communications supervisor shall be notified.
5. Priority Three - Call Taker Duties: If the call taker determines by questioning and use of the Communications Call Guides that the complainant is reporting a priority three call, all pertinent information is to be entered into the CAD system and sent for dispatch. The concept of priorities should be explained if the caller questions the response time. If additional calls are received for the same incident, the call taker will add any new information obtained to the remarks section of the CAD incident. The **call taker** shall evaluate the new information received and adjust the priority of the call as appropriate, after notifying the dispatcher of the impending change.
6. Priority Three - Dispatcher Duties: Upon receiving a priority three call, the dispatcher shall dispatch the call as soon as possible to the appropriate zone unit. If one is not available, the dispatcher will dispatch units from nearby zones to priority three calls. They will notify the affected sergeant of the call holding, attempt to have a unit return to service via BOLO, and if the call remains holding briefly describe the reason why in the remarks

section of the CAD incident. The remarks will be available for auditing purposes. The dispatcher will also send a CAD message requesting contact be made with the complainant *to* explain the delay.

7. Priority Four - Call Taker Duties: If the call taker determines by questioning and use of the Communications Call Guides that the complainant is reporting a priority four call, all pertinent information is to be entered into the CAD system and sent for dispatch. If the call taker determines the event does not require police response, the call taker shall explain to the caller that they will be referred and provided a telephone number to the appropriate authority for handling their complaint. If the affected Operations District Delayed Crimes Investigations Unit (DCIU) is operational, the call will be referred and handled by that entity. If the DCIU is not in operation, the call should be referred to the appropriate District office person for handling.

If the caller insists that an officer respond, the call taker should agree. The call taker will then explain that the call is classified as a low priority incident, and it will be ranked after all calls of a higher priority, including the possibility of a 30 minute wait for a police response.

8. Priority Four - Dispatcher Duties: Upon receiving a priority four call, the dispatcher shall dispatch the call consistent with prioritization criteria to the appropriate zone unit. If the unit is unavailable, the dispatcher will advise the zone unit of the call holding in their area. If the dispatcher is unable to dispatch the call within 30 minutes, they will briefly describe the reason for the delay in the remark's section of the CAD incident. The remarks will be available for auditing purposes. The dispatcher will also send a CAD message to the appropriate call taker requesting the complainant be contacted to verify that a response is still needed and explain the dispatch delay.
9. If a reported event does not appear to fit the Communications Call Guides, the call taker must use discretion to appropriately prioritize the call. As soon as possible, the call taker should consult with the on duty communications supervisor so that a decision can be made as to whether or not the Call Guides should be altered.
10. The assignment of priorities is predetermined by the dispatch signal and case modifier entered into the CAD system. When applicable, call takers can and should override the defaulted priority selected by CAD based on the available information, dispatcher discretion, and the Communications Call Guides. The dispatcher shall not alter the priority or signal selected by the call taker without first confirming the information with the call taker or supervisor. In all cases, the responding officer's judgement shall prevail, taking into account the prevalent conditions as they respond to the call.

If the call taker determines that the incident described by the caller should be referred to another agency, the call taker will advise the caller and forward the call to the appropriate agency.¹⁰

11. These procedures shall not be altered without the approval of the Chief of Police.

Supersedes SOP 614, dated 10/06.

¹⁰ CALEA [5th Edition] 81.2.6(a)

614.1 NARCOTICS AND ORGANIZED CRIME COMPLAINTS¹

- I. **PURPOSE:** This directive provides guidelines concerning the investigation of complaints received relative to narcotics and organized crime activity.

- II. **DISCUSSION:** The very nature of narcotic and organized crime activities make citizens reluctant or hesitant to make their identity known when reporting such matters. Information concerning these criminal activities is usually obtained through telephone calls, letters, or other types of communication. The following procedure will provide a means of utilizing the information received to its best advantage.

- III. **PROCEDURE:**
 - A. Officers receiving verbal narcotic complaints by telephone or other sources will document the information on TPD 595 (Police Department Memo) or in electronic mail (e-mail) and forward the same to the affected district. The affected district's QUAD supervisor receiving the communication will handle the complaint or coordinate with CID's Narcotic Bureau, to investigate the complaint if necessary. The memo or e-mail will be reviewed by the officer's supervisor and routed accordingly.

 - B. The Criminal Intelligence Bureau is responsible for latent investigation of illegal gambling, morals violations, alcoholic beverage violations and other organized criminal activity. Officers receiving verbal complaints of these activities by telephone or other sources will document the information on TPD 595 or in electronic mail (e-mail). The memo or e-mail will be reviewed by the officer's supervisor and routed accordingly.

 - C. The patrol division's street anti-crime squads are responsible for the latent investigation of prostitution. Officers receiving verbal complaints of this nature via telephone or other sources will document the information on TPD 595 or in electronic mail (e-mail). The memo or e-mail will be reviewed by the officer's supervisor and routed accordingly.

Supersedes SOP 614.1, dated 4/01.

¹ CALEA [4th Edition] 43.1.1

614.2 DELAYED CRIMES INVESTIGATIONS UNIT¹

I. **DISCUSSION:** The Delayed Crimes Investigations Unit was created to allow a more cost-effective use of available resources. There are many calls for police service, which do not require the physical presence of a Police Officer. A Community Service Officer assigned to the Delayed Crimes Investigations Unit can serve the public more efficiently through the telephone, the Post Office, e-mail, facsimile, or by having the citizen respond to the police station in those situations.

II. **RESPONSIBILITY:**

A. Community Service Officers and law enforcement officers assigned to the Delayed Crimes Investigations Unit have the responsibility of investigating and documenting certain types of crimes.

B. Community Service Officers and all law enforcement officers shall ensure that investigations are originated based on interviews with the actual victim of a crime unless otherwise authorized by statute or policy.

C. Any law enforcement officer, who comes into contact with the victim of a crime, or complainant in an incident, shall make every reasonable effort to investigate and document that crime unless otherwise dictated by circumstances detailed in this SOP.

D. It is the responsibility of any officer or employee originating the investigation of a felony to obtain sworn testimony from a material witness except as detailed in this SOP when originating felonies via telephone.

E. All stolen vehicle reports must be taken in person. The officer/CSO taking the complaint is responsible for ensuring the complainant/witnesses is sworn at the time the complaint is taken.

III. **PROCEDURE:**

A. The Delayed Crimes Investigations Unit will primarily originate reports on delayed crimes, white-collar crimes, crimes involving documents, and in general, crimes and incidents whereby a crime scene investigation would not enhance the successful completion of the police mission. Information can be conveyed to the DCIU by telephone (813-276-3205), by facsimile (813-276-3221), by e-mail (TPD.DCIUNIT@CI.TAMPA.FL.US), through the TPD website

¹CALEA [4th Edition] 81.2.14

http://www.tampagov.net/dept_police/dciu/index.asp) or in person at TPD headquarters (411 N. Franklin Street).

- B. In all cases except those described herein; reports will only be taken from an actual victim of a crime. Exceptions to this policy include:
 - 1. Any incident in which the victim is physically or mentally incapable of making the complaint;
 - 2. A report taken from a complainant who has a legal power of attorney to represent the victim;
 - 3. A report taken from an attorney on behalf of a client as long as a copy of a power of attorney, statement of representation, or similar document is submitted by wire, mail, or in person and attached to the report;
 - 4. A report taken from someone who has lawful custody of another's property, as long as the relevant contract or other authorizing documentation is attached; or
 - 5. A report of an incident that is required by statute such as, for example, domestic violence.
- C. Reports of failure to return rented vehicles and the theft of vehicles from the inventory of rental agencies, vehicle auction businesses, and vehicle dealers will be originated in person at the Delayed Crimes Investigations Unit. See SOP 322.2 - Rental Property and Theft from Inventory Complaints.
- D. Cases of failure to return rental property, other than vehicles, will be referred to the State Attorney's Office Intake Division for warrant issuance. If the complainant indicates that the property was rented by fraud or pawned immediately after being rented, the case will be originated by the DCIU.
- E. Delayed Forgery, Credit Card Fraud, Uttering, and similar crimes and incidents involving forged or altered documents will be originated by the Delayed Crimes Investigations Unit.
 - 1. Complainants of crimes involving such documents will be required to bring all documents, including a sworn statement from a material witness, to the Delayed Crimes Investigations Unit in person. An exception will only be made when the complainant has made prior arrangements with the Delayed Crimes Investigations Unit manager to communicate by facsimile or by mail.

- E. Cases of forgery, failing to return rental vehicles, and thefts of vehicles from the inventory are some of the very few cases where it would be acceptable for an officer to advise a complainant that he cannot document a criminal act and the complainant should respond to the Delayed Crimes Investigations Unit.
- F. Minor thefts in which there is no known physical evidence at the crime scene will be originated the Delayed Crimes Investigations Unit.
- G. Delayed minor cases of various types of assaults may be originated by the Delayed Crimes Investigations Unit.
- H. Harassing, obscene, and threatening telephone call complaints will normally be originated by the Delayed Crimes Investigations Unit.
- I. Burglaries of vehicles may be originated by the Delayed Crimes Investigations Unit if there is no reason to believe there is evidence available to process at the scene.
- J. Residential or commercial burglaries will never be originated by the Delayed Crimes Investigations Unit, unless the crime had been discovered several weeks prior to the call, or other circumstances make it unreasonable to dispatch an officer to the scene.
- K. Auxiliary reports involving additional or corrected statistical or investigative information will normally be written by the Delayed Crimes Investigations Unit.
- L. Fraud, misapplication, misappropriation, embezzlement, obtaining property by false personation, and similar crimes will be reported in person to the Delayed Crimes Investigations Unit unless circumstances dictate otherwise.
- M. Any crimes reported by mail, electronic mail, or facsimile will be referred to the Delayed Crimes Investigations Unit for investigation and possible origination.

Supersedes SOP 614.2, dated 6/99.

614.3 PREMISE HAZARDS

- I. PURPOSE: To establish a procedure to identify, record, and maintain information in the MaxiCad Computer Aided Dispatch (CAD) program about potential hazards that may exist at an address where officers are responding.
- II. DISCUSSION: During the course of day to day operations, officers in the field have an opportunity to gather information about specific addresses that would be useful should another officer respond to the same address. For example, there may be vicious animals on the premise or residents with severe medical conditions. Any information pertinent to officer safety or the public's safety in the event of an incident at a particular location can and should be noted in the MaxiCad hazard file. The MaxiCad program will then automatically notify the dispatcher and the responding officer(s) that a potential hazard exists at a location.
- III. DEFINITIONS:
 - A. Premise Hazards: address specific information of importance to officers responding to calls for service.
 - B. MaxiCad Hazard File: A feature of the CAD program that alerts dispatchers and officers of potential hazards at an address.
 - C. Hazard Categories:

A	-	Animal (vicious)
C	-	Caution (universal precautions)
G	-	Guns/weapons involved in violation
H	-	Hazardous materials/chemicals
V	-	Violent/resist arrest
X	-	Registered sex predator/offender
- IV. PROCEDURES:
 - A. Officer Responsibility:
 1. In order to have hazardous information pertaining to a specific address in the MaxiCad Hazard File, the officer will contact the on-duty Communications Supervisor (with approval of the officer's supervisor) and provide all pertinent information. The Communications Manager, or his designee, will ensure that the information is entered in the CAD.
 2. Prior to being purged, prior entries will be checked/verified by all subsequent officers dispatched to the address in order to determine if the hazard still exists. If the hazard still exists, it will be kept

active in the system. Should a hazard not be verifiable, it will be removed from the CAD.

3. If an officer is dispatched to an address flagged with a hazard that no longer exists, it will be the officer's responsibility to request the hazard be removed from the CAD system. The officer will contact the Communications Manager requesting the removal and provide a brief explanation. Officers and communications personnel who view a premise hazard will be able to see all of the current hazards on file associated with a specific address.
- B. Dispatcher Responsibility: The dispatcher will inform any officer responding to an address if it is flagged with a hazard. When advising of a hazard, a time frame should be included, telling the officer how old the alert is. If the same address is frequently visited and has the same problem(s), the alert should be updated with each response and the purge date moved back accordingly. Although officers can view the hazards on the MDT, it will be the responsibility of the dispatcher to verbally inform responders to a call that hazards exist, whether the hazard is at a specific address or at a location with multiple address.
- C. Communications Manager's Responsibility:
1. The Communications Manager will be responsible for entry and maintenance of hazards into the CAD.
 2. The MaxiCad Hazard Files will be maintained through the use of purge dates on each entry. Upon initial entry, the purge date will be one year from the date of entry. The CAD system will automatically remove the hazard from the file if the date has not been extended.

Supersedes SOP 614.3, dated 1/05.

615.4 NARCOTICS DECONFLICTION PROGRAM

- I. **PURPOSE:** To establish a deconfliction program for components of the department conducting narcotics investigations which may be in dangerously close proximity to one another, interfere with ongoing investigations, and/or duplicate investigative efforts.

- II. **DISCUSSIONS:** With the reorganization of the department, drug law enforcement was decentralized internally. The primary responsibility of controlling open-air drug markets is a function of the R.O.C. Squads. R.O.C. Squads are deployed to geographical areas within each Patrol District. The investigation of drug trafficking organizations, money laundering, parcel interdiction and mid-echelon traffickers remain functions of the Strategic Investigations Bureau. The fundamental goal of this program is officer safety. A secondary objective is to preserve the integrity of long-term and on-going investigations that may be prematurely compromised by enforcement efforts that interface with cases being conducted by another unit.

- III. **PROCEDURE:** The Strategic Investigations Bureau commander will maintain a file containing the names, addresses, and aliases of all subjects currently under investigation by the Strategic Investigations Bureau. Information contained in this database will be submitted on a monthly basis by detectives to their respective sergeant in the form of a “Summary of Projected Investigative Activity.” In the event that a target of opportunity is identified during the month, which will result in a transactional arrest (buy-bust) or search warrant situation not previously reported, the detective will immediately contact his sergeant or the Strategic Investigations Bureau commander. The sergeant or Strategic Investigations Bureau commander will ensure that the suspect(s) are not the target of an ongoing investigation.
 - a. All R.O.C. sergeants and corporals will have “read-only” access to the deconfliction log. When the R.O.C. investigation progresses to the point that a transactional arrest scenario or search warrant is anticipated, the R.O.C. supervisor will access the deconfliction database and check for conflicts.

 - b. In the event that an area is to be targeted for a sustained undercover operation meant for a mass-arrest or “round-up”, the supervisor managing the investigation will contact the Strategic Investigations Bureau commander or supervisor regarding the operation. A weekly review of suspects identified will be submitted for deconfliction purposes.

 - c. A captain or R.O.C. designee from each Patrol District will be appointed as the liaison supervisor for deconfliction.

 - d. In the event that R.O.C. anticipates executing a search warrant or conducting a transactional arrest scenario, the captain or designated R.O.C. liaison will enter all pertinent information into the database.

- e. In the event that a conflict is discovered based on data previously entered into the system, the supervisors making the entries shall communicate with one another to resolve the conflict prior to any enforcement actions being taken.
- f. At the conclusion of investigations, it shall be the responsibility of the captain or designated R.O.C. liaison to notify the Strategic Investigations Bureau's office support specialist to remove events entered into the system.
- g. Any investigation, which results in an enforcement action that will be taken outside of the City of Tampa, will be coordinated with the Strategic Investigations Bureau.
- h. No information contained in the Narcotics Deconfliction Program will be printed or disseminated outside of the department without approval of the supervisors making the entries.
- i. If a R.O.C. Squad conducts an investigation with leads that results in an enforcement action being taken in a Patrol District other than the one to which they are assigned, the R.O.C. supervisor will contact the R.O.C. supervisor in the affected district prior to any action being taken.

Supersedes SOP 615.4, dated 2/05.

616 PHOTOGRAPHIC EQUIPMENT

I. DISCUSSION: Photography is an invaluable asset in documenting incident scenes. The Mobile Crime Lab is available for extensive photographic requirements; however, cameras have been provided to some supervisors and bureaus for use in certain situations. This procedure will provide for the issuance of necessary camera supplies for those cameras.

II. PROCEDURE:

A. Employees who take photographs are responsible for delivery of the film to the Forensic Investigative Unit.

616.1 DIGITAL AND FILM EVIDENCE AND CRIME SCENE PHOTOGRAPHY

- I. **PURPOSE:** To provide a uniform procedure for the handling, storage, processing, and printing of photographs and images of evidence and crime scenes made with digital or other photographic equipment. In general, the Tampa Police Department has two basic goals to ensure the admissibility of images; preserve the original and follow a reliable process demonstrating the integrity of the image.

- II. **DISCUSSION:** Photography has a long history in the recording of crime scenes and other items of evidentiary value in law enforcement. As new technologies have been developed and tested, new methods of crime scene photography are now being accepted. Law enforcement is gradually moving away from wet process photography and toward digital imagery. Anytime new technologies are adopted by law enforcement, caution must be utilized to avoid employing it in such a way that it can be challenged in court. Concerns have already been raised in various venues about the use of digital imaging for crime scenes because of the demonstrated ease with which a digital image can be manipulated. Images of evidence or crime scenes can become vital links in the pursuit of justice, it is therefore essential that such imagery be handled and stored in compliance with the rules concerning the chain of custody. In general, digital evidence must be maintained so that the integrity of the original image cannot be compromised. The person who recorded the image must be able to testify that it is unchanged and accurately depicts what was photographed.

- III. **DEFINITIONS:**
 - A. Archive Image – Either the primary or original image stored on media suitable for long-term storage. This will be the recorded image stored on a secured **COT network drive** or on CD-R's or DVD-R's. The archive image will never be enhanced in any fashion.

 - B. Digital media – Images and/or video stored in any one of a number of different ways, including, but not limited to smart media cards, compact flash memory, memory sticks, hard drives, compact disks, floppy disks, and other technologies. Only non re-writable media will be used for Tampa Police Department image storage, i.e. CD-R and DVD-R. CD-R will be used for files of less than 700Mb, DVD-R will be used for larger files.

 - C. First Copy – Digital images are **to be** downloaded from a camera or media **directly to a CD/DVD burner. (If this option is not available, images should be downloaded to the secure COT Forensics network drive, then to a CD-R/DVD-R as soon as possible).** The first time that this is done becomes the first copy and is to be saved and filed by the Photographic Laboratory as the archival copy of the images.

- D. Photographic evidence log – is a log kept by the Photographic Laboratory of the Forensic Investigation Unit to track the chain of custody of exposed 35 mm film and digital media containing images recorded during an investigation.
- E. SWGIT – The Scientific Working Group for Imaging Technology. This is a group formed by the Federal Bureau of Investigation tasked with the creation of recommendations for law enforcement agencies converting their photographic processes to digital imaging technology.

IV. **RESPONSIBILITY:** It is the responsibility of every officer and employee who uses photographic images to do so in compliance with this SOP to ensure that evidentiary images are available for court and other investigative purposes. This includes ensuring the film, the original digital image and the first copy of all evidentiary or crime scene images are deliverable in usable condition with all pertinent information to the Photographic Laboratory of the Forensic Investigation Unit. It is the responsibility of the Criminal Investigations Division major, or his designee to notify the Information Technology Unit when it becomes necessary for a person who is “read and write authorized” or “write authorized” to have his access to the secure Forensic drive changed due to transfer, retirement, promotion, or dismissal.

V. **PROCEDURES:**

A. Cameras:

1. Any sergeant, officer or other member of the Tampa Police Department issued photographic equipment will ensure that proper training on the operation of the camera has been received before attempting to use the equipment. An entire memory stick full of images could be deleted if a switch or button is engaged at an improper setting. The Forensic Investigations Unit will provide a power point training program to all personnel who utilize the digital camera to ensure successful operation of the equipment.
2. Any camera used by a member of the Tampa Police Department and equipped with a time / date stamp will be utilized with the time / date stamp feature turned on at all times. Images must be framed so that the time / date stamp will not obscure salient points in the prints.
3. **Images** recorded in a digital camera during an investigation of a crime scene **will never be deleted**. This includes deletions because of lack of quality, content, or available memory. [Most digital cameras create a serial indexing system and embed each image number into the data file comprising each image. Today, it is not uncommon for defense counsel to request copies of the data files. With little effort, defense counsel may quickly determine that images received in discovery were generated out of

sequence and demand interim generated images even if unrelated to the prosecution of their cases.]

4. The first image recorded for each case will be a case identifier. The operator will take a picture of a sheet of paper with the case/report number, (not the officer's event number) the date, location of the incident and the photographer's name written in bold letters.
 5. Photographs should always be taken at the highest quality or number of pixels available to the camera used, depending on the situation at hand.
 6. If a camera stops working or gets broken, it should be taken to the Forensic Investigation Unit's Photographic Laboratory during normal business hours for assessment and / or repair.
- B. The camera, memory-transfer cable, and memory media will be hand delivered to a photographic technician in the Photographic Laboratory or a district office to transfer the images to a CD-R/DVD-R.
1. Whatever computer is used, it must **not** have any image editing software such as Adobe Photoshop installed. This includes the software that comes with the camera. It is not necessary to load the camera's software onto a computer to download the images.
 - a. Photo editing software will detect a camera and its images, open automatically, and may change the default settings of the images, causing a loss of detail.
 2. The images will be transferred onto a CD-R/DVD-R as directly as possible. The operator should be able to use the USB cable to connect the camera directly to a computer.
 3. The operator will use My Computer or Windows Explorer to find the camera's icon, which the computer will read as an additional drive. The operator can then double click on the camera icon, which will open it. The images should be within a folder. After making sure there is an unused CD-R/DVD-R in the CD/DVD burner, the operator will then click and drag the folder containing the images to the CD/DVD burner logo. This should cause a CD-R to be burned with the camera's contents thereon.
 4. If the file is over 700 megabytes in size, a DVD-R will be used as the media.
 5. The operator will then disconnect the camera from the computer. Then open the CD/DVD drive by double clicking on it. The operator will then

open the file containing the images on the CD-R and visually verify that all images have transferred successfully.

6. If so, the CD-R will be placed inside an envelope and all of the case information fields on the envelope will be completed. The operator will make absolutely sure that the case number, not the event number is on the envelope.
7. The operator will then reformat the camera's memory stick to prepare it for its next use. It is important that the CD-R/DVD-R contents be verified before the memory stick is reformatted.
8. The envelope or sleeve containing the CD-R/DVD-R will be sealed with tape, initialed, and kept in a secure area until it can be transported to the Photographic Laboratory.
9. These actions and who performed them will be documented on a supplement to the original report. This is a very critical point in the chain of custody of the images. Documentation of the process is very important to avoid later court challenges.
10. On the next working day, immediately upon arrival, a Forensic Investigations Unit employee will log in the CD-R/DVD-Rs which have been received from the districts. The designated employee will then copy the photographic images from the **CD-R/DVD-R** to the **secure "Forensics" network** hard drive using the case number as the folder name. The FIU employee will check the size of the file saved to ensure that it is similar to the size of the folder saved on the CD-R/DVD-R. . He or she will take any action necessary with the images, such as E-mailing them to SAO and will then transfer the file folder to the permanent folder. Folders on this drive will be filed by case number.
 - a. The disk will be filed in a locked file cabinet as the archive copy the images, filed by the year and the case number.
 - b. The file stored on the hard drive will be used as the working copy. Any enhancements will be done to the working copy only.
 - c. The only enhancements done at this time will be the normal enhancements performed in a dark room, such as enlargements, color density, and color balance.
 - d. Each time working copy images are enhanced, the enhanced versions of the images will be saved to a different file with the same case number, but successive letters added, A for the first version, B for the second.

11. If the officer or photographer brings the camera directly to the Photographic Laboratory, the photographic technician on duty will download the images to the **secure “Forensics” network** hard drive, and burn a CD-R/DVD-R. The officer or photographer will supply all needed information on the face of the CD sleeve, including the case number not the officer’s event number. The technician will place the media into the sleeve and comply with this SOP.
12. The FIU employee will log every roll of film or set of digital images that arrive at the Photographic Laboratory no matter what type of media or how they arrived. The technician will use a felt-tipped pen to write the report number on the unused side of the CD-R/DVD-R.
13. Upon receiving a roll of film, the photographic technician on duty will log it into the Photographic Laboratory log.
 - a. The roll of film will be processed;
 - b. The film negatives will be cut; and
 - c. The negatives will be filed by the date, and case number.
14. Any additional enhancements done to any image will be documented in a supplement to the original report. This would include, changing a photograph of a fingerprint to a black and white image or removing confusing details from an image. Another technician must be able to duplicate any enhancements working with a new working copy. Documentation of any actions taken is extremely important.
15. Archival images will never leave the Photographic Laboratory without permission of the Forensic Investigation Unit manager or the Major Crimes Bureau captain. If a detective or other authorized person needs a set of images, a copy of the file will be burned onto new media disks and supplied to the person.
16. Prints of photographic images will be made only after being properly requested in writing or received via e-mail. As digital images may be viewed on almost any computer, prints will be discouraged where a CD-R/DVD-R will serve.
17. The district commander or his designee will notify via E-mail or in writing the Information Technology and Planning Bureau if an authorized person leaves his district and no longer needs that access.

18. The Forensic Investigation Unit manager will notify via E-mail or in writing the Information Technology and Planning Bureau if an authorized person no longer needs access. Normally, the only persons with read/write access to the digital files will be the FIU manager, the day shift supervisor of FIU, and the two Photographic Laboratory technicians.

Supersedes SOP 616.1, dated 9/06.

619 PROCEDURES FOR RETENTION OF DEPARTMENT RECORDS¹

- I. DISCUSSION: A system providing for the scheduling and disposing of public records must be in place to meet administrative, legal, fiscal, and historical needs. The retention period for all agency records is determined by the standard issued through the Florida Department of State, State Library and Archives of Florida in the form of a General Records Retention Schedule for state and local government agencies.

- II. RESPONSIBILITY:
 - A. It is the responsibility of a division/component commander to evaluate all public documents in his or her possession and initiate the microfilming or destruction of those records according to the current retention schedule provided by the Florida State Division of Library and Information Services.
 - B. It is the responsibility of the Tampa Police Department records custodian to coordinate retention requirements for departmental records and to provide for the transfer of inactive documents to the City of Tampa Records Center.
 - C. It is the responsibility of the Office of the City Clerk, Records and Micrographics Division, through the City of Tampa Records Center; to systematically receive and maintain records of the Tampa Police Department as described by the State of Florida Division of Archives, History, and Records Management. The City of Tampa Records Center shall further preserve and make available all transferred records.

- III. PROCEDURE: Those records not required in the current operation of the component will be periodically submitted for retention or disposal. Records will be classified in accordance with "The General Records Schedule for Local Government Agencies," specifically Schedule GS1-SL and GS2 of that publication, as provided by the Secretary of State. Each series shall be boxed separately and transferred to the police department records custodian for disposition. A copy of schedule GS1-SL and GS2 and appropriate storage boxes may be obtained from the police department records custodian.
 - A. Records which have not met the retention requirements as listed in Schedule GS1-SL or GS2 will require completion of Transmittal and Receipt for Records Storage/Request for Microfilm Service. When completed by the requesting component, the form(s) will be routed to the police department records custodian. Inactive records, not required for future reference, need not be microfilmed and may be stored in original form for the remainder of the retention period, as determined by Schedule GS1-SL or GS2.
 1. Transmittal and Receipt for Records Storage/Request for Microfilm Service is available on the City of Tampa web site and can be utilized as needed.

¹ CALEA [5th Edition] 32.2.3

2. The form will be retained and filed in the submitting component until the records have been processed by the City of Tampa Records Center. After processing, the City of Tampa Records Center will electronically return the form and ship labels to the originating component to be placed on the storage boxes, which will be required should retrieval of the stored documents be necessary.
- B. Records, which have met the retention requirements of Schedule GS1-SL or GS2, will require a Form CC-4, Transmittal and Receipt for Records Storage. The City of Tampa Records Center will automatically destroy submitted records that have reached their retention period, as listed in Schedule GS1-SL or GS2.
- C. The City of Tampa Records Center will periodically submit the Notice of Intent to Destroy Scheduled Records (DS-RM107) to the police department records custodian. The purpose of this document is to provide for systematic disposal of scheduled records pursuant to legal requirements.
1. The "City of Tampa Records Disposition Request" will be delivered to the originating component for disposal approval.
 2. Should the component conclude further retention is required, a memo detailing additional retention needs will be attached to the "City of Tampa Records Disposition Request" and returned to the police department records custodian.
 3. If the originating component approves records disposal, the City of Tampa Request" will be delivered to the chief of police for his signature and subsequently routed to the police department records custodian.
- D. The police department records custodian will meet with division commanders and/or their representation on an annual basis for training, updates and changes in the retention and scheduling of all departmental police records.

Supersedes SOP 619, dated 1/06.

620 CITY OF TAMPA IDENTIFICATION CARDS

622 SOCIAL SERVICE AGENCIES

- I. PURPOSE: This document provides a reference to the various services and resources available through other public and social agencies within the community.

- II. DISCUSSION: From time to time, departmental personnel are faced with the need to respond to questions by citizens or visitors regarding social service agencies within the community. On occasion, response to calls for service might create the need to refer individuals to some of those agencies. It is the role of the officer in such cases to provide timely, accurate, and courteous service to members of the community.

The Crime Prevention Bureau has become a “Community Links” partner with the Hillsborough County Citizen Action Center. A database is maintained with referrals available to appropriate social service agencies throughout Hillsborough County. Access to the database will be available during normal working hours through the Crime Prevention Bureau or any of the district’s Crime Prevention Practitioners.

III. PROCEDURE:

- A. In order to provide timely and accurate information to members of the community as needed, the Hillsborough County Crisis Center will serve as the information clearinghouse. Information is maintained on file regarding the wide variety of services offered by numerous social services agencies in the Tampa area.

- B. Sworn personnel in the field should ask appropriate questions to elicit that information, which will identify the social service agency or agencies that, can be of assistance. As appropriate, the officer should make contact with the Crisis Center to ascertain which agency would be the most appropriate to handle a specific situation. Once the officer has identified an appropriate agency, that agency should be contacted to determine:
 - 1. If the required services are available;
 - 2. If the agency is ready, willing and able to provide such services; and
 - 3. Under which conditions are services provided.

- C. If suitable services and/or arrangements are not available, or if a problem is encountered, the officer will contact the immediate supervisor.

Supersedes SOP 622, dated 1/99.

623 DUTY RELATED INJURY TO, OR DEATH OF, AN EMPLOYEE

- I. DISCUSSION: It is the intent of this directive to establish a chronological record of all injuries and subsequent treatment for injuries to be placed into the personnel service record of the concerned employee, and to effect timely notification to appropriate agencies when an employee is injured in the line of duty.

Civil penalties are assessed against employers who do not comply with established time limitations for submission of required documentation in workers' compensation cases. For this reason, it is imperative that any report of injury submitted to a supervisor be forwarded up the chain of command without delay. Any comments, opinions, or recommendations about the validity of the claim can follow at a later time, or may be discussed with the appropriate division commander.

II. DEFINITIONS:

- A. Initial Injury: An injury to an employee shall be considered "on duty or duty related" when it occurs during a scheduled tour of duty, or while off duty but while the officer is taking police action, including volunteer extra-duty work. An exception to this might occur when the employee is on duty but not performing an authorized job-related function.

Whenever an employee experiences an incident identifiable as an injury conforming to the above definition, the occurrence should be characterized as a new, "initial" injury. Even if the injury involves the same part of the body as some previous injury, the incident will be classified an initial injury unless the employee is still under the active care of the treating physician.

- B. Continuing Injury: The continuing effect of a documented on-duty or duty-related injury:
1. For which the City has assumed financial responsibility;
 2. From which the employee has been satisfactorily recuperating on light duty status or has been released to full duty, or has remained on full duty status; and
 3. Which, without any further physical aggravation, requires additional professional attention other than a scheduled check-up.
- C. Re-injury: A known on-duty or duty-related injury wherein a previously documented injury for which the employee is still under active care by the treating physician is further complicated by a separate incident. The previously documented injury must be one for which the City has assumed responsibility.

III. PROCEDURE:

A. Reporting an Initial Injury:

1. When there is an injury, or exposure to an infectious disease, the employee shall complete an Accident/Illness Cause Analysis Form (DA 307) during the tour of duty in which the injury occurs, whether or not it requires medical attention. The bottom part of Form DA 307 and the back of the form are for the supervisor to complete. An original DWC-1 will be signed by the employee, and a photocopy of the form will be completed. If an exposure has occurred, a DA 307 – A will also be completed and the on call Occupational Nurse shall be called.
 - a. The employee shall notify the supervisor immediately upon occurrence of the incident and in such time that the supervisor can personally visit the scene and investigate the incident. Failure to immediately report an injury could result in loss of payment; therefore, any incident that could require future medical attention must be immediately reported.
 - b. If the injury is duty related, but does not occur during a normal tour of duty, the employee shall immediately notify the on-duty supervisor of his assigned division. The completed forms shall then be submitted to that supervisor during the supervisor's tour of duty.
 - c. All employees will be treated by City-authorized physicians.
 - d. In the event an employee is "significantly exposed" to an infectious disease, the employee will notify their immediate supervisor and respond as soon as possible to Tampa General Hospital. (See SOP 665 – Exposure Control Plan for definitions.)
 - e. The City will not reimburse any funds personally expended by an employee for medical treatment, unless a request for medical treatment has been made to the City and the City fails, refuses, or neglects to provide said treatment.
 - f. In the event the employee is incapable of completing the required forms because of injuries or death, the form will be completed by their supervisor.
 - g. The supervisor shall notify the Department of Human Resources immediately when the incident results in death or serious bodily harm.

- h. The supervisor will complete his portion of Form DA 307, sign the form, and forward it up the chain of command. The supervisor will also initiate any practical corrective action to prevent recurrence of a similar incident.
2. The division commander is responsible for ensuring that any practical corrective action to avoid recurrence of a similar incident is completed.
3. The routing of the Accident/Illness Cause Analysis Form is outlined in Section E.

B. Reporting a Continuing Injury:

1. In the event an employee has further complications of a previously reported injury for which the City has assumed financial responsibility, treatment for the injury must be authorized by the appropriate bureau or shift commander, who will authorize the employee to contact the appropriate claims administration service. Upon contacting the claims administration service, the employee will advise them of the recurrence of the injury and will obtain information as to which doctor is to be seen. The employee must not contact the administration service or see a physician until proper authorization is obtained through the appropriate bureau or shift commander.
 - a. The employee shall have the treating physician complete a City of Tampa Form HR 36 upon each examination and shall deliver a copy of it to their supervisor **immediately**.
 - b. Form DA 307 is not required in these circumstances.

C. Reporting a Re-injury:

1. In the event an employee is injured or involved in some incident wherein an injury 1) for which the City has previously assumed financial responsibility, and 2) for which the employee is still under the active care of the treating physician, is physically aggravated or re-injured, the incident will be documented on form DA 307.
2. If the injury is to some part of the body, which has previously been injured, the injury will be classified only as an “initial injury” unless the employee is still under the active care of the attending physician for the previous injury.

3. For a re-injury, the block titled “Date of Injury/Onset of Illness” on Form DA 307 will be used to write the date the report is submitted and the word “Re-Injury.”
4. All other procedures are the same as previously mentioned on “reporting initial injuries.”
5. Routing will be the same as outlined in Section E, below.

D. Completion of Forms:

The division commander shall ensure that an original of Form DA 307, with any required attachments, are prepared utilizing the employee’s handwritten form as a guide. Attachments will be made to the original and all copies as outlined below:

1. Notice of Injury (Form DWC -1): A Florida State Workers’ Compensation Form will be attached each time Form DA 307 is used as an initial “Report of Injury” or “Re-Injury”.
2. Employer Information: If the employee is injured while performing authorized voluntary extra-duty work, enter information on both the extra duty work employers, and then the information on the Tampa Police Department.
3. Workers’ Compensation Coverage: Information should reflect the Workers’ Compensation Insurance carrier for the employer, which actually pays the officer, or, if the officer is paid by the City, enter “self-insured.”
 - a. In those cases where the employer is a private party not covered by the Workers’ Compensation Insurance Act, the employee injured will ascertain if the employer has any insurance coverage for said injured party. Such insurance information will be attached to the original Form DA 307 submitted by the affected employee.
4. Average Weekly Wage Statement: Each time the injury results in a “loss of time”, a computation of the employee’s average weekly salary, based on wages earned thirteen weeks prior to date of injury, will be submitted with Form DA 307. The actual wages earned for each of the thirteen weeks will be computed and listed individually in a column. This column will be totaled and averaged to determine the employee’s average weekly wage. In the event an employee suffers a re-injury and incurs a separate “loss of time” from the initial injury; a separate weekly wage statement will be submitted with the Form DA 307. The Department of Human Resources, Employee Relations Division will provide the necessary information to the requesting division.

5. HR 36: Physician's Appointment Authorization, a City of Tampa form, will be completed by the physician whenever an employee is examined and will be attached to DA 307 when possible.¹

E. Distribution of Forms:

1. The employee's division will distribute the forms as follows:
 - a. To affected employee: Employee copy of DWC – 1.
 - b. To Personnel & Training Section:

DA 307 – Original copy and two photocopies

DA 307-A – Original copy, yellow copy and one photocopy
(Only when applicable)

DWC-1 – Original copy, carrier copy,
Employer copy, and one photocopy

HR 36 – Original copy, yellow copy, and
One photocopy
2. The Personnel & Training Section will distribute the forms as follows:
 - a. To City Claims:

DA 307 – Original

DA 307-A - Original

DWC-1 – Original and carrier copies

HR 36 – Original
 - b. Retained in Personnel & Training Section to be filed in employee's departmental service record:

DA 307 – One copy

DA 307-A – Yellow copy

DWC-1 – Employer copy

¹ CALEA [5th Edition] 22.3.1

HR 36 – Yellow copy

- c. To Occupational Nurse (assigned to the Tampa Fire Rescue):

DA 307 – One photocopy

DA 307-A – One photocopy

DWC-1 – One photocopy

HR 36 – One photocopy

3. The Employee Relations Division will route the Average Weekly Wage Statement, if applicable, to Risk Management, and retain one copy for their files.

F. Assignment of Light Duty I.O.D. Sworn Personnel:

1. If the officer is to return to duty in a Light Duty Status, he will report to his assigned division with his City of Tampa Time and Attendance Form for assignment.
2. If the light duty officer is needed by a unit other than his assigned division, the affected division commander will write a letter or memo to the assistant chief through the Personnel & Training Section sergeant requesting that an officer be assigned to them.
3. The letter or memo requesting the officer's assignment, after the assistant chief or their designee has initialed it, will be kept on file at the Personnel & Training Section. No changes in assignments will be made until the letter or memo has been approved by the assistant chief or their designee.
4. An officer desiring to use annual, sick, or other unscheduled time off will request it through the unit to which they are assigned while on light duty.

G. Additional Information of a General Nature:

1. Emergency or after-hours treatment of injuries is available at Memorial Hospital. In the event of a life-threatening emergency, employees will be directed to the closest emergency facility. For all exposure related injuries, employees are directed to Tampa General Hospital for medical evaluation and prophylactic medication, if deemed necessary, and if the employee consents to treatment. (See SOP 665 – Exposure Control Plan).

- a. If a life-threatening injury co-exists with an exposure related injury, the employee's life-threatening injury will be the priority and the closest hospital will be utilized.
 - b. If the injury is an emergency, but minor in nature, the employee will utilize an approved City Claims designated medical facility (walk-in clinic). A list of approved facilities will be available in all divisions.
2. Sworn personnel suffering duty related injuries that consist of strains or twisting of the bone and/or joint involving the shoulder, knee, back, neck, and/or other areas of the body wherein the injury indicates a possibility of internal derangement or muscle/ligament strain will seek medical attention.
 3. If there is no need for immediate medical attention, the supervisor will direct the injured officer to schedule an appointment as soon as practical with a City Claims-designated facility. A list of the designated medical facilities will be furnished to the department by memorandum periodically as changes occur.
 4. Other than routine follow-up appointments, or medical attention for injuries covered under G.1, permission from the department and the claims administration service must be obtained prior to visiting a doctor.
 5. An employee released by workers' compensation doctors must return to work as scheduled, or, in the event the employee does not feel able to return to work, permission must be obtained from the department and the claims administration service to visit the doctor.
 6. When seeing a physician for any injury, for which the City has assumed responsibility, the employee must have a Physician's Appointment Authorization, HR 36, completed and signed at every visit².
 7. Unless granted a medical leave of absence, employees who are on temporary total disability (not reporting for work) are required to contact their supervisor and the Personnel & Training Section at intervals of not more than fourteen calendar days to inform the department of their status and/or any change in their status.
 8. In the event a follow-up consultation is needed with the treating physician, it must be coordinated through the City of Tampa Risk Management Division.

² CALEA [5th Edition] 22.3.1

9. Employees are required to submit a HR 36 and notify their immediate supervisor in a timely manner of any changes in their light-duty status (i.e., being released to work).

Supersedes SOP 623, dated 4/06.

623.1 NON-LINE OF DUTY ILLNESS, OR INJURY

- I. DISCUSSION: Some non-duty related illnesses, injuries or medical conditions could affect an employee's job performance. For that reason, it is necessary that the Department be informed when such conditions occur.
- II. DEFINITIONS:
 - A. Injury: Any physical disorder of external or traumatic origin occurring not in line of duty.
 - B. Illness: For the purposes of this directive, illness refers to any physical or mental condition other than an injury.
- III. PROCEDURE:
 - A. General Light Duty: In the event that an employee is at any time determined by a physician to be able to perform only light duty work as a result of a non-line of duty illness or injury, the department will evaluate the specific light duty restrictions and may place the employee in any department light duty job if one is available. However, the department is under no obligation to create light duty for an employee. Should an employee be placed on light duty and such duty becomes subsequently no longer available, then the department may terminate or change the light duty assignment. The provision of light duty for an employee shall not set precedent for provision of light duty for another employee. Light-duty shall be in lieu of a medical or personal leave of absence, not in addition to.
 1. Time Limit: Any employee, with the approval of the chief of police can be placed on light-duty status for a duration of six months. At the end of six months, the employee can request an extension of the light-duty status for three months from the chief of police. A maximum of two, three-month extensions may be applied for, and granted. If light duty is not authorized for any reason, or at the end of the initial six-month period or any extensions approved by the chief of police, the employee shall use available leave, return to full-duty, retire, resign, or be terminated.
 2. Documentation: All employees shall provide the Personnel Unit with a TPD Form 677, Sick Leave or Injury Report – Non-Line of Duty and Medical Status Report for each physician's appointment relating to the illness or injury for which the employee is on light-duty status. Documentation must be received from the attending physician on a bi-monthly basis. Failure to provide appropriate

documentation, in a timely manner, may result in disciplinary action, up to and including revocation of light-duty status.

3. Release to Full Duty Status: Upon release by the physician, documentation must be provided to the Personnel Unit via the chain of command without delay.
4. Supervisor's Responsibility: It shall be the responsibility of the supervisor (during light duty status) to ensure that all time frames pertaining to documentation are adhered to. Additionally, the supervisor shall ensure that the employee is under a physician's care. If the above requirements are not met, the supervisor shall initiate disciplinary action.
5. Light-duty Personnel: Any unit requiring the assistance of light-duty personnel, shall direct a request, through the chain of command to the assistant chief of police for approval.

B. Sworn Employees:

1. TPD Form 677, Sick Leave or Injury Report – Non-line of Duty and Medical Status Report Form, outlines the nature of illness, injury, or medical condition, and ability to return to duty. This form must be certified by a physician and will be completed when:
 - a. A sworn employee is absent from duty in excess of three consecutive working days because of illness; or
 - b. A sworn employee is injured and requires medical treatment; or
 - c. An injury or illness impairs the sworn employee from performing normal duties; or
 - d. In the opinion of a division commander, a sworn employee has suffered an illness, injury, or medical condition which could affect the employee's ability to perform normal duties; or
 - e. A sworn employee suffers an injury that consists of bone-joint strain or twist involving the shoulder, knee, back, neck or other area of the body wherein the injury indicates a possibility of internal derangement or muscle/ligament strain.

2. Upon the sworn employee's return to duty after any of the situations in III.B.1 has occurred, the employee will forward the TPD 677, through his immediate supervisor, to the division commander.
3. The original form will be forwarded to the Special Support Division, Personnel Unit.
4. The Special Support Division, Personnel Unit, shall file the original form in the employee's Personnel Service Record.
5. All light duty assignments are at the discretion of the sworn employee's division commander.

C. Civilian Employees:

1. TPD Form 676, Sick Leave or Injury Report – Non-Line of Duty will be completed when:
 - a. A civilian employee is absent from duty in excess of three consecutive working days because of illness; or
 - b. A civilian employee is injured and requires medical treatment; or
 - c. An injury or illness impairs the civilian employee from performing normal duties; or
 - d. In the opinion of a division commander, a civilian employee has suffered an illness, injury, or medical condition, which could affect the employee's ability to perform normal duties.
2. TPD Form 675, Medical Status Report: When any of the conditions in III.A.1 exist, the civilian employee must have the nature of illness, injury, or medical condition, as well as their ability to return to duty, certified by a physician. TPD 675 will be used for this purpose. TPD 675 must be submitted by the employee before the employee will be allowed to return to full duty, but is not required to be submitted after every visit to the attending physician unless there is a change in the employee's work status.

NOTE: The gold copy of TPD 675 may be left with the attending physician.

3. Upon the civilian employee's return to duty after any of the situations in III.A.1 has occurred, he will complete a Sick Leave or Injury – Non-Line of Duty Report (TPD Form 676). The Medical Status Report, if applicable, will be attached and forwarded to the division commander.
4. The original copies of the forms will be forwarded to the Support Services Bureau, Personnel and Training Unit.
5. The Support Services Bureau, Personnel and Training Unit, shall file the original forms in the employee's departmental Personnel Service Record.
6. If a civilian employee is absent because of illness or injury for more than two calendar weeks, the division commander may, at his discretion, require the employee to forward a physician's certification of the nature of the illness or injury prior to further approval of the use of sick leave. TPD 675, Medical Status Report, will be provided to the employee for this purpose.

Supersedes SOP 623.1, dated 2/08.

623.2 REPORTING OF INJURY OR DEATH TO A CITIZEN, OR DAMAGE TO CITY OR PRIVATE PROPERTY, INVOLVING AN EMPLOYEE¹

- I. DISCUSSION: Any time there is injury, death, or damage to any person or property and the incident involves a department employee, a complete report of the incident is required. Traffic accidents resulting from police pursuits, even though a police vehicle may not have been physically involved in the accident, are considered to fall within the requirements of this policy.

Information about such incidents shall be forwarded to the department's Safety Committee and to Risk Management, City Claims section, via form TPD 609, Risk Management Information Report. The form shall be referred to throughout this directive as TPD 609.

II. PROCEDURE:

- A. The involved employee shall complete a TPD 609 during the tour of duty in which the incident occurred. Only those items on the form, which pertain to the incident, shall be completed. More than one TPD 609 may be used in the event of an incident involving multiple injuries, deaths, or property damages.
1. The employee shall notify their supervisor immediately upon occurrence of the incident and in such time that the supervisor can personally visit the scene and investigate and view or photograph the situation if desired.
- B. The completed TPD 609 shall then be submitted to the employee's supervisor, who will edit the draft for completeness and legibility, and indicate approval of the report, by signature.
1. The supervisor will send the original TPD 609 along with the applicable report through proper channels to the Records Section. The Records Section shall then send a copy of TPD 609 to the chairperson of the department's Safety Committee.
- C. The division will:
1. Send a copy of each report to the Special Support Division for filing; and
 2. In the event of damage to a departmental vehicle, route a copy of each report to the police vehicle coordinator.
- D. The Records Section will:
1. File the original TPD 609 and attached report; and

¹ CALEA [5th Edition] 1.3.6; 46.1.7

2. Send a photocopy of each report to Risk Management, City Claims.
- E. In the event an injury or death occurs to a member of the public involving city property or an on-duty employee (or a duty-related incident), the City Claims Office is to be notified at once.
1. Current telephone and beeper numbers are maintained in the Communications Bureau. The supervisor in charge of the investigation will notify the Communications Bureau of necessary information in order that a City Claims representative can be notified.

Supersedes SOP 623.2, dated 10/06.

624 TEMPORARY CHANGE OF DUTY ASSIGNMENTS

- I. DISCUSSION: Certain functions must be performed daily and in a specified amount of time by the police department to ensure an efficient organization. These assignments are made by division supervisors either to individual persons or collectively to bureaus or sections. Because of the vast number of tasks performed by the different divisions, bureaus, and sections of the department, it would be exceedingly difficult for supervisors of one division to be fully acquainted with the tasks performed by other divisions.

If the duty assignments of personnel of one division are indiscriminately changed by supervisors of other divisions, it is obvious that the quality and quantity of work produced could be impaired to the detriment of the department. It is recognized that a supervisor must have the authority to temporarily change duty assignments of personnel of other divisions as the need arises; however, supervisors should first strive to acquaint themselves with the various tasks performed by other divisions in order that a hasty decision to change the assignment of personnel will not impair the committed flow of work to the overall detriment of the department.

II. DEFINITIONS:

- A. Assigned Duties: All employees of the police department are assigned, specifically, or generally, certain tasks to perform during their tour of duty, by their respective immediate supervisors. All tasks assigned are necessary and important but certainly not of the same magnitude of importance. The delay in completion of some of these tasks would create no ill effects, while the delay in completion of others could result in confusion, lack of efficiency and improper decisions on important matters.
- B. Change of Method of Compliance with Assigned Duties: Any supervisor may change the method with which an employee of the department is complying with his or her assigned duties. In a broader sense, all supervisors are expected to counsel and correct employees who may be performing assigned duties in a manner contrary to the department's interest or good public relations.
- C. Change of Assigned Duties: This occurs when a supervisor of one division relieves an employee of another division of the responsibility of completing duties previously assigned the employee by their direct supervisor and assigns the employee additional or different duties contrary to or omitted from the employee's original tasks.

III. PROCEDURE:

- A. When a supervisory employee of any division/bureau believes it is necessary to change the duty assignment of an employee of another division/bureau and is convinced that this change of assignment is to the benefit of the department, they will contact the employee's supervisor consistent with the principles of hierarchy, explain why the change is necessary and request that the employee's supervisor make such change.
1. If the supervisor of the employee concurs and orders such change, no further action is necessary.
 2. If the employee's supervisor is of equal rank with the requesting supervisor and does not concur with the requesting supervisor's reasoning, no change of assignment will be made. It will be the privilege of the requesting supervisor to report the nonconcurrency and resulting effects to their immediate supervisor.
 3. If the requesting officer is of higher rank, they may order the change of duty assignment and the employee's supervisor will comply.
- B. Prior to going off duty, the requesting supervisor having made the change of duty assignment will submit, in writing, a report to their division commander with a copy being sent to the division/bureau commander of the affected employee containing the following information:
1. Name and rank of the affected employee;
 2. Name and rank of the employee's supervisor;
 3. The time the employee's regularly assigned duties were changed;
 4. The time the employee returned to regularly assigned duties; and
 5. Circumstances resulting in the decision to change the duty assignment.
- C. Should an emergency require change of assigned duties of an employee prior to the requesting supervisor being able to contact the employee's supervisor, then contact will be made as soon as practical after the change in assigned duties.
1. If they agree on the change, no further action is necessary.

2. If they do not agree on the change, procedures in paragraph A.3.a. will be followed.

D. Any further action will be at the discretion of the commanders of the divisions affected.

Supersedes SOP 624, dated 12/00.

625 CRITICAL INCIDENT STRESS MANAGEMENT¹

- I. DISCUSSION: Law enforcement officers and other emergency service workers are sometimes involved in traumatic or highly stressful events and may experience some form of post-incident stress related symptoms. Most officers suffer no long-term ill effects; however, some experience continuing or delayed stress-related reactions to those incidents. Without professional intervention, those employees may continue to experience detrimental effects and may show declining work performance, deterioration of family relationships and/or increased health problems.
- II. PURPOSE: Critical Incident Stress Management (CISM) is a comprehensive, therapeutic and educational intervention process designed to minimize the impact of critical incidents on police and other emergency service workers. It involves peer, group and one-on-one support during, immediately after, and in the days following a critical incident, regardless of shift. The CISM program is designed to complement the department's existing stress management programs, which include stress awareness classes and consultation with the department psychologist. It is available to both sworn and non-sworn employees. The Tampa Police Department follows the Mitchell Model² of Critical Incident Stress Management (CISM).
- III. POLICY: It shall be the policy of the Tampa Police Department to provide employees and their families with the necessary emotional and psychological support associated with their involvement in a critical incident.
- IV. GOAL: The goal of a formalized response to critical incident stress is to provide a confidential, non-evaluative discussion of the involvement, thoughts, reactions and feelings resulting from the incident. The process has psychological and educational components and serves to mitigate the specific impact of stress, unique to critical incidents.

While it is not intended to be therapy, Critical Incident Stress Management (CISM) and a Critical Incident Stress Debriefing (CISD) will assist employees in understanding and coping with their stress and has been proven to accelerate the recovery process in persons experiencing normal emotional reactions after a critical incident.

- V. DEFINITIONS:
 - A. Crisis: An acute emotional reaction to a powerful stimulus or demand. Three characteristics of a crisis are: 1) the usual balance between thinking and emotions is disturbed; 2) the usual coping mechanisms fail; 3) there is evidence of distress, impairment or dysfunction in the individual or group involved in the crisis.
 - B. Crisis Intervention: Crisis Intervention is "Psychological First Aid" or "Emotional First Aid". It is temporary, but active and supportive entry into the life of individuals or groups during a period of extreme distress. Intervention techniques are tailored to the specific group or individual employee.

¹ CALEA [5th Edition]1.3.8; 22.2.3; 22.2.4; 22.2.5; 22.2.6

² Jeffrey T. Mitchell, Ph.D., C.T.S.

- C. Crisis Management Briefings (CMB): An explanation of the facts of the crisis event from a respected and highly credible spokesperson. Objective and credible information should serve to 1) control destructive rumors; 2) reduce anticipatory anxiety and 3) return a sense of control to victims. Without breaching issues of confidentiality, the assembled group should receive factual information concerning that which is known and that, which is not known regarding the crisis event.
- D. CISM Team: Members of the Tampa Police Department that have been selected and designated as specialty team member of the CISM Team. Members must have completed Critical Incident Stress Management training as approved by the International Critical Incident Stress Foundation. The Tampa Police Critical Incident Stress Management Team works in partnership with the Tampa Bay Regional Critical Incident Team, Inc. (TBRCIT), a multi-agency team comprised of local, regional, regional, state, and national members. The membership within this organization is multi-disciplinary; and composed of a psychologist, trained mental health professionals, and peer debriefers from various emergency services.
- E. CISM Team Reporting Form (TPD 325): A form utilized to gather and document statistical information of team activity, report team members participation and authorized contacts performed as a team representative. This mandatory form is to be completed by each team member following each work period (duty shift) completed in his or her authorized capacity as a CISM team member. The completed form is to be signed and delivered to the Tampa Police CISM team commander. A copy will be forwarded to the Tampa Bay Regional Critical Incident Team, Inc. secretary for regional tracking.
- F. Critical Incidents: Powerful traumatic events that initiate the crisis response. These events are usually outside of the usual range of normal human experiences on the job or in one's personal life. Examples are line of duty deaths or serious injury to operations personnel. Child deaths, multiple casualty events and severe threats to emergency personnel are also classified as "critical incidents".
1. What is a critical incident for one person may not be for another.
- G. Critical Incident Stress Debriefing: A specific, 7-step group crisis intervention tool designed to assist a homogeneous group of people after an exposure to the same significant traumatic event. The Critical Incident Stress Debriefing (CISD) is not a stand alone process and it should never be provided outside of an integrated package of interventions within the Critical Incident Stress Management (CISM) program. Under no circumstances should this group crisis intervention tool be considered psychotherapy or a substitute for psychotherapy.
1. A debriefing is not a critique of police department operations. Performance issues will not be discussed.
- H. Critical Incident Stress Management (CISM): A comprehensive, integrated, systematic and multi-tactic crisis intervention approach to manage critical

incident stress after traumatic events. CISM is a coordinated program of tactics and are linked and blended together to alleviate the reactions to traumatic experiences.

- I. CISD Team: A multi-disciplinary team composed of a psychologist, trained mental health professionals, and peer debriefers from various emergency services, including police, fire, EMS, dispatchers, hospital personnel, etc.
- J. Defusing: A "mini-debriefing", not as detailed, lengthy or structured as a full debriefing, performed immediately after an incident is over. It allows for peer support, information and ventilation of feelings or immediate concerns affecting employees. In many cases, defusing may eliminate the need for a debriefing.
- K. Demobilization: Quick informational and rest sessions applied when operational units have been released from service at a major incident that requires over 2/3 of available personnel (typically more than 100). Examples of incidents requiring demobilization services are highly intense events, such as airplane crashes, long-term violent riots, natural disasters, etc.
- L. Family Support: Family support services provide emotional and logistic support to the families of department employees. This service may be offered in cases of a line-of-duty death of an employee or the traumatic and unexpected death of an employee's immediate family member and is provided on a case-by-cases basis with departmental staff approval.

Services may be include coordinated assistance with the Honor Guard in assisting the family in making funeral arrangements, providing needed transportation to and from funeral functions, assisting family members in notifications to other family and friends, and providing other assistance as authorized by the CISM team commander. Although this service goes beyond the Mitchell Model of CISM practices, it has been deemed to be correlated to the team's primary mission and the well being of departmental members. All team member activities must be pre-authorized by the team commander and properly documented (statistical information only) on the Tampa Bay Regional Critical Incident Team, Inc. (TPRCIT) reporting form.

- M. One-On-One (Individual Crisis Management): A one-on-one is an individual meeting between the person being assisted and a trained CISM Team member. It is an intervention designed to return the employee to function, mitigate symptoms of stressful event(s) and/or make referrals as needed. This meeting may take place during the affected individual's tour of duty, or at any other time and place with authorization from the team commander.

An officer may initiate the meeting; or it may come from a supervisor, concerned co-worker, or any other employee who believes the employee could use assistance. The request may be made by contacting any CISM team member, or requesting to be contacted by a member through the Communications Bureau supervisor.

- N. Peer Debriefing: A CISM team member or volunteer who has been trained to provide support to emergency service workers after a critical incident. Team members and volunteers are specifically selected because they have experienced the same pressures and job experiences as those they seek to help.
- O. Stress Reaction Symptoms: Physical and/or emotional symptoms that originate with a specific critical incident and may include nightmares, flashbacks, fatigue, nausea, concentration and memory problems, anxiety, depression, intestinal problems, etc.

VI. PROCEDURE

- A. It shall be the policy of the Tampa Police Department to initiate CISM when an incident is identified as a critical stress-related incident.
 - 1. **Mandatory Notification of CISM:**
 - a. Line-of-duty death or life threatening injury of an employee;
 - b. Suicide of an employee;
 - c. Mass casualty incident;
 - d. Death or life threatening injury to a citizen resulting from police operations; or
 - e. Request from outside agencies for CISM assistance (for review by the team commander and approval by department staff).
 - 2. **Discretionary Notification of CISM:**
 - a. A duty related serious injury to an employee;
 - b. Death of an immediate family member of an employee;
 - c. Incidents involving extreme emotional distress of an employee; or
 - d. Any incident that is charged with profound or overwhelming emotion to the officers and employees involved, such as incidents of extreme danger, incidents involving severe injuries or fatalities, incidents that attract unusually intense media coverage, etc.
- B. The Communications Supervisor shall notify the Tampa Police CISM team commander or their designee of all mandatory notifications.
- C. Request for discretionary notifications will be made to the Communications Supervisor and forwarded to the Tampa Police CISM team commander or their designee for evaluation and follow-up. For situations needing a rapid response, the CISM Team Commander, or his designee will be contacted immediately

(24/7). For non-time sensitive situations, a morning contact may be more appropriate.

- D. Supervisors or employees perceiving a need for CISM services may contact a CISM Team member directly and request assistance. Although employee confidentiality will be maintained, the CISM team commander or their designee will be advised of all such requests and actions taken by the CISM team member immediately to ensure proper CISM principles are followed and CISM team activities are authorized.
- E. Incidents considered beyond the capabilities of the Tampa Police CISM team and requiring CISM resources from additional agencies will be requested through the Hillsborough County Emergency Operations Center (EOC). The EOC Emergency Dispatch Center can be reached at (813) 681-4422. Agency participation include the following CISM teams: Hillsborough County Sheriff's Office (HCSO), Plant City Police Department, Temple Terrace Police Department, St. Petersburg Police Department, Pinellas County Sheriff's Office, the Florida Highway Patrol, and their associated fire departments to name a few.

Incidents deemed beyond the capabilities of the Tampa Police CISM team may include:

- 1. Mass causality incidents;
 - 2. Catastrophic natural disasters (hurricanes, floods, etc.); or
 - 3. Emotional incidents so severe, or with close ties to CISM team members, that team members themselves require the assistance of CISM services. These may include the death of a team member, the death of a highly respected and admired department employee, or traumatic events in which many team members took an active first-responder role.
- F. The CISM team commander will evaluate each request for assistance and determine the appropriate initial response level depending on the specific circumstances. The levels of response include:
 - 1. One-on-one interventions;
 - 2. Defusing;
 - 3. Crisis Management Briefing (CMB);
 - 4. Debriefing; and
 - 5. Demobilization.
 - G. CISM Team On-Scene Support:
 - 1. During deployment, the CISM team commander or their designee (Team Lead) shall be allowed on scene to act as an observer and liaison to the Incident Commander. CISM team supervisors will not become involved in

the operations of the incident nor have any non-CISM team command authority unless circumstances beyond the capabilities of on-scene supervisors arise and directed by the Incident Commander or a superior officer to transition from a CISM role to an incident scene supervisory role.

2. CISM team members assigned to the incident shall wear identification tags, identifying them as CISM members. They shall maintain a low profile, acting as observers, and are restricted to the outer perimeter or other CISM designated area unless directed into the scene by the incident commander.

H. One-On-One Intervention:

A one-on-one intervention may be initiated by any employee who desires the assistance of a team member, or who observes stress reaction symptoms in co-workers.

1. While CISM activity is held in the strictest confidence, team members contacted with request for assistance will immediately notify the team commander or their designee with the request. Upon approval to proceed, a one-on-one may be conducted. From time-to-time events may prevent immediate notification and approval (i.e. highly emotional outbreaks where a “time out” to make notifications would be detrimental to the team’s mission). In such incidents, intervention activity within policy is acceptable with notification made as soon as practical – but no later than securing from the activity.
2. This meeting may take place during the affected individual’s tour of duty, or at any other time and place authorized by the team commander.
3. Upon completion of the one-on-one, the team member will make one of the following recommendations to the employee:
 - a. A follow-up with the initial team member;
 - b. A follow-up by another team member; or
 - c. A referral to the department’s Employee Assistance program (EAP).
4. If based on the initial one-on-one, the CISM team member believes that more extensive assistance will be required, the CISM team member shall contact the CISM team commander or their designee and request the additional assistance for the employee.
5. Complete a CISM Team Reporting Form (TPD 325) and submit by e-mail (electronic version) or department mail (hard copy) to the CISM team commander.

I. Defusing:

1. A defusing or "mini-debriefing" will be coordinated by the CISM team commander with the on scene supervisor.
 - a. It can be an individual or group process and will be held soon after an incident is over, typically within one to three hours.
 - b. It will be held in a clean, private, and quiet location away from the scene.
2. The Structure of a Defusing can be defined as a three phase intervention with the goal of normalizing or lowering tensions, providing pertinent information, discussing coping methods, and to identify those who may be in need of additional support.

Phase 1: Introduction – Introduces the team; lay out the guidelines; lower anxiety about the process; insure confidentiality.

Phase 2: Exploration – Allows a brief discussion of the experience (a brief “story” of the event).

Phase 3: Information – Provides information, normalize, teach, guidance, and summarizing key points.
3. Based on the nature of the event and number of employees involved, the CISM team commander will dispatch three or more CISM team members to participate.
 - a. One team member will be designated as the “Team Lead”. The lead will be the primary facilitator of the defusing.
 - b. One team member will be designated as the “Educator”. The educator will distribute materials relevant to stress reaction symptoms and discuss them as well as methods that have been proven to help mitigate those symptoms.
 - c. One or more team members will be designated as “Peer Support”.
4. If based on the defusing, CISM team members believe that one or more individuals require additional assistance, the defusing “lead” shall contact the CISM team commander or their designee and request the additional assistance. The team commander will determine which intervention(s) would be most appropriate.
5. Each team member shall complete a CISM Team Reporting Form (TPD 325) and submit it by e-mail (electronic version) or department mail (hard copy) to the CISM team commander upon completion of the defusing.

- a. Upon completion of a defusing, it is quite common for CISM team members to be approached by employees who attended the defusing – but did not want to speak out in a group setting. These individuals commonly are provided the opportunity to participate in a one-on-one intervention.
- b. When a one-on-one intervention develops as a by-product of a defusing, no additional approval is needed to perform the one-on-one. Each one-on-one will be treated as a separate activity for statistical reporting purposes and an additional, separate CISM Team Reporting Form (TPD 325) documenting the activity shall be completed.

J. Crisis Management Briefing (CMB):

Normally reserved for large group crisis intervention with groups in excess of 100 people. Typically, a Crisis Management Briefing is utilized for a terrorism incident, major natural disaster, or traumatic incident (i.e. active shooter at a school, etc.).

Without breaching issues of confidentiality, the assembled group should receive factual information concerning that which is known and that, which is not known regarding the crisis event.

1. Crisis Management Briefings shall:
 - a. Control destructive rumors;
 - b. Reduce anticipatory anxiety; and
 - c. Return a sense of control to victims / emergency service workers.
2. The process of a Crisis Management Briefing consists of five core practices or duties and responsibilities of the CISM team.
 - a. Assemble participants;
 - b. Provide facts regarding crisis;
 - c. Discuss and normalize common behavioral / psychological reactions;
 - d. Discuss personal and community stress management; and
 - e. Direct participants toward further assistance if required.
3. Based on the nature of the event and number of employees involved, the CISM team commander will dispatch four or more CISM team members to participate.
 - a. One team member will be designated as the ‘Team Lead’. The lead will be the primary facilitator of the briefing – if a staff

member is addressing the group, the team lead will assist them as needed.

- b. Three or more team members will be designated as “Peer Support”.
4. If based on the Crisis Management Briefing, CISM team members believe that one or more individuals require additional assistance, the Crisis Management Briefing “lead” shall contact the CISM team commander or their designee and request the additional assistance.
 5. Each team member shall complete a CISM Team Reporting Form (TPD 325) and submit it by e-mail (electronic version) or department mail (hard copy) to the CISM team commander upon completion of the Crisis Management Briefing.
 - a. Upon completion of a Crisis Management Briefing, it is quite common for CISM team members to be approached by employees who attended the Crisis Management Briefing – but did not want to speak out in a group setting. These individuals commonly are provided the opportunity to participate in a one-on-one intervention.
 - b. When a one-on-one intervention develops as a by-product of a Crisis Management Briefing, no additional approval is needed to perform the one-on-one. Each one-on-one will be treated as a separate activity for statistical reporting purposes and an additional, separate CISM Team Reporting Form (TPD 325) documenting the activity shall be completed.

K. Debriefing:

1. A debriefing is an organized homogeneous group discussion of the event designed to mitigate the potential for long term stressful reactions. The debriefing will be coordinated by the CISM team commander with the affected division commander.
 - a. It is a group process and will normally be held within (1–10) days after most incidents; (1–3) days for most acute incidents; (3–4) weeks for disasters.
 - b. It will be held in a clean, private, and quiet location and normally last 1 – 3 hours.
2. The Structure of a Debriefing can be defined as a seven phase intervention with the goals of mitigating distress, facilitating psychological normalization and “closure”, set expectations of behavioral reactions, provide stress management education, and serve as a platform for psychological triage and referral.

Phase 1: Introduction – Introduces the team; lay out the guidelines; lower anxiety about the process; address confidentially.

Phase 2: Fact Phase – Explore what occurred from each participant’s perspective.

Phase 3: Thought Phase – Explore what thoughts each participant had during the incident.

Phase 4: Reaction Phase – Explore each participant’s perceptions at the time of the event from a “What was the worst part of the event for you?” point of view.

Phase 5: Symptom Phase – Explore possible emerging physical or behavioral changes participants may be experiencing.

Phase 6: Teaching Phase – Normalize reactions, provide anticipatory guidance, teach stress management, and describe external resources available.

Phase 7: Re-Entry Phase – Reiterate normalization, allow for questions and answers, summarize key points or “lessons learned”, and foster group cohesion.

3. Based on the nature of the event and number of employees involved, the CISM team commander will dispatch four or more CISM team members to participate.
 - a. One team member will be designated as the ‘Team Lead’. The lead will be the primary facilitator of the debriefing.
 - b. One team member will be designated as the “Educator”. The educator will distribute materials relevant to stress reaction symptoms and discuss them as well as methods that have been proven to help mitigate those symptoms.
 - c. Two or more team members will be designated as “Peer Support”.
 - d. Debriefings are always augmented by a mental health professional and clergy (if clergy is available) as provided by the regional CISM team.
4. If based on the debriefing, CISM team members believe that one or more individuals require additional assistance, the debriefing “lead” shall contact the CISM team commander or their designee and request the additional assistance.

5. Each team member shall complete a CISM Team Reporting Form (TPD 325) and submit it by e-mail (electronic version) or department mail (hard copy) to the CISM team commander upon completion of the debriefing.
 - a. Upon completion of a debriefing, it is quite common for CISM team members to be approached by employees who attended the debriefing – but did not want to speak out in a group setting. These individuals commonly are provided the opportunity to participate in a one-on-one intervention.
 - b. When a one-on-one intervention develops as a by-product of a debriefing, no additional approval is needed to perform the one-on-one. Each one-on-one will be treated as a separate activity for statistical reporting purposes and an additional, separate CISM Team Reporting Form documenting the activity shall be completed.

L. Demobilization:

The on scene commander of a major incident will determine the need for demobilization services. These services can be coordinated for all emergency service workers at the scene.

1. Demobilization services provide for:
 - a. A break or rest area for units in continuing service at the event.
 - b. Information and support as officers leave the scene, and an opportunity for ventilation of thoughts and reactions. Command officers may give closing remarks or incident updates.
2. The process of Demobilization consists of seven core practices or duties and responsibilities of the CISM team.
 - a. Establish an appropriate demobilization center;
 - b. Check in units as they arrive, keeping work teams together for demobilization;
 - c. Assign CISM trained team members to provide information to the group and identify employees who may need additional assistance;
 - d. Provide twenty minutes for rest and nourishment;
 - e. Let participants know if a debriefing is planned;
 - f. Provide a handout on stress survival suggestions; and
 - g. Conduct one-on-one interventions as needed.

3. Based on the nature of the event and number of employees involved, the CISM team commander will dispatch eight or more CISM team members to participate.
 - a. One team member will be designated as the ‘Team Lead’. The lead will be the primary facilitator of the debriefing.
 - b. Two team members will be assigned to check units in for demobilization and guiding units to the appropriate areas for support, rest and food.
 - c. Two team members will be designated as the ‘Educators’. The educators will distribute materials relevant to stress reaction symptoms and discuss them as well as methods that have been proven to help mitigate those symptoms.
 - d. Three or more team members will be designated as ‘Peer Support’.
4. If based on the demobilization, CISM team members believe that one or more individuals require additional assistance, the demobilization ‘lead’ shall contact the CISM team commander or their designee and request the additional assistance.
5. Each team member shall complete a CISM Team Reporting Form (TPD 325) and submit it by e-mail (electronic version) or department mail (hard copy) to the CISM team commander upon completion of the demobilization.
 - a. Upon completion of a demobilization, it is quite common for CISM team members to be approached by employees who attended the demobilization – but did not want to speak out in a group setting. These individuals commonly are provided the opportunity to participate in a one-on-one intervention.
 - b. When a one-on-one intervention develops as a by-product of a demobilization, no additional approval is needed to perform the one-on-one. Each one-on-one will be treated as a separate activity for statistical reporting purposes and an additional, separate CISM Team Reporting Form documenting the activity shall be completed.

VII. CISM ETHICS CODE:

- A. CISM team members have an obligation to be familiar with the CISM Ethics Code. These ethical standards are applicable to the members of the Tampa Police Department CISM team.
 1. General Standards:

- a. Boundaries of Competence. Team members shall provide services or conduct training only within the boundaries of their competence, based on their education, training, or supervised experience.
- b. Maintaining Expertise. Team members shall undertake ongoing efforts to maintain competence in the principles associated with Critical Incident Stress Management through bi-monthly team training and career advancement courses.
- c. Personal Problems and Conflicts. Team members shall recognize that their personal problems and conflicts may interfere with their effectiveness. Accordingly, they shall refrain from taking on an activity when they suspect, know, or should know, their personal problems or feelings are likely to lead to ineffectiveness, thus subjecting an employee or other effected person to possible further harm. Additionally, such ineffectiveness would be a negative reflection of the team and the program's reputation.

2. Privacy and Confidentiality:

- a. Confidentiality. Confidentiality is the foundation on which the CISM program rests. CISM principles require that confidentiality and privacy of first-responders be respected. Confidentiality applies to information received during a debriefing or individual session. Team members have a primary obligation to take responsible precautions to respect the confidentiality rights of those with whom they work.
- b. Discussing the Limits of Confidentiality. Unless it is not foreseeable or is contraindicated, the discussion of confidentiality occurs at the outset of the relationship and thereafter as new circumstances may warrant.
- c. Minimizing Intrusion on Privacy. Members shall discuss confidential information obtained from program related contacts only for CISM professional purposes and only with persons clearly authorized to advise on such matters.
- d. Maintenance of Records. Members maintain appropriate confidentiality when creating, storing, accessing, transferring and disposing of records under their control, whether these are written, automated or in any other medium. Team members shall maintain and dispose of

records in accordance with the law in a manner that permits compliance with the requirements of this Ethics Code.

- e. Disclosures. Team members may only disclose confidential information without the consent of the individual for a valid, exigent purpose. Such disclosures are: (1) to provide needed professional services to an individual, (2) to obtain appropriate professional consultations, such as EAP or (3) to protect the effected employee, first-responder or others from harm.

Team members do not share confidential information which reasonably could lead to the identification of a first-responder, agency or organization with whom they have had a debriefing relationship unless they (1) obtain the prior consent of the person, agency or organization or (2) the disclosure cannot be avoided. Information is shared only to the extent necessary to achieve the purpose of supplementary, enhanced consultation.

- f. Use of Confidential information for Teaching or Other Purposes. Program members do not disclose in their writing, lectures or other public media, confidential, personally identifiable information concerning the first-responders or agencies for whom they have provided assistance, unless the person or agency has consented in writing or unless there is an ethical or legal obligation for doing so.

Ordinarily, in scientific and professional presentations, members disguise confidential information concerning persons or organizations so they are not individually identifiable to others and so that discussions do not cause harm to persons who might identify themselves.

3. Maintaining Appropriate Professional Boundaries:

- a. Boundaries. It is the responsibility of team members – NOT those being assisted by CISM team activities, to maintain appropriate boundaries. All contacts shall be treated in a professional manner and members shall not enter into personal relationships with any person whom sought or was assigned assistance from the CISM team.
- b. Conduct. Team members must be vigilant regarding any conduct that could impair their objectivity and professional judgment in serving persons being assisted, and any conduct that carries the risk and/or the appearance of exploitation or potential harm to the person being assisted.

c. Dual Relationships. Team members must recognize and avoid the dangers of dual relationships when relating to a person being assisted in more than one context, whether professional, social, educational, or personal. Dual relationships are forbidden and include, but are not limited to:

- 1) Accepting an assignment to assist anyone with whom the team member has had a prior romantic relationship.
- 2) Forming a romantic relationship with a current or former person assisted.

d. Sexual Relationships. Team members must not use their professional position to establish or pursue a sexual or improper emotional relationship with a person being or having been assisted or someone close to them whom the team member contacted through CISM activities.

- 1) A CISM team member is in a position of power and trust and sexualization of the relationship is a betrayal of that trust. As persons being assisted have suffered a traumatic experience and as studies have shown that emotional victims are susceptible to a false sense of security and bonding with caregivers - it is a violation of professional ethics and exploitation of trust, knowledge, influence, and emotions derived from the current or former professional relationship.
- 2) Consenting relationships is not a defense for violation of this policy.
- 3) Past Relationships – no longer offering assistance, is not a defense for a violation of this policy if the past professional contact occurred within the last two years.
- 4) All such relationships shall be deemed a violation of this policy and result in disciplinary action.

4. Resolving Ethical Issues:

a. Confronting Ethical Issues. When a team member is uncertain whether a particular situation or course of action would violate this Ethics Code, the member must consult with other senior members, knowledgeable about ethical

issues such as the team commander, team leader or a CISM Regional Health Care provider.

- b. Conflicts between Ethics and Organizational Demands. If a demand of the CISM Program conflicts with the Ethics Code, or the Ethics Code conflicts with the professional association or state ethics codes, members will clarify the nature of the conflict make known their commitment to the Ethics Code; and to the extent possible, seek to resolve the conflict in a way that permits the fullest adherence to the Ethics Code.
- c. Cooperating with Ethics Investigations. Members shall cooperate with ethics investigations, proceedings and resulting requirements of the CISM program. Failure to cooperate is in and of itself an ethics violation.

Supersedes SOP 625, dated 1/03.

626 COLLECTION, DISBURSEMENT, AND AUDIT OF FUNDS

- I. PURPOSE: This directive provides for uniform procedures for the collecting, safekeeping, and disbursing of funds by authorized employees of the Tampa Police Department.

- II. DISCUSSION: A uniform method of collecting and disbursing funds is essential for the efficient operation of the department. In addition, a series of checks and balances as exists in the auditing system is necessary for an accurate accounting of funds entered into the system.

- III. PROCEDURE¹:
 - A. It is the responsibility of the Records Manager (or designee) to:
 - 1. Submit daily (Monday-Friday), to the accounts receivable clerk in the Fiscal Bureau, all checks and monies collected the prior workday; and
 - 2. Submit the receipts and electronic tape accounting for the amount collected.

 - B. It is the responsibility of the Evidence Control Section supervisor (or designee) to²:
 - 1. Submit daily (Monday-Friday), to the accounts receivable clerk in the Fiscal Bureau, all checks and monies collected the prior weekday;
 - 2. Submit the receipts and the impounded vehicle accountability list for the prior day;
 - 3. Ensure that auction proceeds from unclaimed or released property are submitted to the accounts receivable clerk in the Fiscal Bureau prior to the close of the working day the auction is held; and
 - 4. Submit all funds that have been released from the Evidence Control Section to the General Fund to the accounts receivable clerk in the Fiscal Bureau on the last working day of each month.

 - C. It is the responsibility of the False Alarm Section supervisor (or designee) to:

¹ CALEA [4th Edition] 17.4.2(d)(e)

² CALEA [4th Edition] 74.4.1

1. Submit, on a timely basis, to the Accountant I in the City's Central Accounting Office, all checks and monies collected; and
 2. Submit copies of all receipts issued.
- D. It is the responsibility of the Fiscal Bureau Operations supervisor (or designee) to:³
1. Collect all checks and monies received from the City Legal Department;
 2. Collect all checks and monies received from court-ordered restitution;
 3. Collect all contributions received by the department;
 4. Collect all monies earmarked for the Law Enforcement Trust Fund;
 5. Issue receipts for all funds collected;
 6. Submit all funds collected, on a timely basis, to the accounts receivable clerk in the Fiscal Bureau;
 7. Safeguard all funds collected after the daily deposit by placing same in the combination safe located in the Fiscal Bureau;
 8. Establish, maintain, and reimburse, according to the Department of Revenue and Finance policy governing such funds, a petty cash fund located in the Fiscal Bureau;
 9. Approve petty cash transactions; and
 10. Disburse petty cash expenditures.
- E. It is the responsibility of the accounts receivable clerk in the Fiscal Bureau to:
1. Verify transactions and issue receipts to persons submitting monies or checks;
 2. Process daily a validation form and deposit slip for all funds received; and
 3. Deposit daily into the correct accounts all funds collected.

³ CALEA [4th Edition] 17.4.2(c); 74.4.1

- F. Auditing: Bureaus within the Tampa Police Department and the city government will perform audits of the department's varied funds at specified intervals to ensure the integrity of the entire accounting system. On a quarterly basis, a statement that all petty cash fund accounts have been reconciled will be sent to the accreditation coordinator.⁴
1. On a monthly basis, reconciliation of all accounts will be made by the Accountant II, Operations supervisor of the Fiscal Bureau.
 2. The City of Tampa Banking Section will audit the receipt books of the Fiscal Bureau on a monthly basis.
 3. The Staff Inspections Unit, at the direction of the Chief of Police, will inspect the procedures and operations of the Fiscal Bureau, the divisional petty cash funds, and funds earmarked for informant fees.
 4. The Internal Audit Department will audit all books, records, and accounts each fiscal year as mandated by the city charter.
 5. The Fiscal Bureau will perform a surprise audit of the investigative funds quarterly. The City of Tampa will perform an audit of the investigative funds (in excess of \$5,000) annually.
- G. The Chief of Police is responsible for assigning custodians to the department's petty cash funds.⁵ Any changes in the location, custodian, or supervisor of the funds will be relayed to the Banking Division by completing a City of Tampa Petty Cash Authorized Personnel only.

Supersedes SOP 626, dated 3/99.

⁴ CALEA [4th Edition] 17.4.2 (f)

⁵ CALEA [4th Edition] 17.4.2(c)(e)

627 CAPITAL ASSETS INVENTORY¹

- I. DISCUSSION: The annual capital assets inventory is a major task. The accomplishment of this task can be facilitated by the utilization of proper procedures in the receiving, accounting, and transfer of the accountable items.
- II. PROCEDURE:
 - A. When an item subject to inventory is ordered and received, the Fiscal Bureau will forward a FIN 26 (Assignment of Capital Asset Inventory Number) with required information to the Property Control Coordinator for asset inventory number assignment.
 - B. When the FIN 26 is received by the Property Control Coordinator, an asset number will be assigned and attached to the FIN 26. A record of the item and its physical location will be maintained by the Property Control Coordinator.
 - C. A copy of the FIN 26 will be maintained by the Property Control Coordinator. The original FIN 26, along with the asset inventory tag, will be forwarded to the Fiscal Bureau.
 - D. The Fiscal Bureau will affix the asset inventory tag on the required item and forward the FIN 26 along with the required documentation to Accounts Payable for check disbursement.
 - E. Upon transfer of the item to any other division, it is the responsibility of the transferring division to ensure that notification is sent to the Property Control Coordinator containing a full description of the item, the inventory control number, and the new location of the item.
 1. The Property Control Coordinator will initiate and forward to the Department of Finance a FIN 438 (Transfer of Property Form) for the transferred item.
 - F. If an accountable item is no longer needed by the assigned area or is broken beyond economical repair, the item will be returned to the Property Control Coordinator for disposition.
 1. The Property Control Coordinator will initiate a FIN 12 (Request for Disposition of City Property) and coordinate with the Department of Finance the removal of the item from inventory.
 - G. At least once a year, an inventory will be conducted to ensure accountability of all items.

¹ CALEA [4th Edition] 17.5.1; 84.1.6(c)

1. A list of accountable items will be supplied by the Department of Finance.
2. These lists will be distributed to the various assignment areas for verification and certification.
3. Upon certification of the lists, they will be returned to the Property Control Coordinator with any discrepancies explained.

Supersedes SOP 627, dated 1/99.

628 REQUISITION OF NON-CAPITAL ITEMS¹

- I. DISCUSSION: A uniform method of acquiring supplies and equipment necessary for the efficient operation of the Department is essential to provide an accurate accounting of inventory and expenditures.

The determination as to whether the purchase of an item is to be considered a capital or non-capital purchase is made by the Department of Finance and is generally based upon the value of the item. The Department of Finance has guidelines and should be contacted if a question exists as to the proper classification of a requested item.

Employees in need of expendable items such as pens, pencils, and flashlight batteries which will be used for Department purposes may obtain the item(s) from their respective division/bureau secretary or designee via making a request to the Supply Section and signing a receipt for the item(s).

II. RESPONSIBILITY:

- A. Division or Unit Commanders will be responsible for approving requests for the purchase of non-capital items submitted by personnel under their command. After normal working hours, Shift and Bureau Commanders will have the authority to authorize the purchase of non-stocked items valued at \$50.00 or less on an emergency basis.
- B. The Division will be responsible for placing orders for requested items of a routine nature, notifying the originating authority and the Supply Section when an order has been placed, and arranging payment for the requested item according to Intra-Division Procedure.
- C. The Supply Section will be responsible for inspecting and receiving all ordered items of a routine nature, notifying the originating authority and the City of Tampa Department of Revenue and Finance when an ordered item has been received, and placing all non-expendable items on Department inventory according to Intra-Division Procedure.

III. PROCEDURE:

A. Routine Purchases:

1. Employees in need of routine items not stocked by the Supply Section will submit a request for purchase of the item(s) on an Intra-Department Requisition Form (TPD 250) via their chain of command.
2. Each purchase requisition must be accompanied by supporting documents (quotes, bids, single source justification, state contract number, etc.) for proper processing.

¹ CALEA [5th Edition] 17.3.1

3. The Division or Bureau commander will evaluate all requests for purchases and determine justification.
4. Requests for technology related items (software, hardware, licenses, agreements, etc.) must be routed to the Technology and Innovative Representative for TPD for approval.
5. The respective Assistant Chief must approve all internal purchase requisitions.
6. Once approved by the respective Assistant Chief, all requisitions will be sent to the City of Tampa Department of Revenue and Finance for funding availability.
7. If approved and funding is available, all requisitions are processed, tracked and assigned corresponding purchase order numbers.
8. The Supply Unit will be contacted for delivery, pickup and verification of purchased materials, supplies and equipment.

B. Emergency Purchases:²

1. A petty cash fund is maintained by the Captain of the Support Services Bureau for the purchase of those items of an emergency nature. The sales tax will not be paid. A tax number is on file and is available upon request. The fund will not be utilized to circumvent the procedure for routine purchases.
 - a. Employees in need of an item on an emergency basis will obtain the required approval prior to purchasing the item.
 - b. Upon purchase of the item, the employee will obtain a sales receipt, which must be signed by the approving authority.
2. Upon presentation of the sales receipt to the Support Services Bureau Commander or his/her designee, the purchaser will be reimbursed the amount of the purchase in cash.

C. Credit Card Purchases:

1. In an effort to streamline processes, reduce paper, improve management and to reduce the cost of small dollar purchases (purchases up to \$1,999.00), the City has implemented a Purchasing Card Program.
 - a. The Visa Purchasing Card are issued to authorized employees for the purpose of making small dollar purchases previously handled

under open purchase orders or through spot quotations from vendors.

- b. The Visa Purchasing Card may be used to purchase non-restricted commodities in person at the vendor site, over the phone, via fax, by mail and over the Internet.
- c. It is the responsibility of the user department to have adequate funding and approval available prior to making purchases.

D. Credit Card Authorization:

- 1. All requests for purchasing cards must be made by the employee's supervisor and authorized by the Department Director or designee.
- 2. Purchasing cards may be used only by the person whose name appears on the face of the card and may not be loaned to any other person.
- 3. The purchase card account number must not be given to any individual other than the vendor from whom the employee is making a purchase.
- 4. By signing the Purchasing Card Acknowledgment Form, the employee affirms that he/she has read and is familiar with the rules, regulations and procedures as outlined in the City of Tampa Purchasing Manual and the City of Tampa Personnel Manual, particularly but not exclusively, Sections B23 – Code of Ethics, B23.1 – Fraud, B28.2 – Discipline Administration Cause for Dismissal, and Appendix Z5, Travel Policies and Procedures.

E. Limits and Restrictions:

- 1. The purchasing card is for official City business only and the purchase of goods and services for the employee's personal use is strictly prohibited.
- 2. Expenditures for the following employee reimbursable travel expenses: meals (per diem), bridge, road and tunnel toll charges, as well as telephone charges are prohibited.
- 3. The purchase of tobacco products, alcohol or obtaining a cash advance is strictly prohibited.
- 4. Capital and cellular telephone purchases are prohibited.
- 5. Purchases for conference registrations/classes, car rentals, airline tickets, taxi, ferry and airport limousine/shuttle fares and hotels are permissible. Parking charges are only allowed outside of Hillsborough County. Rental cars require the prior approval of the Chief Accountant.

6. Single transactions are allowed up to \$1999.00. Splitting transactions to stay within dollar limits is prohibited. Cardholders who are found to engage in split purchases to circumvent single purchase limits will have his/her card privileges revoked and may (or will) be subject to disciplinary action.
- F. Recording Keeping/Reconciliation or Receipts:
1. It is the responsibility of the cardholder to retain transaction receipts for all purchases.
 - a. Sales receipts or packing slips must be obtained whether a purchase is made in person or via telephone, fax, by mail or over the Internet.
 2. It is the responsibility of the cardholder's to assure that the description on the sales receipt or packing slip is legible and clearly describes the purchase.
 - a. Sales receipts will be used by the department reconcilers to balance the monthly statements from Visa and as support documentation kept on file to substantiate the payment process.
 - b. Documentation maintained must be accurate, accessible and complete, as it not only records the transaction, but also supports the legitimate business purpose of the purchase.
- G. Taxes: Most purchases are exempt from sales tax. The tax identification number is listed on the face of the purchasing card. Cardholders must assure that sales tax has not been added to the receipt or request that a credit be processed.
- H. Lost or Stolen Cards: If a purchasing card is lost or stolen, immediately contact the Commercial Card Customer Service Division at (800) 538-8788, the City of Tampa Department of Revenue and Finance at (813) 274-8631 and the Program Administrator at (813) 274-8835. Verbal reports of a lost or stolen card must be confirmed by written memorandum or email to the Program Administrator.

Supersedes SOP 628, dated 1/99.

629 **CELLULAR TELEPHONES**

- I. **PURPOSE:** This directive outlines procedures for control and accountability of department issued cellular telephones.

- II. **DISCUSSION:** Cellular telephones are an important and useful tool in law enforcement, which enhances communication in the field. Because of the expense of the cellular phone equipment and its associated service fees, the use and accountability of such items must be controlled.

- III. **DEFINITION:** A cellular telephone, as outlined in this directive, shall be defined as any cellular telephone purchased or otherwise obtained via authority of the Tampa Police Department. This shall include any and all cellular telephone accessories including batteries, carrying cases, power adapters, chargers, etc.

- IV. **RESPONSIBILITY:**
 - A. The Electronic Support Unit assigned to the Criminal Intelligence Bureau is responsible for the issuance, acquisition, maintenance, and repair authorization of all Tampa Police Department issued cellular telephones. The Electronic Support Unit shall consult with the Evidence Control Section on a regular basis regarding found and seized cellular telephones that are set for disposal. Any useable cellular equipment will be requested for official use by the department.

 - B. All spare cellular telephones and accessories not assigned will be stored in the office of the Electronic Support Unit for future assignment.

 - C. Individual division commanders will be responsible for the accountability and use of the cellular telephones assigned to their respective officers.
 - 1. Cellular telephone usage should be for official police business, with personal calls limited to emergency situations only. Those officers using a department cellular telephone will be sent a copy of the cellular telephone's monthly bill and shall reimburse the City of Tampa, via the Electronic Support Unit, for those non-business related telephone calls.

 - 2. The Electronic Support Unit shall maintain a record of the monthly billing and reimbursement of each departmentally issued cellular telephone. The reimbursements shall be forwarded to the Fiscal Bureau for deposit following its reimbursement entry.

 - 3. Individuals having permanently or temporarily assigned cellular telephones will be personally responsible for all calls made to or from their assigned telephones.

V. PROCEDURE:

A. Employees, who in the course of their assigned duties determine a need for the use of a cellular telephone, shall direct a letter to the assistant chief of police through their chain of command. If approved, the assistant chief of police will contact the Electronic Support Unit. A determination will be made as to the availability of unassigned, forfeited, or found cellular telephones currently being stored by the Electronic Support Unit. In the event that a suitable cellular telephone cannot be utilized, the Electronic Surveillance Specialist will consult with the appropriate cellular telephone carrier to obtain the current model cellular telephone for purchase by the Tampa Police Department.

1. The employee being assigned the cellular telephone will be responsible for the proper use and care of their newly assigned telephone and all accessories. The employee's immediate supervisor shall be responsible for a monthly review of the cellular telephone bills to ensure compliance with this policy.

2. If the cellular telephone becomes lost or is stolen, the employee shall immediately contact the cellular provider and suspend service to the phone. The Electronic Support Unit will also be contacted and ii (10,1.0007Tc 0l im inatind. If the cellular telephonr is stolenaee TJO.007Tc 034

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- C. All telephones seized in connection with an arrest or criminal investigation will be promptly booked into the Evidence Control Section.

Supersedes SOP 629, dated 4/02.

630 POLICE BICYCLE PATROL¹

- I. PURPOSE: To establish guidelines for the utilization, operation, training, and supervision of the police bicycle officers.
- II. DISCUSSION: The primary goal of using bicycles as a patrol component is to enhance the department's objectives in providing quality law enforcement services to the community, especially with criminal apprehension and crime deterrence. Police bicycle officers are valuable tools to accomplish these tasks in a proactive manner, while patrolling our communities in a more versatile function. Police bicycle officers are used to patrol residential neighborhoods and business districts during their regular scheduled shifts. In addition, police bicycle officers ride in special events, malls, parking lots, city parks, etc., as dictated by large attendance or when defined by intelligence.
- III. DEFINITIONS:
 - A. ABC Quick Check: Quick check of safety components of the bicycle (air pressure, brakes, crank, and quick release) prior to riding.
 - B. Bicycle Officer: An officer on a specially equipped police mountain bicycle, who, by the use of directed patrol in a limited area, uses proactive community-oriented policing, to deter crime more effectively, in addition to responding to calls for service.
 - C. Department Bicycle Mechanic: An officer who has attended a certified bicycle mechanic course. The bicycle mechanic will be the sole agent responsible for all necessary repairs. This officer will ensure that any authorized mountain bikes used on patrol meet all safety as well as departmental guidelines upon such repairs.²
 - D. Department Bicycle Patrol Coordinator: The Major of the Special Operations Division, or his designee who is familiar with the proper and safe use of a police mountain bicycle, as it pertains to law enforcement operations. He will maintain all documentation of required maintenance and repairs on all authorized department bicycles. He will facilitate all necessary training as approved through the Training Unit. He will submit any requisitions of equipment purchases or any other expenses through the appropriate chain of command per current SOP.
 - E. Divisional Bicycle Patrol Coordinator: A police bicycle officer designated by a division commander to manage a unit assigned with police bicycle patrol responsibilities. He will act as the liaison between the police bicycle officers and the department bicycle patrol coordinator regarding

¹ CALEA [4th Edition] 41.1.4(a)

² CALEA [4th Edition] 41.1.4(e)

matters of scheduling of required maintenance, repairs, equipment purchases, training, etc.

- F. Police Mountain Bicycle: A department authorized mountain bicycle that has been approved through the Special Operations Division Major or his designee. Only those officers having been certified as a police bicycle officer will operate these mountain bicycles. The bicycles are to be equipped with front and rear lights, pedal retention devices, rear racks, and a rear pack.
- IV. ORGANIZATION: The Tampa Police Department bicycle officers are to be supervised under their regular assignment and chain of command. Police bicycle officers' assignments will not conflict with their regular duties and assignments. Deployment will be directed through their respective chain of command.
- V. OPERATIONAL PROCEDURES:³
- A. Deployment:
1. Police bicycle officers will be deployed with the squad assigned to the same area designated for bicycle patrol. This squad will be briefed on the bicycle officer's assignment in an effort to provide immediate back up, as officer safety is a priority.
 2. Due to inherent dangers associated with bicycle patrol, officers will always ride in a two-person team, especially during hours of darkness. In daylight hours, an officer may ride alone with supervisory approval.
 3. While bicycle patrol officers are on patrol, they will advise radio of their status as **10-84**, as well as the area (grids) that they are riding.
 4. Police bicycle officers may elect to transport their bike to the assignment with a vehicle. If this method is chosen, the issued departmental bicycle rack will be used during transport. Police bicycles will not be transported to and from assignments by any other means (except by riding).
 5. Police bicycle officers will not be assigned any calls from radio dispatch; however, if a dispatch call is assigned within a close proximity of their position, they will respond and will advise radio of their intentions. This may or may not cancel the mobile unit, depending upon the circumstances.

Bicycle officers will not respond as the primary unit on traffic-related calls that would require a marked unit for traffic control.

³ CALEA [4th Edition] 41.1.4(a)

6. Any request for police bicycle officers to work in a plainclothes capacity will be approved through their division commander. Bicycle officers will adhere to all established procedures regarding such operations (i.e., surveillance, covert decoy, etc.)

B. Equipment:⁴

1. The police mountain bicycle, or an approved bicycle, will be the only authorized bicycle officers will ride. Each bicycle officer will share their assigned bicycle with a police bicycle officer working the opposite cycle, when applicable.
 - a. Officers assigned a bicycle are responsible to ensure that all required maintenance and repairs are completed.
 - b. Officers will not alter or modify the bicycles in any way without the approval of the department bicycle coordinator through their respective division bicycle coordinator.
 - c. Officers using a personally owned bicycle will be responsible for any repairs, damage, or theft to the bicycle.
2. The department bicycle patrol coordinator will maintain records of all Tampa Police Department bicycles pertaining to their maintenance checks and repairs. These records will extend to an inventory of all bicycles and related equipment.
 - a. The department bicycle coordinator will schedule all maintenance and repairs with the department's bicycle mechanic. Any alternate mechanical maintenance or repair will be approved through the department bicycle coordinator and the department bicycle mechanic. Any outside repairs will be completed by a reputable person or business and a detailed invoice of all repairs will be required for tracking purposes. All old parts that are replaced will be returned to the Department once repairs are completed.
3. The division bicycle patrol officer will maintain records of all police bicycle officers in their division with their assigned bicycles. This designated officer will give notice to the bicycle officers for any scheduled maintenance.

⁴ CALEA [4th Edition] 41.1.4(f)

- a. Any request for maintenance will be submitted through the division bicycle patrol officer, who will forward it to the departmental bicycle patrol coordinator.
4. Police bicycle officers will wear the approved department issued helmet at all times while operating the bicycle. The helmet will be securely fastened and worn according to manufacturer's guidelines. The helmet will have **POLICE** decals affixed on both sides.
5. Police bicycle officers **will** wear shatterproof glasses and riding gloves at all times while operating their bicycle.
6. All police bicycles have been equipped with a cable bicycle lock. The bicycle will be secured in this fashion when stored and not in use.

It is recommended that whenever the bicycles are left unattended on patrol, it should be secured with this lock to prevent theft. This will be at the officer's discretion; however, officers will be held responsible for lost or damaged equipment.

C. Training:⁵

1. All officers who operate police mountain bicycles are required to successfully complete the International Police Mountain Bike Association (IPMBA) course. Due to the infrequency of certification classes, an uncertified rider may ride while being partnered with an experienced certified rider in the interim. This caveat is in no way to be used to circumvent the certification requirement and will be monitored.

Any alternative course must be submitted through the department bicycle patrol coordinator and approved by the Special Operations Division Major prior to acceptance.

2. All officers who have been designated as Police Bicycle Officers will maintain their certified classification in the following manner:
 - a. Officers will ride at least twice a month involving any law enforcement function;
 - b. Officers will satisfactorily complete a bicycle-training course established to maintain proficiency in skills and knowledge associated with operating the police mountain

⁵ CALEA [4th Edition] 41.1.4 (d)

bicycle. This approved departmental course will be attended annually by all certified Police Bicycle Officers;

- c. The Department Bicycle Patrol Coordinator may cause any officer(s) to attend any bicycle training for remedial purposes as established by substandard abilities in their skills or knowledge.
3. The Department Bicycle Patrol Coordinator will schedule all training associated with the operation of the police mountain bicycles and the police bicycle officers in accordance with the Training Unit.

The Department Bicycle Patrol Coordinator may suspend the riding privileges of any police bicycle officer for failure to maintain departmental standards.

D. Safety:

1. Officers **will always** wear their designated equipment while riding their bicycles.
 - a. While riding during the hours of darkness, officers will have their headlights and rear flashers on.
 - 1) There may be times when officers will “run dark” in an effort to gain an advantage in a covert manner; officers must use extreme caution.
2. At the beginning of every deployment, officers will conduct an “ABC Quick Check” to ensure their bicycle is safe to ride. If any discrepancies are discovered, they will be recorded on the maintenance log and reported to the affected divisional bicycle patrol officer.
 - a. The bicycle will not be operated until the repair has been completed and it has cleared all safety concerns.
3. If any police bicycle officers are involved in a crash while riding their police mountain bikes, the crash will not influence their Safe Driver Award, despite any determining factors.

E. Community and Public Relations:

1. The use of bicycles within law enforcement has established an important link to the citizens of our neighborhoods. All police bicycle officers are considered bicycle experts throughout the community.

- a. Police bicycle officers will be required to conduct bicycle safety training sessions, known as “bike rodeos,” upon request by any community organization.
- b. Such requests will be submitted through the department bicycle coordinator, who will determine all necessary scheduling.

VI. MAINTENANCE OF EQUIPMENT:

- A. Maintenance Log: Each police mountain bicycle will have a maintenance log that identifies any discrepancies, damages, and/or repairs. It will include the status of the bicycle, whether operational or deadlined.
 1. If the bicycle cannot be readily repaired and the department bicycle mechanic is unavailable, it will be deadlined and a repair slip will be completed awaiting the mechanic’s availability.
 - a. The repair slip will be routed to the department’s bicycle mechanic through the divisional bicycle patrol officer and department bicycle patrol coordinator.
 - b. If the repair is beyond the scope of the department’s bicycle mechanic, the department bicycle coordinator must approve any outside repair(s).

Supersedes SOP 630, dated 1/03.

631 CRIME PREVENTION ACTIVITIES¹

632 CRIME PREVENTION ACTIVITIES – SECURITY SURVEYS¹

633 SPECIAL EVENT PERMITS¹

- I. PURPOSE: To establish procedures for processing requests for permits for special events to be conducted on, or having a direct affect upon, public property or traffic flow in the city of Tampa.

- II. DISCUSSION: The City of Tampa supports special events to enhance the quality of life for its citizens. The City recognizes many social, cultural, and financial benefits as a result of special events in the City. Such benefits include a better quality of life, economic growth, increased tourism, and recreation opportunities.

Notwithstanding the recognized importance of special events, it is important that the City establish policies and procedures, which allow for the planning and management of personnel and financial resources in the support of such events. The following policies and procedures are intended to provide a system for administering certain laws and policies designed to allow the City and event sponsors to achieve mutual goals.

III. DEFINITIONS:

- A. Organization: Any for-profit or not-for-profit organization or bureau not under the direct control of the City of Tampa or its independent boards and commissions.

- B. Special Event: A preplanned major activity sponsored by an individual or organization, proposed to be held on public property, for the purpose(s) of entertainment, celebration, amusement, cultural recognition, arts and crafts displays, and/or sales, amateur sports demonstration or competition, or similar activities. Also included, as part of this definition is any event on private property, which, due to the event's magnitude requires traffic and/or crowd control. Examples are marathons, block parties, parades, athletic contests, carnivals, commercial shows, and stadium events.

- C. City Sponsored Special Event: An event sponsored totally by the City of Tampa.

- D. City Co-sponsored Special Event: An event sponsored by the City of Tampa and other individuals and/or organizations.

- E. Extra-Duty Coordinator: An individual responsible for special event permits and selection of officers to work extra-duty special events.

- F. Permit: A license, required by City Code, in order to stage a special event.

¹ CALEA [5th Edition] 46.2.7

- G. Permit Fee: A non-refundable fee charged to defray the cost of administrative time and material.
- H. Public Property: Property which is not rental in nature and which is owned, operated, maintained, and/or controlled by the City of Tampa. Examples of public property include plazas, streets, sidewalks, parks, or similar open spaces.
- I. Reimbursable Cost: Those expenditures incurred by the City of Tampa for providing support services for the special event. Such costs include employee salaries, fringe benefits, and overhead expenses.
- J. Sponsor: A person or organization that plans and/or carries out a special event.
- K. Co-sponsor: A person or organization that plans and/or carries out a special event in conjunction with the City of Tampa.
- L. Street: The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of pedestrian and/or vehicular travel.
- M. Support Services: Those services which can or must be provided by the City to ensure that a special event is conducted in such a manner as to protect the safety, health, property, and general welfare of its citizens. Examples of support services include fire protection, crowd management and control, traffic management and control, and waste and litter control.

IV. EXCLUSIONS FROM POLICY:

- A. City-sponsored Special Events: Events initiated by and/or sponsored solely by the City of Tampa.
- B. Public Property which is Rental in Nature: City owned or operated public properties, buildings, reserved picnic areas, or recreation centers.
- C. Other Exclusions:
 - 1. Funeral processions;
 - 2. Students going to and from school classes or participating in educationally related activities under the immediate direction and supervision of the proper school authorities; or

3. Lawful picketing or other orderly processions on the sidewalk or other public right-of-way not utilized for the movement of vehicular traffic that does not constitute loitering.

V. RESPONSIBILITY FOR PROCESSING OF APPLICATIONS:

- A. The City of Tampa's special events coordinator, assigned to the Transportation Division, shall have overall responsibility for coordinating the review and assembly of all comments and costs associated with the holding of special events.
- B. The Tampa Police Department's extra-duty coordinator shall evaluate all special event permit applications as they relate to the police mission and submit recommendations through the chain of command to the chief of police.

VI. DUTIES OF EVENT SPONSOR IN PLANNING A SPECIAL EVENT:

- A. Prepares the permit application and submits it to the Transportation Division in City Hall, a minimum of ninety days prior to the event.
- B. Notifies businesses and residents in the area of the event who will be affected by it.
- C. Pays the City Transportation Division for all reimbursable costs at least fifteen days prior to the event unless otherwise agreed to by the Mayor's Office.

VII. PROCEDURE FOR PROCESSING SPECIAL EVENT PERMIT APPLICATIONS:

- A. All permit requests for a special event are received by the Transportation Division and referred by them to the Extra-duty Office.
- B. The extra-duty coordinator reviews the permit request and requests approval or non-approval from the assigned district.
- C. The assigned division commander signs the permit indicating the department's approval or non-approval of the event.
 1. If approved, the extra-duty coordinator will assign the event to the appropriate division or an approved special event planner and cause a working copy of the permit to be provided to the assigned division commander or special event planner.
 2. The original permit is returned to the Transportation Division.

D. Duties of an approved special events planner:

1. Contacts the event sponsor to determine the event size and route.
2. Compiles a written estimate of traffic, crowd control, and anticipated crime problems.
3. Determines how the event is to be staffed, and estimates the cost if any, to the department or the event sponsor. (The number of personnel needed to effectively conduct the event.)
4. If necessary, make arrangements with the Communications Bureau for the use of a particular frequency and dispatcher to monitor it.
5. Provides the Transportation Division of the Department of Public Works with a barricade/cone list, if these items are required.
6. Creates a contingency plan for traffic direction and crowd control should the event extend beyond expectations.
7. Notifies the Public Information Safety Coordinator, the shift commander of the affected division, and the Communications Bureau of the event providing them with a general information sheet indicating the date, time and location.
8. Prepares an event folder, which contains a copy of the permit, the roster, a cost analysis sheet, after-action report, and any other pertinent information regarding the event. The folder is forwarded filing within ten working days following the event.

VIII. STAFFING SPECIAL EVENTS:

A. City Co-sponsored Events:

1. OnC /P1 officers normally staff these events.
2. For events such as Gasparilla, additional police personnel are available through mutual aid agreements with other law enforcement agencies.

B. Events Not Co-sponsored by the City:

1. OffC /P1 officers staff these events. Payment for the officers must be received in the extraC /P1 office at least one day prior (The

event unless other arrangements have been made with the extra-duty coordinator.

2. Registered charitable or non-profit organizations meeting the criteria of Florida State Statute 496 may request officers to work the event on a volunteer basis.
 - a. The event must be approved for volunteer work by the chief of police at least 72 hours prior to the event.
 - b. Participation by individual officers will be solely at their discretion and in no way influenced by the department.

IX. TEMPORARY WET ZONING PERMITS FOR SPECIAL EVENTS: (City Ordinance 4-31 – limited to two per year to any organization):

- A. This type of permit is issued only with the permission of the event sponsor, if it is held in conjunction with a special event.
- B. The permit applies only within the boundaries of a street closure permit and the alcoholic beverages are to be consumed within the confines of those boundaries.
- C. A minimum of three off-duty officers are to be assigned for each location allowed by the permit.
- D. A temporary wet-zoning permit is not required if sponsors dispense alcoholic beverages from private property with the permission of the street closure permittee.

X. INSURANCE:

- A. Hold Harmless: Applicants for a special event permit shall indemnify and hold harmless the City of Tampa and the employees, agents and contractors of the City of Tampa for any and all liability for damages, injury, loss or expense caused or occasioned by reason of any action, or failure to act, on the part of the applicant, the sponsoring organization, their agents and employees during the duration of the special event.
- B. Additional Named Insured: Applicants will obtain a certificate of insurance according to a schedule predetermined by the City and name the City as an added named insured. Such certificate will be submitted to the City two weeks prior to the scheduled event.

XI. FINAL APPROVAL-DENIAL OF SPECIAL EVENT PERMITS:

- A. The Mayor or designee shall review the coordinate recommendation of the City departments, including the Tampa Police Department, and shall sign approval or note denial and return it to the Tampa Transportation Division.
- B. The City of Tampa Transportation Division shall cause the applicant to be notified regarding the final action.
- C. If an application for a special event is denied based upon a police department recommendation; the extra-duty coordinator will mail, within five working days of the denial, a notice of the action, the reasons for the denial, and appeal procedure to the applicant.

Supersedes SOP 633, dated 10/97.

633.1 SPECIAL EVENT PLANNING¹:

I. PURPOSE:

The purpose of this directive is to establish a uniform procedure for the planning and execution of special events whether or not they are co-sponsored by the City of Tampa.

II. DISCUSSION:

Special events include parades, runs, street/art festivals, political rallies, and any other event that due to its size, location or duration requires a permit from the City of Tampa, or Department of Public Works, Division of Transportation. The Division of Transportation may, at their discretion, request the Tampa Police Department to review any permit and provide a recommendation for the necessity of assigning the event to an Extra Duty supervisor for planning.

Special events often require streets to be closed, traffic to be diverted and close coordination with other entities. Due to the responsibility involved only sergeants or higher approved as a Special Events Planner, will be authorized to plan an extra duty special event or background investigation. A Special Events Planner should also be used for large-scale events in which there is a substantial increase or exposure to liability (traffic hazards, large crowds, re-routing of traffic on main arterial roadways, etc.).

III. PROCEDURE:

- A. The Extra Duty Office will receive, coordinate, and disburse all special event permits. All personnel are required to inform the Extra Duty Office of any event or assignments which they are asked to plan, coordinate, or otherwise assign personnel, regardless of the scope of the assignment.
 - 1. The Extra Duty Office will determine if the event is an on-duty event or an extra duty event.
 - a. All on-duty events will be routed to the appropriate district for planning and staffing requirements.
 - b. Extra duty event permits will be retained by the Extra Duty Office.
 - 2. The Extra Duty Office, upon noting that an event is classified as extra duty will:
 - a. Verify that the Division of Transportation has provided the event promoter with a current extra duty pay schedule (officer, supervisory and the minimum hourly costs), vehicle costs and any other pertinent information.

¹ CALEA (5th Edition) 46.2.7

- b. Determine if the event is recurring.
 - 1) If the event has been staffed in the past, no significant changes are planned and no significant problems were noted, the Extra Duty Office will provide a copy of the previous plan, which will include manpower, vehicles and cost estimates to the Division of Transportation. The Extra Duty Office may consider assigning the event to the previously assigned special events planner. This decision will be made by the extra duty coordinator.
 - c. If the event is new, experienced significant problems in the past, or involves significant modifications, the Extra Duty Office will:
 - 1) Select and contact the next available qualified supervisor from the list maintained in the Extra Duty Office;
 - 2) Provide the selected supervisor with a copy of the permit and any other attachments; and
 - 3) Insure that the supervisor is aware of any deadlines, which may affect the permit.
- B. For all extra duty events, the planning supervisor assigned to the event will be compensated according to the current extra duty pay rate scale and all hourly minimums will remain in effect. All planning will be done during the supervisor's off-duty time. The assigned planning supervisor will be responsible for planning that portion of the event normally associated with public safety issues.
- 1. These may include, but are not limited to:
 - a. Staffing and vehicles
 - 1) Determining the number of officers and supervisors required to safely and adequately staff the event.
 - 2) The schedules and reliefs for police personnel.
 - 3) The number of marked police vehicles and special purpose vehicles required and mobile command post, if needed.
 - b. Meet with the Division of Transportation to determine the number, style, and locations of barricades in order to effectively implement a maintenance of traffic plan and street closure;

- c. Contact Tampa Fire Rescue to determine type and locations of emergency medical personnel;
 - d. Notify the other state, county, city agencies or private businesses which may be affected by the special event, i.e.,
 - 1) Public transportation;
 - 2) Ambulance;
 - 3) Fire dispatch; and
 - 2. The completed plan, which will include all permits, maps, staffing requirements, schedules and any other documents, will then be submitted to the district most affected by the special event.
- C. The district commander or designee will review the completed plan.
 - 1. If any changes, corrections or clarifications are required, the district commander or designee will meet with the assigned supervisor and discuss the changes.
 - 2. Once the plan has been approved, the district commander will return the entire plan to the Extra Duty Office.
- D. The Extra Duty Office will:
 - 1. Notify the permit applicant of the total cost to plan the event and the estimated cost of police personnel for the actual event;
 - 2. Notify the Division of Transportation of the total cost for police personnel;
 - 3. Obtain the required signatures on the permit and return the original permit and a copy of the staffing plan and barricade list to the Division of Transportation;
 - 4. Maintain a permanent file of all extra duty special events; and
 - 5. Upon notification by the Division of Transportation that the applicant has agreed to all costs, the Extra Duty Office will begin staffing the event.
- E. At the completion of the event, the planning supervisor or in his absence the senior assigned supervisor, will prepare an after action report detailing:
 - 1. Any problems associated with the event;

2. Any deviations from the original plan;
3. Any staffing costs which exceeded the original estimates; and
4. Recommendations to correct any problems associated with the event.

This report will be made a part of the file maintained by the Extra Duty Office and a copy forwarded to the Division of Transportation.

IV. EXTRA DUTY SPECIAL EVENTS PLANNING ROSTER:

- A. Only sergeants and above, after obtaining approval from the chief of police, are authorized to work in an extra duty capacity that involves the planning for special events.
 1. Sergeants and above who, through their normal duties, have demonstrated a proficiency in planning special events or who, through their extra duty employment, have demonstrated a proficiency in planning special events, may request to be placed on the list.
 - a. A letter detailing any experience planning special events and any other pertinent qualifications will be directed through the chain of command.
 - b. Each level within the chain will review the letter and make the appropriate recommendation.
 - c. The chief of police or designee will review each request with recommendations. Approved requests will be routed to the Extra Duty Office. Requests that are not approved will be retained by the Extra Duty Office and a copy returned to the supervisor.
 2. Sergeants or higher, with no previous experience, may have their names placed on the approved list by agreeing to:
 - a. Assist with the planning of at least three events of various types and sizes without compensation.
 - b. Once the three events have been completed the Extra Duty Office will, by memo, notify the chief of police that the applicant has met the necessary criteria to be placed on the special events planning list.
 - 1) The chief of police, after acknowledging the memo, will return it to the Extra Duty Office and the name will be added to the approved list.

V. BACKGROUND INVESTIGATIONS:

- A. At any establishment in which there will be extra duty officers assigned, and the primary purpose of that establishment is the consumption of alcohol, will require that a Special Events Planner conduct a background check of the permittee/employer.
- B. There will be a standard rate, established annually by the Extra Duty Office, for the compensation of the Special Event Planner.
- C. The Special Event Planner shall submit the background investigation in standard reporting format which shall be approved and retained by the Extra Duty Office.
- D. The Special Event Planner shall also record in the background investigation the type and/or amount of city equipment and materials used in the investigation (i.e., car, miles, criminal histories, etc.).

Supersedes SOP 633.1, dated 10/97.

634 TRAFFIC CITATIONS (Also see SOP 307)¹

I. DISCUSSION: All Florida law enforcement agencies are required by law to utilize the Florida Uniform Traffic Citation. The citation books are furnished by the Florida Department of Highway Safety and Motor Vehicles (DHSMV). Since the citations are numbered and must be individually accounted for, correct processing and control procedures must be followed.²

II. PROCEDURE:

A. Citation Books:

1. Each division Community Service Officers (CSOs) will obtain a case of traffic citations from the Supply Section. Each case consists of (50) books of citations.
2. For accountability, officers will obtain the citation books from the CSO or Supervisor, and sign the “Officer’s Receipt” on the front of the citation book. The CSO will retain the original and carbon copy of the “Officer’s Receipt”.
3. The CSO will log the issued citation book into the DUI Traffic Citation Receipt database for accountability purposes. The database is located on the “K” drive, in the DUI – Traffic Citation Receipt folder.
4. All fields in the database must be completed with the following information:
 - a. Payroll number of employee entering data;
 - b. Date the officer signed the citation book;
 - c. Officer’s payroll number;
 - d. Officer’s first and last name.
 - e. Beginning and ending number on the citation book (i.e. 1200ABC – 1225ABC);
 - f. If an officer retires, resigns, etc., the CSO will enter the date the book was returned and the remaining citation numbers.
 - g. New and partially used books will not be returned to the Supply Unit. They will be retained in the district office for re-issuance.

¹ CALEA [5th Edition] 61.1.2(b)

² CALEA [5th Edition]82.3.4(a)(b)(c)

- h. The CSO will complete and attach a TPD 426 (Re-Called / Re-issued Traffic Citation Book Receipt) form and place it with the returned citation book(s) for the next requesting officer. The returned citations will be issued first following the above listed procedures.
5. After the Officer Receipts have been logged into the DUI – Traffic Citation Receipt database, all hardcopies will be delivered to the 5th floor mailroom at TPD Headquarters and placed in the appropriate box for pickup by Records personnel. There are two boxes provided in the mailroom, one box for “Officer Receipts” and the second box for BLUE copies of traffic citations.

B. Citing the Offender:

1. When an officer issues a citation to an offender for a traffic violation, he or she will make certain that all copies are completed accurately and legibly.
 - a. Officers will write the "grid" number, event number or report number of the incident in the upper margin of the citation.
 - b. If there is any serious injury in a crash, the officer will write "serious injury," in the appropriate section of the citation.
 - c. The officer will explain the terms of the citation, detach the violator's copy (canary yellow), complete the backside of the violator's copy and give it to the offender. A copy of the Hillsborough County Traffic Information sheet will also be provided to the violator.³
 - d. If a traffic offender is a juvenile, the officer will add the names of the parents or guardian on the left margin of the citation.
 - 1) One of his or her parents or a legal guardian must accompany him or her to the Clerk of Court Traffic Division Office and Court specified on the traffic citation, unless the juvenile is married or in the military service.
2. When there are witnesses to the traffic violation and the officer wishes the witnesses to appear in court, he or she will write the name, address, zip code, and telephone number in the area designated on TPD Form 99.

³ CALEA [5th Edition] 61.1.2(b)

3. Each officer will instruct the violator that he or she must respond to the citation:
 - a. Within thirty calendar days for civil infractions by appearing at the Hillsborough County Violations Bureau in person to set a court date or pay a fine, or by mailing a money order with a copy of the citation to the Clerk of the Circuit Court Traffic Division.⁴
 - b. Within ten calendar days for criminal traffic violations by appearing at the Hillsborough County Violations Bureau in person or by mailing a copy of the citation along with a self-addressed stamped envelope to the Clerk of the Circuit Court Traffic⁵ Division.
 - c. Persons charged with violations of Florida Statutes 316.2935 or 316.610 will be advised that they must make the necessary repairs and submit the vehicle for inspection to a police or sheriff's department within twenty calendar days from the date of issuance of the traffic citation.⁶

- 1) They will be advised that they must pay a \$4.00 fee directly to the law enforcement agency before an inspection is made and the affidavit of compliance is completed.

The violator will then have the remainder of thirty calendar days to present the completed affidavit of compliance to the Clerk of the Circuit Court Traffic Division for a reduced penalty.

- 2) The \$4.00 fee will be collected at any of the district offices seven days a week, 24 hours a day.

C. Accident Cases:⁷

1. In addition to the requirements in paragraph II.B. above, citations issued relative to a traffic crash also require the following in order to assist the courts in issuing subpoenas:
 - a. If the charge is for a criminal violation, and two officers investigate the offense, the citation will be signed by both officers;

⁴ CALEA [5th Edition] 61.1.4(c)

⁵ CALEA [5th Edition] 61.1.4(c)

⁶ CALEA [5th Edition] 61.1.4(d)

⁷ CALEA [5th Edition] 61.1.2(b)

- b. If the charge is a civil infraction, and the violation was not witnessed by the officers, only one officer's signature is required on the citation; and
 - c. Detectives issuing a citation for a referred case shall follow similar guidelines. The detective will sign the citation and ensure that all witnesses are listed properly. Originating officers that did not witness a crash resulting in a civil infraction only will not be listed as witnesses. Subpoenas in the case will then be directed to the detective, who shall respond to the subpoena or comply with paragraph D., below.
2. As required by the courts, officers must properly list as witnesses every competent person in all vehicles involved, in order that they may be subpoenaed.
 3. TPD Form 99, a subpoena request form, will be used to request the Violations Bureau to subpoena witnesses not listed on the citation. The form will be attached to the original citation or routed to Violations.

D. Subpoenas Resulting from Traffic Citations:⁸

1. On the cover of each book of traffic citations is a form entitled "Individual Officer Accountability Record." Officers are to utilize this form to note when a citation is issued whether for a traffic crash civil infraction or criminal violation. This will allow easy reference when the officer receives a subpoena.
2. Upon receipt of a traffic court subpoena, officers will refer to the Accountability Record and determine if the case is a civil infraction arising from a traffic crash, which the officer did not witness.
 - a. If so, the officer will not have to appear in court through an agreement with the traffic judges.
 - b. In order to be relieved of the responsibility of appearing in court, officers must obtain a copy of the crash report and a pre-printed memo available in the District Administrative CSO's offices.

The memo must be completed, attached to the report copy and the subpoena, and submitted to the officer's supervisor. The supervisor will ensure that the memo will arrive in the CSO's office at least two week days prior to the court date, Sunday, Saturday, and holidays excluded. Supervisors of divisions other

⁸ CALEA [5th Edition]82.3.4(a)(b)

than a Uniform District will forward them to the District I Administrative CSO within the prescribed time limits.

- 1) Upon receipt of subpoenas delivered in this fashion, the Administrative CSO's will deliver them to the deputy clerk of violations who will place them in the applicable court file.
3. Should an officer fail to follow this procedure in a timely manner, he or she must appear in person in court.

E. Processing Completed Citations:

1. During, or upon completion of, the officer's tour of duty, the officer will submit to his or her supervisor those citations issued during that shift, including any blue copies when the traffic offender was incarcerated.
2. After editing the citations, the supervisor will ensure the citations are provided to the district CSO to process in the following manner:
 - a. All citations will be entered in the Traffic Citation Transmittal database;
 - b. The CSO will ensure that all information entered is correct. This would include the event number, statute and the officer's payroll number. If a second officer is listed, his/her payroll number is to be added. If there are any discrepancies in the fields of the citation, the citation will be returned to the issuing officer for clarification.
 - c. Once all valid citations are entered, the CSO will remove the blue copies from the citations. The citations will be sorted by date first, then numerically. If only the blue copy was received (due to incarceration), it will be entered and sorted in the same manner.
 - d. The CSO will print a Daily Transmittal form to accompany the entered citations to the Hillsborough County Clerk of the Circuit Court Traffic Division.

NOTE: State Statute 316.650(3)(a) requires all traffic citations to be delivered to the Clerk's office within 5 days of issuance.

- e. The Clerk of the Circuit Court Traffic Division does not want blue copies of traffic citations. The blue copies will be delivered to the 5th floor mailroom at TPD Headquarters by the administrative

CSO. They will be placed in the appropriate box marked "BLUE COPIES" for pickup by Records personnel.

- f. Blue copies of traffic citations WILL NOT be destroyed by the division for any reason.
- g. Once the blue copies are delivered to the 5th floor mailroom, Records personnel will ensure pickup for retention purposes.

F. Accounting for Citations, Destroyed, Lost, Damaged Beyond Use, or Voided:

1. To accomplish this, when a citation needs to be voided for any reason, officers shall complete the Destroyed, Lost or Damaged Affidavit (TPD 425) and write "void" on the citation (if available), and deliver them to their immediate supervisor.
2. Supervisors will evaluate the affidavit (TPD 425), take necessary action as indicated by the explanation, and sign the affidavit. After approval, they will be entered into the traffic database by the CSO and processed as follows:
 - a. When entering "voided" citations, only the date of the citation, the citation number and the officer's payroll should be entered. DO NOT check any of the boxes at the bottom; however, go to the remark field (at the bottom of the page) and type "VOID". This will allow a transmittal to be printed for voided citations only.
 - b. In order to print a transmittal sheet for voided citations, go to the Traffic Citation Transmittal database and select the field – Voided Daily Transmittal Report. Continue to use the Daily Citation Transmittal Report to print all active citation transmittals.
 - c. Once logged, and the transmittal form been printed, the voided citation will be provided to the administrative CSO to mail to DHSMV at the following address: Department of Highway Safety and Motor Vehicles, Bureau of Records, Neil Kirkman Building, Inventory Control, Room #A237, M.S. #89, Tallahassee, FL 32399-0500.
3. If an entire book or partial book has been lost, the officer will notify their immediate supervisor. The supervisor will notify the administrative CSO to make an entry into the DUI Traffic Citation Receipt database to attach to the affidavit. The citation numbers will also be listed individually on the VOIDED DAILY TRANSMITTAL REPORT.

4. As a reminder, the “voided” citations DO NOT go to the Clerk of the Circuit Court Traffic Division. They must be sent to Tallahassee.

G. Requests for Dismissal or Nolle Prose of Citations:

1. Any request for dismissal or nolle pro

D i s m i s s i o n (i s s u e d D i v i s i o n)
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Nolle Prose(Crism8((i)2(r
n

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**CITY OF TAMPA
POLICE DEPARTMENT**

To: Clerk of the Circuit Court –Traffic Division

From: _____

Defendant: _____

Citation Number: _____

Agency Case Number: _____

Crash Case – Did Not Witness

REQUEST SUBPOENAS TO BE ISSUED

Name: _____

Address: _____

City: _____ State: _____

Zip: _____ Phone: _____

Name: _____

Address: _____

City: _____ State: _____

Zip: _____ Phone: _____

Name: _____

Address: _____

City: _____ State: _____

Zip: _____ Phone: _____

Name: _____

Address: _____

City: _____ State: _____

Zip: _____ Phone: _____

Name: _____

Address: _____

City: _____ State: _____

Zip: _____ Phone: _____

TPD 99 (2/08)

**RE-CALLED / RE-ISSUED
TRAFFIC CITATION BOOK
RECEIPT**

DATE RE –CALLED: _____
MONTH DAY YEAR

FROM OFFICER: _____
NAME PAYROLL #

DIVISION: _____

BOOK NO.: _____

CITATION(S) FROM #: _____
TO #: _____

RECEIVED BY: _____
SUPERVISOR'S SIGNATURE

ADMINISTRATIVE CSO

RE-ISSUED: _____
MONTH DAY YEAR

BOOK NO.: _____

CITATION(S) FROM #: _____
TO #: _____

TO OFFICER: _____
NAME

DIV.: _____ PAYROLL#: _____

OFFICER'S SIGNATURE

RE-ISSUED BY: _____
SUPERVISOR'S SIGNATURE

ADMINISTRATIVE CSO

TPD 426 (2/08)

635 TRAFFIC DEPLOYMENT RESPONSIBILITY AND TRAFFIC ENFORCEMENT GUIDELINES

- I. PURPOSE: This directive assigns responsibility for deployment of officers to enforce traffic laws and establishes guidelines for the enforcement of such laws.
- II. DISCUSSION: The enforcement of traffic laws is a basic law enforcement responsibility and a major function of the uniformed districts. Officers assigned to other divisions and units of the department, particularly those assigned to plainclothes duty, do not normally enforce traffic laws unless a driver is operating a vehicle in such a manner as to endanger the lives or property of other citizens.

The ultimate goal of the department's traffic law enforcement efforts is to persuade drivers to comply voluntarily with traffic laws and regulations. The purpose of traffic laws and the enforcement thereof is to modify driver behavior and subsequently to reduce crashes. Priority is placed on citing those drivers who commit hazardous moving violations.

The intent of these guidelines is to provide officers with acceptable actions to take when traffic violations are observed. These guidelines are not meant to supplant officer judgment, for it is impossible to foresee every conceivable situation. In unusual circumstances, officers must decide what enforcement action is proper based on a combination of training, experience, and common sense.¹

Refer also to other traffic procedures contained in the 635 series of directives as well as in SOP 634.

- III. ENFORCEMENT RESPONSIBILITY:
 - A. The special operations commander, who utilizes data available from the department's traffic analysts, has the responsibility to evaluate, the department's traffic law enforcement programs on a quarterly basis. The Special Operations Division commander shall recommend to the Assistant Chief of Administration the initiation of certain department-wide programs when needed.²
 - B. Uniform district commanders possess primary responsibility for identifying enforcement problems, planning enforcement programs at the district level, and effectively deploying officers and equipment to accomplish such programs.³
 - C. Sector commanders, by utilizing data available from the department's traffic analysts, have primary responsibility for identifying enforcement

¹ CALEA [4th Edition]1.2.6
² CALEA [4th Edition]61.1.1(b)
³ CALEA [4th Edition]61.1.1(d)

problems, planning enforcement programs at the sector level, and effectively deploying officers and equipment to accomplish such programs.

- D. Squad sergeants, utilizing data available from the department's traffic analysts, have primary responsibility for identifying enforcement problems, planning enforcement programs at the squad level, and deploying officers and equipment effectively.
- E. Officers assigned to a beat have primary responsibility for traffic law enforcement within that beat.

IV. ENFORCEMENT TACTICS:⁴

- A. In normal circumstances, officers enforce traffic laws by taking enforcement action for observations made while patrolling their beat in a marked police vehicle.
- B. On occasion, and with supervisory approval, officers are issued unmarked police vehicles to patrol designated areas and concentrate enforcement efforts on those crash-causing violations which have been identified by the department's traffic analyst.
- C. On occasion, and with supervisory approval, officers may utilize covert and/or overt observation techniques at certain designated locations.

V. ENFORCEMENT ACTIONS:

- A. General:
 - 1. The issues of when to issue a citation and when to issue a warning are, and have been, questions asked by law enforcement officers throughout the history of law enforcement. These questions cannot be answered in a simple manner because of the many circumstances that might surround a particular violation. The decision becomes easier when one understands the purpose of taking enforcement action: modification of driver behavior.
 - a. It is the department's enforcement policy to take a sufficient amount of enforcement action to deter the offender from repeating the violation. For example, if a person is stopped for a minor equipment violation, or for violating a newly enacted law, or if the violator is from out of state or in the military service and newly assigned to this area, and the violation is not a serious or flagrant one, the best

⁴ CALEA [4th Edition]61.1.6

enforcement action would probably be a warning.⁵ However, if a person commits a serious violation or a violation that causes a crash, or is flagrant in his disregard for the law by committing such violations as reckless driving or speeding considerably over the speed limit, the best enforcement action would be a citation.⁶

- b. In most cases, the decision as to whether to issue a citation or a warning to a motorist for committing a traffic violation is made prior to speaking to the motorist. The decision is usually based upon the seriousness and the flagrancy of the violation. In most circumstances, it is best to greet the violator with a "good morning" or a "good afternoon", then state the reason for the stop. Unless unusual circumstances are present, the initial decision to issue a citation or a warning should be followed.
2. Officers should maintain a courteous and professional manner when contacting traffic violators. It should be remembered that one of the few contacts the average citizen has with the police is during a traffic violation stop.⁷
 3. The officer's safety is of the utmost importance. At no time should the officer stand between the police and the violator's vehicles. When writing the citation, the officer should be positioned in a manner that affords a clear view of the violator and a place out of the flow of traffic. Normally, a position behind the open passenger's side door of the police vehicle provides the best line of sight and safety. Writing citations while seated in the driver's seat is strongly discouraged.
 4. The violator should remain inside his/her vehicle during the traffic stop unless the officer instructs the person to exit it. If the driver is allowed to exit the vehicle, he/she should be instructed to remain out of the flow of traffic.
 5. Normally, in a traffic law enforcement situation, only the driver of the stopped vehicle is subject to detention. Passengers are usually free to walk away from the stop unless reasonable suspicion is developed to justify their detention.
- B. Violations committed by pedestrians, bicyclists, and operators of off-road vehicles, such as all-terrain vehicles (ATV), dirt bikes and dune buggies:

⁵ CALEA [4th Edition]61.1.2(c); 61.1.3(e); 61.1.5(f)(h)(j)

⁶ CALEA [4th Edition]61.1.2(b); 61.1.3(a); 61.1.5(c)(d)

⁷ CALEA [4th Edition]61.1.8

1. Warnings should be given in most cases. Citations should be given for flagrant violations.⁸
- C. D.U.I. Cases:⁹ Persons driving while under the influence of alcoholic beverages or drugs, except those persons specifically exempt from arrest according to SOP 307, "Arrest Procedures",h 41nde pers,h ons e physfically arreserd

complete the "Re-Examination Investigation" form and submit it to the Department of Highway Safety and Motor Vehicles, Division of Driver Licenses.

- E. Operators of Public Carriers/Commercial Vehicles:¹² Officers should treat the operator the same as other operators unless the operator must be physically arrested. They should contact the public agency or commercial enterprise for instructions regarding the disposition of the vehicle.
- F. Multiple Violations:¹³ Officers should charge an offender who has committed more than one violation with the most serious violation that can be supported by evidence. Lesser violations normally are elements of the more serious violation and should be incorporated into a single charge when possible.

VI. D.U.I. ENFORCEMENT COUNTER MEASURE PROGRAM:¹⁴

- A. From time to time as needs dictate, the department will activate a task force to concentrate on the enforcement of alcohol and/or drug related traffic offenses.
- B. The primary goal of the task force is to reduce the number of personal injury and fatal crashes caused by persons who drive while under the influence of alcohol or drugs.
- C. When the task force is activated, the Special Operations Division becomes responsible for the management of the unit. Staffing requirements are coordinated through the special operations commander.
- D. Officers assigned to the task force receive specialized training in the techniques of D.U.I. arrests and are directed to concentrate enforcement efforts in areas where D.U.I. activity and crashes are known to occur.

Supersedes SOP 635, dated 9/97.

¹² CALEA [4th Edition]61.1.5(g)

¹³ CALEA [4th Edition]61.1.5(i)

¹⁴ CALEA [4th Edition]61.1.1(c); 61.1.5(a); 61.1.10

635.1 TRAFFIC DIRECTION AND CONTROL

- I. DISCUSSION: Traffic direction and control functions will be performed by the City of Tampa Police Department where necessary to ensure the safe and efficient movement of vehicles and pedestrians. Normally, these types of assignments will be performed only by full time officers; however, at times, reserve officers may be assigned to assist. No civilian personnel shall perform any type of traffic control in association with their normal duties. School crossing guards and all matters relating to their duties shall be under the supervision of the Hillsborough County Sheriff's Office. Also see other traffic procedures in the 635 series of directives.

- II. PROCEDURE:
 - A. All persons charged with directing and controlling traffic will be familiar with Tampa Police Department procedures for executing this task. Traffic direction and control will be conducted when it is determined that, in the interest of safety, it is necessary.
 1. The following are examples of situations requiring traffic direction and control:
 - a. A malfunctioning traffic signal, securing the scene of a criminal offense or incident, extremely large traffic or pedestrian flow, or any other incident requiring the control of traffic for the safe passage of the public.

 - B. The officer shall direct and control the traffic as designated in the departmental directives.

 - C. Whenever a traffic accident or other mishap results in damage to a traffic control device (signal or sign) officers investigating the accident will ensure that the device is repaired or the location otherwise rendered safe prior to departing.

Supersedes SOP 635.1, dated 1/97.

635.2 MANUAL TRAFFIC DIRECTION AND CONTROL

- I. **PURPOSE:** This directive outlines a uniform procedure for the manual direction and control of traffic. Refer also to other traffic procedures contained in the 635 series of directives.
- II. **DISCUSSION:** The manual direction and control of traffic is an everyday concern of the police department. Whether a hazardous situation (accident, weather, or road conditions), or specific event (parades, sporting events), the officer should utilize departmentally approved techniques for the direction and control of traffic.
- III. **PROCEDURE:**
 - A. **Intersections:** The officer shall position himself in the intersection where he can best observe conditions and be most visible to the motorists and pedestrians.
 - B. **Hand and arm controls:**
 1. **Stop:** The arm is extended at shoulder level with the palm and fingers pointing upward.
 2. **Go (forward):** A waving motion across the chest indicating direction of travel.
 3. **Turns:** The arm and hand is pointed at the line of traffic to be turned, and then use a pointing motion in the direction the traffic is to be turned.
 4. **Pedestrians:** When directing pedestrians, the officer must first control the vehicular traffic. Pedestrian traffic shall be coordinated into the traffic pattern, when applicable. Pedestrians should walk from corner to corner in the same direction that traffic is flowing.
 5. The officer shall utilize a whistle when directing traffic.
 - a. One loud, sharp whistle indicates “stop.”
 - b. Two quick blows indicate “go.”
 - C. **Manual Control Devices:** Such devices are generally found inside traffic control boxes located on the corners of intersections. A control-box key may be obtained from the traffic signal truck operator.
 1. **Finger Press Device (pickle):** Changes the signal by activating the button located on the end of the device.

2. Manual/Automatic Switch (toggle): Switch to “manual” when the traffic control signal is in the desired phase. The signal will remain in this phase until the toggle switch is returned to “automatic.”
3. Computer controlled intersections shall not be operated manually. The truck signal operator shall be notified.

D. Hazardous situations:

1. To enhance officer safety and driver recognition, especially under adverse conditions, the uniform hat shall be worn while directing traffic.
2. The officer’s badge shall be worn on the outermost garment.
3. Department issue reflective vests will be worn by officers conducting traffic control. Traffic wands are available for use and may be obtained from the property room.
4. Flares and temporary traffic control devices may be utilized as necessary.

Supersedes SOP 635.2, dated 1/99.

635.3 USE OF TEMPORARY TRAFFIC CONTROL DEVICES

- I. **PURPOSE:** This directive provides guidelines for the effective use of temporary traffic control devices. Refer also to other traffic procedures contained in the 635 series of directives.

- II. **DISCUSSION:** Traffic congestion problems arise when existing traffic control devices are insufficient for prevailing conditions or when an unforeseen hazard or condition occurs. Examples of temporary traffic control devices are an officer, a marked police vehicle, barricades, signs, ropes, and traffic cones. Officers must be familiar with the proper usage of temporary traffic control devices. To outline an exacting procedure for their use would be impractical. A basic understanding of temporary traffic control devices and their uses will greatly assist the officer and the public.

- III. **PROCEDURE:**
 - A. The following are basic types of temporary traffic control devices and their uses:
 1. **Officer:** Utilized to divert or control traffic in lieu of other regulatory device;
 2. **Marked Vehicle:** Generally utilized to block a particular area or street;
 3. **Barricade, Rope:** Same uses as vehicle;
 4. **Traffic Cones:** Utilized to gradually channel traffic from a situation or hazard; and
 5. **Signs:** Utilized to regulate traffic by compliance.

 - B. Emergency conditions such as large holes in the road, accidents, fires, hostage situations, and riots need immediate traffic control. The officer and marked vehicle are excellent temporary traffic control devices for this purpose. Traffic may be diverted to another lane or street. Emergency lighting equipment shall be activated whenever a police vehicle is used to block or control traffic. The type of control device utilized will depend on the particular situation.

 - C. Non-emergency situations such as parades, sporting events, and dignitary protection also require temporary traffic control. The advantage with non-emergency situations is that time is allotted for planning.

- D. Devices utilized should allow the motorist and/or pedestrian ample time to react to the existing conditions. An alternate route must be made available.
- E. Improperly utilized traffic control devices can cause more harm than good. Common sense should dictate the use of traffic control devices for each situation.
- F. Temporary traffic control devices shall be removed as soon as the situation allows. If the use of the device was initiated by the Tampa Police Department, it shall be the responsibility of the officer to remove same to a neutral location. Traffic engineering employees shall be responsible for the removal of temporary devices the use of which was not initiated by the Tampa Police Department.

Supersedes SOP 635.3, dated 5/99.

635.4 TRAFFIC CONTROL AT A FIRE SCENE

- I. **PURPOSE:** This directive provides guidelines for traffic control and direction at the scene of a fire. (Also see SOP 382.2 and other traffic procedures in the 635 series of directives.)

- II. **DISCUSSION:** The Police Department has the responsibility of maintaining an orderly flow of vehicular traffic and the control of pedestrian traffic at the scene of a fire. Without such control, individuals could endanger themselves and also hamper Fire Department personnel in the performance of their duties.

- III. **PROCEDURE:**
 - A. Traffic Direction and Control:
 1. A traffic control perimeter shall be established around the area of the fire scene. Caution shall be exercised in selecting the perimeter location. It shall be established near the scene in order to maintain control of all access to the scene, but a sufficient distance from the scene to prevent injury or damage to persons and equipment.
 2. Unauthorized vehicles shall not be allowed entry past the perimeter.
 3. An unobstructed traffic-way shall be maintained leading to and from the fire scene for use by emergency vehicles.
 4. If a police vehicle is utilized to block a roadway, it shall not be left unattended. Emergency lighting equipment shall be utilized.
 5. Fire hoses crossing roadways should be protected from traffic. Driving over an unprotected fire hose is a moving violation per F. S. §316.2034.

 - B. Pedestrian Control: A perimeter shall be established for pedestrian (reporters, spectators) control. The following should be considered in establishing this line:
 1. Safety of the citizens and police officers;
 2. Sufficient distance so as not to interfere with Fire Department personnel or equipment; and
 3. A barrier of some type for pedestrian control.

Supersedes SOP 635.4, dated 1/99.

635.5 TRAFFIC CONTROL DURING SPECIAL EVENTS

- I. **PURPOSE:** This directive provides guidelines for the safe, efficient flow of traffic during special events. Also see SOP 633 and other traffic procedures contained in the 635 series of directives.
- II. **DISCUSSION:** A great deal of planning and preparation is required to produce a safe, efficient flow of traffic for any special event. The amount of preparation is dictated by the magnitude of the event. Parades, sporting events, and other pre-planned activities are examples of special events. Attention must be given to the traffic in the entire area as well as traffic for the particular event. The success of the police department in fulfilling its responsibilities is directly dependent on the proper performance of assigned duties by the individual officers.
- III. **PROCEDURE:**
 - A. Planning activities shall be coordinated between the police department and the City of Tampa Transportation Division.
 - B. Officers shall utilize departmentally approved methods of traffic control and direction.
 - C. Major traffic arteries shall be used to allow vehicles and pedestrian traffic access to and emergence from the event. Temporary traffic control devices may be used to facilitate the ingress and egress for the event. Vehicles and pedestrian traffic shall be coordinated.
 - D. Parking for the event shall be clearly designated and easily accessible.
 - E. Officers shall be assigned specific duties of traffic and spectator control so as to prevent accidents/injuries.
 - F. Public transportation shall be provided so as to alleviate traffic and parking problems, whenever feasible.
 - G. A sufficient number of officers shall be assigned to the event to allow for the relief of officers should it become necessary.
 - H. Authorized news media personnel shall be allowed access to an area designated for that purpose.
 - I. Emergency vehicles (ambulances and fire fighting equipment) shall be provided with emergency routes through the event area.

- J. Prior to any special event, the respective shift commander and the Communications Section Commander will be notified by the Special Operations Division Commander of the operation.
- K. During the above notification process, any advance tactical dispatching plans will be communicated to essential personnel, if necessary.
- L. Officers assigned to a special event detail will wear the uniform of the day as prescribed by the Chief of Police. In addition, officers shall wear a reflective vest while directing traffic.
- M. Each officer will be responsible for diligently fulfilling the assignment given the officer by the TPD Special Events Coordinator or designee. Each officer will remain at the assigned post until relieved by competent authority.
- N. An officer may leave the assigned post, if necessary, to provide emergency police services if it is apparent that failure to do so would likely result in serious injury, or death to another or great property loss and an on-duty patrol sector officer is not available on a timely basis. Should an officer leave the assigned post, a supervisor will be notified as soon as practical so arrangements can be made to cover the post.
- O. Any action taken by an officer working a special event which would normally require the completion of a police report or supplement will be duly recorded.

Supersedes SOP 635.5, dated 5/99.

635.6 REQUEST FOR TRAFFIC LAW ENFORCEMENT

- I. **PURPOSE:** The Tampa Police Department receives requests for traffic law enforcement from various agencies and citizens within the city. Such requests shall be referred to the appropriate entity within the department for documentation and action. The following procedures will facilitate department response to such complainants and document any action taken.

- II. **PROCEDURE:**
 - A. Receipt of a Request for Traffic Law Enforcement:
 1. Requests for traffic enforcement will be forwarded to the Special Operations Traffic Unit for action.
 - A. Written requests for enforcement should be routed to the Traffic Unit via departmental mail.
 - B. Telephone callers may be referred to the Traffic Unit complaint line: 276-3471.
 - C. Customer Service Center messages should be forwarded to the Traffic Unit by the receiving division, or the executive officer assigned to the Office of the Chief of Police.
 2. The Traffic Unit will enter all requests for enforcement into the Traffic Unit database for tracking purposes, regardless of the origin of a complaint.
 - B. Enforcement Action:
 1. The Traffic Unit sergeant will assign personnel within his unit to conduct an investigation of the complaint, to include enforcement if warranted.
 - A. The assigned zone officer of the Traffic Unit will contact the complainant upon receipt of the complaint, and again following the investigation to report any enforcement actions taken or other pertinent information.
 - B. Traffic complaints directed to the Tampa Police Department will be analyzed through current procedures and compared to internal reports as well as traffic engineering reports for corroboration and prioritization of enforcement strategies.

- C. The Traffic Unit supervisor will copy the affected district supervisor(s) via email, in cases where a joint response by Traffic Unit and District zone officers will be required to resolve the complaint.
 - 1. The Traffic Unit will retain primary responsibility for initial tracking of complaints and actions taken during any subsequent investigation(s).
 - a. As necessary, affected districts will be informed of all traffic and other related complaints to ensure the proper resources are provided.
 - b. In return, the affected district will advise the Traffic Unit of their response or activity associated with the complaint for complete logging or documentation.
 - 2. Email responses to Customer Service Center messages will be completed by the Traffic Unit supervisor, following the investigation of a complaint by the assigned Traffic Unit officer.
 - 3. When appropriate, the Traffic Unit supervisor will prepare a written response to complaints originated by the City Council, or other governmental entities.

Supersedes SOP 635.6, dated 3/00.

635.7 LICENSE PLATE SEIZURES

- I. **PURPOSE:** This directive shall establish procedures for the proper seizure and disposition of license plates when authorized by F.S. §324.201.
- II. **DISCUSSION:** Due to the increasing number of uninsured motorists in the State of Florida, the legislature passed the Insurance Reform Act of 1988. Persons targeted by this act are drivers who continue to operate their vehicles after being notified that their license or vehicle registration has been suspended for failure to maintain insurance. The Department of Highway Safety and Motor Vehicles places the officer on notice by programming its driver license computer readout to include the notation "SEIZE TAG" on each driving record of suspension for failure to maintain insurance.

Under F.S. §627.733(7), an operator or owner of a motor vehicle whose driver's license or vehicle registration has been suspended, and whose license plate has been seized pursuant to F.S. §324.201, may be reinstated through the payment of a non-refundable reinstatement fee. Fully one-third of such reinstatement fees (\$150, \$250 or \$500) has been earmarked by the legislature for distribution to the law enforcement agency whose officer seizes these license plates.

III. **DEFINITIONS:**

- A. **Operator:** Every person who is in actual physical control of a motor vehicle.
- B. **Owner:** A person who holds the legal title of a motor vehicle; or, in the event a motor vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this chapter.
- C. **License:** Any license, temporary instruction permit, or temporary license issued under the laws of this state pertaining to the licensing of persons to operate motor vehicles.
- D. **Registration:** Registration certificate or certificates and registration plates issued under the laws of this state pertaining to the registration of motor vehicles.

IV. **PROCEDURE:**

- A. Only when a driver's license check specifies "SEIZE TAG" DHSMV on the driver's license computer printout shall the officer take custody of the plate.

1. The officer shall make certain that the operator, as defined herein, is a registered owner or co-owner of the vehicle.
2. The officer shall remove the tag from the vehicle.
 - a. The officer shall obtain a copy of the teletype which specified "SEIZE TAG," from the source of such report. A copy of this teletype shall be provided to the Administrative CSO.
 - b. The owner/operator shall be cited for the suspended license. The officer shall write "SEIZED TAG" and the tag number in the comment section of the citation. This shall serve as a property receipt for the owner.
3. If a suspended driver's license is presented by the operator, it, too, shall be seized by the officer.
4. The owner/operator shall be provided the following instructions:
 - a. Obtain proof of insurance.
 - b. Go to any driver's license office to have the driver privileges reinstated.
 - c. Obtain another tag upon payment of the reinstatement fee.
5. The officer shall then deliver the following items to the Administrative CSO office :
 - a. License plate;
 - b. Copy of the teletype;
 - c. Photocopy of the citation; and
 - d. Driver's license (if presented and suspended).

The items shall be placed in an envelope which has a "SEIZED TAG" checklist attached to the front. (See Attachment 1)

6. The respective CSO shall deliver the envelopes to a driver's license office within five (5) days from the date of the seizure.
 - a. DHSMV shall provide a receipt to the CSO for each plate, which will be maintained in the Administrative CSO office.

- b. Copies of such receipts shall also be provided to the Fiscal Bureau.
- B. Removal of vehicle from location of motor vehicle stop:
 - 1. Upon removal of the tag from the motor vehicle, the officer shall notify the Communications Section that a rotation wrecker is required if the vehicle is:
 - a. Parked on a street in a hazardous manner, as determined by the officer seizing the tag; or
 - b. The owner refuses to sign the waiver of liability form.
 - 2. The owner of the vehicle may request a wrecker at his/her own expense if the vehicle is:
 - a. Lawfully parked on private property; or
 - b. Safely parked on the street at the point of the stop.
 - 3. The owner of a vehicle which is lawfully and safely parked on private property or on the street at the point of the stop, may elect to leave the vehicle parked at such location provided that he/she signs the appropriate line on the TPD "Tag Seizure Form," absolving the City from any and all liability related thereto. Should an owner refuse to sign this waiver of liability, the officer shall require a rotation wrecker to remove the vehicle.
 - 4. The assignment of a wrecker shall be consistent with the procedures of SOP 322, Utilization of Wreckers and Impoundment of Vehicles.

Supersedes SOP 635.7, dated 1/99.

TAMPA POLICE DEPARTMENT
TAG SEIZURE

Date of Seizure -

Tag Number -

Registered Owner -

Location of Vehicle -

Wrecker -

Contents

Tag -

Photocopy of Citation -

Teletype -

Drivers License (if shown) -

635.8 MOTOR VEHICLE CHECKPOINTS¹

- I. **DISCUSSION:** Officers may occasionally use a motor vehicle checkpoint, commonly referred to as a roadblock, as a lawful means of traffic law enforcement. Checkpoints must be carefully organized and implemented to ensure the safety of citizens and officers and to ensure compliance with requirements of the law.
- II. **DEFINITION: Checkpoint or Roadblock:** The systematic brief stopping of motor vehicles at a designated location for the purpose of determining compliance with traffic, licensing, and registration laws.
- III. **PROCEDURE:**
 - A. The implementation of a motor vehicle checkpoint shall be conducted only with the approval of the appropriate district major.
 - B. Written guidelines shall be prepared for each operation and will serve as directions to all participating personnel. Significant deviations from the guidelines will not be made absent compelling circumstances and supervisory approval. The guidelines shall include the following:
 1. The location of the checkpoint;
 2. The time of commencement and duration of the checkpoint;
 3. Vehicle selection criteria, (i.e., every vehicle, every fifth vehicle). The selection criteria shall not be discretionary or random;
 4. The number of personnel required and the specific duty assignments of each;
 5. Specific plans to remove detained vehicles from the roadway for ticketing or additional investigation; and
 6. The anticipated duration of a selected vehicle stop, based on the operational guidelines (assuming no enforcement action required).
 - C. Only uniformed officers shall be utilized at checkpoints to make the actual vehicular stop.
 - D. Consideration shall be given to ensuring the safety of officers and citizens as well as to ensuring a minimum of inconvenience to momentarily detained citizens.

¹ CALEA [4th Edition] 61.3.4

- E. If reasonable suspicion arises with respect to a particular vehicle, that vehicle may be stopped despite the selection criteria established in the written guideline.

Supersedes SOP 635.8, dated 1/97.

635.9 ZERO TOLERANCE OF UNDERAGE DRINKING AND DRIVING¹

- I. DISCUSSION: F.S. §322.2616 states, notwithstanding F.S. §316.193 it is unlawful for a person under the age of 21 who has a breath alcohol level of 0.02 or higher to drive or be in actual physical control of a motor vehicle.

- II. PROCEDURE:
 - A. Enforcing F.S. §322.2616 in the field:
 1. Lawful Contact: A lawful contact must be made before an underage driver can be checked for a violation of F.S. §322.2616. Lawful contacts include:
 - a. A traffic stop related to a violation of Florida law.
 - b. Contact at a sobriety checkpoint.
 - c. Contact at the site of a traffic crash.
 - d. A consensual encounter with an underage driver.
 2. Rule Out a Violation of F.S. §316.193: Before checking the driver for a violation of F.S. §322.2616, the officer will rule out the possibility that the driver is legally impaired under F.S. §316.193:
 - a. Interview the driver, verify the driver's age and check for signs of impairment.
 - b. Check the driver for a medical bracelet.
 - c. Have the driver perform standardized field sobriety tests if reasonable cause exists.
 - d. If there exists probable cause to make an arrest for DUI, the driver should be arrested as any other DUI. If insufficient probable cause is developed and the driver is under 21 years old, proceed to investigate a possible violation of F.S. §322.2616.
 3. Check for Violation of F.S. §322.2616: If probable cause does not exist to arrest the driver for DUI, but there are indications that the driver has been drinking, the officer will determine if the driver is in violation of F.S. §322.2616:

¹ CALEA [4th Edition] 61.1.10; 61.1.11

- a. After being with the driver for at least 15 minutes, if the officer is a trained PBT operator, the officer will request the driver to perform a breath test consisting of two samples on the PBT.
- b. If the officer is not a trained PBT operator, the officer will request the assistance of a trained PBT operator. The trained operator will conduct the test after at least 15 minutes has elapsed since the initial officer's contact with the driver. If a trained PBT operator is not available, the officer will notify Central Breath Testing and proceed to that location for the testing. Normal procedures for transporting prisoners shall be observed although the driver is not technically under arrest.
- c. If the two-breath samples yield breath alcohol levels of 0.02 or higher, the officer will take the driver's license and issue a suspension using forms provided by the Department of Highway Safety and Motor Vehicles.
- d. 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 take the driver's license and issue a suspension using forms provided by the Department of Highway and Safety Motor Vehicles.
- e. If the driver gives one breath sample and then refuses to give a second sample, the officer will take whatever action is warranted based on the first sample.
- f. If there is no arrest for another violation and the driver is 18 - 20, the driver will be released and advised not to drive. The driver's vehicle will be turned over to the owner if available, or if the driver is the registered owner, the vehicle will be impounded for safekeeping.
- g. If there is no arrest and the person is under age 18, the officer will follow the SOP for handling juveniles. The driver's vehicle will be turned over to the owner, or impounded for safekeeping.²
- h. Since probable cause for the DUI arrest has already been eliminated, if the two breath samples yield a breath alcohol level in excess of 0.08, an arrest should not be made under

² CALEA [4th Edition] 61.1.3(b)

F.S. §316.193. A suspension under F.S. §322.2616 should be issued.

B. Documenting Suspension Under F.S. §322.2616:

1. Fill out and issue **Notice of Suspension**.
2. Complete **Probable Cause Affidavit**.
3. Complete **Affidavit of Refusal to Submit to Breath Test**, if applicable.
4. Complete **Breath Test Result Affidavit**, if applicable.
5. Send all required forms to the Special Operations Division CSO for transmittal to the Department of Highway Safety and Motor Vehicles.

C. Operation of PBT:

1. Only officers who are trained PBT operators shall administer breath tests with the PBTs.
2. PBT operators will follow the manufacturer's procedure for conducting all breath tests for their instrument.
3. A copy of the manufacturer's procedure shall be included in each PBTs carrying/storage case.
4. PBT operators will maintain a personal log of all breath tests conducted.

D. Routine Care and Service of PBT:

1. Only trained PBT service technicians shall perform service on the 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 PBTs.

- E. Procedure for Use of Blood Test Results for F.S. §322.2616: In the event that blood test results are used to suspend the driving privilege under F.S. §322.2616, the officer shall follow the above procedure after the results of the blood test are known.

Supersedes SOP 635.9, dated 2/97.

636 INCIDENT REPORTING AND RECORDING

- I. PURPOSE:¹ To establish a comprehensive reporting and tracking system of all actions taken by law enforcement personnel whether in response to a request for service or for self initiated actions.

- II. POLICY:² The Tampa Police Department shall maintain reports on each of the following situations:
 - A. Citizen reports of crime.³
 - B. Citizen complaints (see SOP 651 - Internal Affairs).⁴
 - C. All incidents resulting in the dispatch or assignment of an officer to a call for service.⁵
 - D. Criminal and non-criminal cases initiated by law enforcement officers.⁶
 - E. Incidents involving arrests (see Report Writing Guide).⁷
 - F. Incidents involving citations⁸ (see SOPs - 303 Parking Violation Notice and 402.4 Traffic Citations).
 - G. Summons⁹ (see SOP 646.1 - Witness Subpoena).

- III. COMPUTER AIDED DISPATCH (CAD) SYSTEM:
 - A. The CAD system generates a single sequential number for each incident regardless of whether the officer self-initiates a call via the MDT (Mobile Data Terminal) or if the dispatcher assigns the call.¹⁰
 - B. Upon making a decision to document the incident, the officer or dispatcher simply puts “**Y**” (**YES**) in the field to indicate that a report was written. The record of the incident then indicates that a report is required for the incident, and the officer submits the details of the report through the MRE (Mobile Report Entry)

¹ CALEA [5th Edition] 82.2.2(a)

² CALEA [5th Edition] 82.2.1(a); 82.2.2(a-d); 82.3.2; 82.3.3(b)

³ CALEA [5th Edition] 82.2.1(a); 82.2.2(a); 82.3.2

⁴ CALEA [5th Edition] 82.2.2(b)

⁵ CALEA [5th Edition] 82.2.1(a); 82.2.2(c); 82.3.2(b)

⁶ CALEA [5th Edition] 82.2.1(a); 82.2.2(d); 82.3.2

⁷ CALEA [5th Edition] 82.2.1(a); 82.2.2(e); 82.3.2

⁸ CALEA [5th Edition] 82.2.1(a); 82.2.2(e); 82.3.3(a-b)

⁹ CALEA [5th Edition] 82.2.1(a); 82.2.2(e)

¹⁰ CALEA [5th Edition] 82.2.3

application. (Refer to the Mobil Report Entry Manual for instructions on electronic report writing).

- IV. TAMPA POLICE DEPARTMENT RECORDS MANAGEMENT SYSTEM (RMS): The RMS is an on-line database of all relational data collected by officers for the purpose of recording police activities, with the exception of traffic citations. Specific incident data transfers within seconds from the CAD system to RMS and becomes the initial record for police reports. When an officer responds to a call, he adds to the record by entering report information into the MRE application that is interfaced to the RMS. The report is an electronic document that may be supplemented with direct entry throughout the investigative process, including crime scene information and evidentiary storage locations. The RMS supports complete evidence tracking and disposal information. Pawn data from local pawn stores is automatically matched to stolen property items every twenty-four hours. The RMS interfaces with FCIC/NCIC for direct entry of stolen property and is accessible throughout the organization.¹¹
- V. CITATION RECORDS: Data regarding traffic citations may be retrieved by submitting a written request to the Hillsborough County Violations Bureau or by accessing their web site at www.hillsclerk.com and selecting search traffic citations.¹²
- VI. ROADWAY HAZARD REPORTS: The Tampa Police Department does not maintain roadway hazard reports but acts as a conduit for forwarding complaints, received from the community and officers, to the appropriate agency (Department of Transportation, Department of Public Works, Animal Control, Utility companies, etc.) Upon receipt of a report of a hazardous road condition from the Department of Transportation or the Department of Public Works, the information is forwarded to the affected patrol units via radio transmission or memo. If a need exists to obtain a report of a hazardous roadway condition, it should be requested from the Department of Transportation or the Department of Public Works.¹³
- VIII. FIELD/INCIDENT REPORTING:¹⁴ In addition to Section II. A-G, officers shall comply with the following procedure as they relate to field reporting of criminal and non-criminal incidents.
- A. All self initiated activities, including multiple incidents as a result of a single police response, shall be communicated to the dispatcher, or entered into a Mobile Data Terminal (MDT), to ensure proper recording of it.¹⁵

¹¹ CALEA [5th Edition] 61.4.3(c); 82.3.2 (a-c); 82.2.2(a)(c-e); 82.2.3

¹² CALEA [5th Edition] 82.3.3(a-b)

¹³ CALEA [5th Edition] 82.3.3(c)

¹⁴ CALEA [5th Edition] 82.1.5; 82.2.1(d); 82.3.2

¹⁵ CALEA [5th Edition] 61.4.3(c); 82.1.5; 82.2.1(d); 82.2.2(b); 82.2.3; 82.3.2

- B. While it is the policy of the Department to record all criminal violations, officers are expected to exercise discretion in the decision to document reports of complaints that cannot be substantiated, or are minor in nature, i.e., reckless driving by unknown suspects, littering, noise ordinance violations, etc., when other appropriate resolutions can be used.
- C. All offense reports and field investigations will be submitted via the MDT in accordance with report writing guidelines in the Mobile Report Entry manual.¹⁶ The State of Florida Traffic Crash form is not available in an electronic format and must be submitted on paper until further notice.¹⁷ In addition, the Criminal Report Affidavit and all documents that require the signature of a citizen must be prepared and submitted on paper.¹⁸
- D. All documents which are to be included in the incident report will be scanned into the report at the division in which the document was originated. The original document will be forwarded to Records for filing and reconciliation.
- E. Without prior approval to the contrary from a supervisor, all electronic reports must be sent to the squad supervisor's editing queue prior to the end of the tour of duty during which the incident took place. Additionally, all paper attachments to accompany the reports must be turned into the squad supervisor by the end of the tour of duty.¹⁹
- F. The squad supervisors will check their respective editing queues and edit electronic reports according to instructions in the MRE report writing guidelines. All accompanying paper documents will be turned in to the Records Section prior to the end of shift.²⁰
- G. The Records Section will retrieve reports from the transcription queue and perform a final review of UCR fields as well as referral needs, and download the report to RMS. Records personnel will notify field supervisors of inconsistencies in report data. Under no circumstances will records personnel reclassify reports without the express authorization of the Quality Control supervisor or a division/bureau commander.²¹
- H. Dictation of Reports:
 - 1. Original "face" reports and status classification information will not be dictated on a cassette tape.

¹⁶ CALEA [5th Edition] 61.4.3(c); 82.1.5; 82.2.1(d); 82.2.3; 82.3.2

¹⁷ CALEA [5th Edition] 61.4.3(c); 82.1.5; 82.2.1(d); 82.2.3; 82.3.2; 82.3.3(a)

¹⁸ CALEA [5th Edition] 82.1.5; 82.2.1(d); 82.3.2

¹⁹ CALEA [5th Edition] 82.2.1(d-e)

²⁰ CALEA [5th Edition] 82.2.1(d-e)

²¹ CALEA [5th Edition] 82.2.1(d-e)

2. Reports containing supplemental information dictated on cassette tapes will be returned to the investigator by the typist once transcribed. If the investigator is satisfied with the transcription, the report will then be forwarded to a supervisor for approval.
3. Such a report will then follow the same routing as original reports.

Supersedes SOP 636, dated 4/03.

637 **CATEGORIZING REPORTS:**

I. DISCUSSION: Because of storage and controlled access requirements for some reports, it is necessary to have a system for categorizing reports.¹

II. PROCEDURE:

A. All TPD Incident Reports and Traffic Crash Reports will be categorized within a classification.

1. Routine/Level 0: A report that contains limited or no sensitive information.
2. Restricted-Alert/Level 1: A report that contains information of ongoing usefulness such that when individuals or locations mentioned in the report are subsequently recontacted or revisited, a particular officer or detective is automatically notified.
3. Privatized/Level 2: A report that, because of sensitive information, is temporarily limited to one or more specific organizational units.
4. Privatized/Level 3: A report that, because of sensitive information, is temporarily limited to specific individuals.
5. Without the express permission of the Chief of Police under the most compelling exigent circumstances, **NO** reports will be maintained outside of the Records Management System (RMS) or designated as invisible within the system.

B. Certain categories of reports will require controlled access.

1. Routine: All reports in this category will be maintained in the Records Management System (RMS).
2. Privatized²: These reports will achieve their classification by the commander of the originating division or anyone the rank of captain or above assigned to the division. This decision would be based upon the content of the report being exempt from the Florida Public Records Law. The individual so classifying a report would be responsible for notifying the Records Custodian that the report has been so classified. Once designated as a privatized report, the Division Commander will determine the level of security for the report. Access to the report will be limited to the Records Custodian, and those persons or units approved by the

¹ CALEA [5th Edition] 82.1.1(a)(c)

² CALEA [5th Edition] 82.1.1(c)

division commander of the assigned division, the public records coordinator and the police legal advisor.

Note: Reports may be treated as confidential or privatized **only** when so authorized by a specific statutory exemption. The TPD supervisor authorizing privatization must be able to identify the applicable statutory exemption. Reports should **not** be privatized when only certain information in the report is confidential, i.e. the identity of a sexual battery victim. Any person releasing such a record is responsible for redacting confidential information.³

- a. Privatized reports will be filed numerically by report number and calendar year.
- b. At the conclusion of the investigation, the division commander of the assigned division will determine whether the report should remain privatized. If privatization is no longer justified, the commander will cause the report privatization to be canceled and notify the Records Custodian in writing of this decision. Again, the decision will be based upon strict conformance with the Public Records Law, any doubt should be resolved through the Office of the Police Legal Advisor.⁴
- c. These cases will be reviewed on an annual basis to determine the need to maintain a report on a privatized status.
- d. At the beginning of each calendar year, the Records Custodian will review all privatized reports and notify the division commander of the assigned division as to which reports require attention. The division commander will respond in writing within 30 days identifying those specific reports to remain on restricted status. The commander must identify the statutory exemptions justifying the report's ongoing private status.

C. Restriction Period for Reports:

1. All traffic reports will be imaged and microfilmed with routine reports in the Records Management System.
2. Privatized reports will be reviewed by the approving division commander or the Records Custodian on an annual basis and retained as privatized until released by the assigned division. When released, they will be treated as routine reports.⁵

³ CALEA [5th Edition] 82.1.1(c)

⁴ CALEA [5th Edition] 82.1.1(c)

⁵ CALEA [5th Edition] 82.1.3

3. All reports are subject to the retention requirements as outlined by the Florida Archives and History Commission and Florida State Statute; Chapter 119, Public Records Laws.⁶

Supersedes SOP 637, dated 1/10.

⁶ CALEA [5th Edition] 82.1.3

638 REIMBURSEMENT FOR PERSONAL PROPERTY

I. DISCUSSION: During the performance of their duties, employees occasionally are subjected to incidents that result in the loss of or damage to their personal property. This procedure provides for the submission of claims for such lost, stolen, or damaged goods. The City accepts responsibility for such items under certain circumstances, and will reimburse the employee for the loss within reason. Employees are cautioned against wearing expensive jewelry or other articles of clothing, which, although conforming to regulations, may be deemed unreasonable for reimbursement purposes.

II. PROCEDURE:

A. There are two categories into which losses may be placed:

1. Workers' Compensation Cases: Loss of dentures, eyeglasses, or prosthetic devices during a single incident wherein the employee receives an injury. In these cases, reimbursement is accomplished through the administration of the Workers' Compensation claims.
2. City Claims Cases: All other incidents wherein an employee suffers a property loss regardless of the type of property, or whether an injury occurred.

B. No reimbursement claims are allowed for damage or loss of personal property if the department issues those items.

C. The employee suffering a loss in either category shall be reimbursed by the City of

- G. Upon approval by the Chief of Police, the claim forms, cover letter, and any attachments will be routed to the Fiscal Bureau.
 - 1. If the reimbursement request is disapproved by the Chief of Police, all forms and letters will be returned to the originating division.

- H. The Fiscal Bureau will route the approved request as follows:
 - 1. The original of a city claims case will be forwarded to City Claims with any attachments. A copy of any police reports written in reference to the case will also be forwarded to City Claims.
 - 2. The original of a workers' compensation case will be forwarded to the administrator of workers' compensation claims;
 - 3. One copy will be forwarded to the Administrative Division for filing in the employee's department personnel service record;
 - 4. One copy will be forwarded to the employee's assigned division for filing in the employee's division personnel service record; and
 - 5. One copy will be retained in the Fiscal Bureau for filing.

Supersedes SOP 638, dated 4/00.

640 VISITORS TO ONE POLICE CENTER

641 DISCIPLINE PROCEDURES

- I. DISCUSSION: Essential to the maintenance of public confidence in the department is its ability to establish and maintain standards of conduct and behavior for its employees. It is this department's responsibility to discipline employees when conduct and/or job performance (1) brings discredit to the department, (2) is inconsistent with the department's goals, or (3) is contrary to rules, regulations, policies and/or procedures. The immediate purpose of discipline is the channeling of individual effort into effective and productive action. Discipline will be administered fairly and impartially, on a consistent basis.

Disciplinary action will be taken only for just cause. While the department supports the concept of progressive discipline, exceptions resulting in suspensions, demotions or dismissals may be made for cases involving serious misconduct. Violation of the B1.2 policy, theft, untruthfulness, the unauthorized use of force, and corruption are examples of incidents, though not all-inclusive, which may be viewed as serious misconduct.

This policy shall apply only to classified City employees who have successfully completed the entrance probationary period. Individuals serving entrance probationary periods and/or individuals employed in any unclassified position, as defined by the Civil Service Law and/or Rules and Regulations, shall be disciplined in a manner determined appropriate by the chief of police with the concurrence of the Director of Human Resources.

This procedure provides departmental direction relative to discipline administration in conjunction with applicable collective bargaining agreements and the City Personnel Manual. Management and supervisors should refer to the applicable collective bargaining agreement, B28.1 and B28.2, Personnel Manual and other documents for direction and additional information as appropriate.

II. RESPONSIBILITY¹:

- A. The chief and executive management is responsible for providing direction to first-line supervisors and middle managers in the formulation of conduct and job performance standards as well as the administration of discipline on a department-wide basis.
- B. All supervisors in the chain of command are responsible for monitoring, evaluating, and documenting the conduct and job performance of employees under their supervision.
- C. The Internal Affairs Bureau is responsible for tracking disciplinary histories for all TPD employees, sworn and non-sworn.²

¹ CALEA [5th Edition] 26.1.5

III. DEFINITIONS:

- A. Disciplinary Summary Letter: A summary prepared by the originating supervisor, and used as an attachment to a DA 88, indicating all previous disciplinary reports in an employee's personnel service record.³
- B. Letter of Counseling: A letter written on non-letterhead stationery, initiated by the originating supervisor, directed to the affected employee citing a specific violation.
- C. Letter of Notice of Pre-Disciplinary Action Hearing (TPD 611): A letter notifying the employee of the date of the pre-disciplinary hearing.
- D. Notice of Disciplinary Action (DA 88): A form utilized to inform an employee that he is receiving discipline which amounts to a written reprimand, suspension, demotion, or dismissal. The DA 88 will reflect the effective date of the discipline.⁴ In the case of dismissal, the form will provide instructions relative to the return of City property. The chief of police or his designee must approve this form.
- E. Oral Admonishment (Recorded): A verbal warning by a supervisor to an employee concerning behavior or work performance and counseling concerning improvement in these areas. The warning is recorded in writing and placed in the employee's pending file.

IV. PROCEDURE:⁵

- A. Oral Admonishment: The supervisor shall make a written record of the counseling session for the employee's pending evaluation file. The employee's initials should be obtained on this notation to indicate receipt of the oral admonishment; however, the employee's initials do not imply agreement. If the employee refuses to initial the record, the supervisor should note this refusal on the record.
- B. Letter of Counseling: In a case of employee misconduct that might result in a letter of counseling, the originating supervisor will document the details of the incident and prepare a letter of counseling to the division commander as expeditiously as possible.
 - 1. The division commander will confer with the supervisors and managers in the chain of command of the affected employee to

² CALEA [5th Edition] 26.1.8

³ CALEA [5th Edition] 26.1.7(d)

⁴ CALEA [5th Edition] 26.1.7(b)

⁵ CALEA [5th Edition] 26.1.4(c)(d)

assure consistency in the application of this first, formal phase of discipline.

2. The division commander will take the disciplinary recommendation to the chief's staff for final review.
3. Upon approval, the division commander will return the document to the originating supervisor with instructions to serve the letter of counseling to the affected employee. A letter of counseling must be signed by the employee to acknowledge the action.

C. Written Reprimand:

1. A written reprimand is used when an oral admonishment or a letter of counseling has not resulted in a satisfactory change in the employee's conduct or when an oral admonishment or letter of counseling is deemed insufficient for the offense.
2. The immediate supervisor will document the facts, in letterform, and forward it to his shift/bureau commander, via the chain of command.
3. The division commander will evaluate the facts and formally meet with the supervisors and managers in the chain of command of the affected employee to determine if a recommendation of a written reprimand should be made.
4. The division commander will take the disciplinary recommendation to the chief's staff for final review.
5. If the executive staff determines that a written reprimand is appropriate discipline, the division commander will sign the Notice of Disciplinary Action Form (DA 88) as the chief's designee.
6. A written reprimand is administered through the use of a Notice of Disciplinary Action (DA 88). The division commander will originate the DA 88 to include:
 - a. Reference to recent oral admonishments (within the last twelve months) or letters of counseling, as defined by contract, on similar violations or conduct; if applicable;
 - b. Specific charge of misconduct. Reference should be made to the City or department rules, supervisory order, or other directive, which has been violated;

- c. Management's expectations regarding proper conduct and/or performance; and
 - d. A warning regarding management's course of action if the employee fails to correct the performance and/or behavior in the future.
- 7. To present the reprimand, the affected supervisor should meet with the employee, explain the necessity for disciplinary action, have the employee acknowledge receipt with signature and date, and give the pink copy of the reprimand to the employee.
 - 8. The remaining copies of the DA 88 will be returned to the respective Division Commander's office for distribution (refer to Section VII).

D. Suspension:

- 1. A suspension is used when a letter of counseling or reprimand has not resulted in a satisfactory change in the employee's conduct or when a letter of counseling or reprimand does not adequately address the severity of the offense.
- 2. The immediate supervisor will document the facts in letterform, and forward it to his division commander, via the chain of command.
- 3. The division commander will evaluate the facts and confer with the supervisors and managers in the chain of command of the affected employee to determine if a recommendation of suspension should be made.
- 4. The division commander will take the disciplinary recommendation to the chief's staff for review.
- 5. A suspension is administered through the use of a Notice of Disciplinary Action (DA 88). The division commander will originate the DA 88 to include:
 - a. Reference to previous disciplinary action; including oral admonishments, letters of counseling, written reprimands, and/or suspensions; as well as other counseling or efforts to correct the performance and/or conduct of the employee; if applicable;

- b. Specific charge of misconduct. Reference should be made to the city or department rule, supervisory order, or other directive, which has been violated;
 - c. Management's expectations regarding proper conduct and/or performance; and
 - d. A warning regarding management's course of action if the employee fails to correct the performance and/or behavior in the future.
6. If an employee wishes to waive his right to a pre-disciplinary hearing, he may do so on the Pre-Disciplinary Action Hearing Letter of Notice form (TPD 611 [white copy]) or by directing a memo to the appropriate division commander.
 7. The Notice of Disciplinary Action will be routed to the respective division commander for further action (see Section V).

E. Demotion:

1. A disciplinary demotion may be appropriate in instances of employee failure to perform up to accepted work performance expectations and/or when less severe forms of disciplinary action do not adequately address the severity of the offense, or have failed to bring about the necessary improvements in performance levels or conduct.
2. The immediate supervisor will document the facts in letterform, and forward it to his division commander, via the chain of command.
3. The division commander will evaluate the facts and confer with the supervisors and managers in the chain of command of the affected employee to determine if a recommendation of demotion should be made.
4. The division commander will take the disciplinary recommendation to the chief's staff for review.
5. A demotion is administered through the use of a Notice of Disciplinary Action (DA 88). The division commander will originate the DA 88 to include:
 - a. Reference to previous disciplinary action; including oral admonishments, letters of counseling, written reprimands,

and/or suspension, as well as other counseling or efforts to correct the performance and/or conduct of the employee;

- b. Specific charge of misconduct. Reference should be made to the city or department rules, supervisory order, or other directive, which has been violated;
 - c. Management's expectations regarding proper conduct and/or performance; and
 - d. A warning regarding management's course of action if the employee fails to correct the performance and/or behavior in the future.
6. If an employee wishes to waive his right to a pre-disciplinary hearing, he may do so on the Pre-Disciplinary Action Hearing Letter of Notice form (TPD 611 [white copy]) or by directing a memo to the appropriate division commander.
 7. The Notice of Disciplinary Action will be routed to the respective division commander for further action (see Section V).

F. Dismissal:

1. A dismissal is initiated when all previous disciplinary actions have failed to bring about a satisfactory change in an employee's conduct or when a lesser action does not adequately address the severity of the offense.
2. The immediate supervisor will document the facts in letterform, and forward it to his division commander, via the chain of command.
3. The division commander will evaluate the facts and confer with the supervisors and managers in the chain of command of the affected employee to determine if a recommendation of dismissal should be made.

If the facts and conferences result in a recommendation of dismissal by the division commander, the employee may request a meeting with the chief of police, prior to administration of the dismissal DA 88 for the limited purpose of raising relevant issues and/or providing additional relevant facts and/or other evidence concerning the recommended action.

4. The division commander will take the disciplinary recommendation to the chief's staff for review.
5. A dismissal is administered through the use of a Notice of Disciplinary Action (DA 88). The division commander will originate the DA 88 to include:
 - a. Reference to previous disciplinary action including oral admonishments, written reprimands, and/or suspension, as well as other counseling or efforts to correct the performance and/or conduct of the employee; and
 - b. Specific charge of misconduct. Reference should be made to the city or department rule, supervisor order, or other directive, which has been violated.
6. If an employee wishes to waive his right to a pre-disciplinary hearing, he may do so on the Pre-Disciplinary Action Hearing Letter of Notice (TPD 611 [white copy]) or by directing a memo to the appropriate designee.
7. The Notice of Disciplinary Action (DA 88) will be routed to the respective designee for further action (see Section V).
8. Any Internal Affairs investigations pending at the time of dismissal will be completed unless otherwise directed by the chief of police. This will be done in accordance with F.S. § 943.1395 and FAC 11B-27.003.

G. Other:

1. Payment for Lost or Damaged Equipment: Disciplinary actions may also require payment by an employee for lost or damaged equipment due to negligence or a preventable police motor vehicle crash as determined by the executive staff (see applicable SOP) to a maximum pursuant to applicable contract. Payment shall be made through payroll deductions not to exceed two hours of pay per bi-weekly pay period. Upon separation, any balance shall become due. The requirement for this payment shall be included as part of the disciplinary action (i.e., written reprimand, suspension, demotion, dismissal).
2. The administration of discipline in the form of an oral admonishment, letter of counseling, written reprimand, demotion, or suspension does not preclude additional efforts to improve the employee's performance or job conduct. Techniques such as

specialized training classes, Employee Assistance Program referral, defensive driving class and special performance evaluation may be used. These actions may be documented either in conjunction with disciplinary action or separately, i.e., in the form of a job assignment or counseling.⁶

- H. Summary Action: In the event that the chief of police or his designee concludes that immediate removal of the employee from the work site is necessary for the public interest or safety, the employee may be summarily suspended pending a pre-disciplinary hearing. The employee is informed of the schedule for a pre-disciplinary hearing as soon as practicable.
- V. SUSPENSION, DEMOTION, DISMISSAL – ADDITIONAL PROCEDURES:
- A. Sworn Employees: If the Chief's staff determines as to a sworn employee that a suspension, demotion, or dismissal might be appropriate, the following procedures shall take place:
1. If the employee accepts a Complaint Review Board, the disciplinary package will be retained by the affected division commander where the Complaint Review Board process will be implemented in accordance with applicable SOP and agreements between the city and bargaining units.
 2. Upon completion of the Complaint Review Board process, the division commander will prepare a formal recommendation on the case.
 3. The completed disciplinary recommendation will be presented to the chief's staff for review.
- B. All Sworn or Classified, Non-Probationary Employees: If the Chief's staff determines as to any sworn, or classified, non-probationary employee that a suspension, demotion, or dismissal might be appropriate, the following procedures shall take place:
- C. The division commander or his/her designee will prepare a Letter of Notice of Pre-Disciplinary Hearing (TPD 611), in duplicate, addressed to the affected employee, notifying him of the date, time, and location of a pre-disciplinary hearing. Notice of the hearing must be given to the employee at least 24-hours prior to the meeting, along with a photocopy of the Notice of Disciplinary Action (latest draft). The lower portion of the Notice of Disciplinary Action is left blank, as the decision regarding the nature of the contemplated disciplinary action will not be made until the hearing is conducted. The designee will sign the Letter of Notice and will

⁶ CALEA [5th Edition] 26.1.4 (b)

serve the letter. The affected employee will be required to sign the Department's copy as evidence of receipt.

1. A pre-disciplinary hearing is provided to all classified, non-probationary employees prior to the imposition of a suspension, demotion, or dismissal. The hearing provides employees the opportunity to refute or clarify the events leading to the disciplinary action and fulfills due process requirements.
2. The Department of Administration, Employee Relations Division, shall be notified of the date, time, and location of the pre-disciplinary hearing.
3. Hearings may be postponed, rescheduled, or continued in the event the employee's union representative (see below) is not available (if a bargaining unit employee) or if the designee determines that further investigation of the case is necessary.

Delays must be for reasonable circumstances for a reasonable length of time.

- a. Employees who fail to appear or fail to reschedule their pre-disciplinary hearing will forfeit their right to a pre-disciplinary hearing. The right to appeal actions through the appropriate procedures is not affected.
 - b. Union representatives, including union appointed legal counsel, may attend hearings involving bargaining unit employees. It is the responsibility of the employee to arrange for union representation if it is desired. The presence of attorneys or other representatives at pre-disciplinary hearings for non-bargaining unit employees shall be governed by the City's Personnel Manual.
4. At the hearing, the designee will:
 - a. Confirm that the employee has received a copy of the charges⁷;
 - b. Explain the charges and type of disciplinary action being contemplated;
 - c. Provide the employee with an opportunity to offer any contrary evidence, explanation, and/or comments;

⁷ CALEA [5th Edition] 26.1.7(a)

- d. Adjourn the hearing until information can be reviewed (as noted in Section V.C.4c). If at any time during the hearing the designee determines that new information has been presented that requires investigation, he will then reschedule the hearing, prior to making a final recommendation of disciplinary action.
- e. Direct the employee to leave the hearing after completion of the above four steps. The designee then confers with management representatives to discuss the appropriate action. A decision is then made.
- f. After approval by the chief of police, the documents will be returned to the designee to be routed to the originating division where the employee will be served. The employee and the serving supervisor will sign and date the documents. The employee will be given the pink copy of the DA 88. The white and yellow copies of the DA 88 will be routed to the designee's office for filing and appropriate distribution (refer to Section VII). If the recommended discipline is dismissal, a DA 266 (Notice of Separation/Severance Pay) will also be completed and signed by the employee.
- g. Note: For cases of dismissal, in addition to a copy of the DA 88, the dismissed employee will receive a statement of the status of fringe and retirement benefits after dismissal.⁸

VI. GRIEVANCES AND APPEALS⁹:

- A. For non-bargaining unit employees, either the grievance procedure outlined within the City of Tampa Personnel Manual or, if eligible, the appeal process outlined within the City of Tampa Civil Service Rules and Regulations, may be utilized. The employee may not use both.
- B. For bargaining unit employees, either grievance procedures as outlined within contractual agreements with a union, regardless of membership in the union, or if eligible, the appeal process outlined within the City of Tampa Civil Service Rules and Regulations, may be utilized. The employee may not use both.

⁸ CALEA [5th Edition] 26.1.7(c)

⁹ CALEA [5th Edition] 26.1.6

- C. When the grievance procedure is concluded, written grievances will be maintained in the following locations depending on the bargaining status of the employee:
 - 1. All originals to City Employee Relations;
 - 2. Copy to the division commander of the affected employee;
 - 3. Copy to the bargaining unit of the affected employee (if applicable); and
 - 4. Copy to the affected employee.
 - 5. Copy to the Internal Affairs Bureau.
- D. Purging of the files will be in accordance with General Records Schedule of the State of Florida.

VII. DISTRIBUTION:

- A. Letters of Counseling will be distributed as follows:
 - 1. The affected division will be responsible for distributing:
 - a. The original to the affected employee;
 - b. One copy to the Internal Affairs Bureau;
 - c. One copy to Employee Relations; and
 - d. One copy to the respective designee's office.
 - 2. The designee's office will forward the copy to the Personnel Unit for filing in the employee's departmental personnel service record.
- B. Following receipt by the employee of a DA 88 (pink copy), distribution will be as follows:
 - 1. The responsible division will distribute:
 - a. The original white copy of the original disciplinary package, minus any Internal Affairs Bureau (IAB) files, to the respective deputy chief unless it is a suspension or dismissal, then it is forwarded to the Assistant Chief.

- b. A copy of the DA 88 will be sent to IAB.
- 2. The assistant_chief's office will distribute:
 - a. The white copy of the DA 88 and a Xerox copy to the Fiscal Bureau; and
 - b. The yellow copy of the DA 88, plus the original, to the Personnel Unit for filing in the employee's departmental service record.
- 3. The Fiscal Bureau will be responsible for forwarding the white copy of the Notice of Disciplinary Action (DA 88), after processing, to the Department of Administration, Employee Relations Division.

Supersedes SOP 641, dated 8/94.

641.2 COMPLAINT REVIEW BOARD

- I. **DISCUSSION:** A Complaint Review Board is offered to sworn personnel who are the subject of a complaint in which disciplinary action may include suspension, demotion or dismissal. The board will examine the facts of the case and make a recommendation concerning disposition as to the administrative charges levied against the officer. The board is strictly advisory in nature. The Complaint Review Board findings will be retained by the chief of police, or his designee.

- II. **DEFINITION: Complaint Review Board:** A statutorily established board consisting of five members. A separate board is impaneled for each impending discipline action as described in paragraph III.A.1. Two members are selected by the affected officer, two members by the chief of police or his designee, and the fifth by mutual agreement of the impaneled four members. (§112.532(2), F.S. (2007)).

- III. **PROCEDURE:**
 - A. Request for a Complaint Review Board:
 1. In the event that a complaint is tentatively sustained and discipline consisting of suspension, demotion, or dismissal might be appropriate, a Letter of Notice: Complaint Review Board shall be served upon the officer by or through the division commander.
 2. An original and one copy of the notice (TPD 612) will be prepared and signed by the division commander or his designee.
 3. The notice shall be served to the officer, who shall sign and date the department's copy as evidence of receipt.
 4. The Letter of Notice: Complaint Review Board, will state the basis of the complaint and will inform the officer that should he desire a Complaint Review Board, a letter requesting same must be submitted through the division commander to the chief of police within three calendar days. In the event the third day should fall on a weekend or holiday, the letter will be submitted the following Monday or the first workday following the holiday.¹ Failure of the subject officer to timely submit the request/letter shall be deemed a waiver of the Complaint Review Board.
 5. In cases involving multiple allegations against an officer, if one allegation is to be submitted to the Complaint Review Board, the entire matter and all allegations shall be submitted to and considered by, the board.

¹ CALEA [5th Edition] 26.1.6

6. If the officer waives the right to a Complaint Review Board, he will document the waiver in a memo to be placed with the complaint package.
- B. Upon submitting a request for a Complaint Review Board, the officer will list two selections to serve on the board.
 1. Persons selected may be any law enforcement officers employed within this county. (See E. below).
 2. The requesting officer will determine the willingness of the officers he selected to serve on the board prior to submitting their names.
 - C. The division commander or designee, with approval of the chief of police, will select two members to represent the department on the board, and will, within three workdays, notify all four members and arrange for the selection of the fifth member.
 - D. The board members will select the fifth member after determining his willingness to participate, and will notify the division commander of the name of the member selected. After reviewing work schedules, the division commander or designee will set the date and time for the board to convene, and will notify the requesting officer and the PBA.
 - E. In the interest of maintaining impartiality and selecting unbiased persons for the board, an officer who is a witness or who is otherwise involved in the investigation of the subject incident or any supervisor or subordinate in the subject officer's chain of command will not be selected as a board member.
 - F. The division commander or designee will assume overall supervisory responsibility of the board. All questions and requests from the board shall be made through the division commander or designee.
 - G. The division commander or designee will notify the Internal Affairs Bureau of the date, time, and place of the board meeting when all five members will be present. This will be done in order to provide copies of the investigation for review by the board. IAB will provide five copies of the investigation to the division commander for the review board. IAB will provide one complete copy of the investigation to the subject officer upon request.
 - H. The subject officer shall have the right to review the entire IAB file and to submit for inclusion in the file any written statement which the officer believes to be relevant to the issues to be considered by the board. The written statement must be presented to the division commander within five (5) calendar days of the date upon which the officer was served with TPD

612, Complaint Review Board Letter of Notice. Provided, however, if the fifth day falls on a Saturday, Sunday or city holiday the time shall be extended until the next business day.

1. The subject officer still has the right to submit a relevant written statement for inclusion in the file even if the officer declines the Complaint Review Board. In that case, the Division Commander will consider the officer's statement and determine whether additional investigation or other action may be appropriate.
 2. The Division Commander will ensure that a copy of the officer's statement is delivered to each member of the Complaint Review Board. The original statement will be placed in the IAB file.
- I. The board shall convene at the designated location on the approved date. The date set will be six days or more from the date TPD 612, Complaint Review Board Letter of Notice, was served on the officer in order to provide the officer with five days to submit the written statement.
1. Members of the department who have been selected to serve on the board shall have their work schedule adjusted by the affected Major to accommodate the time the officer spent on the board.

Scheduled days off may be changed to accommodate the proceedings of the board.
 2. Business of the board shall not exceed three days, excluding weekends and holidays. If unusual circumstances delay the process, a written request for additional time may be made to the division commander or designee citing the reason for the request.
 3. The division commander or designee will appear before the board on the first day to explain the board's responsibilities.
 4. The first order of business of the board will be to select a chairman by any process of its choosing. The chairman will take charge of the proceedings and begin the review process.
 5. The division commander or designee will provide the board with the complete investigation for its review, including reports, letters, transcripts, taped interviews, photographs, and any other evidence.
 6. Because of the confidentiality of such investigations, no person other than board members and the subject officer is allowed access to this material. It is the responsibility of the chairman of the board to ensure the security and/or confidentiality of the materials while the review board is in session and during any breaks in the proceedings. When the board is complete, the chairman shall

gather all notes and investigative copies pertaining to the review process and return them to the division commander or designee for return to the Internal Affairs Bureau.

7. The review process will not be recorded except during the officer's statement or questioning by the board as provided in subsection III.I.9.
8. The subject officer will be permitted to appear before the board during the review process.
 - a. The officer may offer any new evidence, explanation, or argument in his written statement. This additional information will then become a permanent record for the IAB file.
 - b. The officer may be accompanied by a representative or an attorney of his choice. However, the representative or attorney may make no statement to the board. The representative shall be permitted to counsel the officer during his or her interaction with the board.
 - c. If the officer has witnesses or additional information not previously documented by the Internal Affairs Bureau, the names or information may be provided to the Complaint Review Board in the form of the officer's written statement. Witnesses may be referred to a representative of the Internal Affairs Bureau to record their statements, if necessary. The additional statements will then be provided to the board.

Should the board have any questions reference the investigation, the board chairman may contact the IAB commander as needed.
 - d. The officer and/or his representative shall not be present during the board's deliberations.
9. The board will hear no witnesses or consider any evidence other than what is included within the IAB file or the officer's ~~written~~ statement. The board shall be permitted to seek clarification from the officer during the review process. During any questioning by the board and during any statement proffered by the officer, the proceedings shall be tape-recorded.
10. The police legal advisor may be contacted by the board chairman to answer any legal question which may arise. Contact will be made via the division commander. The legal advisor shall

document for the file both the question and the response. Copies of all relevant documentation will be promptly provided to the subject officer.

11. Because there are five members on the board, a majority vote as to a finding shall prevail. The applicable standard of proof shall be preponderance of the evidence. This means that facts shall be deemed proven if the greater weight (51%) of the evidence supports that fact.
12. If a majority of the board believes that the officer's submitted written statement and/or statements to the board reveals new relevant facts which compel a result other than the result set forth in the proposed disposition memo, the board will render no decision on the case but will instead return all case related materials to the division commander with a recommendation that there be reconsideration or additional investigation in light of matters set forth in the officer's written statement and/or statement to the board. The division commander may direct further investigation or inquiry, if necessary, and reconsider the original proposed disposition memo. If, in the division commander's opinion, any part of the original proposed disposition stands which may result in suspension, demotion or dismissal, the board will be reconvened with its original members to review the entire IAB file and render its decision.
13. Upon reaching a decision, the board will submit a letter of its findings to the chief of police. The board is invited to point out any circumstance, which might have a bearing upon the chief's final decision on the matter, for example:
 - a. The board may sustain some of the charges while unbounding other charges;
 - b. The board may find that the original charge was inappropriate but other charges are appropriate;
 - c. The board may conclude that the officer did not commit any wrongdoing or violation of department regulations; or
 - d. The board may sustain all charges against the officer.
14. The letter will be signed by all five board members.

In the event a board member disagrees with the majority opinion, he may write the word "disagree" after his name.

- I. The findings of the Complaint Review Board will be delivered to the Chief of Police and the officer.
- J. It is a first-degree misdemeanor to disclose or permit to be disclosed any information or document in the investigation before the proceeding becomes public information (§112.533(4) F.S. 2007).
- K. In the event the chief of police needs clarification of a point contained in the letter from the board, he may reconvene the entire board.

Supersedes SOP 641.2, dated 7/08.

641.3 PURGING OF PERSONNEL JACKETS

642 **GUEST PASSENGERS AND OBSERVERS**

- I. DISCUSSION: The police department receives numerous requests from citizens and community organizations interested in observing police activities. Individuals participating in the Guest Passenger and Observer Program are allowed to accompany officers in some areas normally restricted to entry. Because of the nature of police functions and the possible danger associated with law enforcement, it is necessary that all persons participating in the program be properly screened. For this purpose, the Guest Passenger and Observer Request and Release Form is utilized.

Persons requesting authorization should understand that the form absolves the City of Tampa of responsibility for personal injury or property loss.

II. PROCEDURE:

- A. Employees receiving requests from citizens regarding the Guest Passenger and Observer Program should determine if the person meets certain department requirements. The individual must be eighteen years of age and interested in observing police activities in the company of a police officer. The employee should refer the interested citizen to the affected shift or bureau commander or, if the person is a member of the news media, to the Public Information Coordinator.
- B. Non-sworn employees who desire to be a guest passenger and observer will complete the Guest Passenger and Observer Request and Release Form and forward the request to their immediate supervisor.
- C. Members of Tampa Police Explorer Post 275, who have been certified by the Post Advisor as “Ride Along Certified” will present a Tampa Police Explorer “Ride Along Authorization Form,” signed by the advisor to the affected shift commander of the area the explorer will be observing. The shift commander will authorize the ride along by his signature. The explorer will fill in the name and unit of the police officer they will be observing and return the form the Post Advisor for record keeping purposes. All explorers must have a Release Form signed by a parent or legal guardian if necessary, on file with the Explorer Post.
- D. Individuals not employed by the department will complete the attachment, in addition to the Request and Release Form.
- E. The supervisor receiving the request form and attachment, when applicable, as well as a bureau or shift commander receiving a request directly from the requestor, will verify the requestor’s identification and conduct a records name check on the requestor.

- F. After conducting any necessary interviews with the concerned citizen, the supervisor will forward the request through the chain of command.
1. An exception to this procedure is made for Assistant State Attorneys. Only approval of the affected shift commander is required. However, ASAs must sign the request and release form.
 2. The division commander or designee, upon approval of a request, will route it to the affected division where the activity will occur. The request **MUST** be approved prior to the ride along activity taking place.
 3. After notification of the activity, the original form will be routed to the Personnel Unit for filing.
 4. Personnel will maintain the original form for a period of four fiscal years before destruction is permitted.
- G. The signature of the requestor must either be notarized or witnessed by a sworn officer. The name of the officer witnessing the signature will be included on the request form.
- H. Guest passengers and observers may include an officer's spouse, other relative, or significant other. However, they shall not be permitted to ride, with their spouse, relative, or significant other. They shall ride or observe in another sector or on another squad.
- I. Guest passengers and observers or reserve officers are prohibited from riding with a probationary officer.
- J. Guest passengers and observers will adhere to the department's dress code guidelines, e.g., sport coat combinations and suits worn with dress shirt and tie will be acceptable attire for men. Conservative feminine attire includes such items as dresses, skirt and blouse combinations, and pantsuits or jackets with dress slacks. Casual clothing such as jeans, sundresses, T-shirts, shirts with graphics or writing, or ultra-dressy apparel will not be worn.
- K. Guest passengers and observers must not be permitted to accompany officers into private homes or other places which the general public is excluded. Refer to Legal Bulletins #01-8 and 04-5.

Supersedes SOP 642, dated 4/02.

643 FIREARMS¹

I. DISCUSSION: In view of the various aspects of civil liability and the increasing public concern with the variety and use of firearms by police, it is imperative that control of firearms be strictly maintained, and that appropriate training be afforded officers in the utilization of issued and/or approved firearms.

II. RESPONSIBILITIES:

A. Personnel & Training Section:

1. Arrange for and issue firearms, ammunition, and firearms related equipment to sworn employees as authorized.
2. Maintain a sufficient supply of serviceable firearms for permanent and temporary issue to sworn employees.
3. Repair, or arrange for repair, all malfunctioning departmentally owned firearms and firearms related equipment. Any firearm deemed unserviceable will be removed from service immediately, until such equipment is made serviceable.
4. Update and maintain training files and other information systems as they pertain to the issuance of firearms and firearms related equipment, and firearms related training. These files will include, at a minimum, the type, manufacturer, model, description, serial number, and the name of the officer to which the firearm is issued.
5. Develop and deliver firearms related training and requalifications.
6. Develop and maintain procedures for the secure storage of firearms and ammunition in inventory.

B. High Liability Committee:

1. Develop, maintain, and make available for reference, a current list of departmentally approved firearms, ammunition, and firearms related equipment.
2. This list (TPD 599) will detail which firearms and equipment may be carried for a specific assignment, i.e. uniform, plainclothes, undercover, etc.

C. Supervisors:

¹ CALEA [5th Edition] 1.3.9, 1.3.9(a), 1.3.9(b), 1.3.9(c), 1.3.9(d), 1.3.9(e), 1.3.9(f), 1.3.10, 1.3.11, 1.3.11(a), 1.3.11(b), 1.3.11(c)

1. As part of their general responsibilities, supervisors must ensure that officers under their command are carrying only issued/authorized firearms and firearms related equipment. They should periodically compare what firearms/equipment their officers are carrying with personnel and training records that detail the firearms/equipment they are authorized to carry.
2. All supervisors will on a regular basis conduct a firearm inspection of the officers in their charge. The results of these inspections will be documented and transmitted to the Personnel and Training Section.

D. Officers:

1. All sworn officers, of whatever rank, will be armed with departmentally issued or authorized firearm while on duty. The officer's supervisor may grant exceptions to this requirement.
2. Maintain a fully loaded magazine within any semi-auto firearm carried on-duty along with at least one spare magazine available for use.
3. Maintain at all times departmentally issued/authorized firearms, ammunition, and firearms related equipment in a clean and serviceable condition.
4. Demonstrate proficiency with all firearms with which they are issued/approved for on or off-duty carry during their scheduled in-service training date or at another time and place designated by the Personnel and Training Section.
 - a. If this requirement is not met authorization to carry the firearm will

2. An officer who desires to terminate the use of a privately owned firearm shall submit a memo through the affected division commander to the Training Section who will ensure that all departmental records reflect termination of its use.
3. Those officers authorized to carry as their primary firearm a weapon other than the TPD issued service firearm shall relinquish their issued firearm to the Training Section at the time of qualification.
4. Annual qualification is required.

III. PROCEDURES:

A. Issue:

1. Newly hired officers will be issued the current service firearm, ammunition, and firearms related equipment.
2. When an officer separates from the Department the Personnel and Training Section will ensure that any issued firearm and related equipment is returned.
3. If there is a Labor Contract clause in place that authorizes transfer of an issued firearm to the officer upon retirement, then the firearm will be transferred. This clause applies only to service pistols.

B. Demonstrating Proficiency:

1. No officer will be allowed to carry an issued/approved firearm, either on or off duty, until the firearm has been approved and properly inspected by a certified weapons instructor or armorer and they have demonstrated proficiency with said firearm.
2. Officers will annually demonstrate proficiency with any issued/approved firearms for on or off-duty use, by firing a minimum score on a course prescribed by and administered by the Personnel and Training Section. This will take place at the officer's regularly scheduled in-service training date or at another time and place designated by the Personnel and Training Section.
3. Prior to firing the course the Personnel and Training Section will ensure that the firearms that officers will be firing are either departmentally issued or approved by consulting the list of issued/approved firearms.
4. Prior to firing this course the officer's firearms will be inspected for cleanliness, serviceability and functionality.

- a. Any firearm that is deemed unserviceable will immediately be removed from service until such time as the firearm can be repaired or otherwise made ready for use.
 - b. If the Personnel and Training Section determines that an officer's firearm is grossly dirty or contaminated the instructor will notify the officer's chain of command for possible disciplinary action.
5. The Personnel and Training Section will ensure that any instructor administering the qualification course is a State-Certified Firearms Instructor (CJSTC requirement).
6. Officers initially failing to fire a minimum score will be given a second opportunity to do so.
 - a. If they are successful they will be considered as having demonstrated proficiency.
 - b. If they are not successful the officer will be informed that they will be placed on administrative duty.
 - 1) TPD #600-A (Failure to Qualify With Service Weapon) will be completed by the training staff. The officer will sign it and the original will be forwarded to the Chief. A copy will be sent to the officer's Division Commander and the Personnel and Training Section will retain a copy.
 - 2) The Personnel and Training Section will immediately contact the officer's chain of command and advise of the failure and arrange for and deliver remedial training as soon as practical.
 - 3) An officer's inability to demonstrate proficiency after this remedial training has been delivered is subject to administrative review.
7. The Personnel and Training Section may determine that an officer could benefit from additional training, even though the officer may have fired a minimum score on their first or second attempt. The Personnel and Training Section will arrange for and deliver this training to the officer and document the results.
 - a. The Personnel and Training Section will ensure that as officers attend firearms training and requalification all relevant information, including, firearm make, model, serial number, and scores are recorded and transmitted for entry into the InfoBase system. This information will also include the name of the Lead

Firearms Instructor (for CJSTC auditing purposes) for a particular session, the date of approval, the course fired, and scores.

8. Once a firearm has been inspected, an officer has fired a minimum score with said firearm, and information relative to this has been recorded and transmitted, the officer is considered to be authorized to carry said weapon.
9. The Personnel and Training Section will, at each regularly scheduled in-service session, or at another time and location, provide training on the Department's Use of Force Policy and on the requirements of FSA 790.174.

Supersedes SOP 643, dated 8/10, #1.

DATE:

TO: **(CONCERNED OFFICER)**

ATTN: **(DIVISION COMMANDER)**

FROM: **(CHIEF OF POLICE)**

SUBJECT: NOTICE OF FAILURE TO QUALIFY WITH SERVICE WEAPON

IN ACCORDANCE WITH S.O.P. 643, FIREARMS, YOU ARE HEREBY NOTIFIED THAT, AS A RESULT OF YOUR FAILURE TO QUALIFY WITH YOUR SERVICE FIREARM, YOU ARE PROHIBITED FROM CARRYING SAME AND WILL BE PROHIBITED FROM ASSIGNMENTS, BOTH ON AND OFF DUTY, THAT REQUIRE YOUR USE OF A FIREARM.

YOU WILL BE CONTACTED BY THE TRAINING UNIT TO SCHEDULE REMEDIAL TRAINING. UPON COMPLETION OF THE REMEDIATION AND REQUALIFICATION, THIS NOTIFICATION WILL BE REMOVED FROM YOUR FILE.

CHIEF OF POLICE

ACKNOWLEDGED: _____
SIGNATURE OF EMPLOYEE

DATE: _____

DATE: _____

CC: DIVISION COMMANDER
PERSONNEL & TRAINING SECTION

643.2 PATROL CARBINE PROGRAM¹

- I. **PURPOSE:** This policy is designed to address the equipment, training and deployment of the patrol carbine.

- II. **DISCUSSION:** The Tampa Police Department recognizes the utility of the patrol carbine in certain circumstances. The carbine's primary benefit is that it gives the officer the ability to stand-off from a high-hazard situation farther than the normal effective range of a pistol, while still allowing for effective control. The carbine is especially useful for responding to bank robberies with suspects still on-scene, barricaded subjects, active shooter events, felony traffic stops, or any other situation where the officer would benefit from maintaining distance and cover/concealment from the suspect.

- III. **POLICY:**
 - A. **Deployment:** Officers may deploy their field carbines in any situation where the officer believes that the weapon can be utilized to defeat or control a threat, consistent with training and the requirements of SOP 537 – Deadly Force.² The firearms may be stored either in the trunk of the vehicle or in *a* rack mounted in the vehicle.

 - B. **Procedures:**
 1. Administrative control of the Patrol Carbine Program is assigned to the firearms member of the High Liability Training and Evaluation Committee. He/she will ensure that this policy is being adhered to and will evaluate any lesson plan to be used in this program that is submitted to the High Liability Training and Evaluation Committee for approval, and otherwise ensure that the requirements of this program are complied with.

 2. The Personnel & Training Unit will maintain records pertaining to the Patrol Carbine Program to include, at a minimum, officer name, weapon used (including accessories), qualification/re-qualification scores and dates of qualification/re-qualification.³

 3. The Personnel & Training Unit will ensure that an adequate supply of ammunition is available for qualification/re-qualification and practice (when available), and maintain a list of local firearm ranges that allow for the type of weapons approved for the program.

¹ CALEA [5th Edition]1.3.9

² CALEA [5th Edition] 1.2.2

³ CALEA [5th Edition] 1.3.9(e)

4. Officers desiring to participate in the Patrol Carbine Program are responsible for purchasing and maintaining their own firearms, to include storage cases and approved accessories. Those interested in participating in the program shall forward a memo to the Personnel & Training Unit and will, in turn, be advised of the next available class. It is emphasized that weapons that do not meet the requirements of this policy will not be allowed into the program; therefore, any questions about requirements should be resolved with the Personnel & Training Unit prior to purchase.
5. In the event that the deployment of the carbine qualifies as a “Use of Force”, the officer will enter the words “Patrol Carbine” in the comments section of the Use of Force page in the RMS system, in addition to any other appropriate Use of Force entries.

C. Training⁴:

1. Officers desiring to enter the Patrol Carbine Program will be required to attend a three-day introductory class and pass both a written and practical test, including qualification on a course determined by the Personnel & Training Unit. During this class, they will be instructed on the basics of carbine deployment, care & cleaning, marksmanship, and other related subjects. Prior to the commencement of any Patrol Carbine Class the Personnel & Training Unit (via a certified firearms instructor) will ensure that firearms meet the requirements of this SOP.⁵ Any firearm found to be unsafe during this training will be removed from the class and the officer will be instructed to have the firearm repaired or otherwise made safe.⁶ The Personnel & Training Unit (via a certified firearms instructor) will inspect the firearm and determine if the weapon is safe/unsafe before it is certified for use.
2. The carbine class taught by HCC/HCSO, or any other facilitator, will not suffice for the Tampa Police Department Patrol Carbine Program.
3. Advanced training/in-service training will consist of a shorter block of instruction, including re-qualification. Officers must qualify with their carbines annually. Officers who fail to do so will not be allowed to carry the carbine while on duty.⁷
4. Once an officer qualifies using any type of optic or auxiliary sight system they will not be allowed to use another type of sight until

⁴ CALEA [5th Edition] 33.6.1(a)(b)

⁵ CALEA [5th Edition] 1.3.9(c)

⁶ CALEA [5th Edition] 1.3.9(d)

⁷ CALEA [5th Edition] 1.3.11

they have demonstrated proficiency at the next in-service cycle or at a time prescribed by the Personnel & Training Unit.

D. Firearms:

1. The following firearms are approved for the Patrol Carbine Program:⁸
 - a. Beretta Cx4 “Storm” in 9mm
 - b. Ruger PC-9 in 9mm
 - c. Heckler & Koch 94 (16” barrel) in 9mm
 - d. Sig 556
 - e. AR-15/CAR-15 type weapons in either 9mm or .223 Remington/5.56 manufactured by:
 1. Colt
 2. Olympic Arms
 3. Rock River Arsenal
 4. Bushmaster
 5. Armalite
 6. Wilson Combat
 7. DPMS
 8. Smith & Wesson
 9. Ruger
 10. Other AR-15 styled weapons from other manufacturers if approved after inspection by the Personnel & Training Unit.
 - f. High-Point Carbine in 9mm (only if purchased in the initial group)
2. Since these manufacturers produce firearms in many different varieties, the officer must ensure that their weapon has the listed mandatory features:
 - a. Semi-automatic action
 - b. 16” to 22” barrel
 - c. Non-detachable stock (either fixed or sliding)
 - d. Attached or detachable iron sights

E. Authorized Ammo: Only ammunition issued/authorized by the Training Unit will be loaded in the carbines. Officers may acquire additional ammunition for carry at their own expense but it must be the same manufacturer, caliber, grain and type as currently issued.

⁸ CALEA [5th Edition]1.3.9(a)

F. Required Accessories for all Weapons:

1. Soft or hard case
2. Sling (one, two or three-point)
3. Minimum of 2 magazines (3 suggested)
4. Attached magazine pouch, or other device that will hold a spare magazine on the weapon, or a readily accessible pouch or bag containing spare magazines that the officer will carry when deploying the carbine.

G. Optional Accessories for all Firearms:

1. Vertical Forward Grip
2. Muzzle Brake
3. Folding Bi-pod
4. Flashlight

H. Storage Systems:

1. Officers must secure their weapons in the vehicle, by:
 - a. Storing in the trunk in a hard or soft case. In this case officers must ensure that the trunk release button in the vehicle cannot be operated without a key in the ignition.
 - b. In a lockable rack, either in the trunk or in the interior of the vehicle; or
 - c. If in a specialty team vehicle, in a lockable box/storage device.
2. At no time will carbines be left in a vehicle that is being serviced or repaired. (SOP 609.1)
3. Officers who will be away from their vehicles for longer than their normal days off must remove the carbines from the vehicle and store them either in their residence or in the department armory.
4. Officers must always comply with the requirements of FSA 790.174 – Safe Storage of Firearms Required.

I. Optional Sighting Systems:

1. Red Dot style, zero-magnification electronic sights. If using this type of sight the rifle must have backup iron sights that the officer can use to aim the firearm in the event that the red-dot scope fails.

Supersedes SOP 643.2, dated 9/06.

645 ABSENCE WITHOUT PAY/LEAVE OF ABSENCE WITHOUT PAY

646 **COURT STANDBY**

I. DISCUSSION: Through use of the department Court Standby system and the facilities of the Witness Aid Center, employees who have been subpoenaed to certain types of cases must place themselves on standby rather than physically responding to court. Employees must be at their designated place of contact, and must refrain from any activity, which would preclude them from appearing in court within one hour of being called.

II. PROCEDURE:

A. Standby status is permitted by the courts for the following types of subpoenas:

1. All jury trials;
2. Any other case wherein it is stated on the subpoena that standby status is permitted; or
3. Any case when standby status is expressly approved by the attorney responsible for issuing the subpoena.

B. Standby status is not permitted by the courts for the following types of subpoenas:

1. Felony criminal divisions:
 - a. Non-jury trials;
 - b. Motion hearings;
 - c. Revocation hearings;
 - d. Adversarial preliminary hearings;
 - e. Sentencing hearings;
 - f. Violation of Probation cases; or
 - g. Juvenile adjudicatory hearings.
2. Misdemeanor division:
 - a. Non-jury trials;

3. Traffic division:
 - a. Non-jury trials;
 4. Juvenile cases: Unless satisfactory arrangements are made directly with the Assistant State Attorney who issued the subpoena; or
 5. Any other case wherein a statement on the subpoena prohibits standby status.
- C. Employees who are either on or off duty are required to utilize the standby system unless approval to the contrary is granted by a supervisor.

Each separate component within the department will designate an employee as a Witness Aid Center liaison. Employees within each respective component will be informed of the telephone number at which that liaison may be contacted. Each component commander is responsible for ensuring that the telephone number and name of the liaison is provided to the Witness Aid Center.

- D. To utilize the standby system, the employee will contact the Witness Aid Center prior to the subpoena date to ensure that correct contact information has been provided. The numbers provided by the officer will ensure that the officer can be contacted while on or off-duty. The voice-mail system may be utilized to advise of his or her intended whereabouts on the subpoena date, and the departmental component to which he or she is assigned. The employee will be given a confirmation number to verify the stand-by status.
1. If the employee will be on duty during any portion of the hours during which he or she might be called to appear, the Witness Aid Center must be so informed.
 - a. If the employee is on duty and is called to appear, the Witness Aid Center will notify the office of the department to which that employee is assigned. The liaison of that component will contact the employee and instruct him or her when to appear.
 2. If the employee will be off-duty during the hours he must be available, he or she will inform the Witness Aid Center of a telephone number at which he or she can be contacted.
- E. If an employee is released from a subpoena prior to the scheduled date, the Witness Aid Center will contact the employee's assigned component and

relay same to the liaison. The liaison will notify the affected employee of the change.

- F. If an employee is on standby and would like to inquire as to the status of the case, he or she should call the Witness Aid Center after 3:00 p.m., on the scheduled court date. At that time the Witness Aid *Center* will normally either release the employee, or place him or her on standby for the next day.
- G. The Witness Aid Center will not arrange stand-by status for officers in juvenile cases.

Supersedes SOP 646, dated 8/99.

646.1 WITNESS SUBPOENAS: NON-ELECTRONIC

- I. **PURPOSE:** To ensure accountability and control in the receiving and issuing of non-electronic subpoenas within the department.
- II. **DISCUSSION:** This procedure sets forth minimum requirements of accountability for receiving and distributing paper subpoenas. See SOP 646.2 for procedures relating to electronic subpoenas.

III. **PROCEDURE:**

A. **SERVICE BY DELIVERY OF PAPER SUBPOENA TO THE DEPARTMENT:** Witness subpoenas for criminal cases will be accepted by the Tampa Police Department in accordance with F.S. §48.031.

1. Acceptance of the subpoena is not required if:
 - a. The witness is not scheduled to work prior to the subpoena appearance date; or
 - b. The appearance date is **less** than five calendar days from the date the subpoena was accepted at the Subpoena Intake Office, not including the day it was received. For example, if a subpoena is received on June 19th, the appearance date on the subpoena must be June 24th or later. The divisions receiving the subpoenas shall expedite their review for making service. If an employee determines service cannot be made, the word “not” will be marked in front of the stamped word “served”, with a brief explanation written in red ink, accompanied by the name of the employee making the determination. The subpoena **will** be returned to the Subpoena Intake Office immediately.
2. Division commanders will assign an employee to pick up subpoenas weekdays after 1500 hours in the 5th floor mailroom, at Police Headquarters, for delivery to their respective divisions and units at outlying offices.
3. Department employees will accept subpoenas delivered with less than five days notice, if the individual employee is scheduled to work prior to the subpoena date and the subpoena is stamped with the word “Special, Accelerated Trial, or Rush.”

If a subpoena stamped “Special, Accelerated Trial, or Rush” is received, every reasonable effort, including calling the officer off the street, will be made to get the subpoena to the recipient prior to the court date.

4. All paper subpoenas for an employee will be delivered to the Subpoena Intake Office. The information from each subpoena will be entered into the Versadex subpoena-tracking program and saved into the database accordingly. Employees are responsible for checking their respective Versadex subpoena queue during each tour of duty.

The subpoenas will then be separated by districts, divisions, or units, and placed into the appropriate outgoing mail slot within the 5th floor mailroom.

Each Tampa Police Department district, division, or unit is responsible for obtaining its own subpoenas from the 5th floor mailroom. Each district, division or unit is responsible for having all subpoenas picked up each afternoon, Monday through Friday, after 1500 hours.

5. As allowed by F.S. §48.031 the department will accept witness subpoenas delivered by a process server only on Monday through Friday, from 0800 until 1600 hours. Subpoenas will not be accepted on holidays.
6. Division commanders shall create and maintain an intra-division procedure references the receiving and issuing of subpoenas that is applicable to the operation of their respective divisions. Those procedures, at a minimum, shall:
 - a. Require appointment of an individual responsible for receiving subpoenas for the division and maintaining a witness subpoena control log (TPD 622);¹
 - b. Require that the log be checked by a supervisor for accuracy and completeness;² and
 - c. Set forth a procedure for receipt and distribution of subpoenas.

B. SERVICE BY DELIVERY OF PAPER SUBPOENA TO INDIVIDUAL OFFICER:

1. Instead of serving the subpoena on the police department as provided above, a proper process server may also serve any employee individually. Employees must be made available for this purpose during their on-duty hours. When service is accomplished by such personal delivery, the five-day rule does not apply and the subpoena must be honored if at all possible regardless of the appearance date.

C. SERVICE OF PAPER SUBPOENA BY MAIL:

¹ CALEA [5th Edition] 82.2.2(e)

² CALEA [5th Edition] 82.2.2(e)

1. Florida Statute §48.031(4)(b) also permits service of a witness subpoena upon any employee by U.S. mail in criminal cases involving second or third degree felonies or any misdemeanors. The subpoena must be mailed to the employee's residence at least seven days prior to the appearance date. However, employee home addresses will not be divulged to process servers.
2. Any employee receiving a criminal subpoena via U.S. mail will provide a copy of the subpoena to the Subpoena Intake Office no later than the end of their next regular work shift.

D. Night Traffic Court Procedures:

1. If an officer has a legitimate conflict with an upcoming subpoena for night traffic court, the officer will review the circumstances with their immediate supervisor for approval, complete a Law Enforcement Request for Continuance (TPD 994), and submit the form to a shift commander for approval. Upon approval by the shift commander, the form will be faxed to the Clerk of the Circuit Court, Traffic Division. The form will then be logged into the district/division "Approved Court Leave Log."
2. Should an officer anticipate being late for night traffic court or miss night traffic court due to illness, unforeseen emergencies or other police related matters, the officer will:
 - a. Advise the shift/bureau commander of all pertinent details including courtroom and case number.
 - b. If the commander approves the absence, only the commander will contact the clerk's office and advise it of the circumstances. The clerk's office closes at 1400 hours and does not have voice mail at night. Therefore, the information should be entered on a Traffic Court Continuance Form (on TPD I-Net under Departmental Forms) and faxed to the Clerk of the Circuit Court – Traffic Division. The faxes are reviewed the following day and compared to the no shows; if a fax is received/officer did not attend court, no complaints are made. Arrangements should be made to review faxes prior to court to acknowledge the officer's absence. After business hours, this number will roll over into a voice mail system. A detailed message should be left regarding the missed appearance. These messages will be retrieved the following morning.
3. Any requests for continuance in any other traffic court involving a judge that is located in the main courthouse, requires notification to and

permission from the particular judge/assistant state attorney listed on the subpoena.

4. The district majors and the district shift commanders will each maintain an “Approved Court Leave Log.” The log will be completed on a monthly basis, and at the end of each month, a copy of the log will be routed or faxed to the Internal Affairs Bureau. IAB will compare the log entries against the “Failure to Appear” list that the department receives from the Night Court Operations Center.

a. Those officers that are listed on the “Approved Court Leave Log” will not be the subject of an investigation for failing to appear.

b. Documentation concerning officers who do not appear on the approved log or who are on the log inappropriately will be routed by IAB to their respective district for investigation.

E. Officers need not appear in court on subpoenas for civil traffic infractions, which resulted from a traffic accident investigation, if the officer did not witness the accident. In the event that the traffic court subpoena meets the above mentioned criteria, the officer must:

1. Obtain a copy of the traffic accident report and attach the accident report to the traffic court subpoena.

a. Complete a “Did Not Witness” form (TPD 995), which must be approved and signed by a supervisor.

b. Attach the “Did Not Witness” form to the subpoena and accident report.

c. The supervisor will insure that the traffic subpoena and attached report are turned into the district support specialist or designee at least two-week days prior to the court date.

d. The district support specialist or designee will stamp the subpoena “Did Not Witness” and deliver same to the Deputy Clerk of Violations.

2. If an officer fails to adhere to the above procedure and fails to appear in court, this will be considered as failing to honor a subpoena.

F. Officers need not appear in Misdemeanor County Criminal Court when the officer did not witness the offense and has nothing to offer the prosecutor. An example would be a petit theft shoplifting case in which store security apprehended the defendant and the officer only completed the paper work and transported the

defendant to jail. In the event the county court subpoena meets the above mentioned criteria, the officer must:

1. Obtain a copy of the offense report and verify that his appearance is not necessary.
2. Complete a County Criminal Court Subpoena form (TPD 569) and attach a copy of the offense report to the form along with the subpoena.
 - a. The offense report must be reviewed by the officer's immediate supervisor and if the supervisor concurs that the officer's appearance is not required the supervisor will sign the County Criminal Court form.
 - b. The completed form along with the offense report will be presented to the officer's shift commander. The shift commander will review the offense report and if in agreement, will sign the form.
 - c. The completed form and offense report, with subpoena attached, will be placed into a basket so designated in the officer's assigned division.
 - d. The completed form with attached report and subpoena will be hand delivered via the Tampa Police Department courier to the Bureau Chief, Bureau Two, 2nd floor of the Courthouse Annex.
3. This process must be completed seven working days prior to the court date and may be overridden by either the Bureau Two Division Chief (SAO) and/or his or her designee.
4. If an officer fails to adhere to the above procedure or fails to appear in court, this will be considered as failing to honor a subpoena.

G. Subpoenas issued by the State Attorney's Office (SAO) for felony intake hearings:

1. Whenever an individual of this department receives a subpoena for a felony intake hearing (so designated by the assigned SAO attorney's name on the upper right hand corner of the subpoena), the employee will, in each instance, call the assigned attorney prior to the subpoena appearance time and discuss the case telephonically.

The assigned attorney will determine whether the individual will be required to respond in person. If response is not required, it will be so noted in the "remarks" column of the subpoena log.

2. If an individual of this department fails to make contact with the assigned attorney, he will appear as directed.

If an officer has a legitimate conflict with an upcoming criminal court subpoena, the officer will review the circumstances with their immediate supervisor for approval and then contact the issuing attorney or court to request that the subpoena be rescheduled. If the court is unable to reschedule the subpoena, the officer will honor the subpoena.

Should an officer anticipate being late for criminal court or missing criminal court due to illness, unforeseen emergencies, or other police related matters, the officer will:

Advise the shift/bureau commander of all pertinent details including courtroom and case number.

If the commander approves the absence, he/she will:

- a. Contact Witness Aid at (813) 274-1566. A detailed message will be left regarding the missed appearance.
- b. If the subpoena was for *juvenile or misdemeanor court*, the shift/bureau commander will also notify the S.A.O. Administrative Secretary between the hours of 0800 and 1700 at (813) 274-1606.
- c. If the subpoena was for felony court, the shift/bureau commander will also notify the S.A.O. Felony Bureau Secretary between the hours of 0800 and 1700 at (813) 274-1558.

The shift/bureau commander will document the details on the approved court leave log. The log will be completed on a monthly basis and at the end of each month, a copy will be routed to the Internal Affairs Bureau.

H. The Internal Affairs Bureau will compare the log entries against the “Failure to Appear” list that the department receives from the Hillsborough County State Attorney’s Office. Those officers who are listed on the Approved Court Leave Log will not be the subject of investigation for failing to appear.

I. Subpoenas issued at the request of a private attorney:

1. Subpoenas issued for private attorneys are an official order of the court and will be honored.

- a. F.S. §92.151 requires that witnesses be paid prior to appearance in civil court cases only.
- b. An employee who responds to a subpoena issued for a private attorney for other than a civil case, and is not compensated for the appearance, will bring the matter to the attention of the City Attorney.
- c. Checks issued by private attorneys are for the witness' appearance and will not be cashed until the subpoena has been honored.
- d. Witness fees collected by employees who appear while on duty will be turned in to the department Fiscal Bureau.

Supersedes SOP 646.1, dated 7/08.

646.2 WITNESS SUBPOENAS – ELECTRONIC:

- I. PURPOSE: To ensure accountability and control in the receiving and management of electronic subpoenas within the department.
- II. DISCUSSION: This procedure sets forth minimum requirements of accountability for receiving and managing electronic subpoenas.
- III. PROCEDURE:
 - A. Witness subpoenas for criminal cases will be accepted by the Tampa Police Department in accordance with F.S. §48.031.
 1. Acceptance of the subpoena is not required if:
 - a. The witness is not scheduled to work prior to the subpoena appearance date; or
 - b. The appearance date is **less** than five calendar days from the date the subpoena was received in the officer's GroupWise email account. For example, if a subpoena is received on June 19th, the appearance date on the subpoena must be June 24th or later. If the witness officer determines that the appearance date is less than five days, then the witness officer will contact their immediate supervisor. The immediate supervisor will acknowledge with exception in the electronic subpoena computer system, stating that the subpoena is less than five days notice.
 2. Employees will not acknowledge any subpoenas that are less than five days notice, unless there is an arrangement between the officer and attorney to schedule a hearing with less than five days notice. Example: the officer had a conflict and the attorney agrees to reschedule the hearing. Once the reschedule is made, the attorney will send a new subpoena that may be less than five days notice.
 3. Employees will check their city email for subpoena notices at the beginning and end of every shift, at a minimum. This can be done by logging in to the city email account that has been established for the officer or by logging in to the electronic subpoena computer system directly.
 4. Employees will enter their requests for leave into the electronic subpoena computer system. Supervisors will approve or deny requests for leave in the same system.

5. If an employee fails to acknowledge a subpoena ten days after the issued date, the subpoena will escalate through their chain of command until the acknowledgement is made.
 6. Supervisors will log in to their city email account at the beginning and end of every shift, at a minimum to check for their subpoenas and any escalations for their subordinates. This can be done by logging in to the city email account that has been established for the supervisor or by logging in to the electronic subpoena computer system directly.
 7. Supervisors will *Acknowledge* or *Acknowledge with Exception* for their subordinates when they are off duty for an extended time. Example: the officer is off on military, medical, or maternity leave.
- B. Electronic subpoenas have the same authority as those delivered on paper. Employees will follow the procedures in Standard Operating Procedure 646.1 as it relates to the following circumstances:
1. Rescheduling or filing a continuance;
 2. Did Not Witness cases: Misdemeanor or Traffic; and
 3. Absence due to illness or emergency.
- C. If an employee fails to adhere to the procedures established above and does not appear in court, this will be considered as failing to honor a subpoena.

Supersedes SOP 646.2, dated 12/10.

648 ELECTRONIC SURVEILLANCE EQUIPMENT¹

- I. PURPOSE: This directive outlines procedures for control and accountability of electronic surveillance equipment.
- II. DISCUSSION: Because of the potential for improper use of electronic surveillance equipment and because of the strict legal requirements for its use, such equipment will be strictly controlled. An employee who utilizes said equipment for any purpose other than an authorized investigation, will be acting outside the scope of his authority.
- III. RESPONSIBILITY:
 - A. The Criminal Intelligence Bureau is responsible for the security and issuance of all Tampa Police Department electronic surveillance equipment, other than equipment used for wire interception.
 - B. The Strategic Investigations Bureau is responsible for the Department's wire intercept equipment and will be under the control of the Bureau Commander.
 - C. All such equipment will be stored in the Criminal Intelligence Bureau.
 - D. A certain limited amount of surveillance equipment may be assigned to individual divisions in order to facilitate timely investigations. In the event that this equipment is assigned, the Division Commander becomes responsible for the security and issuance of equipment within their division. The division commander is responsible for arranging (via the Criminal Intelligence Bureau) the annual testing of said equipment and maintaining the logs of said testing, as described in paragraph V.H. The equipment assigned to the divisions will not include GPS or mobile tracking equipment.
 - E. Individual division commanders will notify the chief of police or his designee when an officer assigned to their respective division makes or intends to make application for a court-authorized wire intercept as defined in Chapter 934, Florida Statutes.
- IV. DEFINITION: Electronic surveillance equipment shall include:
 - A. Any electronic, mechanical, or other device or apparatus which can be used to intercept a wire or oral communication as defined in Chapter 934 of the Florida Statutes;

¹ CALEA [5th Edition] 42.1.6; 43.1.4;

- B. Any component utilized for the gathering of audio and/or video recordings for evidentiary purposes, i.e., cameras, tape recorders, etc.;
- C. Any GPS or mobile tracking device (F.S. §934.42); and
- D. Any other equipment so designated by the chief of police.

V. PROCEDURE:

- A. An officer who, in the course of assigned duties, requires the use of electronic surveillance equipment will inform their immediate supervisor concerning the details of the investigation and the need for the equipment.
- B. If the supervisor approves the use of electronic surveillance equipment in the investigation, the supervisor will contact the Criminal Intelligence Bureau and arrange for issuance of the equipment to the investigator.
- C. A supervisor with the rank of sergeant or above, or the electronics surveillance specialist, will complete the electronic surveillance equipment log (TPD 881). The issuing supervisor will ensure that the investigator is familiar with the proper operation and care of the equipment. It is the responsibility of the requesting officer and supervisor to ensure strict compliance with all legal requirements connected with use of the equipment. A supervisor with at least the rank of captain or lieutenant if the requesting unit does not have a captain, shall contact the Criminal Intelligence Bureau commander to arrange for the use of GPS or mobile tracking equipment.
- D. The equipment will be returned to the Criminal Intelligence Bureau immediately upon completion of the particular investigation.
 - 1. Any malfunctioning or defective equipment will be returned immediately and brought to the attention of an electronics specialist.
 - a. The electronic specialist will arrange to have equipment immediately repaired and in a state of operational readiness as soon as practical.
 - 2. All issued equipment is subject to immediate recall at the discretion of the CIB commander.
- E. A CIB supervisor or designee will take custody of the equipment upon its return by the investigator. That supervisor will also complete the electronic surveillance equipment log (TPD 881) reflecting the return of the equipment.

- F. Electronic surveillance equipment loan requests by other agencies: Requesting agency representatives will sign a receipt that fully describes the particular equipment they are requesting to borrow.
- G. Audits of department electronic surveillance equipment will be conducted periodically by the chief of police or his designee.
- H. All surveillance equipment will be tested for operational readiness on an annual basis. A log of said testing documenting the date, type of equipment, S/N information (if applicable), and testing employee will be maintained in the Criminal Intelligence Bureau.

Supersedes SOP 648, dated 2/07.

649 INTERCEPTION OF WIRE OR ORAL COMMUNICATIONS

- I. PURPOSE: To provide an understanding of the requirements of Chapter 934, Security of Communications, and the duties and responsibilities of an officer involved in the interception of wire or oral communications.

- II. DISCUSSION: When investigating organized criminals, it frequently becomes necessary to intercept the communications of these criminals. To ensure that all officers utilize this form of investigation in a manner consistent with the statute, and at the same time, to ensure there is maximum utilization of the available resources of the Tampa Police Department, this procedure is initiated.

- III. RESPONSIBILITY:
 - A. It shall be the responsibility of all personnel assigned to the Criminal Investigations Division to become familiar with Chapter 934 F.S., Security of Communications.

 - B. It shall be the responsibility of all personnel engaged in the interception of wire or oral communications to become familiar with, and to follow, the procedures outlined in this directive.

- IV. PROCEDURE:
 - A. As per F.S.S. 934.03(2)(c), a law enforcement officer or a person acting under the direction of a law enforcement officer may intercept a wire or oral communication when such person is a party to the communication or one of the parties to the communication has given prior consent to such interception and the purpose of the interception is to obtain evidence of a criminal act.
 - 1. This section of Chapter 934 F.S.A. is applied in those instances where wire or oral communications are intercepted with one party consent.

 - 2. Under most circumstances, this will be where a detective or confidential informant wears a body bug and/or records a telephone conversation to which he is a consenting party.

 - 3. When feasible, the consent will be in written form, signed, and witnessed, prior to the interception taking place.

 - B. As per 934.01(4), to safeguard the privacy of innocent persons, the interception of wire or oral communications when none of the parties to the communication has consented to the interception should be allowed only when authorized by a court of competent jurisdiction and should remain under the control and supervision of the authorizing court.
 - 1. As per 934.09(1)(c) and 934.09(3)(c), among other requirements, prior to an application for the interception of wire or oral communications, must

show all normal investigative techniques have been tried and failed, reasonably appear to be unlikely to succeed, or reasonably appear to be too dangerous if tried.

2. Upon determination that a wire or oral intercept is a viable investigative step, immediate liaison will be established with the State Attorney's Office so that his assistance can be provided to ensure complete compliance with all applicable statutes and/or court decisions.
3. The affiants on the wire or oral intercept have the primary responsibility for the proper operation of the wire or oral intercept, and the authority to have their orders followed. Only the assigned supervisor will have the authority to countermand their decision. These affiants have a legal responsibility to fulfill, as per F.S. 934, and as such, need the authority to accompany that responsibility.

Prior to initiating a wire or oral intercept, a briefing will be conducted during which all personnel assigned to the investigation will be given details of the case and minimization instructions. A signed copy of all affidavits and orders will be maintained in the wire-room with a copy of the minimization instructions.

4. As per 934.09, a recording will be made of all monitored calls. All recordings will be on a master (original) Magneto Optical (MO) Disk, which are maintained within the Lincoln System. All data such as date, time, and call numbers dialed or received are recorded by the Lincoln System. The core Lincoln System is built on server hardware and client/server software that is accessed via a local area network (LAN) in the wire room. The Lincoln System is the LAN server, consisting of a server platform (hardware) running Lincoln 2 administrative software. The client workstations (monitoring positions) run a network installation of Pen-Link software.

The Lincoln server is equipped with the hardware necessary to terminate the physical connections of the "e" interface for any carrier that offers CALEA compliant delivery. With these connectors, the Lincoln System essentially becomes a passive node on the telecommunication carriers' network, enabling real time intercept information delivered by carriers for any of the Tampa Police Department's authorized wire or oral intercepts.

The collection process itself is controlled by the Pen-Link client software, which also offers a suite of analytical capabilities. The Pen-Link database has a built-in word processor for use in the large text fields that will be used for synopsis, transcripts, information, and notes. The fully integrated GIS mapping technology of Pen-Link gives the location of every call, subject, or event. The multimedia capabilities of Pen-Link allow for the loading of images and audio into the database. The Lincoln System is used

in conjunction with Pen-Link. Call data and content are seamlessly integrated and made available for analysis and transcription.

5. The Lincoln System/Pen-Link server will be maintained by the Electronic Support Unit of the Criminal Intelligence Bureau. The master (original) copy of the magneto optical disk will be secured within the “juke box” storage device of the Lincoln Server upon the initial activation of the wire or oral intercept. Upon completion of the wire or oral intercept, the original copy of the magneto optical disk will be removed from the secured “juke box” storage device of the Lincoln Server by the Electronic Support Unit. The original disk along with a copy will be furnished to the affiant by the Electronic Support Unit.
6. The affiant of the wire or oral intercept will immediately, upon receipt of the original magneto optical disk, deliver the disk in an evidence envelope to the authorizing judge to be examined and ordered sealed via a sealing order authorized by the judge. The affiant will seal the disk as processed evidence while in the presence of the authorized judge. If possible, the Assistant State Attorney overseeing the investigation will also be present. The affiant will then immediately transport the sealed disk to the Tampa Police Department’s Forensic Investigation Unit and attach a copy of the sealing order to the outside of the envelope. The sealed envelope will then be entered and stored according to the current evidentiary procedures.
7. A technical difficulties log will be maintained during the entire course of the wire or oral intercept. Any technical difficulties will be documented and logged along with the date, time, and extent of the issue. Any instance of technical difficulties will be brought to the attention of the Electronic Support Unit immediately.
8. When the affiant obtains an Order for Cooperation signed by the judge for the wire intercept, a copy of the order shall be delivered to the Electronic Support Unit immediately to insure prompt compliance from the respective telecommunications company.
9. The affiant of the wire or oral intercept shall submit a periodic report to the judge issuing the order. The normal period between reports is ten (10) days. However, the judge may alter this at his/her discretion. The report will detail the progress made toward achievement of the authorized objective and the need for continued interception.
10. Within a reasonable time, but not later than ninety (90) days after the filing of an application for an order of a wire or oral intercept which is denied, or the termination of the period of an order or extensions thereof, the issuing or denying judge shall cause to be served on the persons named in the order or the application, and such other parties to intercepted communications as the judge may determine that is in the interest of justice, an inventory which shall include notice of:

- a. The fact of the entry of the order or the application;
- b. The date of the entry and the period of authorized, approved or disapproved interception or the denial of the application; and
- c. The fact that during the period wire, oral or electronic communications were or were not intercepted.

The service of this inventory may be postponed by order of the court in the interest of justice.

11. If surveillance is needed, one individual will be designated by the affiant to control the units on the surveillance as to the immediate assignments during the surveillance itself.

In case of surveillance, all personnel involved in the surveillance will document their activity and their observations on a TPD supplement before they end their shift. Even if nothing transpired during the shift, this fact will be documented.

12. It will be the responsibility of all persons assigned to a wire or oral intercept to familiarize themselves with what has happened since the last time they worked. A copy of all reports will be kept in chronological order for this purpose.
13. It is the responsibility of the personnel assigned to the wire room to complete a written transcript of all calls made on their shift. The transcript of the calls will be documented in the Pen-Link database built-in word processor, as they will become a part of the report at the termination of the investigation. The transcript will contain all the details of the call such as telephone numbers, times, dates, people, addresses, etc.

At the end of each shift, that case agent will ensure that an end of shift report is originated to document the day's activities.

14. A suspect sheet will be made for every individual involved in the investigation in any manner. This sheet will contain all of the pertinent information about the suspect, including his picture. Include his DOB, description, alias, residence address, residence phone number, business address, business phone number, local record, FCIC, NCIC, driver's license and motor vehicles. Include how this information was obtained, and the date it was obtained. This will enable the affiants and others to determine the veracity of the information. This sheet will also include a reference to reports that concern this suspect, photographs that concern this suspect, and the evidence that concerns this suspect.

At the conclusion of the investigation, this sheet will contain a reference to all of the information available about this suspect for use in determining charges, and in assisting the affiants and SAO in preparing for prosecution.

15. The room where the intercept is taking place will be secured physically to prevent the entry of non-authorized personnel. Those persons not assigned to the intercept will not enter the room. An exception will be made for those officers who are operating pen registers or other equipment that is unavailable elsewhere, and located in the same room, and need access to this equipment. Everyone who enters the intercept room will log that entry on the entry log kept at the door. They will document the date and time of entry and departure, their name, and their reason for being in the room.



City of Tampa Police Department

Consent for Interception of Wire and/or Oral Communications

Consent to Record Telephone Communications

Consent to Record Telephone Communications I, _____, do hereby give consent and authority to _____ of the Tampa Police Department, to attach temporary mechanical and/or electronic recording devices to the telephone or communication device bearing the number _____, in order to monitor and record my conversations regarding criminal activity, and to obtain evidence of criminal acts, for a period of thirty (30) days from the date of my signature.

Consent to Intercept and/or Record Oral Communications

I, _____, do hereby give consent and authority to _____ of the Tampa Police Department, to attach or utilize electronic transmitting or recording devices to my person. This consent and authority gives law enforcement the authority to monitor and record my conversations regarding criminal activity.

This consent form has been explained to me, and my consent is given freely and voluntarily, without coercion, duress or undue influence.

Signed this _____ day of _____, 200__.

Signature of Person Consenting
To Intercept

Printed Name

Witnessed By: _____

TPD Badge No.: _____

Translated By (if necessary): _____

TPD Badge No.: _____

650 PORTABLE RADIO EQUIPMENT¹

- I. DISCUSSION: Every full-time sworn officer is issued a portable radio on a permanent basis (SOP 604.1 Issuance of Equipment).² The procedure for temporary issue of portable radio equipment must also be stipulated for accountability of the equipment, and to ensure operational readiness of the equipment when needed.
- II. PROCEDURE:
 - A. Administrative Control:
 1. The Personnel and Training Unit shall provide administrative control and ensure serviceability of all portable radios as follows:
 - a. Establish and maintain a database for the portable radios available for checkout.
 - b. Ensure there is a sufficient number of portable radios to meet daily demand.
 - c. Establish a procedure for removal from service of any temporarily issued radio that is reported to be inoperative.
 2. The Electronics Division (radio repair) will maintain the capital asset inventory for all radios designated as temporary issue and assigned to the Personnel and Training Unit.
 - B. Check-out/in procedures:
 1. Full-time or Reserve Force officers who have a need for the temporary issue of a portable radio during normal business hours will report to the Electronics Division (Radio Repair), 3701 N. 12th Street, (813) 242-5332.
 - a. The officer will present his radio card (TPD 1008) to the on-duty electronic technician.
 - b. The electronic technician will log the asset number, officer's identification number, and the time and date of issuance.

¹ CALEA [5th Edition] 81.2.2

² CALEA [5th Edition] 81.2.2

- c. The officer will then check the operation of the radio, utilizing frequency 3, and sign for the radio in the logbook.
 2. Officers working adverse shifts and/or weekends who are in need of a temporary replacement radio will respond to the Police Communications Call Center.
 - a. Officers will deadline their disabled radio with the on duty supervisor and sign out a spare radio for temporary use. Dead radio batteries may also be exchanged for fresh batteries at the Communications Center during adverse shifts.
 - b. Once the defective radio is repaired by the Electronics Division, the officer will be notified as to the procedure for exchanging the repaired radio with the temporarily assigned radio.

Supersedes SOP 650 dated 4/95.



CITY OF TAMPA POLICE DEPARTMENT RADIO / EQUIPMENT FORM

Date: _____ Employee Number: _____

Officer: _____ Serial Number: _____

Radio / Equipment Asset Number: _____

1. Initial issue of a portable radio with desk charger, shoulder mic. and belt clip. (See Above)

Issued By: _____

Print Name: _____

Supervisor's Signature: _____

2. Replacement of lost or stolen radio or equipment. Equipment to be Replaced:

Radio, New Asset Number: _____

New Serial Number: _____

Desk Charger Shoulder Mic

Issued By: _____

Print Name: _____

Report Number: _____

3. Addition of specialized radio frequencies to the above radio. Describe as TAC, SEB, QUAD, SQD., etc.

a. Frequency: _____ Channel Number: _____

b. Frequency: _____ Channel Number: _____

c. Frequency: _____ Channel Number: _____

d. Frequency: _____ Channel Number: _____

4. Removal of specialized radio frequencies.

a. Frequency: _____ Channel Number: _____

b. Frequency: _____ Channel Number: _____

Division Commander Signature: _____ Date: _____

Electronics Division Technician: _____ Date: _____

Electronics Division Supervisor: _____ Date: _____

*Note: Electronics technician completing any of the above, must route a copy of this form to the TPD Personnel & Training Unit.

651 INTERNAL AFFAIRS

- I. **DISCUSSION:** This directive provides a systematic, objective, and impartial method of investigating allegations of inappropriate behavior by Tampa Police Department employees. It also provides a procedure for the disposition and handling of Internal Affairs Bureau (IAB) files while they are temporarily out of the custody and control of the Internal Affairs Bureau.

The Tampa Police Department maintains a commitment to the principles outlined in the Law Enforcement Officers' Bill of Rights and to equity and fairness in complaint investigation. In Garrity vs. New Jersey and Gardner vs. Broderick, the United States Supreme Court extended to police officers the protection of the privilege against self-incrimination. Statements which they are compelled to make, by threatened loss of their employment or other disciplinary action, may not form the basis of a criminal prosecution against them, nor can they be compelled to waive this privilege. However, the court has clearly indicated that the privilege against self-incrimination is not a bar to dismissal if a police officer refuses to "answer questions specifically, directly and narrowly relating to the performance of his official duties, without being required to waive his immunity with respect to the use of his answers or the fruits thereof in a criminal prosecution of himself." In other words, refusal to answer questions intended merely to secure information concerning his official activities could justify dismissal or other disciplinary action.

- II. **ORGANIZATION:**¹ The Internal Affairs Bureau is commanded by a captain who reports directly to the chief of police.

III. **GENERAL:**

A. Responsibilities of the Internal Affairs Bureau:

1. Receive, record, and investigate or refer for investigation all complaints made against the Tampa Police Department and/or its employees.²
2. Coordinate the departmental complaint process and assist other components of the department in the process of receiving and investigating complaints and routing completed investigative files through the complaint disposition process.
3. Track and maintain records of complaints made against the police department and/or its employees, and the disposition of same.³

¹ CALEA [5th Edition] 52.1.2

² CALEA [5th Edition] 52.1.1

³ CALEA [5th Edition] 52.1.10

4. Conduct other investigations of incidents as required by policy.
 5. Administer the Early Intervention Program and the Random Drug Screening Program.
 6. Maintains pursuit and discipline files, for tracking purposes.
 7. Ensure compliance with CALEA standards and serve as the department's point of contact with CALEA investigators.
 8. Perform an annual analysis of the causes of all grievances filed during the year and submit such findings to the Chief of Police for consideration and action.
- B. Authority: Internal Affairs investigators are to be considered direct representatives of the chief of police in all matters of concern to Internal Affairs. They will have unimpeded access to all facilities, equipment, records, and personnel for the purposes of investigations; and will receive full cooperation from all members of the Tampa Police Department.
- C. Internal Affairs Cases: The Internal Affairs Bureau will investigate the following allegations or situations:⁴
1. Violations of state/federal statutes or city/county ordinances: The criminal investigation will be conducted by the appropriate criminal investigative unit (i.e., Homicide, Strategic Investigations Bureau, Criminal Intelligence Bureau). Internal Affairs personnel may assist in those investigations at the request of the lead investigator. Administrative investigations of allegations of criminal activity will be conducted by the Internal Affairs Bureau at the completion of the criminal investigations.
 - a. Subpoenas (Duces Tecum) will be issued by the State Attorney at the request of the investigator assigned to the criminal investigation of department employees for such records, to include but not limited to medical records, financial disclosure, telephone, etc.
 2. Violations of Department Policies, Rules or Procedures: Allegations of minor violations may be logged by IAB and referred to the division supervisor for investigation. Substantial or complex investigations will be investigated by the Internal Affairs Bureau.
 3. Complaints made by employees of another law enforcement agency.

⁴ CALEA [5th Edition] 52.1.1

4. Acceptance of a bribe, gratuity, or illegal compensation.
 5. Use of illegal drugs.
 6. Unnecessary or excessive use of force.
 7. Harassment, rudeness, discourtesy, or verbal abuse: Allegations of a less serious nature may be logged by IAB and referred to the division supervisor for investigation.
 8. Abuse or misuse of authority.
 9. Discriminatory conduct such as sexual harassment, racial/ethnic slurs, and racial profiling, etc.
 10. Untruthfulness.
 11. All discharge of firearms by TPD personnel.
 12. Death or life threatening injury of a person in custody.
 13. Death or life threatening injury caused by or attributed to police action (such as pursuits).
 14. Death or life-threatening injuries caused by or attributed to use of the Precision Immobilization Technique (P.I.T.); or death or life-threatening injuries caused by or attributed to use of a stationary roadblock to terminate a pursuit.
 15. Sex on duty.
 16. Other acts of a serious nature and any matter as directed by the chief of police.
- D. Service Related Inquiries:⁵ Less serious, minor violations, or inquiries from citizens based upon misunderstanding of the law, established procedures, or investigative techniques. These will be immediately addressed by the appropriate supervisor. Service related inquiries may include but are not limited to:
1. Inadequate investigation such as failure to dust for prints, failure to interview all witnesses;
 2. Questionable response time; and

⁵ CALEA [5th Edition] 52.1.1

3. Condition under which a traffic citation was issued, etc.

Upon receipt of disposition on a Service Related Inquiry, the Internal Affairs Bureau will notify the complainant in writing regarding the outcome of their inquiry.

- E. Performance Infractions:⁶ Performance deficiencies identified by the immediate supervisor, which do not involve a third party. Examples of performance infractions may include but are not limited to:

1. At fault accidents;
2. Tardiness;
3. Incompetence;
4. Insubordination;
5. Inappropriate work attire; or
6. Sleeping on duty, etc.

Incidents such as these involve violations of rules and/or regulations; however, they are supervisory in nature and should be addressed by the immediate supervisor. In the event the infraction is complicated by untruthfulness on the part of the officer or other unforeseen actions, it should be referred to the Internal Affairs Bureau for investigation.

- F. Whenever an incident handled by the immediate supervisor or other supervisory personnel outside Internal Affairs results in discipline, a copy of the documented results shall be forwarded to the Internal Affairs Bureau for tracking purposes.

- G. On Call Responsibilities: The communications supervisor will notify the bureau commander for immediate response to:

1. Any discharge of a firearm by an officer of the Tampa Police Department. This would include the shooting of an animal or the unintentional discharge of a firearm.
2. Any death or serious injury (life threatening) of a subject while in the custody of the Tampa Police Department.

⁶ CALEA [5th Edition] 52.1.1

3. Any death or life threatening injury caused by or attributed to a Tampa Police Officer.
 4. Any instance in which an officer is involved in a criminal violation where there is a likelihood of an arrest or where the officer has been arrested by any agency.
 5. Death or life-threatening injuries caused by or attributed to a pursuit, use of the Precision Immobilization Technique (P.I.T.), or stationary roadblock.
 6. Any situation in which a departmental violation has been committed by an officer that is of such magnitude and complexity that the shift commander deems the response of an Internal Affairs investigator to be necessary.
- H. The IAB commander will immediately notify the chief of police of all serious or significant cases. The IAB commander will provide the chief a verbal status report on active cases regularly.⁷

IV. COMPLAINT INITIATION PROCEDURES:

- A. Complaints against TPD personnel will be accepted by any TPD employee, and will be accepted from any source whether made in person, by mail, or by telephone and the proper direction will occur.
1. Complaints made in person or by telephone:
 - a. During normal business hours the complainant or caller will be directed to the Internal Affairs Bureau.
 - b. After hours, weekends, and holidays the complainant or caller will be directed to the shift commander of the district in which the incident occurred. The shift commander will document the complaint on TPD 640, detailing the incident and route it to the division commander for consideration and referral to the Internal Affairs Bureau.
 2. Complaints received by mail shall be forwarded immediately to the Internal Affairs Bureau.
 3. Anonymous Complaints: The fact that the complainant refuses to identify himself will not preclude the complaint from investigation. Complaints from an anonymous source will be treated in the same manner as any other complaint.

⁷ CALEA [5th Edition] 52.1.3

- B. When an Internal Affairs complaint is brought to the attention of personnel outside the Internal Affairs Bureau which requires action mandated by departmental policies or procedures, the following steps will occur:
 - 1. TPD 640 will be completed documenting the allegations of the complainant, and the complainant will be asked to sign it. If the complainant refuses to sign, the form will be forwarded to IAB without the signature.
 - 2. A copy of the completed TPD 640 will be given to the complainant.⁸
 - 3. The complainant will be informed that an Internal Affairs investigator will contact him to schedule the taking of a sworn statement, and at that time will explain the process and answer any questions they may have.

V. COMPLAINT PROCESS:

- A. Only the IAB commander is authorized to initiate a formal investigation on behalf of the agency. An investigation will be initiated only upon receipt or development of credible information establishing a reasonable suspicion that a criminal violation or a violation of TPD regulations or procedures has occurred or is imminent.
- B. Initial complaints of misconduct of a substantial nature will be routinely assigned to an IAB investigator. The investigator will conduct a preliminary review and inquiry to establish whether a reasonable suspicion exists to believe that an employee has committed, or is about to commit, a criminal violation or a substantial violation of TPD regulations or procedures. The matter will then be brought to the attention of the IAB commander who will:
 - 1. Accept notice of the allegation and initiate a formal investigation. If the matter involves possible criminal charges against a sworn employee, a criminal investigation will be conducted first, either by IAB investigators or other TPD personnel, before or concurrent with the administrative investigation; or
 - 2. Refer complaints of a less significant nature to the appropriate division; or

⁸ CALEA [5th Edition] 52.1.5

3. Unfounded the complaint if the preliminary review and inquiry fails to establish reasonable suspicion of a violation.
- C. At the appropriate time after receipt of a substantiated complaint by the Internal Affairs Bureau, the Internal Affairs Bureau commander shall ensure that the concerned bureau or division commander along with the subject employee are notified, in writing, of the circumstances of the allegation and the name of the complainant.
1. The employee's notice will make reference to where the employee's rights and responsibilities relative to the investigation can be found.⁹
- D. The complainant will be notified in writing of the receipt of a complaint and be informed periodically of the status of the case by an IAB investigator.¹⁰
- E. Employee Restrictions: An employee having knowledge of or involved as a subject or witness in an IAB case shall not:
1. Independently participate in the investigation;
 2. Be present during any investigative contact with the complainant or complainant's witnesses;
 3. Contact the complainant or complainant's witnesses concerning the allegations;
 4. Disclose or discuss the existence or facts of an investigation with anyone except designated departmental authorities conducting the investigation.
- Note: Nothing in these procedures shall be construed to prohibit an employee from discussing any aspect of a complaint with his attorney or bargaining unit representative.
- F. Pursuant to Florida Statute §112.532(1)(d) all identifiable and available witnesses shall be interviewed before the interview of the subject officer.
- G. The subject employee may review the complaint and all statements, regardless of form, made by the complainant and witnesses immediately prior to the beginning of the investigative interview.

⁹ CALEA [5th Edition] 52.1.6

¹⁰ CALEA [5th Edition] 52.1.5

H. Pursuant to Florida Statute §112.533(2)(a) all statements provided by the subject officer shall be made under oath administered by a notary.

I. Pursuant to Florida Statute §112.533(1), whenever law enforcement personnel assigned the responsibility of investigating a complaint prepare an investigative report or summary, at the conclusion of the report the investigating officer shall swear to and sign the following investigator's acknowledgement before a notary:

I, the undersigned, hereby verify that I have no personal knowledge of the facts relating to the foregoing investigation except as expressly indicated in the report. To the extent to which I have personal knowledge, the contents of the report are true and accurate based upon my personal knowledge, information, and belief.

I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in §112.532 and §112.533, Florida Statutes.

J. Confidentiality of Internal Affairs Investigations: An Internal Affairs investigation will remain confidential until such time as the case becomes public record.

1. Once the disposition phase is reached, the division or bureau/shift commander of the subject employee will be permitted to review or have knowledge of the investigation. He may share this knowledge with the employee's supervisor if appropriate.
2. Until such time as the investigation becomes public record, no portion of the case shall be copied or reproduced in any manner by anyone other than the Internal Affairs Bureau. Copies will be furnished to the complaint review board selected to review the case. Any and all copies of the case made by a complaint review board shall be returned to the IAB at the conclusion of the board's review process.
3. If an employee requests a copy of his statement, he should be directed to the Internal Affairs Bureau.
4. As stated in F.S. §112.533, "An investigation shall be considered active as long as it is continuing with a reasonable, good faith anticipation that an administrative finding will be made in the foreseeable future. An investigation shall be presumed to be

inactive if no finding is made within forty-five days after the complaint is filed.”

In keeping with this legislative language, should the investigation or disposition process of an Internal Affairs case be anticipated to exceed the forty-five day limit, an extension request must be presented to and approved by the IAB commander.

K. Limitations period for disciplinary actions: F.S. §112.532(6) provides:

a. Except as provided in this subsection, no disciplinary action, demotion, or dismissal shall be undertaken by an agency against a law enforcement officer or correctional officer for any act, omission, or other allegation of misconduct if the investigation of such allegation is not completed within 180 days after the date the agency receives notice of the allegation by a person authorized by the agency to initiate an investigation of the misconduct. In the event that the agency determines that disciplinary action is appropriate, it shall complete its investigation and give notice in writing to the law enforcement officer or correctional officer of its intent to proceed with disciplinary action, along with a proposal of the action sought. Such notice to the officer shall be provided within 180 days after the date the agency received notice of the alleged misconduct, except as follows:

1. The running of the limitations period may be tolled for a period specified in a written waiver of the limitation by the law enforcement officer or correctional officer.
2. The running of the limitations period shall be tolled during the time that any criminal investigation or prosecution is pending in connection with the act, omission, or other allegation of misconduct.
3. If the investigation involves an officer who is incapacitated or otherwise unavailable, the running of the limitations period shall be tolled during the period of incapacitation or unavailability.
4. In a multi-jurisdictional investigation, the limitations period may be extended for a period of time reasonably necessary to facilitate the coordination of the agencies involved.

- b. An investigation against a law enforcement officer or correctional officer may be reopened, notwithstanding the limitations period for commencing disciplinary action, demotion, or dismissal, if:
 1. Significant new evidence has been discovered that is likely to affect the outcome of the investigation.
 2. The evidence could not have reasonably been discovered in the normal course of investigation or the evidence resulted from the pre-disciplinary response of the officer.

Any disciplinary action resulting from an investigation that is reopened pursuant to this paragraph must be completed within 90 days after the date the investigation is reopened.

VI. CASE DISPOSITION PROCESS:

- A. Upon completion of an Internal Affairs investigation the entire report shall be copied and sent to the division commander of the subject employee(s) unless otherwise directed by the Chief of Police. The copy will be packaged appropriately with a control sheet attached to the face to be initialed and dated upon completion of each phase of the process.
- B. If the complaint investigated is of such a nature that it seems possible City of Tampa policy B1.1 or B1.2 has been violated:
 1. An entire copy of the investigative package will be forwarded to the office of the Human Resources Director, for a determination as to whether there is a violation of City of Tampa Policy B1.1 or B1.2.
 2. After the Human Resources Director has rendered a decision concerning City of Tampa Policy B1.1 or B1.2, a written response will be forwarded by Human Resources along with the package back to the Internal Affairs Bureau. IAB will then route the package to the affected division commander.
 3. Because of statutory time limitations, the completed investigation package will simultaneously be routed to the affected division commander for review. When the Human Resources Director has rendered a decision, a copy of that memo will be forwarded to the affected division commander for review and inclusion in the disposition.

- C. Upon receipt of the packaged copy from Internal Affairs, the subject employee's division commander or the assigned staff member will review the investigation while keeping mindful of the time constraints as stated in paragraph V.E. The division commander or the assigned staff member will determine a recommendation of one of the following dispositions:¹¹
1. Sustained: The investigation disclosed sufficient evidence to prove clearly the allegations made in the complaint by a preponderance of the evidence.
 2. Unfounded:
 - a. Not Involved: The investigation disclosed that the named employee was not involved in the alleged incident.
 - b. Exonerated: The acts which provided the basis for the complaint or allegation occurred; however, investigation revealed that they were justified, lawful, and within accepted procedure and policy.
 - c. Unwarranted: The allegation was made in good faith without malicious intent; however, investigation disclosed that the allegation lacks basis in fact; or
 - d. False: The allegation is false, i.e., the alleged incident never took place.
 3. Not Sustained: The investigation failed to disclose sufficient evidence to prove the allegation made in the complaint.
 4. Misconduct Not Based on Original Complaint, Sustained: New substantiated misconduct not mentioned in the initial allegation but which was disclosed by the investigation is sustained.
 - a. The record of the disposition of the unfounded or unsubstantiated original complaint of misconduct shall not be placed in the employee's file with the sustained complaint.
 5. No Violation: No violation of department policy or procedure was found; only used with investigations required by policy when no specific complaint is alleged.
- D. The division commander or assigned staff member may return the case to Internal Affairs for further investigation if appropriate.

- E. The division commander, assigned staff member, or designee shall document the recommendation in writing and forward the package to the chief of police through the appropriate assistant chief.
- F. The affected assistant chief will review the investigation and summary/disposition memo. The assistant chief may:
 - 1. Concur with the memo as written;
 - 2. Return the memo to the appropriate major or assigned staff member with directions to supplement the summary, or to modify the disposition;
 - 3. Directly return the red book without the summary/disposition memo to the IAB for additional investigation;
 - 4. Seek a formal legal opinion from the department's legal advisor;
 - 5. Bring the case before staff for discussion; or
 - 6. Confer with the chief of police regarding the disposition.
- G. Upon the assistant chief's approval of the summary/disposition memo, the memo and the Internal Affairs package will be forwarded to the Chief of Police.
- H. Upon approval of the Chief of Police of the summary/disposition memo, the Chief of Police will cause the initiation of the disciplinary process as may be appropriate.
- I. Upon completion of the review process by the Chief of Police, the division commander will:
 - 1. In the event the case is unfounded or not sustained:
 - a. Cause the subject employee(s) to be notified of the disposition of the case; and
 - b. The assistant chief's office will return the investigative package to the Internal Affairs Bureau along with the disposition letter for filing and notification to the complainant.¹¹
 - 2. In the event there are sustained charges:

¹¹ CALEA [5th Edition] 52.1.5

- a. Cause the subject employee(s) to be notified of the sustained charges;
 - b. Initiate the disciplinary process; and
 - c. After discipline is determined, return the entire package along with the approved disciplinary action to the assistant chief's office for return to Internal Affairs for filing.
3. Upon return of the package to the Internal Affairs Bureau, sustained allegations which are in violation of F.S. §943.13(4) or (7) will be reported to the Florida Department of Law Enforcement, Division of Criminal Justice Standards and Training; and the officer will be advised in writing of such notification.
 4. Upon return of the package to the Internal Affairs Bureau, the IAB commander will cause a letter to be sent to the complainant notifying him/her of the disposition of the complaint.¹² In cases in which the complaint is Sustained, the letter to the complainant will be sent after discipline has been administered.

Supersedes SOP 651, dated 8/07.

¹² CALEA [5th Edition] 52.1.5

INVESTIGATOR'S ACKNOWLEDGEMENT

CASE NO.: _____ SUBJECT OFFICER: _____

I, the undersigned, hereby verify that I have no personal knowledge of the facts relating to the foregoing investigation except as expressly indicated in the report. To the extent to which I have personal knowledge, the contents of the report are true and accurate based upon my personal knowledge, information, and belief.

I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in §112.532 and 112.533, Florida Statutes.

Sign: _____

Print: _____

Date: _____

State of Florida
County of Hillsborough

Sworn to and subscribed before me this _____ day of _____, _____,
by _____ who is personally known to me.

Notary Signature

651.1 EARLY INTERVENTION PROGRAM (EIP)¹

- I. **PURPOSE:** The Tampa Police Department has a responsibility to its employees and the community to maintain a comprehensive early intervention program. The early identification of employees who are engaging in a pattern or practice of problematic behavior or are experiencing underlying issues that are affecting their job performance is imperative. Providing a method for identifying performance deficiencies, taking corrective actions, and making appropriate referrals increases the department's accountability and offers the employee a better opportunity to meet the department's values and missions statements.

Although no specific and universal set of criteria can determine job stress and/or job performance problems, it is important that certain types of performance indicators be reviewed. Nationally, it is recognized that law enforcement early intervention programs should include, but not be limited to, a review of Internal Affairs investigations, citizen complaints, and use-of-force incidents among others. Incidents, which are identified, may appear to be thnts, agcAle by themselves, however, a pattern of less than optimal job performance may be developing that is more difficult to identify by looking at one incident alone. Several indicators detailed in this program will allow supervisors to examine the totality of each individual's actions, to make a more thnurate assessment of each incident and to take corrective actions before the behavior becomes career-damaging by moving into the traditional disciplinary system.

The Tampa Police Department Early Intervention Program (EIP) has been established to provide a systematic review of performance indicators. This data will be disseminated to the appropriate supervisor who will review each incident, individually and collectively, meet with the identified employee, and submit a summary of their findings through their chain of command to the Internal Affairs Bureau.

The results from this program will better serve the interests of the employee, the department, and the community.

- II. **DISCUSSION:** The EIP will be based on a set of performance indicators within a "real time" 90-day interval. As an employee reaches a certain threshold of any of the performance indicators, an alert is made to the program facilitator on that employee. The program is designed to be used as a resource to assist supervisory personnel in evaluating and guiding employees to perform at their best level.
- III. **CRITERIA:** To identify possible candidates for the EIP, the following criteria have been established:
- A. **Performance Indicators:** These indicators and the threshold area are described as follows:

¹ CALEA [5th Edition]1.3.7; 1.3.13

1. Formal Internal Affairs Cases: Received two or more formal IAB complaints.
2. Required by Policy Investigations: Involved in one or more Internal Affairs investigations that are required by policy. These include, but are not limited to, police shooting incidents, in-custody deaths, and/or police pursuits involving crashes that result in life-threatening injury or death.
3. Use of Force: Involved in four or more use-of-force incidents in which the level of force used to gain compliance was “E” (physical blows struck by hands or feet) or above, as indicated in the Use of Force report generated in RMS or on paper.
4. Service Related Inquiry: Received three or more Service Related Inquiries from IAB or any other division.
5. Division Discipline: Received three or more documented disciplinary actions initiated at the division level.
6. Failure to Appear: Received three or more complaints for failing to appear at any court hearing.
7. Extra Duty Employment: Received three or more complaints concerning any aspect of any Extra Duty Assignment, including, but not limited to, unexcused absences (no-shows), worked excessive hours, or inattentiveness to duty.
8. Investigative Aggregate: Any combination of three of the following performance indicators:
 - a. Formal Internal Affairs Cases;
 - b. Service Related Inquiries;
 - c. Division Discipline;
 - d. Failure to Appear; or
 - e. Extra Duty Employment.

B. It should be emphasized that the dispositions of the particular incidents are **not** the issue in this program. Every indicator follows a unique and often unpredictable timetable. The program is based on early detection of possible patterns or practices by the employee; therefore, it is the preset thresholds that are emphasized.

- IV. PROCEDURE: The EIP will be facilitated by the Internal Affairs Bureau.
- A. The facilitator will conduct a query utilizing the IAB database.
 - B. A query of the database will occur on a weekly basis. It will be conducted in the Early Intervention component of the IAB database.
 - 1. All enumerated performance indicators will be used in this query to include:
 - a. Formal IAB cases;
 - b. Required by Policy cases;
 - c. Use of Force Incidents (at the alpha value of “E” or higher);
 - d. Service Related Inquiries;
 - e. Division Discipline;
 - f. Failure to Appear; and
 - g. Extra Duty Employment.
 - 2. A notification letter will be routed to the appropriate division commander for distribution to the immediate supervisor.
 - 3. The immediate supervisor shall analyze the incidents that have been identified and shall meet with the employee for the purpose of discussing the reasons for the qualification for the review.
 - 4. A Command Review in the form of a Report Summary shall be initiated and authored by the immediate supervisor.
 - 5. An annual evaluation of the system will be included in the annual report submitted by the Internal Affairs Bureau.²
- V. COMMAND REVIEW AND ANALYSIS: The employee’s immediate supervisor and chain of command should be involved in the analysis of any employee identified as qualifying for EIP. This program mandates that the qualifying employee and his immediate supervisor have a personal meeting to discuss their involvement in the program.
- A. Facts and documentation on each identified indicator should be reviewed, such as, but not limited to:

² CALEA [5th Edition] 35.1.15(c)

1. Police reports;
 2. Administrative letters;
 3. Internal Affairs cases (if complete);
 4. Division Discipline forms; and
 5. Service Related Inquiries – supervisor copy (yellow form) and accompanying documentation.
- B. The analysis of the facts should include consideration of the totality of the circumstances surrounding each incident, drawing on knowledge of human behavior, department policies and procedures, and wisdom gained from law enforcement experience.
1. Determine what, if anything could have been done differently to prevent the complaint;
 2. The process of analysis should include a recognition that there are circumstances when use of force is necessary and proper, and that there are occasions when false or misleading accusations may be made against officers by citizens;
 3. Decide if there are any similarities between incidents;
 4. Determine if other possible indicators of stress are present such as an unusual amount of sick leave, tardiness, marital problems, etc.;
 5. Determine if a trend or pattern of behavior is indicated; and
 6. Make appropriate and accurate referrals.
- C. Supervisors will initiate a mandatory informal meeting with the employee and discuss the incidents that gave rise to being identified in the EIP. Further, supervisors will make every effort to determine, during this meeting, if there are other factors affecting the employee's job performance.

If the indicators stem from an open and active Internal Affairs investigation, the supervisor will not discuss the facts of the case, as that is a violation of policy and is a violation of the employee's rights. In those specific cases, the supervisor will make an effort to determine if the employee is in need of a referral and will make every effort to determine if there are other factors affecting the employee's job performance.

- VI. REPORT COMPOSITION: The summaries of each supervisor's finding with respect to candidates identified as qualifying for EIP will be uniform. A report summary will be drafted for each employee who qualifies under the EIP.
- A. Report Summary: The report of the analysis will include a brief summary of the facts of each incident and/or complaint, the findings and conclusions based on the supervisor's analysis, and a recommended disposition. The Report Summary will contain the following information:
1. Employee's name and payroll number;
 2. The type of indicators that the employee met to qualify for EIP;
 3. A brief summary of each incident;
 4. A brief summation of the meeting between the supervisor and the affected employee, to include, if applicable:
 - a. Any referrals;
 - b. Goals and objectives; or
 - c. Suggestions and comments about the meeting.
- B. Dispositions: After reviewing documentation, taking into account the totality of circumstances and meeting with the employee, the supervisor will recommend a disposition concerning the intervention performed.
1. Dispositions include:
 - a. No further action needed or required;
 - b. Referral, based on the circumstances, to an appropriate entity; or
 - c. In cases in which the EIP activation stems from an open/active Internal Affairs case, **NO** disposition will be rendered as to the facts of the IAB investigation. The disposition will instead make a determination if there is a pattern of behavior, if the employee is in need of some type of services, or if a referral is needed.
- C. Referrals: If it is determined a referral is required, the supervisor has several referral options to consider. The participation of the Training Unit members is a viable and constructive way to ensure the employee is performing their duties within departmental guidelines. Additionally, the use of EAP services should also be considered. Under EIP, referral to training and remediation may be

mandatory, whereas, recommendations to attend psychological counseling or spiritual services are voluntary.

1. Remediation or training:
 - a. The employee may need refresher training in human relations skills, defensive tactics, cultural diversity, driving, certain department policies and procedures, etc. Training will specifically fit the needs of the employee.
 - b. If formal training is recommended, the supervisor will contact the sergeant in the Training Bureau and will coordinate placement of the employee in an appropriate training class or assist with the development of a custom tailored curriculum. Every effort will be made to specifically fit the training to the employee's needs. The training will be scheduled and accomplished as soon as possible after the supervisor's meeting with the employee. A brief synopsis of the training will be documented and will be included with the EIP package.
2. Recommendation to attend a psychological service program for counseling or assistance. The officer may need personal or family counseling, financial and money management counseling, and/or drug or alcohol assistance.
3. Recommendation to attend stress awareness courses. Consideration should be given to physical fitness testing, weight management counseling, and enrollment in a physical exercise program.
4. Transfer to another assignment.

D. Final Review: The report, with the recommended disposition will be completed by the affected division within thirty days and forwarded back to IAB. The IAB captain will then review the summaries and provide a copy to the chief of police, and the appropriate assistant chief of police. The original reports will be maintained at IAB, length of retention will be in accordance with current retention schedules.

In the event that the chief of police does not concur as to the dispositions and/or recommendations, the chief of police will notify the affected assistant chief, as well as the captain of IAB, and address the specific concern in the findings. The chief of police will determine the final disposition.

1. The employee should be fully informed of the findings and disposition.

2. A copy of the report may be retained in the employee's pending file at the supervisor's discretion.

VII. IMPLEMENTATION OF RECOMMENDATIONS:

- A. The department management will determine if participation by employees in counseling and/or training is mandatory or voluntary for the employees.
 1. The division commander will make a determination as to whether the referral will be mandatory or suggested.
 2. In the event the division commander determines that attendance for the referral is mandatory, attendance shall be considered on-duty time and the officer's schedule will be adjusted accordingly.
- B. Transfers, training, and counseling, as a result of this program are not considered punitive or a disciplinary action.

Supersedes SOP 651.1, 3/07.

652 **RANDOM AND MANDATORY SUBSTANCE ABUSE EXAMINATION PROGRAM**

- I. **PURPOSE:** It is the policy of the Tampa Police Department to maintain a drug and alcohol free work environment through the use of a reasonable employee substance abuse testing program. Therefore, in order to ensure the integrity of the department, and to preserve the public trust and confidence in a fit and drug free law enforcement profession, this department has implemented a random and mandatory substance abuse testing program to deter and detect prohibited alcohol and drug use by employees. Substance abuse testing shall be conducted pursuant to the existing labor agreement, this departmental order, and be consistent with workplace drug testing rules promulgated by the State of Florida.¹
- II. **DISCUSSION:** Because substance abuse has serious adverse effects on the work force, the following rules and prohibited activities will apply to all employees:
- A. No employee shall illegally possess any controlled substance.
 - B. No employee shall ingest, inject, or inhale any controlled or other dangerous substance, unless prescribed to them by a licensed practitioner.
 - C. No employee shall ingest, inject, or inhale any prescribed or over-the-counter medication in amounts exceeding the recommended dosage.
 - D. No employee shall possess, consume, or be under the influence of alcohol as defined herein, whether resulting from use on or off the job, while performing duties for the Tampa Police Department, except when expressly necessary to obtain evidence and upon the order of their supervisor.
- III. **DEFINITIONS:**
- A. **Chain of Custody:** Procedures to account for the integrity of each urine and/or blood specimen by tracking, handling, and storage from the point of specimen collection to final disposition of the specimen.
 - B. **Collection Site:** Collection site means a place owned, operated, or contracted by a licensed laboratory or a site prepared by a collector authorized under F.S. §112.0455 and Chapter 59A-24, F.A.C., where individuals present themselves for the purpose of providing a specimen or specimens to be analyzed for the presence of drugs and/or alcohol.

All testing shall be performed by University Community Hospital Occupational Health Service at the following locations: 3102 E. 138th

¹ CALEA [4th Edition] 52.1.7

Street, Tampa; 3012 U.S. Hwy 301, Brandon; and 7001 N. Dale Mabry Hwy, Suite 5, Tampa.

- C. Collection Site Person or Collector: A person who instructs and assists individuals at a collection site and who receives and makes initial examination of the urine specimen provided by those individuals. The person may also perform on-site saliva and/or breath-alcohol screening and/or collect blood specimens for laboratory alcohol confirmation testing.
 - D. Initial or Screening Test: An immunoassay-screening test used by laboratories to eliminate “negative” urine specimens from further consideration. The initial test for blood-alcohol shall be an enzyme oxidation methodology.
 - E. Confirmation Test: All urine specimens identified as presumptively positive on the initial shall be confirmed using qualitative analysis by gas chromatography/mass spectrometry (GC/MS). Blood-alcohol specimens will be confirmed using gas chromatography (GC).
 - F. Drug: The term “Drug” includes controlled substances listed in schedules I, II, III, and IV, F.S. §893.03.
 - G. Drug Abuse: The term “Drug Abuse” includes use of a substance, which has not been legally prescribed and/or dispensed, or the excessive use of a legally prescribed drug.
 - H. Medical Review Officer: Medical review officers are medical or osteopathic physicians duly licensed in the state in which he/she practices medicine and certified as Medical Review Officers by the American Association of Medical Review Officers, or the American College of Occupational and Environmental Medicine. MROs must have knowledge of substance abuse disorders, laboratory testing procedures, chain of custody procedures, collection procedures, and have the appropriate medical training to interpret and evaluate an individual’s drug and/or alcohol test result together with the individual’s medical history or any other biomedical information.
 - I. Reasonable Suspicion: This is factual foundation and rationale, which is interpreted in light of experience.
- IV. RANDOM AND MANDATORY SUBSTANCE ABUSE SCREENING PROGRAM PROCEDURES

notification of all members to be administered the random substance abuse examinations, the maintenance of the records, and payment approvals.²

The Internal Affairs Bureau computer will generate a “blind” scheduling list weekly of sworn personnel for the Random Substance Abuse Examination. The list will contain a predetermined number of names that are mathematically random and not subject to arbitrary manipulation or discrimination.

- A. The selection process will be restricted to the Internal Affairs Bureau commander or his designee.
- B. After the selection has been made, the Internal Affairs Bureau commander shall serve written notification to the selected employee through his division/bureau commander.

If any of the selected employees work other than 8:00 a.m. to 5:00 p.m., Monday through Friday, the division or shift commander will contact the collections site at (813) 924-6678 and make arrangements to have the employee present himself during duty hours. All testing for drugs and intoxicating substances shall be performed by University Community Hospital Occupational Health Service at the following locations: 3102 E. 138th St., Tampa; 3012 US Hwy 301, Brandon; and 7001 N. Dale Mabry Hwy, Tampa.

The notification shall direct the selectee to report to the collection site within one hour after notification for the mandatory random substance abuse examination.

- C. Upon receiving written notification, the employee will document the time and date of receipt in the appropriate space and sign where designated. After completion, the notification form will be returned to the Internal Affairs Bureau by the serving Shift Commander.
- D. If the list of names produced by the computer includes the Internal Affairs Bureau commander or designee running the program, he shall report to the testing facility within one hour.
- E. If sworn personnel who are selected are not available during the week due to sick leave, annual leave, professional leave, etc., the written notification shall be returned to the Internal Affairs Bureau with an explanation.
- F. Sworn personnel **MUST REPORT IMMEDIATELY AND DIRECTLY** to the collection site after being notified by the Internal Affairs Bureau commander or designee. Failure to report to the testing facility within one hour may subject the employee to discipline. Refusal to submit to the test

² CALEA [4th Edition] 22.3.1; 52.1.7

shall be grounds for discipline up to and including dismissal. If an employee is unable to report to the testing facility within one hour of notification, he shall notify his supervisor immediately of the reasons for the delay. Where possible, supervisors shall relieve selected employees of duties preventing timely arrival for testing. If an employee fails to take a substance abuse examination within one hour after notification, the Internal Affairs Bureau will initiate an investigation.

- G. All sworn personnel will act in a professional manner and follow all directives given by the collection site personnel. The collection site personnel shall immediately notify the Internal Affairs Bureau commander of any employee's refusal to cooperate with the procedures set forth herein. The commander shall resolve the matter by phone or dispatch a supervisor to the collection site.
- H. The testing procedures and safeguards provided in this policy to ensure the integrity of the department's Random Substance Abuse Testing Program shall be adhered to by all personnel.
- I. The substance abuse examination will encompass any of the following drugs or their metabolites.

	Positive Threshold Levels	
	Screening	Confirmation
Amphetamines (amphetamine, methamphetamine)	1,000 ng/mL	500 ng/mL
Cannabinoids (11-nor-D9-tetrahydrocannabinol-9-carboxylic acid)	50 ng/mL	15 ng/mL
Cocaine (benzoylecgonine)	300 ng/mL	150 ng/mL
Phencyclidine	25 ng/mL	25 ng/mL
Methaqualone	300 ng/mL	150 ng/mL
Opiates*	300 ng/mL	300 ng/mL
Barbiturates	300 ng/mL	150 ng/mL
Benzodiazepines	300 ng/mL	150 ng/mL
Methadone	300 ng/mL	150 ng/mL
Propoxyphene	300 ng/mL	150 ng/mL

*25 ng/mL if immunoassay is specific for free morphine

- J. An individual will have a positive drug test reported for any urine drug test which has been verified by the Medical Review Officer if the testing laboratory determines the specimen contains a drug (or metabolite) above the screening and confirmatory test threshold levels listed above.

- K. A negative drug test result will be reported for any urine drug test, which has been analyzed by a testing laboratory and found NOT to contain a drug (or metabolite) above the screening levels listed above.

A negative drug test result will also be reported for any urine drug test result which has been analyzed by a testing laboratory and found to contain a drug (or metabolite) above the screening and confirmatory test threshold levels listed above if the Medical Review Officer subsequently determines the result is negative based on verification of prescription information or other acceptable verifiable explanations.

V. MANDATORY DRUG AND/OR ALCOHOL TESTING:

- A. No employee shall possess, consume, or be under the influence of alcohol as defined herein, whether resulting from use on or off the job, while performing duties for the Tampa Police Department.
- B. Any employee having a reasonable basis to believe that another employee is illegally using, or is in possession of a controlled substance, or is using or under the influence of alcohol, shall immediately report the facts and circumstances to a supervisor, who will in turn notify the Internal Affairs Bureau.
- C. A decision to test an employee shall be based on factors such as change in job performance; physical symptoms associated with drug/alcohol usage such as slurred speech and altered motor skills; changes in attention span or attendance; reports or actual witnessing of possession or use of substances; changes in appetite or sleeping habits; or other mannerisms or behavior changes which indicate the suspicion of alcohol or drug usage.
- D. When reasonable suspicion of the use of alcohol or drugs by an employee is brought to the attention of a supervisor, the supervisor shall immediately notify the affected division or shift commander, or manager, and the Internal Affairs Bureau, who will arrange for testing of the employee.

VI. COLLECTION PROTOCOLS: Analysis of urine, blood, or saliva specimens collected under reasonable suspicion or the Random and Mandatory Substance Abuse Examination Program will only be performed by laboratories licensed under F.S. §112.0455, and certified by the Agency on Health Care Administration as complying with drug testing standards and procedures for Workplace Drug Testing Programs, defined in section 59A-24 F.A.C.

All personnel must bring departmental photo identification to the collection site. When a donor arrives at the collection site, the collection site person shall request the donor to present photo identification in the form of departmental I.D. from each employee to be tested. If the donor's identity cannot be established, the

collection site person shall not proceed with the collection. The collection site person shall document the reason for not collecting the specimen and provide the donor with a copy of this documentation.

A. Drug Testing/Urine Collection:

1. The collection site person shall take precautions to ensure that a urine specimen not be adulterated or diluted during the collection procedure and that information on the collection bottle and on the chain of custody form can identify the individual from whom the specimen was collected.

All employees are required to sign the chain-of-custody form. Employees shall not make any modifications, changes, or deletions on any of the required substance abuse examination forms. Failure to complete the chain-of-custody form may result in disciplinary action, up to and including termination.

For urine specimens, toilet-bluing agents shall be placed in toilet tanks so the reservoir of water in the toilet bowl always remains blue. There shall be no other source of water in the enclosure or partitioned area where urination occurs. The collector shall control all other sources of water.

2. Only one donor shall be allowed inside the collection site (restroom) at any given time.

The collection site shall consist of a private and secure restroom facility.

3. Prior to collection, the collection site person shall ask the individual to remove any unnecessary outer garments, such as a coat or jacket, and to empty all clothing pockets. Employees shall not bring anything, including any smoking materials, with them into the collection site. The collection site person shall ensure that all personal belongings, such as a purse or briefcase, remain with the outer garments. The individual may retain his wallet, provided that the collection site person shall check it for possible contaminants. (Employees will not be searched; however, if the collector notes any unusual behavior, abnormal urine temperature, or any other indication that a specimen may have been adulterated, substituted, or diluted, the Internal Affairs Bureau commander shall immediately be notified and another specimen may be collected/witnessed by a same gender collector).

4. The individual shall be instructed to wash and dry his hands prior to urination. After washing hands, the individual shall remain in the presence of the collection site person and shall not have access to any water fountain, faucet, soap dispenser, cleaning agent, or any other materials which could be used to adulterate the specimen.
5. Upon receiving the specimen from the individual, the collection site person shall determine that urine specimens contain at least 30 milliliters (mL) of urine. The collector shall document the appropriate volume of the specimen at the time of collection.
 - a. If there is less than 30 mL of urine in the container, another urine specimen shall be collected in a separate container. Collected specimens, which contain less than 30 mL of urine shall not be submitted to the laboratory for testing. Such specimens shall be discarded in the presence of the donor and such procedure shall be annotated by the collector on the chain of custody form.
 - b. The collector is permitted to give the donor water to drink for the purpose of providing another urine specimen, not to exceed an 8-ounce glass of water every 30 minutes for up to two hours. If the donor still fails to provide 30 mL of urine, the collection site person shall notify the Internal Affairs Bureau commander or his designee, who shall respond to the collection site. The Internal Affairs Bureau representative shall remain with the employee until he provides an acceptable sample. Failure to submit a sample shall be considered a refusal to submit to a drug test.
6. After a urine specimen has been provided and submitted to the collection site person, the individual shall be allowed to wash his hands.
7. No longer than four minutes following the collection, the collection site person shall measure and record the temperature of the urine specimen, as indicated, on the chain of custody form. The temperature-measuring device must be placed on the outside of the container to prevent contamination. If the temperature measurement is not conducted within four minutes, the specimen shall be rendered invalid and shall be rejected. A second specimen shall be collected and a new chain of custody form generated.

If the temperature of a urine specimen is outside the range of 90 - 100° Fahrenheit, there is reason to believe that the donor may have

altered or substituted the specimen and another urine specimen shall be collected under the direct observation by an observer of the same gender as the donor. The Internal Affairs Bureau commander or his designee shall be notified. The reason for the observed collection and the identity of the direct observer shall be documented on the chain of custody form.

8. Immediately after a urine specimen is collected, the collection site person shall also inspect the specimen to determine its color and look for any signs of contaminants. Any unusual findings shall be noted on the chain of custody form, and the Internal Affairs Bureau commander or his designee shall be notified.
9. Whenever a collection site person has reason to believe that a particular individual may alter or has altered or substituted a urine specimen, a higher level supervisor at the collection site or at the laboratory shall review the decision and concur in advance with the collection of a second specimen under the direct observation of an observer of the same gender as the donor. Once approved by a higher level supervisor, the collector shall require the individual to provide another specimen under direct observation. If the same gender observer is not the collector, the observer shall be identified on the chain of custody form. The observer, if different from the collector, shall not handle the specimen and the donor shall hand the specimen to the collector in the observer's presence. The observer shall keep the specimen in sight at all times prior to it being sealed. A new chain of custody form shall be executed to accompany any specimen collected under direct observation. Information regarding a specimen collected under direct observation shall be included on both the new chain of custody form and on the original form in the remark section. In addition, the new chain of custody specimen identification number shall be annotated on the original form. Both specimens shall be sent to the laboratory to be analyzed.
10. The individual being tested, the collection site person, and the observer, if used for direct observation, shall keep the specimen in view at all times prior to it being sealed and labeled.
11. The collection site person shall place securely on the bottle, an identification label containing the donor's specimen number, which matches the specimen number on the chain of custody form, and the date.

The employee (donor) and the collector shall initial the identification label on the specimen bottle for the purpose of certifying that it is the specimen collected from the donor.

12. The collector shall enter all required information on the chain of custody form.
13. Employees shall not make any modifications, changes, or deletions on any of the required substance examination forms except as directed by the collector. The individual shall be asked to sign a statement on the chain of custody form certifying that the specimen identified as having been collected from him/her is in fact that specimen he/she provided. All employees are required to sign the chain of custody form when requested to do so by the collector.
 - a. It shall be noted and signed on the chain of custody form by the collection site person, with a witness' signature, if the individual refuses to sign this statement. Failure to complete the chain of custody form may result in disciplinary action, up to and including dismissal.
14. While any part of the above chain of custody procedures is being performed, it is essential that the specimen and the chain of custody form be under the control of the collection site person. If the collection site person leaves his work station momentarily, the specimen and the chain of custody form shall be taken with him or shall be secured in a locked room, drawer, file cabinet, etc. After the collection site person returns to the workstation, the chain of custody process will continue. If the collection site person is leaving for an extended period of time, the specimen shall be packaged for shipment before he/she leaves the site.
15. Upon completion of the collection process, tested employees will receive a copy of the laboratory chain of custody form. The reverse side of the employee's chain of custody form will contain a list of the over-the-counter and prescription medications which can interfere with a drug test result and is provided to facilitate the employee's providing the Medical Review Officer with information necessary to determine a verifiable result (either positive or negative) if the testing laboratory reports an unverifiable result.

B. Alcohol Testing:

1. To preclude unnecessary blood testing for alcohol, non-invasive collection-site saliva and/or breath screening tests for alcohol may

be used under the Mandatory Substance Abuse Examination Program to determine the need for blood-alcohol confirmation testing.

2. The devices used for alcohol screening by the collection site person shall be listed as conforming products by the National Highway Traffic Safety Administration (NHTSA) for use in screening U.S. Department of Transportation (DOT) regulated employees.
3. If the results of the screening test produce a result of less than 0.02 g/dL, the result will be noted by the collection site person for verification and reported as negative to the Internal Affairs Bureau commander, or his/her designee.
4. If the results are 0.02 g/dL or greater, the collector will immediately draw a blood specimen using aseptic venipuncture technique for blood-alcohol confirmation testing by the laboratory. The venipuncture site for blood alcohol shall be cleaned with a non-alcoholic antiseptic substance. A confirmed laboratory result, verified by the Medical Review Officer, at 0.02 g/dL will be reported as positive. The Internal Affairs Bureau will be notified. The laboratory will report results below 0.02 g/dL as negative.
5. Documentation of the collection process for blood-alcohol testing shall be carried out in the same manner as prescribed for urine specimens using a separate but identical chain of custody form.
6. The collection site person shall arrange to send the collected specimen(s) by express shipment, courier, or U.S. Mail to the drug-testing laboratory, which is designated by the employer. The specimens shall be placed in containers designed to minimize the possibility of damage during shipment. Prior to shipping or storage, the collection site person shall ensure that the specimen container(s) are sealed with forensic tamper-proof tape; the forensic tamper-proof tape contains initials of the donor, the date the specimen was sealed in the specimen container; and the completed chain of custody form. The specimen container shall be enclosed and sealed in a tamper-proof sealable plastic bag before packaging for shipment to the drug-testing laboratory.

VII. MEDICAL REVIEW OFFICER PROCEDURES:

- A. The laboratory shall test and report drug test results to the Medical Review Officer, (MRO), no more than three working days after the receipt of the specimen in the laboratory.

- B. The MRO shall evaluate the drug test result(s), which is reported out by the laboratory, to verify by checking the chain of custody form that the specimen was collected, transported, and analyzed under proper procedures, as specified in these rules, and to determine if any alternative medical explanations caused a positive test result. This determination could include conducting a medical interview with the individual, review of the individual's medical history, or the review of any other relevant bio-medical factors. The MRO shall review all medical records made available by the tested individual. The MRO shall not consider the results of samples that are not obtained or processed in accordance with these rules.
- C. The MRO shall notify the employer in writing of a negative test result no more than seven working days after the specimen was received by the laboratory, and appropriately file copy two and four of the chain of custody form under confidential procedures for a period of two years.
- D. To verify that a positive test result was properly analyzed and handled according to these rules, the MRO shall receive and review the test result(s) from the laboratory; verify the laboratory report by checking the chain of custody form for required signatures, procedures, and information; ensure that the donor's specimen identification number on copy two of the laboratory test report and on copy four of the chain of custody form which was sent to the MRO by the collection site accurately identifies the donor with the positive test result; notify the employee of a confirmed positive test result, and within three days of receipt of the test result from the laboratory, inquire as to whether prescription or over-the-counter medications could have caused the positive test result.
- E. Within five days of notification to the donor of the positive test result, the MRO shall provide an opportunity for the employee to discuss his positive test result and to submit documentation of any prescriptions relevant to the positive test result; review any medical records provided by the employee, or authorized by the employee and released by the individual's physician, to determine if the positive test result was caused by a legally prescribed medication.
- F. If the donor does not have prescribed medication, the MRO shall inquire about over-the-counter medications which could have caused the positive test result. The MRO may order such additional laboratory tests as may be necessary to corroborate the presence of other legal substance(s) which could have produced a positive laboratory test result.

- G. The donor shall be responsible for providing all necessary documentation (i.e., a doctor's report, signed prescription, etc.) within the five day period after notification of the positive test result
 - H. The MRO must notify the employer in writing of the verified test result, either negative, positive, or unsatisfactory, no more than seven working days after the specimen was received by the laboratory, and appropriately file the chain-of-custody form under confidential procedures for two years.
 - I. If the MRO determines that there is a legitimate medical explanation for the positive test result based on the medical judgment of the MRO and accepted standards of practice, the MRO shall report a negative test result to the employer.
 - J. If the MRO is unable to contact a donor who tested positive within three working days of receipt of the test results from the laboratory, the MRO shall contact the employer and request that the employer direct the donor to contact the MRO as soon as possible. If the MRO has not been contacted by the donor within two working days from the request to the employer, the MRO shall verify the report as positive.
 - K. As a safeguard to employees, once an MRO verifies a positive test result, the MRO may change the verification of the result if the donor presents information to the MRO which documents that a serious illness, injury, or other circumstance unavoidably prevented the employee from contacting the MRO within the specified time frame and if the donor presents information concerning a legitimate explanation for a positive test result.
 - L. If the donor declines to talk with the MRO regarding a positive test result, the MRO shall validate the result as positive and annotate such decline in the remarks section of the written report.
 - M. Drug testing laboratories shall retain and place all confirmed positive urine specimens in locked, secured, long-term frozen storage (-15° Celsius or less) and confirmed positive blood specimens in locked, secured, long-term refrigerated storage (68° Celsius) for a minimum of 210 days. Within this 210-day period, an employer, employee, or MRO is permitted to request in writing that the laboratory retain the specimen for an additional period of time. If no such request is received, the laboratory is permitted to discard the specimen after 210 days of storage. When notified in writing, the laboratory shall be required to maintain any specimens under legal challenge until such challenge is resolved.
- VIII. EMPLOYEE RIGHTS OF APPEAL: The MRO shall process any donor requests for a retest of the original specimen within 180 days of notice of the positive test result, at another similarly licensed laboratory selected by

the employee or the job applicant. The donor requesting the additional test shall be required to pay for the costs of the retest, including handling and shipping expenses. The MRO shall contact the original testing laboratory to initiate the retest.

- IX. REPORTING OF DRUG TEST RESULTS: Following verification of a positive test result, the Medical Review Officer will notify the Internal Affairs Bureau commander or his/her designee. The Internal Affairs Bureau will conduct the appropriate investigation pursuant to SOP 651.

Supersedes SOP 652, dated 7/03.

656 **PICK-UP ORDERS**¹

- I. **DISCUSSION:** The method of initiating and processing pick-up orders is a vital responsibility of law enforcement agencies. Therefore, there must be a procedure that clearly defines the method of producing the appropriate paperwork with the required information. This pick-up order procedure is intended to eliminate possible errors attributable to any inconsistencies in the process.
- II. **RESPONSIBILITY:**
- A. It is the responsibility of law enforcement officers, and in some cases, community service officers (CSOs), public service officers (PSOs) and investigative assistants, to identify the need for, and place, pick-up orders or BOLOs using the following guidelines:
1. A felony has been committed or probable cause exists to believe a felony has been committed (pick-up must be originated by sworn officer);
 2. Pick-ups will not be placed for misdemeanor violations (with the exception of certain misdemeanor acts of domestic violence; see SOP 314.2-b.7) (pick-up must be originated by sworn officer);
 3. A vehicle, boat, trailer or tag is reported stolen and there is no report of repossession or impound;
 4. A vehicle is wanted in connection with the commission of a felony (pick-up must be originated by sworn officer);
 5. A firearm is reported stolen, lost or missing and the make/model and serial number is known; and/or
 6. A person is reported as missing or a juvenile runaway. Also included in this category are BOLO (Be On Look Out) pick-up orders for persons wanted for information that might lead to an arrest, and individuals being sought for an emergency message.
- B. It is the responsibility of an officer receiving additional or corrected information pertaining to an active pick-up to convey this information to the Communications Technician assigned to the Administrative Desk and prepare the required supplemental reports.
- C. It is the responsibility of personnel assigned to the Communications Bureau, Administrative Desk, to receive and record all pick-up and cancellation orders and forward them to the appropriate section for processing.

¹ CALEA [5th Edition] 74.1.3

- D. It is also the responsibility of the Communications Bureau to broadcast pertinent pick-ups and cancellation information and in certain cases, to relay pick-up and cancellation information to other police agencies.
- E. It is the responsibility of a field officer or latent investigator to cancel a pick-up on a wanted person or vehicle when he or she receives information that the person or vehicle has been located or is no longer wanted; and to prepare the required supplemental reports containing the cancellation.
- F. It is the responsibility of any employee of the Police Department who receives a certified letter or any other form of verbal or written communication, advising that a pick-up on a vehicle should be canceled, to initial and send the letter to the Validations Unit.
- G. It is the responsibility of the Validations Unit to validate, and if necessary cancel and document, pick-ups on vehicles when the owner advises via certified mail or any other form of verbal or written communication that such vehicles are in the owner's possession. The Community Service Officer (CSO) who checks this information shall supplement their action in Versadex.
- H. It is the responsibility of the Communications Bureau to maintain the Administrative Desk on a 24-hour basis.

III. PROCEDURE:

- A. When placing a formal pick-up, the officer will provide Administrative Desk personnel with information necessary to place a standard pick-up order. If the pick-up is of an emergency nature, the officer may transmit a temporary alert via radio provided the Administrative Desk is notified at the first opportunity.
 - 1. When an officer alerts the dispatcher in Communications of a temporary pick-up being placed pertaining to a major crime, the Communications Technician will send the alert to all primary radio channels via CAD message and notify the adjoining law enforcement agencies by phone via the direct line when requested to do so.
 - 2. If the officer originating a pick-up deems it necessary to inform other police agencies via FCIC administrative messages he or she will obtain authorization from his or her supervisor and, upon receiving approval, provide the necessary information to the Communications Bureau.
 - 3. When placing a pick-up for a vehicle with an administrative hold for this department, the officer must instruct the Administrative Desk Communications Technician to put "Notify TPD/Do Not Molest" and valid 24-hour contact information for the originating detective in the remarks section at the time of data entry.

- B. When an administrative message is received in the Communications Bureau from another police agency pertaining to a wanted person or vehicle, the message will be assigned and routed to the division or district concerned.

If the assigned officer determines that a pick-up order is necessary, he or she will initiate a pick-up order in accordance with this procedure.

- C. Upon determining that a pick-up requires cancellation, the officer will provide Administrative Desk personnel with the necessary information to cancel the pick-up order, and electronically route the required supplemental report to the appropriate latent investigation squad's "Handle". The officer canceling a local pick-up must retrieve the affidavit either in person or by intra-department mail.

Pick-up cancellations will be processed through the Communications Bureau, Administrative Desk per similar procedures to ensure dissemination.

- D. Pick-up cancellations shall be promptly made when the suspect is arrested or a warrant has been issued. Cancellations will also be made in unfounded cases, complaint withdrawals, or cases, which have been sent to the State Attorney's Office for review.

1. Runaway/missing persons cancellations will be made when the person has returned or has been located.
2. Cancellations on vehicles or firearms will be made when the vehicle or firearm is located or the latent investigator assigned to the case deems it appropriate.

- E. When a vehicle in a TPD case is recovered by another jurisdiction, the Communications Technician assigned to the Administrative Desk will be responsible for:

1. Canceling the pick-up in accordance with CJIS policy;
2. Notification to the owner/responsible party of the recovery and pertinent details pertaining thereto or verify the recovering jurisdiction's notification;
3. If the owner/responsible party cannot be notified by telephone, an officer will be dispatched to the address on the original report;
4. Originate the recovery supplement to include:

- a. Whether or not the owner/responsible party was notified and what attempts were made;
 - b. Attach all administrative messages with regard to the recovery to the Versadex report; and
 - c. Include any additional information gathered that will aid in furthering the criminal investigation.
 5. Notify the affected DLIS supervisor of the electronic recovery.
- F. Most vehicle rental companies notify law enforcement via certified mail when they recover a stolen vehicle.
1. Upon receiving a certified letter from an owner advising that a vehicle is in the owner's possession, the Validations Unit will research the information provided.
 2. If the vehicle described in the letter is found to have an active pick-up, the pick-up will be canceled.
 3. A supplement will be prepared documenting the fact that the pick-up was canceled and why.
 4. The letter will be forwarded to the Records Section and imaged to report in the Records Management System.
 5. If research reveals that the vehicle in question does not have an active pick-up, the letter will be forwarded to the Records Section and imaged to the report in the Records Management System and no further action will be needed. The Community Service Officer (CSO) who checks this report shall note "no pick-up found" and initial the letter.

Supersedes SOP 656, dated 4/08.

656.1 THE BOLO LIST¹

- I. DISCUSSION: It is necessary to supply employees with descriptive information regarding current pick-up and cancellation orders on a routine basis. BOLO (Be On the Look Out) List is designed as a vehicle for the continuous flow of information about wanted persons, vehicles, and tags likely to be in the department's jurisdiction (also see SOP 656).
- II. PROCEDURE:
 - A. The communications technician assigned to the Administrative Desk will enter information about pick-ups submitted by officers for persons wanted for the commission of a felony; missing persons; vehicles stolen or wanted in connection with a felony; and stolen vehicle tags, into the Versadex Records Management System. The information will be collected and recorded on the BOLO List instantly as a pickup or cancellation occurs.
 - B. The BOLO List will be updated and available to the entire department at the issuance or cancellation of each incident.
 - C. The BOLO List will be available for printing at the district level and may be viewed at any time by mobile units.
 - D. Officers are responsible for ensuring that individuals, vehicles, tags, etc. are removed from the BOLO List as quickly as practicable upon the officer making contact, arrest or recovery. The officer's report should document the date and time of removal from the BOLO List.

Supersedes SOP 656.1, dated 1/06.

¹ CALEA [5th Edition] 12.1.4; 41.1.2; 74.1.3

662 AWARDS¹

- I. DISCUSSION: The desire for recognition is a motivation that may be utilized to increase the effectiveness of the department. Commendation and praise are more effective tools of leadership than criticism and disciplinary measures. Leaders should use every opportunity to call the attention of others to outstanding accomplishments. Care should be taken to avoid giving undue praise to the exclusion of others having equal claim to the credit.

- II. DEFINITIONS:
 - A. Specialty Awards:
 1. Gold Cross: An award presented posthumously to the family of personnel who were killed or who died under honorable conditions while in the performance of official duties.
 2. Police Purple Shield: An award presented to any sworn employee who in the line of duty suffers death, an extreme physical or permanent injury or is wounded to the extent that the injury or wound is life changing. The death, injury or wound must have been sustained as a direct result of a weapon used against the officer while taking police action.
 3. Medal of Honor: The highest medal awarded to any employee who, in the line of duty, distinguishes himself by an act of heroism at imminent personal danger to his life and with knowledge of the risks. The act must have been performed for the purpose of saving or protecting human life and so outstanding that it clearly distinguishes his courage.
 4. Citizen Medal of Valor: The highest medal presented by the Department to honor a non-departmental member or citizen. This medal may be awarded to citizens who display extreme courage or heroism during a police action in an effort to provide protection or preservation of life.
 5. Award of Valor: An award presented to any employee who, in the line of duty, distinguishes himself by an act of outstanding bravery involving risk of serious personal injury for the purpose of saving or protecting human life; or, while effecting an arrest or conducting an investigation, willingly accepted risks that exposed him to grave personal danger.
 6. Life Saving Award: An award presented to any employee who, in the line of duty, physically rescues a person from the likelihood of certain death; or renders first aid to a person whose life is in immediate jeopardy.
 7. Award of Merit: An award presented to any employee who performs an act or acts of intelligent and valuable police service, such as the

¹ CALEA [5th Edition] 26.1.2

submission of any device, protocol, program or method adopted to increase efficiency and/or effectiveness in an administrative or operational procedure; or is responsible for a highly creditable and or unusual police accomplishment.

8. Excellent Duty Award: An award presented to any employee who exhibits an excellent level of sustained performance or who performs a task, assignment, investigation or self-initiated action in an exemplary manner. This award rises above the level of recognition warranted by a Certificate or Appreciation.
9. Unit Citation Award: An award presented to a unit or group of employees who while working together continually exhibit outstanding performance to duty; or together in a combined effort, are responsible for the successful multiple closure of criminal cases or effecting an arrest(s) in an unusual or highly publicized case.
10. Civic Award: An award presented to any employee by an outside group, organization or other entity that wishes to recognize the contribution of a member of this organization with the approval of the department.
11. Retirement Award: An award presented to any employee retiring, based on longevity, or, at the discretion of the chief of police, an employee retiring as a result of a disabling injury.
12. Certificate of Appreciation: An award for exemplary performance (not meeting the definition of the award categories) in a specific incident, which warrants documentation for future favorable reference. There are two categories for this award: Officer-Employee and Citizen.
13. Citizen Appreciation Medal: An award for heroic performance by a citizen (exceeds the definition of the Certificate of Appreciation) in a specific incident, which he/she risks their own safety to aide an officer in distress.

B. Monthly and Annual Awards:

1. Officer of the Year: Awarded to a full-time officer annually for recognition as one who has consistently performed in an exemplary manner, is true to the ethics of the police service, and is highly deserving of the faith placed in him by the public.
2. Employee of the Year: An award presented annually to a full-time non-sworn employee as recognition of an individual who has performed exemplary service continually throughout the previous calendar year.
3. Reserve Officer of the Year: Awarded to a Reserve Force officer annually for recognition as one who has constantly performed in an exemplary

manner, is true to the ethics of the police service, and is highly deserving of the faith placed in him by the public.

4. Officer/Employee of the Month: Employees selected monthly for recognition of outstanding performance or meritorious service.
 5. Volunteer of the Year: An award presented annually to a volunteer worker, who has committed a monthly minimum of 25 hours and has worked at least three (3) years with the City of Tampa Police Department Civilian Volunteer Assisting Police (C.V.A.P.) program.
 6. Citizen of the Year: An award presented to a private citizen for outstanding contributions to the Police Department and the City of Tampa.
 7. Business Partnership of the Year: An award presented to a company that has teamed up with the Tampa Police Department donating many needed items for the communities within the City of Tampa.
 8. Community Policing Award: An award presented annually to any employee, who distinguishes him/herself by the contribution that he/she made during the previous year in the field of Community Oriented Policing. The contribution may involve his/her efforts in enforcement through problem solving; their work with a citizen group(s) and/or the creation and adoption of a law, program, process or procedure that significantly and favorably improved the quality of life in Tampa.
 9. Major David Fairbanks Memorial Award: An award presented annually to an employee assigned to QUAD, SAC or Narcotics for outstanding contributions in specialized police service in the community.
 10. Bell/Childers Memorial Award: An award honoring the memory of fallen Homicide Detectives Randy Bell and Rick Childers. The award will recognize the outstanding achievements of a prosecutor from the Hillsborough County State Attorneys Office. The Hillsborough County State Attorneys Office will submit the award nomination.
- B. Awards Committee: The Executive Staff of the department will serve as the Awards Committee. The Public Information Office (PIO) will be the designated recipient of all nominations (TPD 614).

III. PROCEDURE:

- A. Nomination/Selection Procedure:
1. Any employee may forward a Tampa Police Department Recommendation for Award (TPD 614), containing complete details, through the chain of command to his division commander recommending that an employee receive an award.

- a. The white copy will be forwarded through the chain of command to the PIO.
 - b. The yellow copy will be retained by the writer of the recommendation.
 - c. The pink copy will be forwarded directly to the PIO where a pending file will be maintained.
2. The appropriate division commander will thoroughly review all recommendations for awards prior to submission to the PIO.
 3. Upon receipt of a recommendation, the PIO shall ensure the dissemination of the award nominations to members of the executive staff. The executive staff will consider the nomination at a later date.
 4. Upon approval by the chief of police, notice of the award will be forwarded to the Special Support Division, Support Services Bureau, Personnel and Training Section. The appropriate certificate will be prepared and attached to a copy of the original nomination.
 5. The following completed certificates shall be accompanied by a citation that provides details of the actions for which the recipient was chosen and shall be signed by the division or bureau commander.
 - a. Officer of the Month
 - b. Officer of the Year
 - c. Employee of the Month
 - d. Employee of the Year
 - e. Reserve Officer of the Year
 - f. Volunteer of the Year
 - g. Citizen of the Year
 - h. Business Partnership of the Year
 - i. Community Policing Award
 - j. Major David Fairbanks Memorial Award
 - k. Bell/Childers Memorial Award
 6. A citation, unlike a recommendation, must be a concise but comprehensive document suitable for reading at a public event.
 7. It will be the responsibility of the PIO to prepare the citation for these awards. The citation will be premised on the award nomination.
 8. When an officer or employee who was nominated for an award receives an award (e.g., medal of honor, medal of valor, commendation, life-saving, excellent duty or unit citation) or a letter of appreciation in lieu of an award, the following process will be applied:

- a. The nomination package will be sent to the Special Support Division, Support Services Bureau, Personnel and Training Section to create an award certificate. Upon completion, the packet, along with the certificate will be forwarded to the division or bureau secretary. The secretary will type a memo from the division or bureau commander for his/her signature, who will present the memo and certificate to the employee.
9. A copy of all awards and letters of appreciation will be forwarded to the Special Support Division, Support Services Bureau, Personnel and Training Section.
- B. Routing Procedure:
1. The PIO will notify award recipients of their selection for an award and the time and date the award will be presented, if applicable.
 2. A copy will be placed in the recipient's department personnel service record.
 3. Copies of recommendations for an award not approved by the Awards Committee will be returned to the originating division and placed in the employee's Pending Evaluation File.
- C. Retirement Awards: An employee having met requirements for longevity retirement or, at the discretion of the chief of police, having been retired medically under certain conditions, will receive a retirement award from the department commemorating his service with the city. This award is generally presented at a scheduled executive staff meeting.
1. A recommendation for a retirement award is not required. The employee's letter of retirement to the chief of police will serve as the means to set this process in motion.
 2. Additional awards, plaques or gifts may be presented on a division, bureau or unit level, at the discretion of the appropriate commander.
- D. Presentation of Awards:
1. The chief of police will determine where and how awards will be presented. Typically, with the exception of the Officer of the Month award that is normally presented at City Council, all awards are presented at a scheduled executive staff meeting or at roll call.
 2. The Tampa Police Department Annual Award Ceremony recognizes the heroic deeds, commitment and accomplishments of dedicated officers and citizens. The Special Operations Bureau will be tasked with the

responsibility of scheduling and planning this event and the Coy L. Sykes' Hero Luncheon. Specific citations outlining the award recipient's accomplishments will be authored and included in the program agenda. The citations will be premised on nominations and authored by the PIO

a. The following award recipients will be recognized at these events:

1. Officer of the Year;
2. Employee of the Year;
3. Reserve Officer of the Year ;
4. Volunteer of the Year;
5. Citizen of the Year;
6. Business Partnership of the Year;
7. Chief's Community Policing Award;
8. Major David Fairbanks Award; and the
9. Bell/Childers Memorial Award.

E. Civic Awards:

1. Any organization, private or civic, wishing to present an award on behalf of its organization, shall make its request to the chief of police for approval.
2. The PIO will coordinate the nomination and selection for such awards. Someone within the chain of command of the nominee will write the nomination citation and submit to the PIO.
3. The PIO will forward the department nomination to the requesting entity along with a cover sheet.

F. Award Funding: The department will fund approved awards or will approve funding for awards sponsored by other entities.

IV. CERTIFICATE CITATIONS:

- A. The Gold Cross is awarded to the family of _____ who was killed or died under honorable conditions while in the line of duty.
- B. The Police Purple Shield is awarded to _____ who suffered a permanent or life changing wound, injury, or death as the direct result of a weapon used while taking police action while in the line of duty.
- C. The Medal of Honor is awarded to _____ who distinguished himself by an act of heroism in the face of imminent personal danger without regard for his own life while in the line of duty.
- D. The Citizen Medal of Honor is awarded to _____ who distinguished himself by an act of extreme courage or heroism during a police action in an effort to provide protection or preservation of life.

- E. The Award of Valor is awarded to _____ who distinguished himself by an act of outstanding bravery without regard for his own personal safety while in the line of duty.
- F. The Life Saving Award is awarded to _____ who physically rescued a person from the likelihood of death or rendered life saving first aid while in the line of duty.
- G. The Award of Merit is awarded to _____ who distinguished himself by performing an act or acts of valuable police service; or is responsible for a highly creditable police accomplishment.
- H. The Excellent Duty Award is awarded to _____ who distinguished himself by exhibiting an excellent level of sustained performance or performed a task, assignment, investigation or self-initiated action in an exemplary fashion while in the line of duty.
- I. The Unit Citation Award is awarded to _____ for the role that he/she played in working with other members of their group or unit in attaining a collective level of performance worthy of recognition.
- J. The Certificate of Appreciation:
1. The Certificate of Appreciation is awarded to _____ for exemplary performance in a specific incident. This award exemplifies a commitment to provide the highest level of police service. ***Note: *Awarded to officer or employee.*
 2. The Certificate of Appreciation is awarded to _____ for the exemplary contribution to the Community and Tampa Police Department in improving the quality of life and for making the City of Tampa a safer place to live, work and visit. ***Note: *Awarded to citizen.*
- K. The Officer of the Year is awarded to _____ in recognition of consistent, exemplary and ethical performance and accomplishment in police service to the community and department in _____ (list year). Awarded this _____ (list award month and year).
- L. The Employee of the Year is awarded to _____ in recognition of consistent, exemplary and ethical performance and service to the community and department in _____ (list year). Awarded this _____ (list award month and year).
- M. The Reserve Officer of the Year is awarded to _____ in recognition of consistent, exemplary and ethical performance and accomplishment in reserve police service to the community and department in _____ (list year). Awarded this _____ (list award month and year).

- N. The Officer/Employee of the Month is awarded to _____ in recognition of outstanding performance or meritorious service to the department and community during _____ (list month and year). Awarded this 1st day of _____ (list award month and year).
- O. The Volunteer of the Year Award is awarded to _____ for dedicating his/her valuable time and assistance to a variety of tasks at the Tampa Police Department.
- P. The Citizen of the Year Award is awarded to _____ in appreciation for his/her tireless dedication, community involvement and effort put forth to make the community a better place to live.
- Q. The Business Partnership of the Year Award is awarded to _____ for his/her dedication and contributions to the community in an effort to make the City of Tampa a better community in which to live.
- R. The Chief's Community Policing Award is awarded to _____, for his/her exemplary contributions to the Department's Community Oriented Policing efforts. Your contribution improved the quality of life for citizens and made Tampa a safer place to live, work and visit.
- S. The Major David Fairbanks Memorial Award is awarded to _____ for outstanding contributions in a specialized police service while assigned to _____. (ROC or Strategic Investigations Bureau.)
- T. The Bell/Childers Memorial Award is awarded to Hillsborough County Assistant State Attorney _____, whose unselfish contributions and exemplary achievements through the professional practice of law, has made the City of Tampa a safer place to live, work and visit.
- U. The Citizen Appreciation Medal is awarded to _____ for your act of outstanding bravery without regard for your own safety while assisting an officer in distress.

Supersedes SOP 662, dated 8/05.

662.1 SAFE DRIVER AWARD¹

- I. **DISCUSSION:** As a necessary function in carrying out assigned duties, an employee might drive a city vehicle thousands of miles each year, and do so without an accident. When this occurs, the department wishes to recognize the employee for such an accomplishment by presentation of a safe driver award.

Those employees eligible for such an award are those whose assigned duties require the daily and constant operation of a city vehicle, and who have not been involved in a vehicle accident in which they were determined to be at fault, or to have negligently or carelessly contributed to the accident, for a period of one year.

The objective is to recognize those employees who have not been involved in an avoidable accident. Decisions as to eligibility for the award will be made with that purpose in mind.

An employee whose primary duties are such that they do not require daily and constant operation of a vehicle is not eligible for the award.

II. **PROCEDURE:**

- A. At the time of the annual performance evaluation or the time of eligibility of an employee, who might be eligible for a safe driver award, the rater will research the personnel service record of the employee to determine if the above criteria are met.
- B. If it is determined that the employee has met the criteria, the rater will document the information on the Evaluation Attachment in the section titled "Safe Driving Award." The effective date and the number of years of safe driving will be entered.
- C. A memo will be sent to the Fiscal Bureau from the respective rater advising the employee has accrued safe driver incentive leave according to PBA Article 39.2.
- D. When the Evaluation Attachment is received by the Personnel and Training Unit, the effective date and number of years will be entered into the Personnel Tracking System (Infobase).
- E. An eligible employee who has been accident free, as previously defined:
1. For a period of five consecutive years, the Personnel and Training Unit will originate a Safe Driver Certificate. The original will be forwarded to the employee and a copy placed in the employee's

¹ CALEA [5th Edition] 26.1.2

personnel file. A safe driver medal will also be sent to the employee.

2. For a period of ten consecutive years, and for each additional consecutive five-year increment, a star will be awarded to be affixed to the safe driver medal and an additional certificate will be issued to the employee.

- G. The medal may be worn over the right shirt pocket of the uniform so long as the employee maintains the safe driving record.

Supersedes SOP 662.1, dated 1/07.

662.2 LETTERS OF COMMENDATION

665 EXPOSURE CONTROL PLAN

c.

. The medication must be given within two hours of the initial exposure for the greatest benefits.

665.2 BIOHAZARD EVIDENCE AND DRYING ROOM

- I. **PURPOSE:** To provide a uniform procedure to protect personnel when handling bio-hazardous evidence.
- II. **DISCUSSION:** Due to the nature of duties of department personnel, contact with potentially dangerously contaminated articles of clothing and other evidence is inevitable. To help minimize potential risk to officers and other personnel, the Tampa Police Department has installed Dry Safe™ Forensic Evidence Drying Cabinets.
- III. **DEFINITIONS:**
 - A. **Drying Cabinet:** A filtered cabinet designed to allow the safe drying of clothing and other evidence in a fashion that prevents bio-hazardous contamination and enhances the capture of all possible evidence.
 - B. **Bio-hazardous Evidence Log and Inventory:** A form used to track the handling of bio-hazardous evidence during processing.
- IV. **RESPONSIBILITY:**
 - A. It is the responsibility of officers, detectives or crime scene technicians gathering evidence to determine if it has been contaminated with bodily fluids or any unknown liquids.
 1. If contamination is perceived, contaminated clothing or evidence shall be handled and packaged according to this SOP and SOP 665 - Exposure Control Plan.
 2. After being properly packaged, the evidence will be taken to the service counter of the Forensic Investigation Unit on the fourth floor at TPD Headquarters and custody transferred to a crime scene technician (CST) or shift supervisor.
 - B. The crime scene technician or shift supervisor receiving the contaminated evidence shall:
 1. Preserve the evidence,
 2. Maintain the chain of custody by properly documenting all actions involving the evidence,
 3. Ensure that the evidence is properly installed inside of a drying cabinet in compliance with this SOP and SOP 665 - Exposure Control Plan.

- C. The crime scene technician removing the contaminated evidence from the drying cabinet shall:
1. Ensure that the evidence has dried completely,
 2. Ensure that no potential evidence goes down the cabinet's drain,
 3. Ensure that the drying cabinet is properly cleaned, and
 4. Ensure that the evidence is properly packaged and submitted to the Property Room.

V. PROCEDURES:

- A. Upon confiscating an item as evidence, the officer or crime scene technician will:
1. Check for body fluids or unknown liquid contamination. If such is found, the item will be handled as described in SOP 665 (Exposure Control Plan) for biohazards.
 2. Place each contaminated item separately in a biohazard bag and sealed with biohazard tape (never stapled) after the excess air has been released.
- B. If the bodily fluids on the confiscated items from an individual known or reasonably believed to have A.I.D.S., Hepatitis, or some other infectious disease, all the separately sealed bags will be placed inside of another biohazard bag and sealed with biohazard tape after the excess air has been released.
- C. If the person gathering the evidence is a crime scene technician, the CST will:
1. Take the contaminated item(s) to the drying room prior to the end of their shift, and
 2. Place the contaminated item(s) inside a drying cabinet, following the procedure detailed in this SOP.
- D. If the person gathering the evidence is sworn, the officer or detective will:
1. Prepare an inventory sheet (*Biohazard Evidence Log and Inventory Form*) of the contaminated items within the biohazard bags.
 2. List each bagged item separately. "*Miscellaneous items of clothing*" is not an acceptable entry.

3. Write the report number, the name and address of the complainant(s) and his or her own name and I.D. number on the inventory sheet (*Biohazard Evidence Log and Inventory Form*).
 4. Sign the inventory sheet (*Biohazard Evidence Log and Inventory Form*) to attest that all items are listed and document all actions taken with the evidence in the original report or a supplement as applicable.
- E. Before the end of the officer's shift, the officer will:
1. Take the evidence contained within the biohazard bag(s) to the service counter of the Forensic Investigation Unit on the fourth floor at TPD Headquarters.
 2. Release the bag(s) and a copy of the inventory sheet (*Biohazard Evidence Log and Inventory Form*) to a crime scene technician. If there are no crime scene technicians available, the evidence will be given to a Forensic Investigation Unit shift supervisor.
 3. Obtain the name and I.D. number of the employee receiving the evidence and document the information in the report or supplement.
- F. The crime scene technician receiving the contaminated evidence will:
1. Take the sealed bag(s) to the drying room as soon as possible.
 2. Safely remove the contaminated item from the sealed bag(s).
 - a. In all cases, a mask and gloves will be worn.
 - b. If there is reason to suspect the contaminated bodily fluids are from a serious, communicable disease, a protective gown or two-piece suit will be worn, and double gloves used.
 - c. Any bag(s) that were in direct contact with the confiscated evidence shall be included in the drying cabinet as evidence.
 3. Place the evidence into a drying cabinet and ensure the cabinet is sealed.
 4. Add his or her name on the inventory sheet (*Biohazard Evidence Log and Inventory Form*) and submit the sheet to the midnight shift supervisor or acting supervisor.
 5. Document all actions in relation to the items of evidence and include the fact that the cabinet was sealed in a supplement to the report.

- G. When dry, all items of evidence, including the bag(s), liner, and filter will be packaged as evidence and taken to the Property Room.
 - 1. The CST will add his or her name and signature onto the inventory and prepare a supplement to the original report, detailing carefully what was done with the evidence.
 - 2. The name of the Property Room evidence technician accepting the evidence will be documented in the supplement report. At this point, responsibility for the evidence will devolve onto the Property Room and/or the investigating officer or assigned detective.
 - 3. The CST will ensure that the inventory is scanned into the supplemental report in Versadex.
- H. The drying cabinets will not be used for personal property or found property. The filters and other trace evidence capturing equipment are only to be utilized to preserve evidence.
- I. Personal property and found property contaminated with bio-hazardous materials should be placed in a biohazard bag and taken to the Property Room for proper disposal.
- J. Property Room evidence technicians will properly dispose of contaminated evidence no longer needed and released to “trash” as with other biohazard trash.
- K. Other contaminated evidence released for disposal will be decontaminated by the Property Room evidence technicians following SOP 665 (Exposure Control Plan) and disposed of in the proper manner.

BIOHAZARD EVIDENCE LOG AND INVENTORY

Report Number: _____ Complainant's Name: _____
Address: _____

I submitted the listed items to the Crime Scene Technician named below.
Officer name: _____ Officer Signature: _____

I placed the listed items in drying cabinet # _____.
CST Name: _____ Signed: _____ Date Received: _____

1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

I removed the listed items from the drying cabinet on (date): _____ and submitted same to the Property Room.
Removing CST's Name: _____ CST Signature: _____

Receiving Evidence Technician's Name _____ Signature: _____
Date received in Property Room: _____

665.3 TEMPORARY EVIDENCE STORAGE AREA

I. PURPOSE: To provide a uniform procedure for the temporary storage of non-biohazardous evidence prior to entry into the Evidence Control Section.

II. PROCEDURES:

A. Evidence Stored in the Temporary Holding Room:

1. A secure room located on the fourth floor of the Forensic Investigation Unit will be utilized for storage of evidence that requires processing and sorting prior to entry into the Evidence Control Section. Bio-hazardous materials/evidence will not be placed in the temporary holding room.
2. The Forensic Investigations Unit will have the responsibility for maintaining the storage facility in a neat and orderly manner.
3. At the beginning of each shift, the FIU shift supervisor, or designee, will inspect the temporary storage facility to ensure compliance.
4. An evidence log will be maintained on the counter outside the temporary storage area for the purpose of recording the entry of personnel into the temporary storage area. The log will also serve as a record of the evidence entry and packaging process. It will be the responsibility of the assigned crime scene technician to ensure that entries into this log are completed at the time the evidence is placed in/removed from the temporary storage area.
5. Only crime scene technicians and FIU supervisors will enter and remove evidence from the temporary storage area.
6. Evidence will be packaged and labeled with the date, report number, complainant/victim's name, etc. Evidence will be stored in the temporary storage area up to an 8-day period only, unless otherwise approved by the Forensic Investigations Unit manager.
7. The temporary storage area will be kept locked at all times. The keys will remain in the key storage area housed in the Forensic Investigations Unit.
8. Upon removal, evidence will be packaged, labeled and released to the Evidence Control Section for safekeeping.

Supersedes SOP 665.3, dated 2/08.

667 TOXIC CHEMICALS IN THE WORKPLACE

I. DISCUSSION: The City of Tampa recognizes a duty to inform employees of the toxic substances to which they maybe exposed in the workplace, and to provide training in safe handling practices and emergency procedures. Also, Tampa Fire Rescue should be notified of the location and characteristics of all toxic substances routinely present in the workplace.

II. DEFINITIONS:

A. Toxic Substance: Any chemical substance or mixture in a gaseous, liquid, or solid state, if such substance or mixture: 1) appears on the Federal Toxic Substance List; 2) is manufactured, produced, used, applied, or stored in the workplace; and 3) causes a significant risk to safety or health during, or as a proximate result of, any customary or reasonably foreseeable handling or use.

B. Material Safety Data Sheet (MSDS): A document containing standardized information about the properties and hazards of listed toxic substances. Manufacturers, importers, and distributors of listed toxic substances are required to prepare and provide MSDS to their direct purchasers.

C. TPD MSDS Manual: A loose-leaf binder, maintained at the Communications - Bureau, which contains MSDS for all toxic chemicals utilized or stored in police facilities. All MSDS for toxic chemicals must be maintained for a minimum of thirty years. For quick reference, the index shall contain both common and technical names of the substances.

D. Toxic Substances Information Center:
4770 Buford Highway NE
Atlanta, GA 30341
1 (800) 232-4636
TTY: (888) 232-6348
24 Hours / Everyday

III. PROCEDURES:

A. Identification of toxic chemicals utilized by the Tampa Police Department:

1. Anyone initiating any internal requisition will prominently mark all departmental requisitions for products which contain toxic chemical substances with the words "**MSDS REQUIRED UPON RECEIPT OF ORDER**".

2. Supply Unit:

a. Ensure all toxic chemical substances received have the appropriate MSDS form. If the form does not accompany the order, or is not already on file with the department, it shall be immediately requested from the manufacturer, distributor, or Toxic Substances

Information Center. The MSDS form must be received prior to distribution or use of the respective substance.

- b. Check all packages received in the Supply Unit to determine if the chemical is listed on the Florida Substance List and that the package is prominently marked "**TOXIC CHEMICAL**" or "**HAZMAT**".
- c. Forward all MSDS forms to the Communications Bureau for inclusion in the MSDS manual.
- d. Upon discontinuance of the use of a product, which contains a toxic chemical substance, notify the Communications Bureau so that the MSDS document can be removed from the MSDS manual and placed in an inactive file. The MSDS documents placed in this file will be maintained for a period of thirty years prior to being archived.
- e. Submit written notification of newly acquired, or discontinued, toxic chemicals to the supervisors of the following components:

Tampa Fire Rescue
Internal Affairs Bureau Commander
Field Training & Evaluation Program
Support Services Bureau Commander

3. Support Services Bureau Commander: Ensure all contractors working on police premises comply with the law by providing a list of toxic chemicals being utilized along with the appropriate MSDS forms.

B. Training:

1. Annually, the Personnel & Training Section shall coordinate instruction on the nature and effects of toxic substances located in the workplace. Training may be either in written form, or in training programs, as may be appropriate and related to the job. Training shall include:
 - a. The chemical and common names of the substance (unless claimed as a trade secret by the manufacturer);
 - b. The location of the substance in the workplace;
 - c. Proper and safe handling practices;
 - d. First aid treatment and antidotes in case of over-exposure;
 - e. The adverse health effects of the substance;
 - f. Appropriate emergency procedures;

670.1 PROTOCOL FOR THE USE OF COOPERATING DEFENDANTS AND SUBSTANTIAL ASSISTANCE

- I. PURPOSE: To provide standard procedures and guidelines for the use of cooperating defendants and the application of substantial assistance.
- II. DISCUSSION: The inherent nature of criminal investigations requires the investigation to continue until all involved subjects are arrested or all leads are exhausted. Frequently, the most viable and expedient means is to solicit the cooperation of defendants. In order to safeguard the integrity of the system and to ensure that this option is not abused, proper protocol and guidelines for the use of cooperating defendants is established.
- III. DEFINITIONS:
 - A. Cooperating Defendant: An individual who has criminal charges pending against him and has agreed to testify as a witness and/or participate in an investigation in return for, or as part of, a plea bargain.
 - B. Substantial Assistance: A technical term defined in detail in F.S. 893.135 (4), it only applies to drug trafficking cases. For law enforcement purposes, it means that a defendant agrees to assist law enforcement in the identification, arrest or conviction of accomplices, accessories, co-conspirators or principals engaged in trafficking of controlled substances. In return, the States Attorney's Office may ask the court for consideration in sentencing.
 - C. Trafficker: An individual who has previously been arrested, convicted of, or is presently under arrest for, been formally charged with or has been found by law enforcement to be in possession of, a trafficking amount of a trafficking controlled substance as set forth in F.S. 893.135, except that for the purpose of this protocol, an individual will not be termed a trafficker if they are currently under arrest for less than 28 grams of cocaine.
 - D. Cooperating Defendant Agreement (TPD 670-E): A formal written agreement between the cooperating defendant and the case agent that provides conduct guidelines for the cooperating defendant.
 - E. Substantial Assistance Agreement (TPD 670-D): A formal written agreement between the defendant providing substantial assistance, the case agent and their supervisor. This form provides conduct guidelines as well as expectations for performance as agreed upon by the defendant and the State Attorney's Office.
- IV. PROCEDURE: COOPERATING DEFENDANT / SUBSTANTIAL ASSISTANCE:
 - A. The decision to enter into a plea agreement in exchange for investigative assistance and/or truthful testimony and the terms of any plea agreement is the decision of the investigative supervisor; however, the State Attorney's Office shall

be an integral part of the process. Cooperating defendants are those charged with criminal offenses other than drug trafficking who desire to provide information regarding the disposition of their charges. Substantial Assistance applies to defendants who are charged with minimum mandatory offenses in violation of FS 893.135. In every instance that a defendant applies to receive consideration for his/her information, the Office of the State Attorney will be consulted and concur with the decision.

In order to use a cooperating defendant, the case agent's supervisor **must** approve and be involved in the initial process. The Cooperating Defendant Agreement (TPD Form 670-E) will be forwarded to the TPD Supervisor approving the agreement for filing upon completion.

The standard precursor to offering substantial assistance is an open plea agreement in the court of jurisdiction. This provides official notice of the defendant's intention to assist law enforcement and invokes court sanctions if the defendant fails to perform in accordance with the substantial assistance agreement. This precursor may be waived by the detective or investigator's supervisor if doing so best suits the interest of the Tampa Police Department.

Defendants arrested for trafficking amounts of narcotics, and/or currently under any court sanctions, (i.e., other pending charges, probation, house arrest) and/or with a criminal record that would qualify them as an habitual or violent offender (two prior violent crime convictions) **will not be used** as a cooperating defendant without approval from the State Attorney's Office.

- B. In those instances where the case has been filed with the State Attorney and upon conclusion of the defendant's cooperation, the case agent will provide a letter to the assigned Assistant State Attorney. This letter shall contain a general overview of what services the cooperating defendant provided. Specific recommendations for sentencing will only be offered on the record in the court of jurisdiction when requested.
- C. In those instances where the defendant has been arrested and the case has been forwarded to the State Attorney's Office intake, but not filed, the State Attorney's Office designated personnel will be contacted with the request that the case be placed on hold. The Cooperating Defendant Agreement (TPD Form 670-E) will be completed.

Upon termination of the use of the cooperating defendant, the case agent will complete a Confidential Informant Deactivation Form (TPD 670-G) and prepare a letter containing the aforementioned information and forward same to the State Attorney's Office.

- D. In those instances where the defendant has been arrested but not booked and prior to accepting assistance from the defendant, the Squad Sergeant or Narcotics

Bureau Commander must be notified and approve of the action. This procedure will be followed regardless of the hour or the day.

If the defendant is arrested for less than a trafficking amount of controlled substances, they are considered a cooperating defendant and are not to be offered substantial assistance opportunities.

V. CONSIDERATIONS:

- A. When a defendant is initially arrested and expresses a willingness to assist law enforcement, the case agent must contact the designated Assistant State Attorney. During this initial contact, the case agent shall provide the following information:
1. Current charges on the defendant;
 2. Criminal history of the defendant including any pending cases and/or probationary status;
 3. Potential target(s);
 4. Type of information the defendant can provide;
 5. Whether or not the defendant has an attorney and/or is requesting one; and
 6. Any other relevant information that would assist the State Attorney's Office in making a decision as to whether or not the defendant should be allowed to provide assistance.

Upon receiving this information, the contacted Assistant State Attorney may give verbal approval and the defendant may be worked. Prior approval is mandatory. Within 48 hours of the verbal approval, the case agent will provide written documentation of the aforementioned items and a completed Substantial Assistance Agreement (TPD Form 670-D). Additionally, a formal letter requesting substantial assistance will be prepared and signed by the case agent and approving supervisor. The letter will be forwarded to the Assistant State Attorney associated with the investigation.

VI. DOCUMENTATION:

- A. All defendants, whether they are cooperating defendants or defendants offering substantial assistance, will be documented and issued a confidential informant number as is outlined in Standard Operating Procedure 670 – Informants: Use and Control.

670.2 INFORMANT CONTROL PROGRAM

- I. **PURPOSE:** The Informant Control Program was established as a means to numerically identify informants for future use and also provide a written record of their usefulness to the department on an individual basis. It further provides a uniform method of safeguard to the informant and the department.

- II. **GENERAL:** The use of informants as an aid in the investigation of crimes and in apprehension of criminals is judicially recognized as a legitimate investigative tool. Informants are especially useful and necessary in the areas of narcotics related offenses. The Informant Control Program by its very nature, is confidential and the security for same is to be strictly adhered to.¹ The Informant Control Program will provide a documented synopsis of the particular informant's reliability based on demonstrated performance. Strict adherence to this procedure is necessary for the successful use of informants and the protection of all persons involved.

- III. **RESPONSIBILITIES:** It shall be the responsibility of all personnel concerned to familiarize themselves with this procedure:
 - A. The Narcotics Bureau Commander² shall be designated as the Administrator to manage the Informant Control Program for the Department. The Narcotics Bureau Commander may designate an alternate to facilitate and assist with overseeing the administration of the Informant Control Program. The duties include but are not limited to:
 1. Ensuring all procedures with regard to Informant Control Files, confidential informant activity and payment are adhered to.
 2. Auditing files for compliance on a periodic basis.
 3. Documentation of deactivation of confidential informants.
 4. Maintaining a control log that details access to each informant master file. This log shall contain the signature and payroll number of the officer accessing the informant file, the informant file number being accessed, as well as the date and time of access.
 5. Maintaining a control log detailing the dissemination of the identity of any informant (e.g. compliance with court order, other agencies).
 - B. It shall be the responsibility of each Bureau Sergeant to:
 1. Initially review the Confidential Informant Personal History Form (TPD 670-B), criminal history, the Confidential Informant Working Agreement (TPD Form 670-C), and the Informant Recruitment/Activation Checklist (TPD Form 670-F) submitted by an officer for completeness and accuracy.

Upon reviewing the documentation associated with the activation of a confidential informant, the supervisor will make a determination of the subject's suitability to serve as a confidential informant. In those instances when suitability is questionable, the supervisor will confer with the Narcotics Bureau Commander and/or the State Attorney's Office.

2. Personally meet with the requesting officer and the confidential informant. The supervisor will ensure that departmental policies regarding informants are thoroughly explained.
3. Ensure that the Confidential Informant Working Agreement (TPD Form 670-C), and the Informant Recruitment/Activation Checklist (TPD Form 670-F) are verbally explained and signed by the prospective confidential informant.
4. Upon satisfaction of these requirements, the Bureau Commander or the Bureau Office Support Specialist will assign the next available confidential informant control number. This number will be used for all future documentation of the confidential informant activity.³
5. Ensure a color photograph of the confidential informant is attached to the original TPD Form 670-B.
6. Ensure that a 3"x 5" index card be completed and filed in the index card box and in alphabetical order. The index card box is located in the Narcotics Bureau safe. The index card will contain the following information:
 - a. Informant's last name, first name middle initial;
 - b. Address, city, state;
 - c. C.I. number;
 - d. Initiating officer's name; and
 - e. Date of activation.
7. Cause the completed activation package for the confidential informant to be delivered to the Narcotics Bureau Safe Room. Only the Narcotics Bureau Commander or Alternate Informant Program Manager will have access to the confidential informant files.⁴ The Narcotics Bureau Office

³ CALEA [5th Edition] 42.2.9 (e)

⁴ CALEA [5th Edition] 42.2.9(d)

Support Specialist may have controlled access to the confidential informant master files for completing administrative requirements.

8. Ensure that all City of Tampa Police Department Expense Fund Receipts (TPD 670-A) for personnel operating under their supervision are accurate, attached to their respective Expense Fund Voucher (TPD 606) and released to the Bureau Office Support Specialist for filing.⁵
9. In the event that a confidential informant is not to be used for any reason, it shall be the responsibility of the supervisor to complete an Informant Deactivation Form (TPD 670-G) for submission to the Narcotics Bureau Commander informing him of this fact. The form will include a brief reason for termination as a compensated informant and the date.
 - a. This will cause same to be recorded on all documenting material as well as in the Confidential Informant Master Database.
 - b. This form will be filed with the confidential informant's original activation file for future reference.

C. It shall be the responsibility of each member using a new informant to:

1. Ensure that a prospective confidential informant is not bound by any stipulations, judicial or other, which would not permit the individual to assist law enforcement as a confidential informant.
2. Advise his immediate supervisor of same and arrange a meeting.
3. Complete the Confidential Informant Personal History Form (TPD 670-B), criminal history, the Confidential Informant Working Agreement (TPD Form 670-C) and attach a color photograph to the form.
4. A confidential informant's involvement in any case must be documented, not just when a case results in an arrest, and/or contraband is seized based directly on information or assistance supplied by a particular informant, and/or prior to any monies being paid. It shall be the responsibility of the officer using the informant to record all data reference the informant and the case.⁶
 - a. A City of Tampa Police Department Expense Fund Voucher (TPD 606) will be utilized to document the informant's identity as well as for documentation of his reliability and payment history.

⁵ CALEA [5th Edition] 42.2.9(e)

⁶ CALEA [5th Edition] 42.2.9(f)

- b. The Expense Fund Receipt (TPD 670-A) will also be utilized as verification of monetary payment, as it will be signed by the informant and witnessed by a second sworn departmental employee at the time of payment for his assistance.
5. Ensure that all City of Tampa Police Department Expense Fund Receipts (670-A) are accurate and attached to their respective Expense Fund Voucher (TPD 606) upon submittal to their supervisor for approval.
6. Notify the immediate supervisor in the form of a written memo, when it is determined that an informant is no longer useful, has become undesirable, or dangerous to use. Specify the date and the circumstances surrounding the reason.
7. In conjunction with the Narcotics Deconfliction Program (SOP 615.4), a record of each confidential informant's utilization will be maintained. Bureau personnel are responsible for maintaining accurate and current records regarding the use of confidential informants.
8. Any informant that has received a recommendation in his file and in the Confidential Informant Master Database that he not be utilized, will not be re-activated by a member until approval is granted by the respective member's bureau commander.

672 **EXTRA DUTY EMPLOYMENT POLICIES AND PROCEDURES**¹

- I. **PURPOSE**: This directive will define policy and establish procedures pertaining to the administration of the Tampa Police Department Extra Duty Employment Program. Further, this directive establishes: procedures by which private citizens, businesses, and organizations will secure extra duty police services; procedures which assure that officers are physically and mentally prepared to fulfill their primary on-duty assignments; and other important information relating to the Tampa Police Department Extra Duty Program.
- II. **DISCUSSION**: Extra duty work by officers is not an inherent right, but a privilege that can be granted at the discretion of the department.

The primary obligation and responsibility for all Tampa Police Department (TPD) personnel is their on-duty assignment. TPD allows its officers to participate in outside employment through the department's extra duty program. Occasionally, civilian employees will be afforded the opportunity to work an extra duty assignment. In these instances, the civilian employee will be held to the same standards as set forth in this procedure as those for sworn officers.

In order to ensure that all police officers are in optimal physical and mental conditions to carry out their duties and to ensure that law enforcement is the officer's primary concern, it is the policy of the Tampa Police Department that extra duty employment performed by TPD officers shall be regulated according to the procedures outlined herein. (TPD officers are prohibited from soliciting extra duty employment and any officer who does so is in violation of the Tampa Police Department Manual of Regulations).

This Standard Operating Procedure (SOP) is provided with the understanding that the Fair Labor Standards Act (FLSA) makes provision for law enforcement officers to work in a law enforcement capacity for a separate and independent employer during their extra duty hours. The FLSA provides that the hours of work for a separate and independent employer are not combined with the hours of work for the primary public agency employer (City of Tampa) for the purposes of overtime compensation. However, the provision applies only when the work is performed solely at the employee's option and that the regulations permit the primary employer (City of Tampa) to facilitate extra duty employment. This would include, but not be limited to, maintaining rosters of employees who wish to perform the work, selecting the officers, determining the rate of pay, and retaining administrative fees for expenses. It also requires that the separate and independent employer pay for services directly to the department and establishes procedures for officers to receive pay through the agency's payroll system. This applies even if laws or ordinances require that such work is at the option of the officer.

Any officer who does not desire extra duty work shall not permit his name to be placed on the extra duty roster(s) and/or shall be free to decline work when offered by the Extra Duty Office. Accordingly, when an officer does accept extra duty work it shall be considered to be at the employee's option. The Extra Duty Office shall only assign work in this voluntary manner and shall also assign work only for jobs with separate and

¹ CALEA [5th Edition] 22.3.3; 22.3.4(a-e); 61.3.3(a)

independent employers. Any questions regarding the status of an employer as a separate and independent employer shall be resolved by the Extra Duty coordinator, through legal counsel, before the assignment of work.

The Chief of Police or their designee, reserves the exclusive right to authorize, on an interim basis, extra duty assignments to individual units and personnel in order to meet unique circumstances that serve the best interests of the department.

Documentation and communication relative to the Extra Duty Office, and extra duty assignments, will come about via the prevailing medium (paper or digital) based upon the technology available at the time.

III. DEFINITIONS:

- A. Application for Extra Duty Work (TPD) Form 222 - EX: A form signed by the employee's immediate supervisor confirming that the employee is eligible to work extra duty assignments.
- B. Customer: Citizen, business, or organization that has been approved by the Extra Duty Office to have TPD officers work for them as extra duty employment.
- C. Extra Duty Posting: The Extra Duty Office will post extra duty job opportunities via the prevailing medium (paper or digital) based upon the technology available at the time.
- D. Extra Duty Employment: Any employment of a TPD officer, while not on duty, which is predicated on the actual or potential use of the police officer's laws enforcement powers.
- E. Extra Duty Officer Availability List: A list containing officers who have been approved to work extra duty employment.
- F. Extra Duty Venue Manager/Specialized Venue Manager: Any sworn personnel whose responsibility is to coordinate, liaison, staff, make assignments within the venue, manage the daily, monthly, seasonal, officer or supervisor assignments; and/or meet with, consult, plan, advise the venue management or its client, on police matters; responds to venue and community complaints reference police matters; and is the primary contact with the department and/or the Extra Duty Office for all matters relating to the venue and its events.
- G. No Show: Non-approved absence from a scheduled extra duty assignment.
- H. Off Duty Employment: Any outside employment of a police officer, which is not predicated on the actual or potential use of the officer's law enforcement powers.
- I. Pay Vouchers (TPD 229 EX): A form (paper or digital), indicating extra duty hours worked by an officer for a specific permit. This form must be forwarded to the Extra Duty Office in order for an officer to receive payment via the prevailing medium based upon the technology available at the time.

- J. Waiver of Hourly Limits (TPD 225 EX): A written authorization utilized to record the approval of the officer's shift commander for a waiver of hourly limits to extra duty assignments. If the officer's shift commander is not available, then approval may be sought by another shift or division commander within the officer's assigned division.

- K. Permit Assignments: Extra duty assignments authorized by the department and assigned by the Extra Duty Office.
 - 1. Permanent Permit: A permit (which includes seasonal jobs) granted to a citizen, business, or organization for an assignment which will require officers for extra duty employment on a regular, recurring basis for a period of two weeks or more.
 - 2. Temporary Permit: A permit granted to a citizen, business, or organization for an assignment which will require officers for extra duty employment on a non-recurring basis or for a period of less than two weeks.

- L. Tour of Duty: Regular, scheduled, on-duty hours worked.

IV. PROCEDURE:

- A. Customer Requests for Extra Duty Officers: To avoid any actual or perceived improprieties in the assignment, scheduling, and contracting of extra duty work:
 - 1. All extra duty work is to be coordinated through, and scheduled by, the Extra Duty Office. Occasionally, the scheduling responsibility will be delegated to a particular officer of the department, but this will occur only with the knowledge and consent of the extra duty coordinator.
 - 2. Tampa Police Department personnel may, in the course of an off duty business or private need, contract with the Extra Duty Office for the services of an extra duty officer. (Example: a private need could be a wedding or party that an officer, acting as a private citizen, may want to hire an officer in an extra duty capacity.)
 - 3. Tampa Police Department personnel may, as off duty employment, provide consultation services to outside persons or entities concerning security issues. Such activities will be coordinated through the Extra Duty Office after having been first approved by the chief of police, or their designee. If, in the course of a private enterprise, personnel desire to contract Tampa police officers on an extra duty basis, they will disclose to all parties involved their status as active employees of the Tampa Police Department and further issue a notice or disclaimer advising the customer that they may contact the Extra Duty Office on their own to contract for services.

The employee providing consultation services in an off-duty capacity may NOT personally provide service requiring the exercise of police powers or utilize the uniform or other equipment of TPD.

4. Tampa Police Department personnel who receive requests for extra duty officers shall refer the requesting person, owner, or business representative to the Extra Duty Office. During non-business hours when the Extra Duty Office is closed, and exigent circumstances exist, the affected shift commander may arrange for extra duty assignments and notify the Extra Duty Office after the fact.
5. Marketing, soliciting, advertising, or promoting any private business or service during duty hours is strictly prohibited.

B. New Applicants:

1. The Extra Duty Office personnel will issue new permits to customers and ensure all financial requirements of the customer are met.
2. The customer will provide a job description of the duties that are expected from the officer to the Extra Duty Office. That description will be required to be issued in writing.
3. The Extra Duty Office will have the responsibility to ensure those duties do not violate Tampa Police Department policies and procedures.
4. The Extra Duty Office will maintain a copy of any written job descriptions to ensure an understanding exists between the officer(s) and customer concerning the officer's responsibilities.
5. The chief of police or their designee, has the authority to establish rates to be charged to permit holders for assignment of officers. The extra duty coordinator will compile and distribute a current rate schedule to all current customers. This schedule shall be reviewed annually and be effective at the beginning of the City of Tampa fiscal year. The minimum charge for any permit will be three hours of service at the appropriate rate. The chief of police, or their designee, may at their discretion, extend or reduce the minimum hours of service on a permit based on the assignment. The customer will be required to pay the extended or reduced minimum.
 - a. The rate of pay will be increased on certain holiday dates that are traditionally more difficult to staff. Not all City holidays are included.
 - b. The holiday rate of pay will be applied on New Year's Eve, New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving and Christmas Day.

- c. The holiday rate of pay will apply to all permitted (issued by the City of Tampa) special events unless otherwise exempted by the chief of police or their designee.

C. Prohibited Assignments:

1. Assignments reflecting adversely on the professionalism or dignity of the department.
2. Assignments involving conflict of interest or the appearance of conflict of interest, including a conflict with any ordinances, laws, or statutes of government, or a conflict with any policy, regulation, or procedure of the Tampa Police Department.
3. Assignments adversely affecting the officer's performance of regular on-duty assignments.

Note: The final decision on the suitability of any Extra Duty Permit Assignment rests with the chief of police or their designee.

Note: Extra duty officers remain under the exclusive control of the department and accountable for strict adherence to department rules and regulations. Any conflicting rules from employers must be disregarded.

D. Extra Duty Work for Businesses Involved in Labor Disputes:

1. Officers shall not accept employment from any business for the purpose of working a labor strike. Although officers may be employed by a business that is involved in a labor dispute, the purpose of employment must be for reasons other than dealing with striking employees (i.e., crowd or traffic control involving patrons).
2. As a general rule, officers working an extra duty job for a company involved in a labor dispute shall not take enforcement action against picketers unless it is necessary to prevent imminent property damage or injury to another. In most situations, when minor disputes between picketers and a company arise, or when minor violations occur, an on-duty police supervisor shall be called to the scene to assess the problems and determine the appropriate police action.

E. Eligibility of Officers:

1. Officers serving in a probationary status are eligible only if they:
 - a. Have successfully completed the TPD Field Training and Evaluation Program; and

- b. Have obtained satisfactory performance evaluations; or probationary evaluations or are otherwise authorized by their division commander; and
 - c. Have approval of their supervisor on a “Application for Extra Duty Work” (TPD Form 222-EX), and be approved and processed by the Extra Duty coordinator. Once approved by the Extra Duty coordinator, the paperwork will be forwarded to the City of Tampa Revenue and Finance Division to be processed and flagged for them to be eligible for extra duty pay.
 - d. Have been given an extra duty assignment, which provides for them to be working under the supervision and in close proximity of, a non-probationary, permanent sworn officer. This requirement will remain in effect until the officer completes his probationary period.
2. All sworn personnel are eligible for extra duty assignments. Civilian employees are also eligible for extra duty assignment if the assignment does not require the assignment to be manned by a sworn officer. Before their first assignment, they must submit an “Application for Extra Duty Work” (TPD Form 222-EX). The application requires the approval of their supervisor and submission through their chain of command to the Extra Duty coordinator. Once approved by the Extra Duty coordinator, the paperwork will be forwarded to Revenue and Finance to be processed and flagged for them to be eligible for extra duty pay. Upon final processing and approval, the officer will be informed that they may schedule employment within the guidelines set herein.
3. Officers on injured or light-duty status are not eligible until returned to full duty status.
4. Officers under suspension or who are relieved of duty pending an investigation are not eligible.
5. Officers working in an undercover/covert capacity should be mindful of their on-duty assignment when applying for or accepting extra duty assignments. In case of doubt, officers should obtain specific approval from their division commander.
6. Any officers on sick leave (except sick-personal or sick-other) may not work extra duty assignments until they complete their next regularly scheduled tour of duty or obtains the express approval of their immediate supervisor. Supervisors should withhold approval when there may be an abuse of sick leave by an officer.
7. Officers, who are performing in less than a satisfactory manner as documented in their personnel record, are not eligible for extra duty work.

8. Officers are not eligible to work extra duty during those hours that they are on sick (self) leave.
9. Any officer on suspension, injury leave, or relieved of duty for any reason may not work extra duty assignments, or put in calendars for upcoming extra duty assignments until he completes his next regularly scheduled tour of duty.
10. Any officer on a leave of absence, while fulfilling military obligations, in or near the city of Tampa, may work extra duty assignments. Officers must first receive written authorization from the appropriate military and Tampa Police Department supervisors. In these instances, the officer must comply with the parameters governing the hours officers may work in given time periods as set forth in this policy. Additionally, officers in this situation must contact the Training Unit sergeant to insure that all applicable training, for certification purposes, is current before attempting to work any extra duty assignments.

11. Reserve Force Officers:

- a. Reserve Force I and II Officers are not eligible to work paid extra duty assignments until they have successfully completed the Field Training and Evaluations Program (FTEP) and an additional 144-hours in uniform patrol. An exception to this would be a retired Tampa Police officer who transitioned from a full-time sworn position to a reserve officer position, within a six month period following resignation/retirement from the full-time position.

While on probationary status, it will be at the discretion of the reserve force coordinator and the Training Unit sergeant to allow reserve officers to work extra duty assignments. The Training Unit sergeant will consider the experience, training, and abilities of the reserve officer when granting approval, and may restrict assignments to certain types and/or vendors based on the reserve's level of ability / experience.

12. Civilian Employed Reserve Force I and II Officers:

- a. Reserve Force I and II officers who hold civilian positions within the department must obtain written permission from their immediate supervisor prior to being allowed to work extra duty.
- b. Upon approval of the Training Unit sergeant, Reserve Force coordinator and the employee's supervisor, submission shall be made through the civilian employee's chain of command to the Extra Duty coordinator. Upon final processing and approval, the employee will be informed that they may schedule employment within the guidelines set herein.

- c. Retired Tampa Police officers who transition to reserve status will not be eligible to work extra duty until they receive their “buyout” check and are approved by Revenue and Finance as eligible to receive pay.
- d. Reserve Force I and II officers deficient in excess of 24-hours in their reserve force obligations (directed duty reserve hours), will not be allowed to work extra duty until the deficiency is corrected. All Reserve officers must also be current with all other reserve force requirements to be eligible for extra duty.
- e. Reserve Force I officers are authorized to work any one-officer (single post), or multi-officer assignment.
- f. Reserve II officers are permitted to work only those assignments requiring at least two officers. The primary officer must be a full-time sworn officer or a Reserve I officer (Tampa Police). The full-time, or Reserve I officer must have completed their probationary period in order for a Reserve II to work the assignment.
- g. Reserve II officers will not be permitted to work nightclubs for the period of one year or until otherwise granted approval by the Training Unit sergeant or Reserve Force coordinator.
 - 1. Reserve II officers will apply for an extra duty job only when a full-time or Reserve I position is confirmed. If a full-time or Reserve I officer has not signed up to work a specific job assignment, a Reserve II will not sign up to work.
 - 2. If the Reserve I or fulltime officer fails to show for the assignment, the Reserve II will contact the affected shift commander and advise them of the situation. If a replacement full-time officer or Reserve I cannot be assigned, the Reserve II will not be allowed to remain and work the assignment alone. The Reserve II will note the circumstances and the amount of time at the assignment on their pay voucher and obtain the signature of the relieving shift commander for 3-hours of extra duty pay. The 3-hours callback pay will be at the normal extra duty rate, and not be based on any incentive rates that may apply for the specific detail.
- h. The Extra Duty Office will receive updates from the Reserve Force coordinator with any changes to Reserve Force officers approved or disapproved to work extra duty assignments.
- i. Open extra duty jobs, which are posted on the 10th of each month for assignment, will only be open to sworn full-time officers for

the first 24-hours that those jobs are posted. Once those jobs have been posted for 24-hours, then they will open for assignment to all reserve officers as well.

F. Duties and Responsibilities of Supervisors and Officers on an Extra Duty Assignment:

1. Officers performing extra duty assignments are responsible for adhering to all TPD policies and procedures, which apply to officers' regular on-duty assignments. Any violations of these policies and procedures will be resolved in accordance with existing department guidelines for disciplinary action.
2. Officers performing extra duty assignments are responsible for initiation and completion of appropriate law enforcement action related to any incidents occurring at the site of the assignment.
 - a. Arrests made by an officer working extra duty will be documented by that officer.
 - b. Transportation of prisoners will be the responsibility of on-duty police units. For large-scale or special events, the event commander may choose to use an extra duty officer. In certain circumstances, a field supervisor may direct an extra duty officer to transport a prisoner if the extra duty officer has a marked, assigned vehicle and the arrest took place at the site of the assignment. This would typically be implemented when there are no on-duty units available because of a large number of calls for service holding and the extra duty officer's temporary absence would not have a significant effect on the customer. The customer will still be responsible for payment as long as the absence does not exceed one hour.
 - c. Latent investigations that cannot be handled at the scene will be the responsibility of on-duty police units.
 - d. On-duty units will initiate major incident reports, i.e., homicide, sexual battery, etc. The extra duty officer will supplement if necessary.
 - e. On-duty units will investigate incidents not occurring at the site of the extra duty assignment that are brought to the attention of the extra duty officer.
 - f. Any reports originating from an extra duty assignment will have the report number on the pay voucher so the Extra Duty Office can track the report for the customer if necessary.

3. Officers performing extra duty assignments will be responsible for notifying the on-duty area supervisor of any serious incidents that occur at the site of the extra duty assignment.
4. Officers performing extra duty assignments may perform only police related functions. Officers should take care not to perform duties that can be perceived by the public as non-police related functions.
5. Officers performing extra duty assignments will notify the on-duty area supervisor of any conflicts with the customer that remain unresolved. Any conflicts that are recurring between a specific extra duty officer and the customer will be reviewed and resolved by the extra duty coordinator. If the coordinator determines that the customer is acting or causing actions that are in conflict with this policy, the coordinator may modify or cancel the extra duty services provided to the customer. If the coordinator determines that an officer is unwilling, or unable, to act in the interests of serving the customer, with consideration to department standards, policies, and/or procedures, the coordinator may disqualify an officer from working for that customer. The customer may also request that an officer be disqualified from working extra duty at their business. In instances where the officer's actions may be in violation of any regulation, policy, or procedure, or when the officer's fitness for duty is questionable, the coordinator will review the officer's extra duty eligibility status with the their division commander; or, when exigent circumstances exist, assistant chief, or chief of police.
6. The extra duty customer shall have the ability to submit a preferred officer list to the Extra Duty Office identifying those officers that the customer prefers to work the job. This request must be in writing to the Extra Duty coordinator, which will be kept on file. The customer may amend the list at any point in time for the purpose of removing or adding officers to the list.
7. If an officer accepts an extra duty assignment and a car is required, it is the officer's responsibility to pick up the car before the assignment begins and return the car after the assignment ends, on the officer's own time. If the assignment specifies the need for a marked unit with emergency lights, i.e. for traffic control, it is the officer's responsibility to make arrangements for such vehicle if they are assigned an unmarked vehicle not appropriate for the assignment.
8. Pay vouchers will be signed (paper or electronically via the prevailing medium based upon the technology available at the time), by the customer, or if unavailable, an area supervisor. All pay vouchers will be turned in / transmitted to the Extra Duty Office no later than seven days following the conclusion of an extra duty assignment. The Extra Duty Office may deny vouchers that are not submitted in a timely manner.

9. It is the responsibility of the officer to ensure that the extra duty assignment worked was previously approved by the Extra Duty Office, or during off-hour emergencies a shift commander. Pay vouchers received by the Extra Duty Office regarding extra duty assignments that were not previously scheduled or approved as herein described, will be returned to the officer's supervisor for explanation. The only exception would be those officers assigned by shift commanders during non-business hours.
10. Officers approved to schedule jobs by the Extra Duty Office will not use outside agencies (i.e., State Marine Patrol, Florida Highway Patrol, or Hillsborough County Sheriff's deputies) to staff the assignment. In the event there are no Tampa police officers or reserve officers available, scheduling officers will report the personnel deficiency to the Extra Duty Office. After all due diligence is exhausted to fill the assignment with Tampa police personnel, the extra duty coordinator may seek staff from outside agencies.

Instances wherein large numbers of officers are needed to fulfill assignment needs, the Extra Duty Office coordinator may authorize scheduling officers to seek staff from outside agencies well in advance of the event, in an effort to ensure that staffing needs are met. The Extra Duty Office coordinator will coordinate with the Legal Unit to ascertain the status of the applicable mutual aid agreement(s).

11. Customers may hire extra duty officers to work in a plain-clothes capacity. The customer must submit their request in writing for review by the Extra Duty coordinator and then approved by the chief of police or designee. Officers with experience working in a plain-clothes capacity, during their regular duties, are strongly recommended.
 - a. Officers working extra duty in a plain-clothes capacity must notify communications when they log themselves on as to their plain-clothes status. (i.e., "10-40 plain-clothes at...")
 - b. Officers will also notify the shift commander of the patrol district in which the job is located, of their assignment and plain-clothes status.
12. In the event of that one officer of a two-officer assignment fails to report for duty, the officer reporting for duty will contact the on-duty area shift commander. The on-duty shift commander will assess the need to either assign an on-duty officer; or authorize the off-duty/extra duty officer to work the assignment alone; or release the officer from the extra duty assignment based on officer safety issues. If relieved, the officer will note the circumstances on their pay voucher, listing only the amount of time they actually spent at the assignment and obtain the signature of the relieving shift commander for 3-hours of extra duty pay. The 3-hours callback pay will be at the normal extra duty rate, and not be based on any incentive rates that may apply for the specific detail.

13. In the event that an officer schedules himself or herself for a mandatory two-officer assignment, it will be the officer's responsibility to make a reasonable effort to insure that another officer has taken the secondary position before reporting to duty.

A reasonable effort will include, but not be limited to calling the Extra Duty Officer during their normal business hours to check the status of the detail, and those who have signed up for it. In the event that no other officer has assigned up for the detail before the Extra Duty Office closes (i.e. weekends), the Extra Duty coordinator will be contacted on the Friday before the assignment. The coordinator will make the determination if the detail should be canceled based on the probability that the secondary position will go unfilled, or authorize the sole officer to report to the assignment in anticipation that a secondary officer will sign-up for the detail between the Extra Duty offices closes of business of the Extra Duty Office and the scheduled assignment. In the event the officer is directed to proceed to the assignment, and upon arrival no other officer shows up, the officer will follow the procedures as outlined in IV. 12 above.

G. Time Restrictions:

1. Because an officer's work schedule varies, depending upon which division they are assigned to, an officer shall not exceed thirty-hours of extra duty work during any calendar week. If an officer takes approved leave from their regular duties, the officer may work the equivalent number of hours of extra duty during that calendar week.

- a. An officer's shift commander, or if not available a shift commander from within the officer's division may periodically waive the thirty-hour threshold to meet the needs of the department. If exigent circumstances exist, any shift commander or higher authority may waive the thirty-hour threshold.

- b. Reserve Force I and II officers, that are not employed in a full-time job (40-hour/week), shall not exceed a total of forty-hours of extra duty work during any calendar week.

Reserve Force I and II officers that are employed in a full-time job (40-hour/week) shall not exceed a total of 24-hours of extra duty work during any calendar week.

- c. Waiver of the twenty-four hour threshold could potentially allow Reserve officers to work in excess of the maximum allowed sixty-four hours per week between their normal civilian employment and extra duty. The spirit of this policy is to meet the department's needs while ensuring that the Reserve officer is capable of performing at these thresholds. For Reserve officers who hold TPD civilian positions, the best judge of the Reserve officer's

capabilities to handle these extended hours is their immediate supervisor who oversee their civilian duties while performing their full-time job.

- d. Reserve officers holding civilian employment within the department shall obtain a waiver of the twenty-four hour threshold from the shift commander or higher authority within their assigned division, rather than the Reserve Force chain of command. All other Reserve officers holding employment outside of the department shall obtain a waiver through the Reserve Force chain of command.
2. Officers may not work more than sixteen hours during a twenty-four hour period, which includes on-duty combined with extra duty. This twenty-four hour period commences when the officer begins to work after a period of at least 6-hours of continuous rest.

An officer's shift commander, or if not available a shift commander from within the officer's division, may approve a waiver of the sixteen hour daily limit to meet the needs of the department. If exigent circumstances exist, any shift commander or higher authority may waive the sixteen-hour daily limit.

H. Reserve Force I and II officers:

1. Waiver of the limitation to working no more than sixteen hours during a twenty-four hour period, which includes both their civilian and extra duty employment must be balanced between department need and reasonableness. The spirit of this policy is to meet the department's needs while ensuring that the employee is capable of performing at these thresholds. For reserve officers who hold TPD civilian positions, the best judge of the officer's capabilities to handle these extended hours is their immediate supervisor who oversee their civilian duties while performing their full time job.
2. Reserve officers holding civilian employment within the department shall obtain a waiver of the limitation to sixteen hours during a twenty-four hour period from the shift commander or higher authority within their assigned division, rather than the Reserve Force chain of command. All other reserve officers holding employment outside of the department shall obtain a waiver through the Reserve Force chain of command.
3. The approval by the officer's shift commander or higher authority to waive the thirty-hour weekly limit for full-time officers, forty-hour weekly limit for reserve officers (not working a full-time job) or the 16-hour daily limit will be indicated in writing. The authorization may either be attached to the officer's applicable pay voucher, or sent independently to the Extra Duty Office. A single waiver for multiple officers may be

issued, with the waiver being forwarded to the Extra Duty Office to be maintained on file.

4. Officers must allow a reasonable amount of time to allow for transition time between on-duty and extra duty assignments, (driving from one assignment to the next). If the extra duty assignment is in the officer's patrol area, this transition period is not necessary. (This is to prevent instances of, or erase any perception

1. Non-emergency Situations:

- a. When a substitute is found, the assigned officer will send an email, or telephone the Extra Duty Office and leave the name and information reference to the replacement on the voice mail. Officers substituting for another officer will indicate such on the submitted pay voucher (sub. for Officer _____) and electronically via the prevailing medium based upon the technology available at the time.
- b. Officers seeking a substitute for an assignment they previously scheduled themselves for, may request assistance from the Extra Duty Office. This does not relieve them of the responsibility of working the assignment should a replacement not be found.

2. Emergency Substitutions:

- a. Officers requiring emergency substitutions will contact the Extra Duty Office during the office's operating hours or the shift commander of the district in which the assignment is located during non-operating hours. Emergencies may include, but are not limited to:
 - 1) Death or serious injury or illness to an immediate family member or relative;
 - 2) Serious illness or recent injury to the officer (duty or non-duty related) that would prevent them from working the assignment; and/or
 - 3) Call-out or other emergency approved by the division commander.
- b. The on-duty shift commander of the affected officer relieved from duty, shall notify the Extra Duty Office immediately under these circumstances, so any pending jobs can be filled.

The extra duty coordinator, or the shift commander, will determine the validity of emergencies not specifically listed above.

- c. If the emergency occurs during operating hours, the Extra Duty Office, or scheduled officer (if able), will attempt to find a substitute. If no substitute is found, the Extra Duty Office will be responsible for contacting the customer and the shift commander of the affected district.
- d. If the emergency occurs during non-business hours, it will be the responsibility of the scheduled officer to find a substitute and

notify the customer. *If no substitute is found, the scheduled officer will notify the affected shift commander.*

- e. The shift commander will determine if the absence of an extra duty assignment will put citizens' safety, *or the second officer of a two-person assignment*, at probable or substantial risk, and may authorize an on duty officer to work the assignment. If that occurs, it will be the responsibility of that officer to complete the pay voucher indicating the assignment was worked on-duty and forward the pay voucher to the Extra Duty Office via the shift commander to allow the department to recover a portion of the cost.
- f. When such emergencies occur during hours when the Extra Duty Office is not operational, the shift commander will notify the Extra Duty Office of the absence, and reason for it, via memo or e-mail, for the purpose of identifying absences.
- g. When the City of Tampa has issued a permit for a special event or temporary wet zoning, and the assignment(s) are not filled by extra duty officers, the Extra Duty Office will notify the affected division commander. The affected division commander will determine if the absence of law enforcement might jeopardize public safety, and if the assignment(s) will be filled with on-duty officers or officers on overtime.

K. Cancellations:

- 1. Cancellations Made by the Customer Prior to the Assignment:
 - a. If the customer provides at least forty-eight hours notice, the assignment will be cancelled.
 - b. If the customer provides less than forty-eight hours notice, the assignment will be cancelled and the assigned officer(s) will be paid the established minimum number of hours as indicated on the customer's application.
- 2. Cancellations Made by the Customer After Officer(s) Have Arrived on the Assignment:
 - a. If, with officers present at the assignment, the customer determines that the work force strength exceeds the need, the police supervisor in charge of the detail shall have the discretion to release officers from duty. In the absence of a supervisor, the shift commander shall be notified by the senior officer and at his discretion, may send an on-duty supervisor to the assignment. This supervisor will have the authority to release officers from duty if the supervisor agrees with the customer's assessment of need. The supervisor

will request volunteers first and then start releasing officers with the lowest seniority. Officers shall be paid for time worked or the established minimum, whichever is greater.

3. Cancellations made by the shift commander: When an officer notifies the shift commander of illness or personal emergency within two hours of an assignment, the shift commander may cancel the assignment and notify the customer of the cancellation. This would normally take place under extraordinary circumstances where there is no possibility of finding a replacement.
 4. Cancellations made by the chief of police or their designee: In the case of departmental need or community emergency, including inclement weather, the chief, or their designee, may immediately cancel all extra duty assignments and notify the customer. The officers who had been given these extra duty assignments would then be immediately available for service to the department. In instances wherein officers are actively working assignments that have been cancelled, they will be compensated for the time actually spent working for the customer in an extra duty capacity.
 5. Cancellations, with less than forty-eight hours notice to the event, due to instances of national, state, or local emergency or other situations as determined by the chief of police: Certain situations may arise such as threats or acts of terrorism, acts of war, life-threatening weather, or other instances wherein events are cancelled by the customer with less than forty-eight hours notice. The chief of police may decide not to demand payment from customers for extra duty services not provided for events which, in good conscience, could not possibly have occurred.
- L. Workers' Compensation and Liability: Coverage and procedures are the same as when on regular duty assignments.
- M. Payment:
1. Sworn officers fulfilling extra duty assignments will be compensated on the regular payroll and shall not accept any compensation from the customer. Any violation of this policy will result in disciplinary action.
 2. Reserve Force I officers fulfilling extra duty assignments will be compensated via city payroll and shall not accept any compensation from the customer. Any violation of this policy will result in disciplinary action.
 3. Payment will be made to the officer only after the Extra Duty Office receives an approved pay voucher. Pay vouchers received from Reserve I and II officers will be monitored by the Extra Duty Office for accuracy and to ensure that officers are not exceeding time restrictions.

4. The chief of police has the authority to increase the rate of pay during holidays, special events, or certain assignments. Holiday pay will be given for jobs that begin on the applicable holiday date.

N. Recall and Court Appearance:

1. In the event an officer working in an extra duty assignment is recalled to duty or required to attend court, the officer will check out of the extra duty job and accept no extra duty compensation for the actual time away from the job.
2. An extra duty job will be treated like the officer's own (off-duty) time for purposes of calculating recall pay or off-duty court pay pursuant to the current PBA contract.
3. Upon returning to the extra duty job, the officer will sign in and will be paid the applicable extra duty rate from that time forward.

O. Volunteer:

1. Officers may volunteer to participate (as a law enforcement officer or where they may be identified as such) only in charitable or non-profit activities in which they do not receive compensation. The following terms and conditions must be met:
 - a. Submit a memorandum to the employee's division or bureau commander, via the chain of command, including organization name, address, telephone number, location of activity, and date and time officer(s) will be working. Include all officers' names and each officer's schedule. Approval by the employee's division or bureau commander must be obtained seventy-two hours prior to the event.
 - 1) The request concerning participation must be for an approved, non-profit or charitable organization activity sponsored on behalf of the charitable organization. The organization must be registered pursuant to the Solicitation of Charitable Funds, F. S. § Chapter 496. Activities will not involve the direct solicitation of funds.
 - 2) The employee's division or bureau commander, or their designee, must approve any bonafide religious institution, educational institution, state agency, or government entity that does not file a registration statement under F. S. § 496.
 - b. The total cumulative time spent on volunteer service and paid extra duty assignments may not exceed the limitations of IV.G.1 – IV.G.2, as described above without proper waivers.

- c. Once the employee's division or bureau commander grants approval, the Extra Duty Office must receive a copy of the memorandum.

P. Other Specific Assignments:

1. Funeral Leads:²

- a. Funeral leads will be based on single and double pulls. The rate will include one officer.
- b. An officer will be paid a three-hour minimum for a single lead and a three and one-half hour minimum for a double lead.
- c. If an officer works multiple leads sequentially, beyond the combined minimum times, the officer will be paid the extra duty rate of pay or a portion thereof.
- d. If additional officers are required, the officer will be paid for a single rate lead.

2. Pulls:

- a. House pulls, bus escorts, yacht pulls, long haul, and demolition fall into this category.
- b. An approved city permit to move buildings must be submitted to the Extra Duty Office before the assignment.
- c. Each assignment will require a minimum of two officers and two vehicles for three hours.
- d. If the assignment goes beyond the three-hour minimum, the officers will be paid the extra duty rate of pay per hour, or a portion thereof.

3. Beverage Licenses for Consumption on the Premises:

- a. In order to comply with F. S. §561.25(3), all extra duty work requests involving any business establishment licensed under the state beverage laws to sell alcoholic beverages for consumption on the premises, where the primary purpose is for consumption of alcohol (not a restaurant), must first submit to a background investigation by a special events planner.
- b. The Extra Duty Office will forward the background investigation (prepared by a special event planner) with a recommendation to

approve or disapprove, to the appropriate division commander for concurrence or non-concurrence.

- c. Refer to SOP 672.1 regarding specific duties and responsibilities relative to working extra duty assignments at establishments whose primary business is serving alcohol.

4. Active Traffic Control Assignments:

- a. Occasionally, assignments will involve active traffic control responsibilities. Active traffic control is where officers are on foot in, or immediately adjacent to, a roadway, actively and physically engaged in directing traffic with hand motions and audible (whistle) signals.
- b. When the Extra Duty Office receives requests for service that will require officers to be engaged in active traffic control duties, for the entire duration of the assignment, the special event payment schedule will apply.
- c. Officers accepting such assignments are responsible for fulfilling the duties expected of them.

5. Courtesy officer positions with reduced/free rent at apartment complexes.

- a. The position must be approved by the department's legal advisor prior to the officer accepting the position. A letter describing the duties and responsibilities of the position will be directed to the legal advisor to ensure compliance with applicable laws.
- b. The Extra Duty Office will coordinate and maintain all information reference to the availability and assignment of courtesy officer positions. Officers will direct a memo to the extra duty office once they have accepted a position, identifying the officer as well as the apartment complex with applicable contact numbers.
- c. Courtesy officer positions are not considered extra duty, but are off duty jobs and must not entail the use of police authority. Reserve officers are not eligible for the position of Courtesy Officer.

Q. Other Specific Assignments:

1. Extra Duty Venue Manager/Specialized Venue Manager:

Responsibilities will include:

- a. Required attendance at all meetings that involve their specific venue. (The police venue manager is responsible for maintaining contact with the venue manager or their designee. They are

required to know and understand the city of Tampa special event ordinance along with the workings of the special event office and the police special event coordinator. They will advise the police special event coordinator and special event office of any venue operational changes or large impact venue events that will have or potentially will change the normal daily venue operations and their effect upon the surrounding venues and community.).

- b. Ensure that all surroundings venues are informed/aware of upcoming events. (The police venue manager will inform the police special event coordinator of all venue operation changes or large impact venue events at the earliest time possible. They will also be responsible for notifying the special event office to determine if there are potential conflicting events within the city that may need additional consideration and support to lessen the impact upon the community.
- c. Plan and attend de-conflicting meetings with any other surroundings venues as well as the promoter/outside planner to attempt to prevent and be pro-active in defusing any potential problems. (The police venue manager is responsible for the attendance of all meetings with the venue and or event promoter. They will involve the police special event coordinator, the city of Tampa special event office, who will involve any additional internal city department or outside organizations as needed to efficiently coordinate and plan a venue event that is deemed to have additional community impact.)
- d. Primary responsibility is to the individual venue but must remain aware and sensitive to surroundings. (The police manager's first responsibility is to the department and the community. Any and all venue operations, seasonal operational changes and potential large impact venue events will be brought to the attention of the police special event coordinator. They will at all times be alert for potential community conflicts and bring them to the department's attention.)
- e. Must maintain regular communication with the TPD Special Events Planner before the event to ensure that they are up to date with all the current details. (The police manager will maintain open communications with the venue and its daily and long-range operations. On large impact venue events, the manager is responsible for setting meetings at the earliest time with the venue and or event promoter between the police special event coordinator and the special event office. When the venue and or the event promoter become non-compliant, the police manager will advise the police special event coordinator and the Special Operations Division Major immediately. The Special Support Division Major will notify the chief of police and additional city administrators as

necessary to ensure that the proper city and community resources are informed of the potential conflicts with the event.)

- f. Responsible for keeping the Special Support Division Major and each affected district apprised of the potential of conflicting issues arising. (The police venue manager is responsible for informing the affected district major or designee of all venue events and changes of venue operations. The affected district major is responsible for ensuring that the Special Support Division and the police special event coordinator are also informed of potential venue events that will impact the community or venue daily/seasonal operational changes.)
- g. Must complete an after action report describing detailed information regarding the event and submit to the Special Events Planner. (The police venue manager is responsible for working the venue event, ensuring that the agreed upon plans, manpower, assignments and supervision of the event are fulfilled and overseen. They are responsible for completing all reports that may be required along with an after action report that will go directly to the Special Support Division Major and police special event coordinator.)

R. Sanctions:

- 1. Violation of department policies and procedures may also include a suspension or termination of the officer's privilege to work extra duty depending upon the severity of the violation(s).
- 2. Terminations from extra duty work will be for an indefinite period. Reinstatement to the privilege of working extra duty assignments can be made at the discretion of the Chief of Police.
- 3. Any supervisor, who becomes aware of an officer actively violating departmental policy while working in an extra duty capacity (to include dereliction of duty), shall immediately notify the shift commander for the district in which the assignment is located. A superior officer holding the rank of at least lieutenant or any department employee acting in the capacity of commanding officer on-duty at that time may immediately relieve the offending officer of their duties.
 - a. In such situations, the offending officer may be denied compensation for extra duty activities not performed.
 - b. Any such supervisor who so relieves a department employee of duty shall immediately notify the commanding officer of the employee, who shall immediately notify the appropriate assistant chief (see also MOR 1704.02).

- S. No Show Complaints: All no show complaints will be routed to the Internal Affairs Bureau for the purpose of tracking. Complaints will then be routed back to the affected officer's division for investigation.

- T. Overly Hourly Limits Complaints: All violations of the time limitations as defined above the thirty-hour weekly limit for full-time officers, forty-hour weekly limit for reserve officers (not working a full-time job), twenty –four weekly limit for reserve officer (working a full-time job) or the sixteen-hour daily limit will be routed to the Internal Affairs Bureau for the purposes of tracking. Complaints will then be routed back to the affected officer's division for investigation.

Supersedes SOP 672, dated 12/06.

674 POLICE CHAPLAIN PROGRAM¹

- I. PURPOSE: The purpose of this policy is to provide an ecumenically diverse group of Chaplains who volunteer their time to support law enforcement functions and assist agency employees and family members who are seeking compassionate support or pastoral guidance.

- II. PROCEDURES: The Police Chaplains are appointed by the Chief of Police to be an aid to department personnel, to provide spiritual guidance, pastoral counseling, comfort in times of crisis and to facilitate communication between people in crisis and spiritual advisors. The Police Chaplains will be available to department personnel and their families for counsel at any time upon request.
 - A. Eligibility and Qualifications:
 1. Be ecclesiastic endorsed or an ordained clergy from a cross-section of the religious community;
 2. Successful completion of the background screening process including completion of a non-sworn employment application, fingerprinting, and polygraph examination;
 3. Interview with Law Enforcement Chaplain Liaison, training instructor, and program coordinator prior to submission of applicant's name to Chief of Police for approval;
 4. Participation in, and completion of, the International Conference of Police Chaplains (ICPC) Training Program within two years of acceptance in the department's Chaplain Program or as determined by the Tampa Police Department's Law Enforcement Chaplain Liaison, in accordance with guidelines set forth by the ICPC and the Tampa Police Department's Training Unit. It will be the sole responsibility of the Chaplain to obtain and fund this training. If this training is not completed within the two year time frame, a request may be made via the chain of command asking for a one year extension which may be granted by the Chief of Police or his designee;
 5. Willingness to serve on a 24-hour call basis;
 6. Chaplains are required to interact with departmental personnel a minimum of eight hours per month. This may be through association at roll calls, in-service training or ride along.
 7. Provide a monthly activity report detailing the previous month's activities to the Chaplain Liaison.

¹ CALEA [5th Edition] 22.2.3; 22.2.4

B. Duties and Responsibilities may involve all or some of the following:

1. Be called to the scene of a traumatic incident to provide comfort;
2. May involve notifying next-of-kin in death or serious injury incidents;
3. Order follow-up assistance to victims of crisis;
4. Furnish referral or resource assistance;
5. Counsel either individuals or families experiencing stressful situations;
6. Give confidential counsel to department personnel;
7. Be available to families of department personnel in traumatic situations;
8. Provide personal or family counseling;
9. Help with critical incident stress debriefing for all first responders;
10. Train for crisis intervention and participation in defusing and debriefing sessions as requested;
11. Preside at weddings/funerals or other religious events as requested;
12. Visit sick or injured department employees;
13. Conduct invocations at department functions such as awards ceremonies, building, and facility dedications, or at any other appropriate event; and
14. Fulfill other functions deemed appropriate or requested by the department.

C. Additional Guidelines:

1. Police Chaplains are appointed by the Chief of Police for one year with renewal subject to approval. The Police Chaplains will represent various denominations and a Chaplain will be called upon based upon the religious beliefs of the personnel involved in the incident, when possible.
2. Police Chaplains will not, in any way, interfere with an officer in the performance of his duties. The Chaplains are authorized to visit the stations at any time day or night and will have access to all buildings and scenes where the presence of law enforcement officers indicate the requirement or need for the Chaplain's services or presence.

3. Chaplains are subject to the same rules of abuse of identification as sworn personnel; the identification card/Chaplain's badge must not be used for personal gain.
 4. Confidentiality and trust are two key elements to the success of the chaplain's program; any chaplain who violates this code of ethics will be subject to dismissal.
 5. Chaplains are prohibited from releasing any information to the news media, insurance companies, or attorneys regarding cases they are involved in. All information and police activities will be held in strict confidence.
 6. The Chaplains will dress in appropriate business attire and carry proper credentials, consisting of departmental identification card and gold chaplain's badge, when on duty.
 7. Should a Chaplain be injured while performing a service for the department, the Chaplain will be covered by the department's workers' compensation insurance.
- D. Resignation: Upon resignation from the program, the Chaplain will submit a letter to the Chief of Police and all department items issued to the Chaplain (identification card, badge, clothing, etc.) will be returned to the program coordinator.

Supersedes SOP 674, dated 9/06.

675 DRILL AND CEREMONY

- I. DISCUSSION: This directive provides guidance for department uniformity in the conduct of drill and ceremonies. It includes funeral procedures, inspections and other instructions in the quasi-military movement of personnel. Because exact procedures covering all situations or eventualities pertaining to drill cannot be foreseen, commanders might find it necessary to adjust procedures to current conditions.
- II. DEFINITIONS:
- A. Drill: Consists of certain movements by which a unit or individual is moved in an orderly uniform manner from one formation to another or from one place to another in unison.
- B. Command: Is an oral order of a commander or leader.
1. Preparatory Command: States the movement to be carried out and mentally prepares the individual for its execution.
 2. Command of Execution: Tells when the movement is to be carried out.
 3. Combined Command: Is the combining of the preparatory command and the commands of execution, for example, FALL IN, AT EASE, REST.
 4. All commands are printed in capital letters. For ease in distinguishing a preparatory command from a command of execution, commands are hyphenated. The preparatory commands are printed before the hyphen; the commands of execution are printed after the hyphen.
- C. Close Interval: Is the lateral space between persons, measured from right to left by the officer on the right placing the heel of his left hand on his left hip, even with the top of the belt line, fingers and thumb joined and extended downward, with his elbow in line with his body, and touching the arm of the officer to his left.
- D. Hand Salute: Is a one-count movement. The preparatory command is PRESENT; the command of execution is ARMS. To cease the hand salute, the preparatory command is ORDER; the command of execution is ARMS.
- E. Stand at Ease: The command for this movement is STAND AT - EASE. On the command of execution, the officer maintains his position, but turns the head and eyes directly toward the commander or center of activity.

III. PROCEDURE:

A. Saluting the American Flag:

1. The hand salute will be given only when the officer is wearing the uniform **and** hat during:
 - a. The playing of the National Anthem and/or;
 - b. The raising or lowering of the American Flagotherwise, the right hand will be placed over the heart.
2. If saluting the playing of the National Anthem, the officer shall face the music and hold the salute until the music is finished.
3. If rendering the salute during the raising or lowering of the flag, the officer shall face the flag and hold the salute until the process is completed.
4. If the National Anthem is being played during the raising or lowering of the flag, the officer will face the flag rather than the music.
5. If an officer is on a traffic or crowd control assignment on a parade route, he should salute only the first American Flag accompanied by a Color Guard in the parade, and then only those following American Flags borne by military or police color guards.
 - a. The salute should begin as the flag approaches within six paces and be held until it has passed six paces.
6. If an officer's assignment requires his full attention to a person, place, or thing, i.e., dignitary protection, the assignment will take precedence over any saluting.

B. Inspection of Personnel:

1. Upon receiving the command FALL IN, the officers scheduled for inspection shall line up in the prescribed location at the position of attention. The corporal, if on duty, shall be in the first position on the right.
2. The supervisor shall position himself in the center front and facing his squad with the Inspecting Officer standing directly behind him.
3. The supervisor shall call roll and upon completion will execute an "about face," salute the Inspecting Officer, and report on the status of the squad.

The Inspecting Officer will return the salute and order the supervisor to "Prepare for Inspection."

4. The supervisor will then execute a "right face," proceed to the right end of the squad line, execute another "right face," and position himself so that he is able to view the length of the squad. He shall then issue the order, AT CLOSE INTERVAL, DRESS RIGHT - DRESS.
5. Upon receiving this command the officers being inspected will comply with the order and remain in that position until the supervisor, being satisfied with the formation, gives the order, READY - FRONT.
6. When the squad has complied, the supervisor will face the Inspecting Officer, salute and report, "Ready for Inspection." The Inspecting Officer will return the salute and proceed to the first officer in line and begin the inspection.
7. The supervisor will follow the Inspecting Officer during the inspection and take note of any comments made. Any corrections that need to be made will be brought to the attention of the officer concerned after the inspection is completed.
8. When the inspection is completed, the supervisor will issue the order, FALL OUT.

Supersedes SOP 675, dated 7/03.

676 **HONOR GUARD**

I. **DISCUSSION:** The department recognizes the need to honor those officers who have dedicated their lives to the police service. For that purpose, volunteer officers are chosen to represent the department as an Honor Guard at police funerals and certain other ceremonies by the Chief of Police.

II. **DEFINITIONS:**

- A. **Honor Guard:** Designated officers below the rank of sergeant plus one sergeant designated as Sergeant of the Guard.
- B. **Fourragere:** An ornamental braided cord usually looped around the left shoulder.
- C. **Ascot:** A scarf to be worn around the neck.
- D. **Colors:** The United States flag and any other authorized flag or standard.

III. **RESPONSIBILITY:**

- A. It shall be the responsibility of the Chief of Police or his designee to determine when the Police Honor Guard is to be utilized.
 - 1. The Chief of Police shall notify the Personnel and Training commander when it has been determined the Honor Guard will be utilized. The Sergeant of the Guard will also be notified and he in turn will notify the personnel with the Guard.
 - 2. Representatives of the Honor Guard may be utilized in those cases when the department sends officers to police funerals outside its jurisdiction.
 - 3. The Honor Guard may be utilized for other activities when the Chief of Police determines the department will best be served by its presence.
 - 4. The Honor Guard will be the only authorized personnel to wear the described ascot and fourragere at any ceremony to which they are assigned by the Chief of Police.
- B. The Personnel and Training Unit shall maintain a list of those officers assigned to the Honor Guard and shall be responsible for the training of those officers through the Sergeant of the Guard.
 - 1. Each officer assigned to the Honor Guard will be issued an ascot, fourragere, one pair of white gloves, two long sleeve Honor Guard shirts with metal buttons, two pairs of uniform pants, a patent leather gunbelt with accessories and an Honor Guard insignia/pin.

- C. The Personnel and Training commander will coordinate with the Sergeant of the Guard on impending funerals and/or other ceremonies at which the Honor Guard will be utilized.
- D. Whenever the Honor Guard receives a call for duty, a flag presentation, a funeral ceremony or for their monthly training date, the Chief of Police expects full cooperation from departmental personnel in seeing that the personnel from the Honor Guard are afforded the same cooperation as for any other specialty team. When the Guard is called out for any function, they are working for the Office of the Chief of Police. Should any problems arise from the scheduling of officers from the Honor Guard, the Chief's Office will be notified.

IV. PROCEDURE:

- A. The procedures contained herein are guidelines to be utilized at police funerals; however, of necessity, the techniques and/or formations might vary at the discretion of the Sergeant of the Guard and/or Funeral Commander.
- B. Chapel Service (including the times that the body "lies in state"):
 - 1. The Honor Guard will stand with one officer at the head and one at the foot of the casket.
 - 2. The Honor Guard will be posted and changed every half-hour. They shall stand at the position of parade rest.
 - 3. Whenever a body "lies in state," the body will be guarded and protected at all times.
 - 4. The Honor Guard, whenever positioned to the duties therein, will not interact with anyone and will respond only to the Sergeant of the Guard.
- C. Interment Services:
 - 1. The Honor Guard will stand with a maximum of four officers on each side of the casket, while the graveside service is being conducted.
 - 2. At an appropriate time during the graveside service, the flag of the United States will be folded in a military fashion by the Honor Guard.
 - 3. Once the flag has been inspected by the Sergeant of the Guard, it will be presented to the Chief of Police or their representative, who will present the flag to the family of the deceased.

- D. The Honor Guard will respond only to silent commands from the Sergeant of the Guard. The Honor Guard is a specialized unit and will only react to those commands issued by the Sergeant of the Guard.
- E. Those officers requesting consideration for a position on the Honor Guard will submit a letter through their chain of command to the Chief of Police. A copy of the letter will be sent to the Sergeant of the Guard. The officer's qualifications will be reviewed by the Chief of Police. After final review from the Sergeant of the Guard, the officer's name will be submitted for approval of the Chief of Police to be added to the list of personnel assigned to the Honor Guard.

Supersedes SOP 676, dated 11/97.

676.1 FUNERALS

- I. DISCUSSION: This directive provides the protocol for the classes and types of funerals conducted by the Tampa Police Department. A ceremony will be provided at the request of the member's family. Because exact procedures covering all situations or eventualities pertaining to funerals cannot be foreseen, the funeral commander may find that it is necessary to adjust to changing conditions and/or circumstances. Line of Duty death ceremonies present formidable challenges requiring the coordination of many departments, agencies and private entities. Identifying the scope of the ceremony and engaging these entities at the earliest possible time is critical to providing the honor and dignity to a member lost in the line of duty.

Staff members and supervisors with prior experience will provide funeral commanders and officials with training for discharging their assigned duties.

II. DEFINITIONS:

- A. Funeral: Consists of various components of a ceremony conducted by special Units of the Department as to proper rites and burial befitting a sworn or civilian member of the Department. *For the purposes of this procedure, a Reserve Officer I or II is considered a sworn officer. A ceremony will be provided as follows:*

1. Four classes of funerals:

a. Sworn:

- i. Line of Duty death;
- ii. Non-line of Duty death;
- iii. Retired sworn.

b. Active civilian personnel.

2. Four types of funerals:

- a. Chapel service, followed by a motor procession to the grave site or place of local disposition with the prescribed escort;
- b. Chapel service with no subsequent ceremony;
- c. Graveside services only; and
- d. Services involving cremation.

B. Funeral Officials:

1. Funeral Commander: A staff member of the rank of Lieutenant or above appointed by the Chief of Police. The Commander is responsible for the conduct of all aspects of the funeral. The Commander will be working closely with the family and funeral home director and the designated special units of the Department in planning the funeral.

The Funeral Commander acts with the authority of the Chief of Police, is the Chief's representative in all funeral proceedings and the final authority with regard to all functions attendant to the services and ceremonies provided by the Department during a period of mourning. *Based on an assessment of all factors, the Funeral Commander has the sole authority and responsibility to adjust protocol in exigent circumstances during planning or conduct of a police funeral.* The deceased officer's division commander will also become involved in the arrangements with the affected personnel.

It is the Funeral Commander's responsibility to immediately identify the scope of the ceremony and engage sufficient Deputy Commanders and resources as are necessary to successfully complete the mission. *The Funeral Commander will schedule meetings throughout the course of preparations for the coordination and execution of all facets of the mourning period.*

2. Deputy Funeral Commander: A staff member of the rank of lieutenant or above called to service by the Funeral Commander to assist with all functions attendant to the services and ceremonies provided by the Department during a period of mourning.
3. Honor Guard Supervisor: A Sergeant of the Guard who coordinates all responsibilities of the Honor Guard throughout the period of mourning when called to service by the Funeral Commander.
4. Survivor Assistance Officer: A member of the Department's Personnel and Training Bureau having specific knowledge of survivor benefits to determine the subsequent benefits realized as a result of the member's service with the department. The assistance officer will work closely with the family, the affected employee's Division Commander and funeral home director.
5. Escort Coordinator: A Traffic Unit Sergeant responsible for notifying and scheduling officers for escort during the funeral procession. The Escort Coordinator will facilitate the movement of the family with the C.I.S.M. The Escort Coordinator will determine the types of vehicles necessary to accomplish the escort. The escort coordinator works closely with the route coordinator and reports to the Funeral Commander.

6. Route Coordinator: A DUI sergeant responsible for coordinating the funeral procession route and notifying affected agencies and/or jurisdictions when the procession will leave the Tampa City limits. The Route Coordinator will engage the Traffic Engineering Department for street closure and signage. The route coordinator works closely with the escort coordinator and reports directly to the Funeral Commander.
7. Parking Coordinator: A sergeant responsible for coordinating the designation of, security needs and personnel required to provide adequate, secure parking for designated attendees. The parking coordinator will work closely with the escort coordinator and funeral home director for proper placement of motorcade units.
8. Tactical Team Coordinator: A sergeant responsible for coordinating any element of the funeral ceremony involving the Tactical Response Team.
9. Aviation Unit Coordinator: An aviation unit sergeant responsible for coordinating any element of the funeral ceremony involving the Aviation Unit.
10. Mounted Unit Coordinator: A mounted unit supervisor for coordinating any element of the funeral ceremony involving the Mounted Unit.
11. Chapel/Graveside Service Coordinator: A member of the Department responsible for coordinating ushers, family seating, official seating, dignitary seating and general seating during a chapel or graveside service. This coordinator works closely with the funeral home director.
12. Public Information Liaison: A member of the Public Information Office responsible for coordinating all aspects of media relations throughout a period of mourning.
13. Communications Coordinator: The Communications Supervisor responsible for coordinating communication during all aspects of the funeral operations. Specific duties include dissemination of funeral information, contact numbers, participation directions via teletype.
14. Criminal Intelligence Coordinator: The captain of C.I.B. responsible for coordinating non-law enforcement dignitary participation. This will include staging and seating of dignitary attendees, coordinating an event threat assessment with the Special Support Division and arrange for security at the residence of the fallen member during visitation, funeral or special circumstances.
15. C.I.S.M. Coordinator: A member of C.I.S.M. designated as a liaison to the Funeral Commander for the purpose of facilitating family concerns and movement during the period of mourning.

16. Monetary Donation Coordinator: The treasurer of the Memorial Committee.

C. Funeral Components: The following are descriptions of the various components of a funeral service based on the class of funeral being conducted. The components are adjusted and varied based on the circumstances as determined by the affected funeral official and the Funeral Commander.

1. Period of Mourning Component: A component assigned to the Sergeant of the Guard who responsibilities include, but are not limited to:

- a. Attending the body while “in-state” (continuous 24-hour periods until laid to rest);
- b. The changing of the guard during the funeral;
- c. The care and presentation of the flag to the designated Department Representative;
- d. Coordinating pallbearers to carry the casket during funeral movements;
- e. Assigning an Honor Guard member to present the Department flag for the Black Ribbon of Honor;
- f. Conducting of the vessel for transport;
- g. Arranging appropriate graveside protocol;
- h. Securing the bugler for the sounding of taps; and
- i. Assigning a member to facilitate final roll-call via the Communications Bureau.

2. Rider-less Horse: A component assigned to the Mounted Unit supervisor. This component consists of a mount attended by a Mounted Unit member with riding boots placed backward in the stirrups. The rider-less horse immediately precedes the arrival of the hearse prior to the start of the graveside service.

3. Twenty-One Gun Salute: A component assigned to the Tactical Team Coordinator. Personnel assigned to the Tactical Response Team will be responsible for this portion of the ceremony. This component occurs immediately following the sermon with flag raised over the casket.

4. "Missing Man Formation": A component assigned to the Aviation Unit Coordinator. Performed by at least four aviation units coordinated by the Sergeant of the Aviation Unit, immediately following the 21-gun salute with flag raised over the casket.
5. Bugler: A component assigned to the Sergeant of the Guard. The sounding taps occurs immediately following the twenty-one gun salute with flag raised over the casket.
6. Flag Folding/Presentation: A component assigned to the Sergeant of the Guard to coordinate the folding of the flag(s) and transfer to the Department Representative for presentation.
7. Final Roll-Call: A component assigned to the Communications Manager with the assigned Honor Guard Member to conduct the last roll-call for the deceased officer. This occurs immediately following the flag/badge presentation and concludes the graveside services.
8. Dignitary Escort: A component assigned to the C.I.B. Captain to coordinate all contact from local and extended dignitary details expressing the intent to attend a funeral ceremony.

III. PROCEDURE:

- A. Line of Duty Death:
 1. Body lies in-state;
 2. Funeral service;
 3. Motorcade;
 4. Rider-less horse precedes hearse;
 5. Graveside ceremony;
 6. Twenty-one gun salute;
 7. Missing-man formation;
 8. Taps;
 9. Flag folding;
 10. Flag and badge presentation to family; and
 11. Final roll-call.

B. Non-line of Duty Death:

1. Body lies in-state;
2. Funeral service;
3. Graveside ceremony;
4. Taps;
5. Flag folding; and
6. Flag presentation to family.

C. Retired Sworn Personnel:

1. Body lies in-state;
2. Funeral service;
3. Graveside ceremony;
4. Taps;
5. Flag folding; and
6. Flag presentation to family.

D. Civilian Personnel:

1. Graveside services;
2. Flag folding (if active or retired military); and
3. Flag presentation to family (if applicable).

IV. CONVENTIONS: The following are the adopted practices of each component of a rites and burial ceremony for members of the Tampa Police Department pursuant to a Line of Duty Death. Each following class as defined in II, A, 1 and 2 will consist of the appropriate components.

A. Ceremony:

1. The Escort Coordinator will coordinate escort of the family as necessary with the C.I.S.M. Coordinator. The hearse and family vehicles will be escorted to the ceremony site.

2. Before the service, law enforcement personnel attending in uniform will form a line, as directed by the Funeral Commander, at the position of parade rest on both sides of and facing the center of the walkway, where the casket will pass. This line will be formed at the closest point, next to the entranceway into the chapel or church or *designated facility*.
3. The Mayor or highest-ranking member of this department will be the first position next to the entryway, with the lower ranks to follow. Should there be another chief or sheriff from a different jurisdiction, they will form the opposite line with the chief or sheriff at the point closest to the entryway and opposite the highest-ranking member of this department. The exception would be the deceased officer's squad or unit would stand across from the chief of police. The other jurisdiction's highest-ranking officer would then be next in line.
4. Elected officials and dignitaries attending in an official capacity will be positioned in a second line behind the agency ranking members.
5. The Honor Guard will escort the casket into the chapel from the hearse, between both lines of uniformed personnel. As the hearse is opened the Funeral Commander will bring the assembly to attention with the command "DETAIL ATTEN-HUT." As the casket or vessel is extracted, the Funeral Commander will bring arms to bear with the command "PRESENT-ARMS."
6. After the casket along with any family members and Honor Guard enter chapel, the Funeral Commander will order "DETAIL-ORDER-ARMS, AT EASE." Non-law enforcement dignitaries will be escorted to the seating reserved for them. Sworn personnel beginning with the highest rank (for the purpose of this procedure, the Mayor is considered in this group), will then proceed into the chapel, remove any headgear and proceed to the casket for a "pass and review." The law enforcement dignitaries (defined as Federal and State Directors, Sheriffs, Chief Deputies, Chiefs, Assistant Chiefs or the ranking representative from an outside agency) will then proceed to the seating area reserved for VIPs. All other sworn ranks will fill in available seating. Any over-flow will proceed to exit the chapel, after the "pass and review", and take a position at the direction of Funeral Staff.
7. At the conclusion of the chapel service, an appointed member of the Honor Guard will walk the Department flag to the front of the chapel. The Honor Guard member will post and the Funeral Commander will drape the Black Ribbon of Honor on the flag mast. The post will be maintained until the casket departs at which time the Honor Guard flag bearer will follow the casket from the chapel. Once the casket is secure in the hearse, the Department colors will be retired at the command to dismiss.

8. Following the draping of the Department flag with the Black Ribbon of Honor at the conclusion of the chapel service, the Funeral Commander will provide direction to the assembly for recession. The recession will be in order as follow with the assembly outside to be the same as for the arrival of the casket with the exception of dignitaries who will follow the visiting ranking law enforcement officers and proceed to their vehicles or into the general observation area:
 - a. Mayor or ranking department official.
 - b. Officer's squad (unless acting as pallbearers).
 - c. Other ranking law enforcement officials.
 - d. Law enforcement and general public exit the chapel.
 - e. The uniform officers will once again line up outside the chapel as before.
9. The facility doors will be closed. C.I.S.M. will prepare the family for movement to the hearse following any final viewing of the body. After the family has departed, the Sergeant of the Guard will prepare the casket for movement. As the casket reaches the exit, the Funeral Commander will order "DETAIL- ATTEN-HUT-PRESENT-ARMS." Once the casket is inside the hearse and the doors close, the Funeral Commander will order "ORDER-ARMS-DISMISSED."

Should there be no graveside service, taps will be played and a flag/badge presentation made either inside or outside of the facility. This will be the conclusion of the service.

B. Motorcade Procession: In each funeral service where there is a procession to another location or cemetery, the following will be the "Line of Order". The Funeral Commander and Escort Coordinator will coordinate with the Funeral Director to ensure the line of procession.

1. Lead marked police vehicle.
2. Five motorcycles surrounding hearse.
3. Hearse (clergy normally in hearse, if not, clergy is in a vehicle behind lead car, in front of hearse).
4. Marked police units containing honor guard.
5. Family vehicles.

6. Officer's squad or unit.
7. Staff in order of rank.
8. Dignitaries.
9. Remaining mourners.

C. Graveside Service:

1. Once the procession arrives at the place of internment, the uniform personnel will line up as directed by the Funeral Commander, which will be the same as at the chapel, with the personnel facing the center of the path the casket will take. The family will be positioned near the hearse and follow the coffin or vessel.
2. The Escort Coordinator will notify the Mounted Unit Coordinator at a predetermined time and distance to initiate the Rider-less Horse detail preceding the arrival of the hearse.
3. Once the personnel are in place, the hearse door will open and the casket will be removed. At this point the Funeral Commander will order "DETAIL-ATTEN-HUT-PRESENT-ARMS."
4. Once the casket is placed upon the lowering device and the Honor Guard has taken its place on both sides of the casket, the Funeral Commander will order "DETAIL-ORDER-ARMS-AT-EASE."
5. At the conclusion of the service at graveside, the Honor Guard will raise the flag over the casket. The Funeral Commander will issue the command, "DETAIL-ATTEN-HUT-PRESENT-ARMS." The 21-Gun Salute will be fired, then the "Missing-Man Formation" fly-over, followed by Taps. The Funeral Commander will then order DETAIL-ORDER-ARMS. The flag will be folded and transferred to the Department Representative for presentation. The Funeral Commander will then order, DETAIL-DISMISSED." The personnel may then disperse and leave the scene.

D. Cremation:

1. During all phases of the funeral involving the cremated remains to be carried by hand, one Guardsman will be assigned to carry the receptacle containing the ashes with another Guardsman carrying the folded United States flag with the remaining Honor Guard detail marching behind them.
2. The bearer of the flag will always be to the right of the remains.

3. When the receptacle containing the ashes is placed on the gravesite, the Honor Guard will be positioned at "Parade Rest" to the side of the gravesite. Once the gravesite sermon is concluded, Taps will be sounded, the flag folded and conveyed to the Chief or designee for presentation.
4. Following a ceremony when the remains are conducted to a crematory and the ashes are to be interred at a later time, the police funeral will consist of an escort only. Officers accompanying the remains will be brought to attention and hand salute as the remains are conducted from the hearse into the crematory. The Funeral Commander will then dismiss the formation.
5. When the entire funeral ceremony is held at the crematory, the class protocol will be followed after consideration of the location of the facility. The Funeral Commander will make the final determination with regard to the components activated.

E. Component Protocol:

1. Twenty-one Gun Salute:
 - a. The firing party will consist of no more than seven riflemen and one officer in charge.
 - b. Normally, the firing party is positioned before the casket leaves the hearse at graveside services. The team of riflemen will be approximately fifty yards away from graveside and face the grave in order to shoot over the grave.
 - c. While standing arm to arm, the firing party will be brought to attention by their officer in charge by ordering **DETAIL-PRESENT-ARMS** as soon as the casket is removed from the hearse. When the casket is laid to rest upon the lowering device, the firing party will be ordered **DETAIL-ORDER-ARMS**.
 - d. As the flag is held over the casket following the graveside sermon, the Tactical Team Coordinator will receive a signal from the Chapel/Graveside Service Coordinator to prepare the riflemen for fire.
 - e. The Tactical Team Coordinator will order the firing party **DETAIL-READY-AIM-FIRE**. After the first volley is fired, the riflemen will return the guns to a ready position and await the order twice more, to fire. The Tactical Team Coordinator will then bring the firing party to the position of parade rest.

- f. If the family has granted prior approval, the Tactical Team Coordinator will retrieve the spent shell casing and deliver them to the family following the closing of the service as a token for them to keep.
 - g. The Tactical Team Coordinator in charge of the firing team will dismiss the firing party.
- 2. Missing-Man Formation:
 - a. The Aviation Unit Coordinator will pre-position the aviation units for the fly-over away from the gravesite and maintain radio with the lead aircraft.
 - b. The Aviation Unit Coordinator will be in a position to observe the raising of the flag from the coffin by the Honor Guard and to visually communicate with the Chapel/Graveside Service Coordinator.
 - c. At a time pre-determined by prior assessment, the Aviation Unit Coordinator will radio the lead aircraft to commence the fly-over to occur immediately following the final discharge of the 21-gun salute.
 - d. When the aviation detail arrives, the designated aircraft will execute the “missing-man” maneuver as the remaining aircraft depart.
- 3. Taps:
 - a. The bugler will commence taps when the “missing-man” aircraft has departed the gravesite.
- 4. Flag Folding and Presentation:
 - a. The Honor Guard will commence the folding of the flag(s) at the conclusion of the sounding of taps.
 - b. The Sergeant of the Guard will receive the folded flag(s) from the Honor Guard and convey the flag(s) one at a time to the Department Representative for presentation.
- 5. Final Roll-Call:
 - a. Immediately follows Taps and is broadcast over the public address system from a marked on site. The Final Roll-Call will include the officer’s full name, badge number, I.D. number, division or

district, with an ending statement of "...will be 10-7, God rest his/her soul."

F. Pallbearers:

1. The Honor Guard will act as pallbearers, consisting of an eight-member team that will carry or escort the remains during any funeral movement.

G. Honorary Pallbearers:

1. May be composed of both sworn personnel and civilians, will report to the Honor Guard Sergeant or their designee at least thirty minutes before the ceremony begins in order to receive instructions.
2. If pallbearers receive boutonnières, they will be pinned just under the badge, over the left breast pocket.
3. Honorary pallbearers will enter the chapel, remove their headgear and "pass of review" the casket.
4. They will normally walk behind the casket, while the casket is being carried.

V. Mourning Periods and Agency Protocol:

A. Mourning:

1. The mourning period for officers killed in the line of duty is seven days or until midnight of the day of final rites.
2. The period of mourning for officers who pass away not in the line of duty will be until midnight the day of the funeral.
3. There is no official period of mourning for retired officers or civilians.
4. During the period of mourning by the department, the flags at headquarters and associated buildings will be at "half-staff" only for officers killed in the line of duty.
5. All sworn personnel, uniform or plain clothes, will wear a mourning drape over their badges during any designated mourning period.

B. Funeral Services Conducted by Other Agencies: Upon notification of the death of a law enforcement officer in another agency, the Sergeant of the Guard will coordinate with the chief of police in dispatching members of the Honor Guard to represent this department.

1. The period of mourning for sworn members of other agencies in Hillsborough County killed in the line of duty will be midnight of the funeral day. All members of the Department will wear the mourning drape over their badge.
- C. Uniform of the Day: The "Uniform of the Day" for an officer attending a funeral involving a law enforcement officer from any agency shall be long sleeve shirt and tie. The "Uniform of the Day" for Staff will be the dress uniform for majors and above.
- D. After-Action Report: The Funeral Commander will submit to the Assistant Chief of Investigations and Support an aggregate after-action report following the conclusion of the mourning period activities. The report will contain a record of all activity, planning and involved personnel from the initial activation until the conclusion of the mourning period. The Assistant Chief will ensure that the after-action reports are maintained in a central location for future reference. The Funeral Commander will direct each funeral official activated for a period of mourning to submit an after-action report no later than 10 days of the conclusion of mourning.

Supersedes SOP 676.1, dated 10/97.

676.2 POLICE ESCORTS:¹

- I. **DISCUSSION:** The Police Department routinely performs police escorts for funerals, dignitary protection, and when the need outweighs the risk to the motoring public. A “risk and reward” equation is the model used to decide whether or not to authorize a police escort. The City of Tampa Police Department must be able to justify the need and benefit of an escort conducted within its boundaries.

- II. **DEFINITIONS:**
 - A. **ESCORT:** The movement of a vehicle or group of vehicles from one point to another with the least amount of impact to the motoring public. All emergency equipment is utilized, both emergency lights and siren.

 - B. **SECURITY BASED ESCORT:** An escort that involves the movement of a dignitary, head of state, person who has Secret Service protection or at the discretion of the Division Commander of the Special Support Division.

 - C. **HAZARD ESCORT:** An escort which if not done will impose a direct hazard to the motoring public. Examples are large vehicles or a group of large vehicles, which will immobilize traffic or are of such a size to affect the safe movement of other vehicles.

 - D. **LEAD:** A movement of a vehicle or vehicles from one point to another without the use of emergency equipment. All traffic laws are followed.

- III. **PROCEDURES:**
 - A. ALL escorts and leads for the Tampa Police Department will be approved through the chain of command of the Special Support Division. Once approved the escort will be disseminated to the proper handling unit, the Traffic Squad, the Extra Duty Office, or a designee of the Special Support Division Commander.

 - B. The Division Commander of the Special Support Division will be the final approving authority on all escorts conducted within the city.

 - C. Escort utilizing the personnel of the Special Support Division will be coordinated through the Sergeant of the Motorcycle Unit.

 - D. Extra Duty Funeral Escorts will be approved and assigned through the Extra Duty Coordinator. Funerals, which meet the criteria set forth in Florida State Statute 316.1974 will not need the approval of the Division Commander and the Extra Duty coordinator may assign personnel as needed.

¹ CALEA [5th Edition] 61.3.3

- E. All personnel conducting escorts or leads will be trained and certified in police escorts.
- F. Extra Duty requests for vehicle movements will be evaluated by the Extra Duty coordinator. Extra Duty escorts must be approved through the Division Commander of the Special Support Division. Once approved, the Extra Duty coordinator may assign personnel as needed.

IV. FUNERALS: (Florida State Statute 316.1974):

A. DEFINITIONS:

- 1. (b) "Funeral Procession" means two or more vehicles accompanying the body of a deceased person, or traveling to the church, chapel, or other location at which the funeral service is to be held, in the daylight hours, including a funeral lead vehicle or a funeral escort vehicle.
- 2. (c) "Funeral Lead Vehicle" means any authorized law enforcement or non-law enforcement motor vehicle properly equipped pursuant to subsection (2) or a funeral escort vehicle being used to lead and facilitate the movement of a funeral procession. A funeral hearse may serve as a funeral lead vehicle.
- 3. (d) "Funeral Escort" means a person or entity that provides escort services for funeral processions, including law enforcement personnel and agencies.

B. (5) LIABILITY:

- 1. (a) Liability for any death, personal injury, or property damage suffered on or after October 1, 1997, by any person in a funeral procession shall not be imposed upon the funeral director or funeral establishment or their employees or agents unless such death, personal injury, or property damage is proximately caused by the negligent or intentional act of an employee or agent of the funeral director or funeral establishment.
- 2. (b) A funeral director, funeral establishment, funeral escort, or other participant that leads, organizes, or participates in a funeral procession in accordance with this section shall be presumed to have acted with reasonable care.
- 3. Except for a grossly negligent or intentional act by a funeral director or funeral establishment, there shall be no liability on the part of a funeral director or funeral establishment for failing, on or after October 1, 1997, to use reasonable care in the planning or selection of the route to be followed by the funeral procession.

C. (6) VIOLATIONS:

1. A violation of this section is a non-criminal traffic infraction, punishable pursuant to chapter 318 a nonmoving violation for infractions of subsection (2), a pedestrian violation for infractions of subsection (3), or as a moving violation for infractions of subsection (3) or subsection (4) if the infraction resulted from the operation of a vehicle.

677 PERSONAL HISTORY RECORDS OF DEPARTMENT EMPLOYEES
AND GENERAL CRIMINAL HISTORY RECORDS

688 **COMPENSATION FOR OVERTIME**

- I. DISCUSSION: Officers of a rank below lieutenant will be compensated for all hours worked including court time required by department policies as stated herein. Lieutenants and higher ranks are excluded from the provisions of this directive.

Civilian employees will be compensated for overtime as directed by the City of Tampa Personnel Manual, Section B4, Overtime Policy, or the A.T.U. contract, whichever is applicable.

II. DEFINITIONS:

- A. Court Time: An appearance in court which is required by a subpoena or by the department as a result of a matter arising out of the course of an officer's employment as a police officer. The court appearance occurs during an officer's off-duty time.
- B. Overtime: All hours actually worked in excess of forty hours during a seven-day cycle. Overtime for employees assigned to the modified work schedule shall be calculated at the rate of time and one-half (1-1/2) for all hours actually worked in excess of the assigned 34.3 hours or 45.7 hours as applicable.

III. RESPONSIBILITY:

- A. It is the responsibility of the individual officer requesting compensation to initiate the Request for Credit (TPD 662) and submit same to a supervisor as soon as practicable.
- B. It is the responsibility of the immediate supervisor to edit the request prior to approval, and attach the original to the Payroll Time and Attendance (PTA) Card.

IV. COMPENSATION SCHEDULE:

- A. Computation of Court Time: See contract agreement between the City of Tampa and PBA.
- B. Computation of Overtime: See contract agreement between the City of Tampa and PBA.
- C. Time-Keeping Procedure:
1. All work hours including court ti

00 - 05 min. = 0.0 hours	36 - 41 min. = 0.6 hours
06 - 11 min. = 0.1 hours	42 - 47 min. = 0.7 hours
12 - 17 min. = 0.2 hours	48 - 53 min. = 0.8 hours
18 - 23 min. = 0.3 hours	54 - 59 min. = 0.9 hours
24 - 29 min. = 0.4 hours	60 - 65 min. = 1.0 hours
30 - 35 min. = 0.5 hours	66 min. and up - repeat

D. Compensatory Accounts:

1. During any seven-day period, an officer must elect to be paid for overtime, or to allow the time to accumulate in the compensatory bank. Time credited to the compensatory bank shall be credited on the basis of 100% or 150% of the rate of pay as applicable in part B (Computation of Overtime).
2. Officers may accrue a maximum of eighty hours of compensatory time.
3. Any authorized compensatory leave time shall be deducted from the officer's compensatory time bank.
 - a. Overtime earned within a seven-day workweek may be taken off through rescheduling of work hours within that same seven-day period.
 - b. Overtime earned within the first seven-day period may be taken off as compensatory time in the second week of the same pay cycle.
4. Compensatory Bank Buy-Outs:
 - a. Upon written notice to the Fiscal Bureau manager or at the end of each fiscal year (cycle 13), all hours in the compensatory bank will be compensated by special payment. Each new fiscal year (cycle 1), the officers will begin the compensatory bank with a zero balance.
 - b. Prior to any change in the employee's rate of pay, the officer shall be paid for all hours in the compensatory bank by special payment. The officer will then begin with a zero balance at the new rate.
 - c. In the event an officer reaches the maximum of eighty hours, any additional overtime accrued shall be paid and shall not be credited to the compensatory account until such

time as the credit to the bank will not produce a balance which exceeds the eighty hour maximum.

- d. Sergeants shall receive credit for all overtime worked as defined in this SOP.

E. Special Payments:

- 1. Payment for overtime shall be considered special payment and shall not be subject to deductions for members of the Police and Fire Pension Fund.
- 2. Specialty team pay shall be in accordance with Article 30 of the PBA contract.

Supersedes SOP 688, dated 6/00.

689 ADMINISTRATIVE MESSAGES¹

I. DISCUSSION: Requests are received from individuals and other law enforcement agencies for assistance in delivering messages or locating persons for reasons which they consider important even though no criminal matter is involved. The majority of these requests pertain to an emergency of some type and it is imperative that the person be located as soon as possible. As a public service organization, we will honor these requests when practical. An acceptable request is one that cannot be performed by the individual's own efforts or resources or one that does not interfere with nor intimidate any party in a civil action or potential civil action.

II. DEFINITIONS:

A. Attempt to Locate: Is a request from which an inference cannot be taken that the information requested is to be used in a civil action, for the collection of unpaid bills or for any other reason which logic dictates the department should not honor.

B. Administrative Message: Requests which involve the transmitting of non-emergency medical or life threatening information.

C. Emergency Message: Requests which involve the transmitting of information concerning death or medical emergency.

III. PROCEDURE:

A. Attempt to Locate:

1. If the request is received by local or long-distance telephone call in the Communications Bureau, a unit will be dispatched to any applicable address within the City of Tampa, if necessary. If more action is required, the request may be referred to the Delayed Crimes Investigations Unit (DCIU) of the affected district.

If the DCIU employee cannot complete the request, a report will be originated and referred to the Criminal Investigations Division.

2. If the request is by administrative message, the Communications Bureau will attempt to comply with the request. If unable to comply, the administrative message will be assigned to the Criminal Investigations Division.
3. If the request is received by telephone in other than the Communications Bureau, the call will be referred to the applicable district office. The officer or CSO assigned to that office will attempt to comply with the request; otherwise, a general offense report will be originated and referred to the Criminal Investigations Division.

¹ CALEA [5th Edition] 81.2.9; 81.2.11

4. If the request is received by mail or telegram, it will be routed to the Criminal Investigations Division for action.
5. The employee who completes the request or determines that the request cannot be completed will cause a reply to be sent to the inquiring party.

B. Emergency Message²:

1. Request received by administrative message from another law enforcement agency.
 - a. The request will be reviewed by a communications supervisor to consider the nature of the emergency message as well as the information about the recipient (age, living alone, medical condition, etc.). If additional information is needed a response will be generated for clarification. Once the supervisor is satisfied that the appropriate information is available, a call for service will be initiated.
 - b. The requesting agency will be given the event number and, if requested, a follow-up message with the outcome of the attempt.
 - c. The outcome of the notification attempt will be noted in remarks attached to the call for service.
2. Request received from a non-law enforcement source.
 - a. The employee receiving the request will ascertain the circumstances requiring the emergency notification, including the identity of the requestor and pertinent identifying information as well as the information about the recipient (age, living alone, medical condition, etc.). Once the employee has the appropriate information, a call for service will be initiated via the Communications Bureau.
 - b. The requesting entity will be given the event number and, if requested, a follow-up message with the outcome of the attempt.
 - c. The outcome of the notification attempt will be noted in remarks attached to the call for service.

Supersedes SOP 689, dated 12/06.

² CALEA [5th Edition] 55.2.6

689.2 NOTIFICATION OF NEXT-OF-KIN

- I. **PURPOSE:** To ensure notification of next-of-kin of deceased, seriously injured, or seriously ill persons.
- II. **DISCUSSION:** The Police Department will make every reasonable effort to locate and notify the next-of-kin of deceased, seriously injured, or seriously ill persons and to endeavor to ensure that the notification is performed in a prompt and considerate manner. This policy extends not only to incidents investigated by the Tampa Police Department, but also to requests from other agencies and individuals.
- III. **PROCEDURE:**
 - A. Whenever a request to locate or notify next-of-kin is received by the Communications Section from another agency or individual, it will immediately be assigned to the appropriate district for prompt action. If the shift commander of the affected district determines that the request requires the assistance of a detective, he will immediately contact a detective to complete the assignment.
 - B. Whenever an incident involving a death, serious injury, or serious illness is investigated by the Tampa Police Department, it is the responsibility of the on-scene supervisor to ensure the use of reasonable means in an effort to locate and notify the next-of-kin.
 - C. Notification can be accomplished through personal contact, or through another agency. Notification of the next-of-kin should include such information as disposition of body (Medical Examiner's office, funeral home) or the name of the hospital to which the injured or ill party was taken. When available, details of the incident will be provided. Information as to the person notified, such as name, address, telephone number, and relationship should be included in the incident report.
 1. Whenever possible, the officer or detective notifying the next-of-kin will attempt to obtain the assistance of a clergyman, relative, or close friend prior to the notification or as soon as possible thereafter.
 2. In the event that the next-of-kin cannot be notified, all information concerning their identities, addresses, telephone numbers, places of business, etc. should be documented in the incident report and the report referred to the Criminal Investigations Division.

- D. The supervisor of the assigned officer or detective will ensure that a prompt reply is made to other agencies or individuals requesting the assistance of this department.
- E. When a detective has notified next-of-kin in an investigation conducted by the district, the detective will be responsible for notifying the shift commander.

Supersedes SOP 689.2, dated 1/99.

691 TPD TECHNOLOGY STEERING COMMITTEE

- I. PURPOSE: To establish a formal TPD Technology Steering Committee. This committee will be composed of selected police personnel representing all areas of TPD.

- II. DISCUSSION: The purpose of the steering committee will be to review technology requests, to define priorities based upon value added to TPD and to determine which requests will be funded with dollars or resources. Technology in this context will include any hardware, software, network components or data storage needs. The focus of this committee will be to ensure that limited resources will be distributed in a manner that will provide the best return or investment in the support of the goals of TPD.

In addition, this committee will act as a resource group to identify and evaluate the technology needs of TPD. It will submit proposals to the command staff suggesting and prioritizing any training, purchase, development or installation of technology hardware, software and applications required to meet these needs.

III. PROCEDURE:

- A. The TPD Technology Committee is hereby established and authorized to carry out the duties contained herein, as well as those which may be assigned to it by the Chief of Police.
 - 1. The TPD Technology Committee functions as an advisory committee to the command staff of the Tampa Police Department.
 - 2. The committee is comprised of the following:
 - a. Ex Officio members:
 - 1) Major of the Administrative Division,
 - 2) TPD Police Information Technology Manager, who will also serve as its chairperson; and
 - 3) TPD Technology staff as needed for support.
 - b. Seven members appointed by the TPD command staff in recognition for the members' knowledge of technology and their commitment to TPD.

3. The TPD IT Manager will present a slate of committee members to the TPD command staff for confirmation.
 4. Each committee appointment shall be for a period of one year. There is no prohibition against the reappointment of any person. Members may be removed by the Chief of Police at any time for any reason.
 5. The IT Manager will serve as the chairperson of the committee, but shall not be a voting member of the committee.
- B. The committee shall:
1. Meet periodically as technology requests and compile all necessary data and reports prior to meetings;
 2. Review, analyze and evaluate the competing needs of the various departmental units as they relate to technology;
 3. Offer appropriate recommendations for identifying and developing the necessary hardware, software and technology systems required to meet the needs of the department;
 4. Review and prioritize proposals; and
 5. Submit recommendations to the committee chairman, which will be compiled, organized and submitted for approval by the command staff.
- C. The TPD Police Information Technology Manager will:
1. Receive for evaluation and consideration all technology requests submitted to the committee and signed by the division commander of the submitting author;
 2. Establish the dates and times when the members will convene;
 3. Organize and publish an agenda to discuss new or outstanding committee issues;
 4. Record, maintain and track all committee activities and decisions;

5. Submit the committee's proposals to the command staff for approval of resource allocation;
6. Coordinate the purchasing, installation and training required for the successful implementation of technology solutions; and
7. Act as a liaison between the committee members, command staff and City Technology & Innovation personnel.

Supersedes SOP 691, dated 5/00.

697 PHYSICAL ABILITIES TEST (PAT)¹

- I. **PURPOSE:** This directive is provided to establish a minimum level of physical fitness as it pertains to performing the job of law enforcement. This minimum must be maintained by all sworn personnel, from the time of the initial selection process to the date of termination.

- II. **DISCUSSION:** The Criminal Justice Standards and Training Commission (CJSTC) determined the need to identify minimum physical fitness standards for entry level law enforcement officers. These minimum standards must also be legally defensible in court (validated), contain minimum adverse impact, and comply with the Americans with Disabilities Act. The Physical Abilities Test (PAT) was developed in consideration of these guidelines, and satisfies the requirements set forth in the Americans with Disabilities Act.

Sworn employees are required to maintain a sufficient physical condition, and encouraged to participate in a regular fitness program. Workout equipment is available to all employees at the District buildings, 34th Street Training Facility and Headquarters Building at a minimal cost. Employees are also encouraged to participate in the City's free Wellness Program; which offers guidance regarding general health, fitness and nutrition programs.²

- III. **PROCEDURE:**
 - A. All sworn personnel, except those exempted under section III D., are required to take an annual Physical Abilities Test as part of their annual in-service training.

 - B. The PAT will be conducted at the Tampa Police **Training Facility** or other designated location under the supervision of a Physical Abilities Test instructor.

 - C. The Physical Abilities Test consists of the following:
 - 1. Participation in a series of tasks which include the following:
 - a. Exiting car/opening trunk;
 - b. 220 yard run;
 - c. Obstacle course;
 - d. Fence climb or dummy pull;
 - e. Obstacle course (repeat);

¹ CALEA [5th Edition] 22.3.2

² CALEA [5th Edition] 22.3.3

- f. 220 yard run (repeat);
 - g. Weapon dry fire; and
 - h. Closing trunk/entering car.
- D. Officers should not be allowed to participate in the PAT if any of the following apply:
- 1. If the officer is on light duty status (modified duty status with documented medical concerns) or no duty status (not applicable if the officer is participating in the PAT to regain full duty status); or
 - 2. The officer indicates that he or she is in a high risk category and did not submit a physician's release; or
 - 3. If the officer complains of pain or injury in joints or otherwise and the PAT instructor feels that participation in this test may cause further injury; or
 - 4. The officer elects to have his or her blood pressure tested prior to the PAT and is determined to have blood pressure exceeding 140 systolic **or** 90 diastolic (mm Hg).
- E. If an officer is unable to participate in the PAT (as outlined in Subsection D above), the officer will be required to seek medical clearance prior to returning to full duty status and the officer will immediately be placed on light duty status. It will be the responsibility of the officer's immediate supervisor to reschedule the officer for a PAT when clearance is obtained.
- F. Before participating in the PAT, sworn officers will have the opportunity to have their blood pressure taken by a qualified individual via TPD Form 52 (Blood Pressure Testing Request). The employee will not be able to take the PAT if the results are above (140/90).³ On site blood pressure testing will be coordinated through the Personnel and Training Section. Blood pressure test results will be documented only as pass/fail. No costs will be incurred by the officers.
- 1. In lieu of submitting to a blood pressure test, an employee may sign a form expressly waiving the blood pressure test or submit a physician's release via TPD Form 54 (Fitness for Duty Report) at the time they report for the PAT. The form is available on the I-NET.
- G. If an officer is injured while participating in the PAT, the incident will be documented following normal department procedures. If the officer is unable to finish the test due to his/her injury, he/she will be carried light duty.

³ CALEA [5th Edition] 22.3.1

- H. Officers on modified duty subsequent to PAT failure or inability to run the PAT will not return to full duty status until they submit a physician's release or, if applicable, expressly waive a subsequent blood pressure test, and successfully complete the PAT.
- I. The test is intended to be conducted in a continuous fashion resulting in a total composite score (time to complete course) which provides a simple pass or fail rating. Only one standard shall prevail for all officers, because all officers must be capable of successfully performing the essential job functions. The description of the PAT course is contained within a corresponding training bulletin.
- J. If at any time during test participation, the officer complains of pain or injury in joints or any other physical complaint and the PAT instructor determines that participation in this test may cause further injury, the instructor will stop the officer from completing the PAT. In addition, participation in the PAT may be stopped at the instructor's discretion if they determine continuing with the PAT would be detrimental to the officer if allowed to continue. Either of these circumstances will be considered a failing score.
- K. If at any time after the officer has begun to run the PAT, the officer decides to not complete the test due to pain or injury in joints or otherwise, the officer will receive a failing score on the test.
- L. If the officer complains of pain or injury in joints or otherwise prior to beginning the test, and the PAT instructor determines that participation in this test may cause further injury, the PAT will be rescheduled.
- M. The highest passing score that an officer may achieve on the PAT is six minutes and four seconds. Officers scoring at or above six minutes and five seconds do not pass, and will be placed on Administrative Duty, until the minimum standard is met. Officers who fail will be rescheduled as follows:
 - 1. All such officers will be scheduled for a re-evaluation after a minimum of thirty days;
 - 2. The officer must show constant improvement at each re-evaluation until the minimum standard is met. Falling below or staying at the same level as a previous non-passing level is unacceptable and is considered as no progress, subject to the following disciplinary action:
 - a. First failure to show improvement - Letter of Counseling;
 - b. Second failure to show improvement - Written Reprimand;

3. After the first two steps in the disciplinary chain, an officer is subject to a change in job assignment, suspension, or dismissal; and
 4. A maximum of four re-assessments will be allowed, regardless if improvement is shown from the original score. The fourth reassessment must be completed within six months of the first attempt. If a passing score is not achieved after four attempts, an officer is subject to termination.
- N. The results of the PAT will be recorded by a Physical Abilities Test instructor at the time the test is administered and furnished to the Personnel and Training Section. It will be the responsibility of the officer's evaluating supervisor, at the time of his/her annual evaluation, to contact the Personnel and Training **Section** and obtain the results of the officer's most recent PAT.
- O. The Personnel and Training Section will reschedule all officers who fail to achieve a passing score on the PAT. The notification of a failure will be made directly to the affected bureau/division commander via TPD Form 53.
- P. The bureau/division commander will review the results and forward them to the affected officer's immediate supervisor for appropriate action. (Refer to Section III: Procedure - M.2.)
- Q. The re-test process will continue as scheduled by the Personnel and Training Section, every (30) days until the test is either passed or other appropriate action is taken, as stated in Section III.M.4.
- R. The PAT consists of a series of eight specific tasks conducted in a continuous fashion. The following is a description of these tasks:
1. The test begins with the officer seated in a full size automobile, seat belt on, with hands at the 10 and 2 o'clock positions on the steering wheel. Around the officer's waist is a belt with a flag positioned over each hip. A police radio and holder, both supplied by the Physical Abilities Instructor, will also be worn on the belt. The trunk key is in the vehicle glove compartment, which is in the closed position. If the vehicle has a trunk latch cover, it is placed in the open position revealing the trunk lock. A crate is positioned inside a wooden frame located in the front center part of the trunk.

Upon the Physical Abilities instructor's signal that the test has begun, the stop watch is started and the officer removes his/her hands from the steering wheel, unfastens the seat belt, opens the glove compartment, removes the trunk key and exits the vehicle. The officer moves to the back of the car where the key is inserted into the trunk's lock and the trunk is opened. Immediately after opening the trunk, the officer removes each

flag with the opposite hand from behind the back. The crate is then removed from the trunk and the trunk is closed with the key remaining in the lock. Immediately after placing the crate on the nearby stool, located five feet from the left rear tail light, the officer proceeds with radio in hand to the beginning of the 220-yard run.

2. Carrying a radio, the officer runs 220 yards on a flat surface to the entrance of the obstacle course.
3. Upon completion of the 220 yard run, the officer passes through the cones at the entrance to the obstacle portion of the course. Ten feet into the obstacle course the officer must climb a 40" wall followed by a series of three (24, 12, and 18 inch) hurdles, five feet apart, located ten feet beyond the wall. Ten feet beyond the final hurdle, the officer encounters the first of nine cones in a single row spaced five feet apart. The officer must serpentine through the cones. Ten feet beyond the last cone, the officer must crawl under a 27" high, eight foot long, low crawl area after which the officer stands, moves to the cones located seven feet beyond the low crawl and turns to the right. The officer then sprints fifty feet to a cone marking the next section of the test.

NOTE: If at any time the officer knocks over a hurdle or a cone, they immediately stop and repeat that portion of the obstacle course.

4. After circling the around the outside of the cone, the officer must proceed through various obstacles to another cone which is 100 feet away. The obstacles within this 100-foot range are as follows:
 - a. Proceed 15 feet and crawl under a 29" high barrier;
 - b. Stand up, move 5 feet and go over a 26" hurdle;
 - c. Move 5 feet and crawl under a 29" high barrier;
 - d. Stand up, move 25 feet and climb a 48" chain link wall;

Note: When climbing this wall, the officer can elect to keep the radio in his hand or to place the radio in its holder (on the gun belt). Once over the wall and prior to reaching the next obstacle, the officer must proceed again with radio in hand.
 - e. Proceed 25 feet and crawl under a 29" high barrier;
 - f. Stand up, move 5 feet and go over a 26" hurdle;
 - g. Move 5 feet and crawl under a 29" high barrier; and

- h. Stand up, move 15 feet and circle around the cone.
 - i. The officer may elect to pull a 150lb drag sled 100 feet instead of the above listed obstacle course.
- 5. Upon completion of the 100 feet, the officer sprints 50 feet back to the cones and reverses course through the obstacles. After the wall climb, the officer moves through the cones and once again repeats the 220-yard run.
 - 6. 220 yard run (Repeat of Task 2).
 - 7. After completing the 220, the officer places the radio in its holder. He then obtains a firearm from the crate. While assuming a two-handed firing position with arms extended at shoulder height and parallel to the ground, the officer pulls the trigger six times with the trigger finger of each hand. The dominant, then non-dominant hand of the officer is to be used during this dry firing portion of the test in six-shot strings.

Note: The trigger finger used must be that of the same hand holding the gun.

- 8. Following the dry firing of the weapon, the firearm is placed back into the crate. The officer then takes possession of the crate, opens the trunk, places the crate inside the wooden frame, and closes the trunk. After the key is removed from the trunk lock, the officer re-enters the vehicle, closes the vehicle door, places the key in the glove compartment, closes the glove compartment, re-fastens the seat belt and places both hands on the steering wheel, at which time the test ends.

Supersedes SOP 697, dated 1/10.

698 DONATED PROPERTY

- I. DISCUSSION: For various reasons, citizens approach the department from time to time and request permission to donate property to the department. Acceptance by resolution of City Council is required for items that meet certain criteria. In order to ensure that instances in which property is donated are handled consistently, the Administrative Division Commander will coordinate such matters.

- II. PROCEDURE:
 - A. Whenever an employee encounters a citizen, who desires to donate any property to the department, the employee will direct that person to the office of the Administrative Division Commander.

 - B. The Administrative Division Commander or his or her designee will interview the citizen and determine whether the department would in fact benefit in an appropriate way from the donation.

 - C. The Administrative Division Commander shall determine if the department will accept the donation. He or she will coordinate with the department's Legal Advisor in drafting a resolution for presentation to City Council, if necessary.

 - D. Once the property has been accepted the Administrative Division Commander will ensure that the property is administratively accounted for and appropriately assigned.

Supersedes SOP 698, dated 1/99.

699 STAFF INSPECTIONS¹

- I. PURPOSE: This directive describes the various requirements for the staff inspection process, which is a function of the Accreditation Coordinator.
- II. DISCUSSION: The inspectional process is an essential mechanism for evaluating the quality of the department's operations, ensuring that the agency's goals are being pursued, identifying the need for additional resources, and ensuring that control is maintained throughout the agency. The inspectional process compares the agency's formal expectations with actual performance. It should be acknowledged that inspectional activities can properly evaluate performance only by comparing it with previously established goals, objectives, policies, procedures, and rules and regulations.

Inspections, conducted with clear objectives and a positive approach, provide a means of communication within the agency. Inspections generate findings, conclusions, recommendations, and reports for consideration by the Chief, and provide valuable information that may affect department planning efforts and the content of training programs.

III. DEFINITIONS:

- A. Line Inspections: Inspections conducted by line supervisors and/or mid-management personnel assigned to or responsible for the unit, individual, or equipment to be inspected.²
- B. Staff Inspections: Inspections conducted or coordinated by the department's accreditation coordinator under the authority of the Chief of Police, to assess the quality of department or component operations, ensuring that department goals are being pursued, identifying needs, and assuring that control is maintained throughout the department.³
- C. Component: A subdivision of the department, either a formally defined administrative entity such as a division or bureau, or a work group with a specific function, such as a program or special team.

IV. RESPONSIBILITY AND AUTHORITY:

- A. Personnel assigned as staff inspectors, shall conduct inspections on behalf of the Chief of Police, and shall have the authority, as well as the responsibility, to inspect all physical facilities, equipment, procedures, records, operations, and personnel of the department.

¹ CALEA [4th Edition]53.2

² CALEA [4th Edition]53.1.1

³ CALEA [4th Edition]53.2.2

- B. All employees of the department are required to provide assistance to the staff inspector(s) upon request and to cooperate with such inspector(s) in the conduct of the inspection process.

V. PROCEDURE:

- A. A variety of sources identify inspectional activities. These include, but are not limited to; the desire of the Chief of Police, CALEA Accreditation Standards, department written directives, consultant reports, and other audits and reviews. A staff inspection of each department component shall be conducted at least every three years.⁴
- B. Staff inspections are initiated or requested by the Chief of Police, a member of the general staff, or in accordance with accreditation requirements. Staff inspections are conducted under the guidance of the appropriate assistant chief of police.
- C. Each inspection will receive prior authorization from the Chief of Police.
- D. The commanding officer of a component will normally be notified approximately a week in advance of the inspection. Unannounced inspections may also be conducted, but will be specific and limited in scope; such as the annual unannounced property/evidence inspection required by accreditation standards.
- E. Inspections will be conducted in a systematic, fair, and impartial manner. Inspectors shall treat all department employees with courtesy and respect during the course of an inspection. On-the-spot corrective actions concerning deficiencies noted shall be limited to those necessary to avoid jeopardizing the department's reputation or accomplishment of the police mission.
- F. Inspections are to be constructive in nature and focus on compliance with policies and procedures, not the performance of a particular individual. It is equally important to report on good performance as well as deficient when submitting reports of inspections.
- G. Inspections may focus on processes or procedures that apply department-wide, such as the performance evaluation system, the disciplinary process, or the application of use of force policies.

⁴ CALEA [4th Edition]53.2.1(e)

- H. Methods used to conduct inspections include, but are not limited to, reviews of files and reports, interviews, surveys, and direct observation of activities, persons, facilities and equipment.
 - 1. Interviews and surveys may be of department personnel, citizens, and personnel of other agencies that interact with the department.
- I. During any interview phase of the inspection, a person selected might undergo a personal, vehicle, and equipment inspection. Interviewees might be required to respond to a survey questionnaire. Specific quotations from line personnel may be used in the report of inspection; however, if they are, the quotation will not be attributed to a specific individual. Command and supervisory personnel whose comments are used may be identified by name.
- J. Upon the conclusion of any inspection, the inspection team will consult with the commander of the inspected component and apprise him/her of the findings of the inspection. The commander will then be able to react to the findings and ensure that the inspecting team has not been misled by any erroneous information. This conference will enhance the accuracy of the final report of the inspection.
- K. Each inspection will be followed by an appropriate written report. The report will reflect whether the subject of inspection was in conformance with existing directives, and will be specific with respect to anything found not to conform. Any corrective action already taken will be included in the report. The report will be submitted to the Chief of Police. Copies of the report will be sent to the appropriate assistant chief of police, the commander of the inspected component, and the appropriate division or bureau commander. A copy will be retained for the staff inspection file.
- L. The commander of the inspected component will give critical thought to the overall nature of the inspection and will take prompt action to correct any deficiencies noted. The commander will respond in writing to the Chief of Police through the chain of command as to any corrective action taken. Such written responses are due within thirty days of the component commander's receipt of the report of inspection. A copy of the response will be sent to the Accreditation Coordinator for inclusion in the staff inspection file.
- M. The Accreditation Coordinator will maintain a file with copies of all inspection reports, and the written responses of the commanders of the inspected components. If necessary, a follow-up inspection will be conducted approximately 30 days after receipt of the component's written response; to determine whether reported deficiencies have been corrected.

1. Some types of corrective actions may take longer than 30 days to implement. In those instances, the commanding officer of the component will report in writing to the Chief of Police, six months after the follow-up inspection, as to the status of all corrective action undertaken. A copy of this report will be sent to the Accreditation Coordinator for inclusion in the staff inspection file.⁵

Supersedes SOP 699, dated 4/03.

⁵ CALEA [4th Edition]53.2.1(d)

699.1 LINE INSPECTIONS¹

- I. PURPOSE: To provide a procedure for conducting line inspections.
- II. DISCUSSION: Line inspections should be an on-going activity to ensure that employees are acting in concert with departmental regulations in areas such as personal appearance, use and maintenance of equipment, and adherence to directives and orders. Line inspections also examine the status and conditions of physical facilities within a given organizational component.
- III. DEFINITIONS:
 - A. Daily Observations: Are those observations made on a routine basis as part of the normal course of daily events.
 - B. Formal Inspections: Specific actions taken to examine the status and condition of personnel, equipment and/or facilities.
- IV. PROCEDURE:
 - A. Daily observations will be conducted in a manner consistent with departmental needs and expectations. Each supervisor will ensure that his or her subordinates are equipped and attired according to department rules and regulations.
 - B. On a timely basis at the discretion of the division or bureau commander, and at least annually, each supervisor will conduct a formal inspection to determine the condition and adequacy of all personnel and equipment under the supervisor's control. In addition, commanders will review, or cause to be reviewed, all SOPs, policies, manuals, etc., that govern their respective units and recommend revisions as needed. Formal inspections will be conducted in accordance with SOP 675 and SOP 699.
 - C. Supervisors conducting an inspection will do so in a fair and impartial manner; keeping in mind that the goal of an inspection is to further the goals of the department and enhance its performance.
 - D. Supervisors shall ensure that noted deficiencies are remedied in a timely manner. This might entail a re-inspection of those deficiencies to ensure suitable corrective action has been taken.
 - E. Any inspection that reveals serious deficiencies in personnel, equipment or facilities will be documented in a written report to the next higher level of command. This report shall include a plan of action and target date for

¹ CALEA (4th Edition) 53.1.1

completion of corrective action, if within the capabilities of the originating supervisor.

- F. Any commander receiving such a written report will take the necessary steps to ensure that suitable corrective action is taken. If suitable action cannot be taken at this level, the report will continue through the chain of command until an appropriate level is reached. Each level in the chain of command will document his or her actions and attach same to the report.
- G. Inspections, whether daily or formal, will include the component's facilities, property, equipment, activities, and personnel under control of the supervisor conducting the inspection.

Supersedes SOP 699.1, dated 4/99.

807 DIPLOMATIC IMMUNITY¹

- I. PURPOSE: To provide a guide to the various categories of foreign mission personnel and the privileges and immunities to which they are entitled.
- II. DISCUSSION: There are, in the United States, approximately 118,000 persons entitled to some degree of special privileges under international organizations or members of national missions to such international organizations.

The staffs of diplomatic missions are traditionally the principal communication link between the country, which sends them, and the host country. Accordingly, the staffs of diplomatic missions (Embassies) are afforded the highest privileges and immunities in the host country. Under modern international law (reflected in the Vienna Convention on Diplomatic Relations) however, it is recognized that there are different categories of persons within each diplomatic mission, some of whom must be afforded greater protection than others.

While customary international law continues to refine the concept of diplomatic, consular, and international organization immunity, the basic rules are presently embodied in international treaties, many of which have been adopted by the United States and which are pursuant to the U. S. Constitution. The rights and privileges granted by these treaties are thus enforceable in the courts of the United States and the Government of the United States is legally bound to ensure that such rights and responsibilities are respected by its states and municipalities.

It should, however, be emphasized that, even at its highest level, diplomatic immunity does not exempt diplomatic officers from the obligation of conforming with national and local laws and regulations. The purpose of these privileges and immunities is not to benefit the individuals, but to ensure the efficient and effective performance of their official missions. While police officers are obliged, under international customary and treaty law, to recognize the immunity of the envoy, they must not ignore or condone the commission of crimes. Thus, in circumstances where public safety is in imminent danger or it is apparent that a serious crime may otherwise be committed, police authorities may intervene to the extent necessary to halt such activities.

III. DEFINITIONS:

- A. Immunity: In basic terminology, immunity is a legal barrier which precludes United States courts from exercising jurisdiction over cases against persons who benefit therefrom but does not release such individuals from the duty, embodied in international law, to respect the laws and regulations of the United States.

¹ CALEA[5th Edition]1.2.5; 61.1.3(d)

It should be remembered that at the investigation stage, there can be no certainty that a person's immunity will continue when his or her government is confronted with that individual's alleged criminal actions. Diplomatic remedies do exist, however, in such situations even when immunity bars prosecution and conviction. Accordingly, law enforcement officials shall carefully document incidents involving individuals who benefit from privileges and immunities. These incidents shall be promptly reported to the Department of State.

- B. Official Acts Immunity: While not a prima facie bar to the exercise of jurisdiction by United States courts, it is an affirmative defense to be raised before the United States courts with subject matter jurisdiction over the alleged crime. Because the judicial determination in such a case is very much dependent upon its facts, a full and complete incident report may be critical in permitting the court to reach an appropriate decision.
- C. Personal Inviolability: In its most extreme form, personal inviolability precludes arrest or detention in any form and prohibits United States authorities from intruding into their residences, automobiles, or other property. However, in circumstances where public safety is in imminent danger or it is apparent that a serious crime may otherwise be committed, police authorities may intervene to the extent necessary to halt such activity which, of course, includes the power of the police to defend themselves from personal harm.
- D. Persona Non Grata (PNG) Procedure: One of the oldest concepts of international law is that host countries may strip persons who have become unacceptable to them of their privileges and immunities, allowing such individuals only a reasonable time to remove themselves from the host country's territory. This PERSONA NON GRATA (PNG) procedure may be utilized by the host country at any time, and there is no requirement under international law, for such countries to justify their action.

For the United States, however, the process has inherent constraints. Even though their immunity may deprive such persons of due process in the formal sense, it is felt that in most cases this remedy should be employed only when there is reasonable certainty that a criminal act has actually been committed. Also, any PNG action, which the U.S. Government is unable to defend in appropriate detail, may be understood by the other country as political action and might result in the reciprocal PNG of an entirely innocent American diplomat abroad.

Consequently, a high standard of police investigation, records, and reporting in diplomatic incident cases is essential to permit the Department

of State to responsibly exercise the diplomatic tools available to remove persons engaged in criminal activity from the United States.

IV. CATEGORIES OF PERSONS ENTITLED TO PRIVILEGES AND IMMUNITIES:

A. Staffs of Diplomatic Missions (Embassies): They are afforded the highest level of privileges and immunities in the host country. The categories of diplomatic mission personnel are defined primarily by the functions they perform. Categories include diplomatic agents; members of the administrative and technical staff of the mission; and members of the service staff.

1. Diplomatic Agents: Ambassadors and the other diplomatic officers who generally deal with the host country officials. Diplomatic agents are accorded the highest degree of privileges and immunities. They possess complete personal inviolability; they are owed a special measure of respect and protection; and neither their property nor residences may be entered or searched. Additionally, they enjoy complete immunity from the criminal jurisdiction of the host country and thus cannot be prosecuted no matter how serious the offense. Finally, they are completely immune from the obligation to provide evidence as witnesses and cannot be required to testify even, for example, when they have themselves been victims of crime.

a. The property of a person enjoying full immunity, including his or her vehicle, may not be searched or seized **except:**

1) When the vehicle proves to have been stolen or to have been used by unauthorized persons in the commission of a crime, the inviolability to which the vehicle would normally be entitled must be considered temporarily suspended and normal search of the vehicle and, if appropriate, its detention are permissible.

b. Diplomatic agents may not be arrested, handcuffed, or detained, **except:**

1) In emergency circumstances involving self-defense, public safety, or the prevention of serious criminal acts.

- c. Family members forming part of the household of diplomatic agents enjoy precisely the same privileges and immunities as do the sponsoring diplomatic agents **except:**
 - 1) When the family member is a national of the United States. They enjoy no privileges or immunities.
 - 2) When the son/daughter reaches the age of twenty-one (twenty-three if they are full-time students at an institution of higher learning).
- d. Stopping a diplomatic agent and issuing a traffic citation does not constitute arrest or detention and is permissible although signature of the citation by such individual may not be required.
- e. Sobriety tests may be offered in accordance with departmental procedure but may not be required or compelled. If the officer judges the individual to be intoxicated he should not permit the individual to continue driving. Depending on the circumstances the following options are available:
 - 1) With the individual's permission transport him to the police department or other location where he may recover sufficiently to drive; or
 - 2) The officer may summon or allow the individual to summon a taxi, a friend, or a relative to drive him.
- f. In any event, the police officer involved with the incident should fully document the facts of the incident and the identity of the individual, and a written report of the incident should be promptly forwarded to the Department of State (in serious cases, report by telephone is also urged). It is the Department of State policy to suspend the driver's license of foreign mission personnel not considered to be responsible drivers, and this policy may only be effectively enforced if all driving-related infractions (DUI, etc.) are fully reported to the Department of State.

In the event that a diplomatic agent, employee, or member of their families should become involved in a felony or other offense of major concern, a copy of the offense report should be routed to the Special Support Division major to

be forwarded to the Office of the Chief of Protocol, 2201 C. Street NW, Room 1238, Washington, D.C. 20520.

2. Members of Administrative and Technical Staff: Those persons who perform sophisticated and often sensitive duties but serve primarily in support of diplomatic agents (for example, clerical personnel, office managers, and security personnel). They enjoy privileges and immunities identical to those of diplomatic agents relative to personal inviolability, immunity from criminal prosecution, and immunity from the obligation to provide evidence as witnesses.

Like those of diplomatic agents, the recognized family members of administrative and technical staff enjoy the same privileges and immunities from the host country's criminal jurisdiction as their sponsors.

3. Members of Service Staff: Persons who perform more menial tasks (for example, cleaning and maintenance personnel) and, therefore, have only official acts immunity in connection with all aspects of host country jurisdiction. The families of service staff members enjoy no privileges or immunities.
4. National or Permanent Residents of the United States: The United States, as a matter of policy, does not normally accept the accreditation of its own nationals or others who permanently reside in the United States as diplomatic agents. Additionally, if they are U.S. nationals or foreign nationals permanently residing in the United States, both members of the administrative and technical staff (including their families) and members of the service staff enjoy no privileges or immunities.

- B. Members of Consular Posts: Often erroneously considered to be identical to embassies and their staffs relative to privileges and immunities. Traditionally, however, the function of consular posts is fundamentally different from that of diplomatic missions. Countries have been willing to grant only significantly lower measure of privileges and immunities to the persons assigned to their countries at consular posts.

1. Consular Officer: They have only official acts or functional immunity in respect to both criminal and civil matters and their personal inviolability is quite limited. Consular officers may be arrested pending trial provided that the underlying offense is a felony and that the arrest is made pursuant to a decision by a competent judicial authority (for example, a warrant issued by an appropriate court). These officers enjoy complete immunity from

the obligation to provide evidence as witnesses in connection with matters involving their official duties. Without a special bilateral agreement to the contrary, the family members of consular officers enjoy no personal inviolability and no jurisdictional immunity of any kind.

2. Consular Employees: They perform the administrative and technical services for the consular post. These employees have no personal inviolability, only official acts of immunity, and enjoy immunity from the obligation to provide evidence as witnesses concerning official acts. Their family members enjoy no personal inviolability or jurisdictional immunities of any kind.
3. Consular Service Staff: They do not enjoy personal inviolability or jurisdictional immunity of any kind, but they do have immunity from the obligation to provide evidence as witnesses concerning official acts. Their family members enjoy no personal inviolability or jurisdictional immunity of any kind.
4. National or Permanent Residents of the United States: Consular officers who are U.S. nationals or permanently reside in the United States have personal inviolability only in respect of performance of official acts; jurisdictional immunity only in connection with official acts; and immunity from the obligation to provide evidence as witnesses only in respect of official acts. **CONSULAR EMPLOYEES AND CONSULAR SERVICE STAFF** who are U.S. nationals or are permanent residents in the United States enjoy no personal inviolability or jurisdictional immunity in the United States.
5. Honorary Consuls: These consular officers are generally part-time employees of the sending country who provide a degree of consular representation in places not covered by career consular officers (full-time practitioners of consular functions). It is United States policy to recognize as honorary consular officers only those who are U.S. nationals or permanent residents. Accordingly, honorary consular officers in the United States have personal inviolability only in connection with official acts (arrest of honorary consuls is NOT limited only to felonies and does NOT require a warrant, as is the case with career consular officers), and enjoy only the more restricted form of official acts immunity and immunity from the obligation to provide evidence as witnesses only in respect of official acts.

- C. International Organization Personnel and National Missions to Such Organizations: The privileges and immunities of the personnel of

international organizations, such as the United Nations and the personnel of national missions to these organizations have a different basis than that of diplomatic and consular representatives. The affected nations have concluded treaties embodying privileges and immunities and, as in the case of the United States, enacted domestic legislation granting certain minimal privileges and immunities to selected categories of persons not covered by the treaties. In determining degree of inviolability or immunity, law enforcement officers will be governed primarily by the identity documents, which have been issued to such persons.

1. Personnel of International Organizations: The majority of these employees enjoy only official acts immunity as provided for by U.S. domestic legislation and no personal inviolability.

In certain cases, however, the most senior executives of such organization have been accorded privileges and immunities equal to those afforded diplomatic agents (for example, Secretary General of the United Nations).

2. Personnel of National Missions to International Organizations: The most senior representatives in these missions to international organizations have privileges and immunities equivalent to those afforded diplomatic agents.

Persons visiting the United States on short-term official duty with diplomatic missions are ordinarily not recognized as enjoying any privileges and immunities. However, law enforcement authorities should always seek prompt verification from the Department of State in particular cases involving such individuals. In the case of the United Nations, however, a different legal situation exists whereby short-term official visitors from other States to the United Nations or to international conferences convened by the U. N. may enjoy full diplomatic immunity equivalent to that afforded diplomatic agents. Inquiries should be directed to the telephone numbers/sources (Department of State) provided herein.

- D. Special Bilateral Agreements: There are countries with which the United States has entered into bilateral agreements which grant all members of the staff of their respective embassies (they must be nationals of the sending countries) the privileges and immunities to which only diplomatic agents are normally entitled. Proper identification will identify such individuals.
- E. Waiver: It should be remembered that while the individual enjoying such immunities may not effectively waive them, the sending States can and do so. Police authorities should never address the alleged commission of a

crime by a person enjoying full criminal immunity with the belief that there is no possibility that a prosecution could result. The Department of State requests waivers of immunity whenever local authorities confirm their wish to prosecute. In serious cases, if a waiver is refused the offender will be expelled from the United States. Effective and informed police work remains the foundation for the Department of State's waiver requests and any subsequent prosecutions or expulsions.

V. IDENTIFICATION OF PERSONS ENTITLED TO PRIVILEGES AND IMMUNITIES IN THE UNITED STATES:

A. There are a number of documents associated with foreign diplomats, only some of which provide an accurate indication of the status of the holder.

1. Foreign "Diplomatic" Passports and U.S. "Diplomatic" Visas: Not conclusive.

a. Foreign diplomatic passports (even those that contain U.S. diplomatic "A" or "G", "C-3", "NATO" visas) are not authoritative indications that their bearers enjoy any privileges or immunities in the U.S.

Temporary duty visitors to the U. N. might have only such documents and might nonetheless be entitled to immunity in the U.S.

b. Officers should be alerted to the fact that newly arrived members of diplomatic and consular staffs might not yet have official identity. Contact the U.S. Department of State for verification if confronted with such situations.

2. Tax Exemption Cards: Not conclusive. Tax exemption cards should not be relied upon for immunity purposes and should be considered only as an indicator that the bearer might be entitled to some degree of immunity.

3. Automobile Registration, License Plates, and Driver's Licenses: Not conclusive.

a. Types of license plates issued by the Department of State:

1) Diplomatic Agents: "D" prefix;

2) Member of Administrative and/or Technical Staff: "S" prefix; and

3) Consular Personnel: "C" prefix.

b. These distinctive license plates are designed to identify vehicles, which might be operated by a person enjoying diplomatic or consular immunity, but are not a definite indication that such a person is operating the vehicle at any particular time.

VI. TELEPHONIC INFORMATION/VERIFICATION:

A. In addition to the scenarios described elsewhere in this document, inquiry should promptly be made to the Department of State in any case where an individual claims immunity and cannot present satisfactory identification or in any case where the officer has reason to believe that invalid identification is being presented. The following telephone numbers are provided:

1. Diplomatic and Consular Personnel and International and Organizations other than the U. N.:

a. During normal business hours:

1) Current status of U.S. Department of State federal license tags, registrations, or other motor vehicle information: (202) 895-3532.

2) Current status of diplomatic agents and family members: (202) 647-2122.

3) Current status of Embassy administrative and technical, service staff, and families: (202) 647-1405 or (202) 647-2122.

4) Current status of consular personnel and families: (202) 647-1404.

5) Current status of international organizations: (202) 647-1402.

b. After normal business hours:

1) All inquiries should be made to the Command Center of the Bureau of Diplomatic Security, Department of State (operates twenty-four hours/day): (202) 647-7277. This includes the

reporting of vehicle incidents involving diplomatic personnel.

2. United Nations Personnel:

a. During normal business hours:

- 1) Current status of U.S. Department of State license tags, registration, or other motor vehicle information: (212) 826-4500 or (212) 826-4408.
- 2) United Nations (New York) verification information is available from the Host Country Section of the U.S. Mission to the United Nations: (212) 415-4131.

b. After normal business hours:

- 1) Information is available from the Communications Sections of the U.S. Mission to the United Nations (operates twenty-four hours/day): (212) 415-4444.

Supersedes SOP 807, dated 12/06.

819 GUIDELINES FOR EYEWITNESS IDENTIFICATION AND PHOTOGRAPH LINE-UP (AKA-“PHOTO-PACKS”)

- I. PURPOSE: To provide guidelines for eyewitness identification situations.
- II. SCOPE: This Standard Operating Procedure shall apply to all law enforcement personnel within the Tampa Police Department.
- III. DISCUSSION: The guideline set forth in this Standard Operating Procedure shall be used under various circumstances when dealing with eyewitnesses in criminal investigations. Eyewitnesses play a vital role in solving crimes, where in some cases the only evidence that may exist, is the testimony of an eyewitness. It is also important to keep in mind that eyewitness testimony may exonerate innocent parties. It is the intent of the Tampa Police Department to utilize the most reliable procedures for eyewitness identification and ultimately prevent misidentification of innocent persons.
- IV. DEFINITIONS:
 - A. Line-ups: A display of photos or persons consisting of one suspect among a number of fillers from which a witness can identify a perpetrator and are composed in such a way that the suspect does not unduly stand out from the other persons placed in the line-up.
 - B. Sequential Photo/Live Line-up: Photos or individuals, which are viewed by the witness one at a time in random order.
 - C. Blind Testing Procedures: An independent administrator administering the test who does not know the desired answer. This person would not be aware which person in the photos or lineup is the suspect, and would eliminate the possibility of unintentionally influencing the witness’s selection.
 - D. Digital Imaging System: A collection of photos that were previously taken from individuals who were arrested or been issued a driver’s license containing a photograph. These may be used in cases where a suspect has or has not yet been determined and other reliable sources have been exhausted, but should be evaluated with caution (H.C.S.O. Mug Shot Web Application, D-FACTS, D.A.V.I.D.).
 - E. Composites: Are sketches based on a witness’s descriptive information that enables law enforcement officers to better perceive how a suspect may appear. Composites should not be used as stand-alone evidence as they do not rise to the level of probable cause needed for an arrest.
 - F. Show-ups: A field identification procedure performed when circumstances require prompt display of a single suspect to a witness. The inherent suggestiveness of the

encounter should be minimized through the use of procedural safeguards.¹

V. PROCEDURES:

A. Composing Line-ups: The identification procedure should be conducted in a manner that promotes the accuracy, reliability, fairness and objectivity of the witness's identification. The following procedures will result in the composition of a line-up in which a suspect does not unduly stand out:²

1. Photo Line-ups: When preparing a photo line-up, the officer/detective should:
 - a. Include only one suspect in each identification procedure.
 - b. Select fillers (non-suspects) who generally fit the witness's description of the perpetrator. When there is a limited or inadequate description of the perpetrator provided by the witness or when the description differs significantly from the appearance of the suspect, fillers should resemble the suspect in significant features.
 - c. If multiple photos of the suspect are reasonably available to the investigator, select a photo that resembles the suspect's description or appearance at the time of the incident.
 - d. Complete uniformity of features is not required. Avoid using fillers, which so closely resemble the suspect that a person familiar with the suspect might find it difficult to distinguish the suspect from the fillers.
 - e. Include a minimum of five fillers per identification procedure. Once the photos are selected, the investigator/administrator shall mark the back of each photo with sequential numbers (i.e. 1-6) and record the order in which they were shown on the line-up sequence form.
 - f. Create a consistent appearance between the suspect and fillers with respect to any features (i.e. scars, tattoos) used to describe the perpetrator. If necessary, artificially conceal the feature so all photos are uniform in appearance.
 - g. Position the suspect randomly in each line-up. When dealing with multiple witnesses in the same case, ensure the line-up is shown in a different (random) order for each witness.³
 - h. When showing a new suspect, do not reuse fillers in line-ups shown to the same witness.

¹ CALEA [5th Edition] 42.2.12(f)

² CALEA [5th Edition] 42.2.11(a)

³ CALEA [5th Edition] 42.2.11(c)

- i. Ensure there is no written information regarding previous arrest(s) visible to the witness.
 - j. Have a supervisor view the array of photos prior to presentation to the witness to ensure the suspect does not unduly stand out.
 - k. Photo line-ups shall be treated as evidence, even if the witness fails to make identification.
 - l. Record the booking numbers in the line-up, the position number of the suspect photo and document utilizing the line-up sequence form in a supplemental report.
 - m. Sequence Viewing Instruction form TPD 582 is the currently accepted form used by the Tampa Police Department. The currently accepted images utilized by the Tampa Police Department are images obtained from the Hillsborough County Sheriff's Office mugshot system and other various websites applications (i.e. D.A.V.I.D.).
 - n. Photographs shall have the same color backgrounds (in black and white or gray scale) and insure that the suspect does not unduly stand out from other persons in the line up
2. Live Line-ups: When composing a live line-up, the officer/detective shall ensure that the live line-up is conducted with the permission and under the guidance of the Hillsborough County State Attorney's Office:
- a. Include only one suspect in each identification procedure.
 - b. Select fillers who generally fit the witness's description of the perpetrator. When there is a limited or inadequate description of the perpetrator provided by the witness or when the description differs significantly from the appearance of the suspect, fillers should resemble the suspect in significant features.
 - c. Position the suspect randomly in each line-up. When dealing with multiple witnesses in the same case, ensure the line-up is shown in a different (random) order for each witness.
 - d. Include a minimum of five fillers (non-suspects) per identification procedure.
 - e. Do not reuse fillers in line-ups shown to the same witness when showing a new suspect.
 - f. Complete uniformity of features is not required. Avoid using fillers that closely resemble the suspect that a person familiar with the suspect might find it difficult to distinguish the suspect from the

fillers.

- g. Create a consistent appearance between the suspect and the fillers with respect to any unique or unusual feature (i.e. scars, tattoos) used to describe the perpetrator by concealing the feature.
- h. Upon completion, view the array to ensure the suspect does not unduly stand out.
- i. Have a Crime Scene Investigator photograph each subject used in the line-up at the time of the photo showing, as well as an overall photo of all six (6) subjects together. Record the booking number and position of each person in the line-up, in a supplemental investigative report.⁴

B. Conducting Line-ups: Presenting the line-up photos of individuals sequentially and by utilizing best practices helps ensure the identification procedure will minimize the chance of a suspect misidentification. Blind Testing procedures shall be employed by the investigating officer/detective to eliminate the possibility of inadvertently influencing the witness's selection.⁵

- 1. Sequential Photo/Live Line-up: When presenting the line-up, the officers or detectives shall provide instructions to the witness as follows: (refer also to TPD 581 – Line-up Viewing Instructions Form).
 - a. He or she will be asked to view a group of photographs or individuals.
 - b. The individuals that are depicted in the line-up may not appear exactly as they did on the date of the incident, due to possible feature changes (i.e. facial hair).
 - c. The person who committed the crime **may or may not** be in the line-up being presented.
 - d. Regardless of whether identification is made, the Tampa Police Department will continue to investigate the case.
 - e. The procedures require the investigator to ask the witness to state, in their own words, how certain they are of any identification.
 - f. All of the photographs or individuals will be viewed one at a time and in random order. Once thoroughly viewed, remove each photo or individual from the sight of the witness before presenting the next.
 - g. They should take their time in making a decision about each

⁴ CALEA [5th Edition] 42.2.11(b)

⁵ CALEA [5th Edition] 42.2.11(f)

photograph or individual before moving on to the next.

- h. All photographs or individuals will be shown, even if identification is made. If no identification is made and the witness requests to see the photos a second time, shuffle the photographs into a different order and allow the witness to review the photographs. Record the new order of the photographs on the TPD 582 - Sequence Viewing Instructions Form.
 - i. They should not discuss the identification procedure or its results with other witnesses involved in the case.
 - j. Confirm the witness understands the nature of the sequential procedure.
2. Officers or detectives shall avoid saying or making any gestures to the witness, which may influence the witness's selection.
3. Officers or detectives shall preserve the photos in their original condition and place into evidence.

VI. OTHER METHODS OF IDENTIFICATION:

- A. Digital Imaging System: The digital imaging system (H.C.S.O. Mug Shot Web Application) is composed of images taken during the booking process, registration of sexual offenders and in some cases where driver license photos (D.A.V.I.D, D-FACTS,) are saved and used as a part of the photo line-up.
 1. Viewing Preparations:
 - a. Ensure the images are contemporary.
 - b. Attempt to show only one image of each individual during the viewing.
 - c. Select images by specific physical characteristics consistent with the suspect's description (i.e. age, race, sex, etc.).
 2. Witness Instructions:⁶
 - a. Instruct the witness without other persons present.
 - b. Describe the system to the witness only as a "collection of images".
 - c. Advise the witness the person who committed the crime **may or may not** be present.

⁶ CALEA [5th Edition] 42.2.11(d)
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- d. Individuals depicted in images may not appear exactly as they did on the date of the incident, due to features such as head and facial hair are subject to change.
 - e. Have the witness select an image and if identified, state how they know the person.
 - f. Assure the witness, regardless of whether they make identification; the Tampa Police Department will continue to investigate the case.
 - g. Advise of the procedures required by the investigator, to ask the witness to state in their own words, how certain they are of any identification.
 - h. Emphasize to the witness not to discuss the identification procedure or its results with other witnesses involved in the case.
- B. Composites: A composite diagram is a specialized tool. Composites should not be used as stand-alone evidence, as they do not rise to the level of probable cause needed for an arrest.
- C. Show-ups: In cases where probable cause exists without immediate victim identification of a suspect, officers will not attempt street identification. In cases where probable cause depends upon victim identification, and there is a reasonable amount of time between the crime and the apprehension (within four hours normally), officers will attempt to take the victim to the suspect's location. If this is impractical, the suspect may be taken to the scene of the crime but only with the suspect's permission. The officer or detective shall:
1. Determine and document the description of the perpetrator prior to the show-up.
 2. Transport the witness to the location of the detained subject to limit the legal impact of the subject's detention and crime scene contamination.⁸
 3. When multiple witnesses are involved, separate witnesses, including their transportation to the scene and instruct them to avoid discussing details of the incident with other witnesses.⁹
 4. If a positive identification is obtained from one witness, consider using other identification procedures (i.e. line-up, photo line-up) for remaining witnesses.
 5. Caution the witness that the person they are looking at **may or may not** be the perpetrator.¹⁰

⁸ CALEA [5th Edition] 42.2.11(b)

⁹ CALEA [5th Edition] 42.2.11(c)

¹⁰ CALEA [5th Edition] 42.2.11(d)

6. Obtain and document a statement of certainty if identification is made. All identifications and non-identifications must be documented in the offense or supplemental report by the detective/officer/administrator.¹¹

VII. DOCUMENTING THE RESULTS OF THE LINE-UP:¹²

- A. The detective or officer presenting the line-up shall note in their supplemental report, they are presenting the line-up as an “Independent Administrator” for the lead investigator. They shall preserve the outcome of the procedure by recording any identification results and witness’s statement of certainty using the Line-up Viewing Instruction Form (TPD 581).
 1. Document the date, time and location of the procedure.
 2. Document the procedure employed (i.e. sequential photo or live line-up, digital imaging system) in the supplemental report.
 3. Document the results of the procedure; including the witness’s own words about how certain they are of any identification.
 4. Record both identification and non-identification results utilizing the line-up identification form. If the witness is unable to identify anyone, write “none” in the appropriate location of the line-up viewing instruction form.
 5. Have the witness sign and date the line-up viewing form and ensure no materials indicating other witness identification results are visible.
 6. Ensure the witness does not write on or mark any photographs, which will be used for other identification procedures.
 7. Document all results in a supplemental report and return the lineup materials to the case officer or detective while keeping in mind the chain of evidence documentation policy.
 8. The detective or officer presenting the line-up will insure that the witness views all of the photographs in the line-up before coming to a conclusion.

Supersedes SOP 819, dated 5/11.

¹¹ CALEA [5th Edition] 42.2.11(e,g)

¹² CALEA [5th Edition] 42.2.11(d)

**TAMPA POLICE DEPARTMENT
PHOTO OR LIVE LINE-UP VIEWING INSTRUCTIONS**

Case #: _____

Date of Offense: _____ Victim's Name: _____

Person Viewing Line-up: _____ Relationship to Case: _____

(READ THE FOLLOWING TO THE PERSON VIEWING THE LINE-UP):

I am going to show you a photographic/live line-up. This group of photographs/individuals may or may not contain the person who committed the incident now being investigated. Regardless of whether you make an identification, the Tampa Police Department will continue to investigate this incident.

Keep in mind that hairstyles, beards, and complexion can change, so focus on the facial features that you remember.

You will be shown photographs/individuals sequentially one at a time before moving to the next. All photographs/individuals will be shown to you even if you make the identification. If you recognize a person, please inform me which person you recognize and how you recognize them.

Please indicate to me in your own words how certain you are of your identification.

Do not discuss with other witnesses that you have or have not identified anyone.

I, _____, understand the above information and after viewing the

(Print Name of Witness)

line-up, I have identified number _____ as the person I recognize.

Witness' Signature: _____ Date/Time: _____

Officer's Signature: _____ Payroll #: _____

PERSON IDENTIFICATION:

Name: _____ DOB: _____

TPD/SOID#: _____ Race: _____ Sex: _____

**TAMPA POLICE DEPARTMENT
SEQUENCE VIEWING INSTRUCTIONS**

Case #: _____

Date: _____

I, _____, have selected the following photographs/individuals
(Print Detective/Officer's Name)

to be viewed by witnesses in this incident. Each photo/image has been numbered on the back and was show sequentially in a random order as listed below by Tampa Police Department Detective / Officer _____.
(Print Detective/Officer's Name)

Photo/Individual Number (In Order Shown)	Name of Individual/Photo	Booking Number
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

820 INTERVIEW AND INTERROGATION PROCEDURES¹

I. DEFINITIONS:

- A. Interview: Means the collection and documentation of recorded or unrecorded statements of witnesses or possible witnesses, victims or suspects.
- B. Interrogation: Means the questioning of a criminal suspect by a police officer.

II. INITIAL CONTACT AND INTERVIEW: In any police-citizen encounter, officer safety should be of primary concern. Persons initially believed to be victims or witnesses may become suspects in the crime or otherwise hostile to the officer without notice. Vigilance is essential and paramount. Officers must be concerned with assuring the legality of each phase of a citizen encounter. As a citizen contact becomes more intrusive, a higher level of cause or justification must be present. Initial contact is frequently a completely voluntary encounter from the citizen's perspective and requires no cause or justification. Examples range from an officer simply exchanging greetings with a citizen to interviews with witnesses in a homicide case. The primary common thread is that the citizen has no reason to believe that he is not free to walk away from the encounter at any moment. That is, as long as the citizen can terminate the encounter at any time and freely leave the officer, the contact is voluntary and requires no legal justification. Upon first arriving at a crime scene, an officer will typically make general inquiries as to what occurred. This questioning does not constitute a stop until the general inquiry focuses on a particular suspect who is no longer free to leave the officer's presence. At that point in time, the Miranda warning should be given prior to further questioning.

III. STOPS: If the citizen is not free to terminate the contact with the officer or reasonably believes he is not free to terminate the contact, the encounter must be founded on facts giving rise to a reasonable belief that the citizen is involved in unlawful activity. (Exception: the officer's reasonable belief that the citizen is in need of assistance or a danger to himself will justify a stop even when no unlawful activity is suspected.)

The stop is a temporary detention at the place of the stop for the purpose of identifying the citizen and ascertaining whether he is involved in unlawful activity. The citizen must not be detained for a period of time longer than is necessary to identify him and investigate his presence. The citizen should not be transported from the location of the stop without his consent except when placed under arrest. Force may be used consistent with TPD policy to effect the stop.

¹ CALEA [4th Edition] 41.2.3; 41.2.4; 42.2.1

Again, however, mere suspicion or hunch is not enough to validate a stop. The officer must be able to articulate facts giving rise to a reasonable belief that the citizen has committed, is committing, or is about to commit some unlawful activity. Any interview or interrogation conducted subsequent to an unlawful stop is likely to be inadmissible at trial.

General questions as to the suspect's identity and presence may be asked without first giving the Miranda warning. However, once the investigation progresses to the point where the subject becomes a suspect in a particular crime and the questions to be asked will concern his involvement in that crime, the Miranda warning should be given.

- IV. ARREST: The most intrusive citizen contact is an arrest, which must be made by warrant or based upon probable cause. (Refer to SOPs 307 and 307.5 for limitations on arrest.) Subsequent to arrest, any questioning of the arrestee about the crime for which he was arrested should occur only after giving the Miranda warning.
- V. CONSTITUTIONAL RIGHTS ADVISORY (SOP 307.4)²: In Miranda vs. Arizona the U.S. Supreme Court held that criminal suspects must not be coerced by police officers into making incriminating statements. In other words, statements made by criminal suspects in police custody must be voluntary. In order to ensure such statements are voluntary, police must not only refrain from any overt coercion, but must also advise the suspect that he need not say anything and has the right to talk with a lawyer. The burden is on the prosecution to demonstrate the voluntary nature of any statements of the suspect sought to be admitted at trial.

The Miranda warning does not need to be given to every criminal suspect immediately upon contact with police. There is no requirement that the warning be given to all persons arrested. There are two criteria for determining when or where to give the warning:

- A. The suspect is to be subjected to custodial interrogation; and
- B. The statements, or evidence to be obtained as a result of the statements, may be introduced as evidence at trial.

Custodial interrogation occurs when a person who reasonably believes he is not free to terminate contact with police at any time is subjected to questioning about possible criminal involvement. The full Miranda warning should be read to the subject prior to questioning in a custodial interrogation situation. TPD Form 310 should be used for this purpose. The warning should be repeated prior to each separate interrogation.

² CALEA [4th Edition] 1.2.2

Interrogation should stop immediately once the subject unequivocally invokes his right to remain silent or requests an attorney. Note that the request for an attorney must come from the subject, not from the attorney. Once the right to counsel is invoked, officers should not question the subject again outside the presence of counsel unless the subject himself reinitiates the interrogation. The Miranda warning should be given again prior to speaking with the subject.

Supersedes SOP 820, dated 7/01.

821 **SEARCH AND SEIZURE**¹

I. **GENERAL PRINCIPLES:**

A. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall be issued, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or things to be seized; in accordance with the Fourth Amendment to the United States Constitution.

1. The United States Supreme Court has applied the Fourth Amendment to prohibit the introduction into evidence of tangible materials seized during an unlawful search (this principle of excluding evidence obtained in violation of the Fourth Amendment is known generally as the "Exclusionary Rule").

2. The primary purpose of the Fourth Amendment Exclusionary Rule is to deter future unlawful police conduct and thereby effectuate the guarantee of the Fourth Amendment against unreasonable searches and seizures.

a. The rule is a judicially created safeguard.

b. The rule is designed to serve as a deterrent rather than as a personal constitutional right.

B. Searches Authorized Without A Warrant:

1. A search by consent;

2. A "stop and frisk" search of an individual under circumstances where the officer has articulable reasons to fear for his safety;

3. A search of a movable vehicle which can be put out of reach of a search warrant;

4. A search at the scene of a crime;

5. A search under exigent circumstances when the public safety is endangered;

6. An inventory search of a seized vehicle or other property;

7. A search incident to a lawful arrest; and

8. Plain view.

¹ CALEA [5th Edition]1.2.4(a-g)

II. SEARCH BY CONSENT:

A. General Principles:

1. As the Fourth Amendment only proscribes unreasonable searches, it is reasonable for the police to conduct a search once they have been permitted to do so.
2. The general prohibition against the warrantless entry into a person's home, business, or other constitutionally protected area does not apply to situations in which voluntary consent has been obtained.
3. Valid consent acts as a substitute for a search warrant or probable cause.

B. Determination of Consent:

1. It must be voluntary and the burden is on the State to prove voluntariness by "a preponderance of the evidence."
2. The person giving consent must have a "reasonable appearance of authority" over the area to be searched.

C. Determination of Voluntariness:

1. Whether consent is voluntary is generally a question of fact to be determined from the totality of the circumstances (meaning simply that no one factor will determine the voluntariness of the consent). The conduct of the police, the ability of the suspect to understand and rationally respond to the request for consent, age, education, intelligence, and knowledge of the accused are all relevant in making this determination.
 - a. It is not necessary that a police officer advise suspects of a right to refuse to consent. However, it will help to establish voluntariness. See *Schneckloth v. Bustamonte*, 93 S. Ct. 2041 (1973).
2. Coercive conduct by police is not consent. The following examples may be found as evidence of coercion:
 - a. A prolonged detention of the suspect;
 - b. A statement that the suspect is free to leave if he consents to a search;
 - c. A threat to obtain a search warrant if the police have insufficient evidence for such a warrant;

- d. A statement that a search warrant is not needed when the suspect asks if the searching officer has a warrant;
 - e. An implied promise that the suspect will not be prosecuted; and
 - f. Repeated requests for consent.
3. The presence of uniformed and armed police officers, without anything more, is insufficient to raise an issue of lack of consent. Psychological coercion as a defense for lack of consent to search is insufficient without statements by the officers.

D. Reasonable Appearance of Authority:

1. The officer must reasonably and in "good faith" believe the person giving consent has authority to do so.
2. This good faith is to be decided by viewing officer's determination based on relationship of person to area of search.

E. Common Authority to Consent:

1. The question most commonly asked by the courts is whether the person charged has a "reasonable expectation of privacy" in the area where the third person consented to a search.
2. The third party must possess common authority with the person charged over the area searched or have some other sufficient relationship to the premises or effects sought to be inspected in order for there to be valid consent. Examples:
 - a. A parent can give consent to search their home, including the room of a **minor** child.
 - b. A **minor** may give consent to search the home of an absent parent if the minor shares the home, and the minor's consent is voluntary based on the totality of the circumstances (the minor's age, maturity, and intelligence, among other facts).
 - c. A person may provide consent to search their spouse's home, including their jointly occupied bedroom.
 - d. A joint owner of an automobile or truck can give consent to search.
 - e. A business partner who jointly occupies office space, files, etc. can give consent to search.

- f. A cousin who has joint control over a duffel bag may provide consent to search it. Joint control results in valid consent.
 - g. An innkeeper/motel clerk cannot give an officer consent to search a room he has rented. Exception: where occupant had left and did not pay for another day's rent. The consent to search is valid.
3. A consent search of a shared residence (or similar location) may **not** be performed over the objection, or refusal to consent, of another physically present resident. See Legal Bulletin No. 06-6. *Georgia v. Randolph*, 2006 WL 707380 (March 22, 2006).

F. Extent of Search Pursuant To Consent:

- 1. The scope of a consent search is confined to its expressed limits (the area or thing which the officer asks to search).
- 2. The scope may not exceed the area or thing that the officer asks to search, nor may it extend to containers or adjacent areas to which a reasonable person would not have understood the scope of the consent to pertain.
 - a. A consent to search an automobile does not authorize consent to open closed containers found in the passenger compartment, but a general consent to search may authorize the search of a closed container found therein if the suspect's consent reasonably would be understood to extend to that container.
 - b. A general consent to let an officer look into a car does not include consent to search the trunk. Furthermore, consent to look into the trunk does not constitute consent to pry open a locked piece of luggage inside the trunk.
 - c. A consent to search luggage or other bags does not authorize the search of a sealed container found within that bag.
 - d. A consent to search a person does not extend to the genital area unless the police specifically request to search this area (this search must always be done by an officer of the same sex as the suspect). See SOP 371 and Legal Bulletin No. 05-10.
 - e. Consent may be withdrawn, as well as limited, by the person from whom the consent is sought.

III. STOP AND FRISK OF AN INDIVIDUAL:

A. General Principles:

1. If there are articulable facts supporting a reasonable suspicion that a person has committed a criminal offense or is about to commit a criminal offense, that person may be stopped in order to identify him, question him briefly, or detain him briefly while attempting to attain additional information. F.S. §901.151
2. Where an officer observes unusual conduct and forms a reasonable suspicion, in light of his experience, that a detained person may be in possession of a weapon of any kind and the officer is concerned for his own safety or for the safety of others, he may conduct a "pat down" search of the subject in question for the sole purpose of discovering weapons.

B. Reasonable Suspicion:

1. Reasonable suspicion is more than a bare suspicion.
2. The officer must be able to articulate facts and circumstances that justify a stop in light of the officer's knowledge, training, and practical experience. This is sometimes referred to as a "founded suspicion."
3. The test to determine whether a stop is justified is based on the totality of the circumstances.

Certain factors **taken alone** will not justify a stop of a person. However, if they are taken with other factors, the stop may be justified. Examples:

- a. The suspect's presence in a **high crime** area **alone** does not justify a stop.
- b. A suspect's **flight** from an approaching officer **taken alone** will not justify a stop.
- c. An appearance of a drug transaction **without** observing a hand to hand transaction of some kind of object will not suffice.
- d. Quick, furtive, or suspicious movements **alone** are not enough to sustain a temporary detention.

C. Third Parties and Anonymous Tips:

1. A stop may be based on information communicated to law enforcement through third parties provided the third party identifies himself/herself and provided the information is objectively reliable based on the officer's training and experience.
2. Information that is provided by a known, reliable confidential informant will provide reasonable suspicion to justify a stop if the information

contains sufficient detail to identify the suspect and the information is verified as far as possible.

3. An anonymous tip that an individual has engaged in or is about to engage in criminal conduct **is not sufficient** to justify a stop without **independent evidence** of criminal activity apart from the anonymous tip.

D. Scope and Length of Stop and Frisk:

1. An officer in a stop and frisk situation shall not extend his search beyond a "pat down" of a suspect's outer clothing unless that pat down or other circumstances leads the officer to conclude that the suspect has a weapon on his/her person or the officer feels and immediately recognizes an object as contraband. (See "plain feel" exception below.)
2. The observance of a bulge in the suspect's clothing does not provide the basis for a "pat down" search if there were no facts articulated to support the stated fear that the bulge might be a weapon.

Note: A distinctively shaped bulge in the suspect's pocket that appears to be a weapon warrants a limited "pat down" search.

3. An investigative detention must be temporary and last no longer than is necessary to effectuate the purpose of the stop.
4. "Plain Feel" exception:
 - a. An object that a law enforcement officer detects on a suspect's person during the course of a valid protective frisk may be seized without a warrant if the officer's sense of touch makes it **immediately apparent** to the officer that the object, though not threatening in nature, is contraband.
 - b. The officer **must instantly know**, without further investigation or manipulation of the item, what the item is, that it is illegal to possess, and/or is evidence of a crime.

IV. SEARCH OF A MOVABLE VEHICLE:

A. Probable Cause:

1. A warrantless, valid search may be made of a car and any containers within, when there is **probable cause** to believe that the automobile contains contraband, a weapon, or evidence of a crime.
2. Under these circumstances, a search for specific items may be made of the entire vehicle, including the trunk, locked or unlocked containers, and

locked glove compartment to the extent that such containers may be capable of holding the item(s) believed to be inside the vehicle.

B. Search of a Vehicle Incident to Arrest:

1. If the driver or any passenger of a vehicle has committed an offense which subjects him/her to arrest, a warrantless, valid search may be made of the arrestee's person and only that area **within the arrestee's reach**, i.e., the passenger compartment, including any locked or unlocked containers therein. This search is for evidence relating to the crime for which the subject has been arrested. If it is unlikely that the vehicle could contain evidence relating to the crime for which the subject was arrested, the search should not proceed on this basis. See *Arizona v. Gant*, 128 S. Ct. 1443 (2009).
2. The trunk **may not** be searched in this situation unless the vehicle is to be impounded and an inventory search is made pursuant to standard operating procedures or some other basis for the search exists.
3. A passenger may not be searched unless there is a reasonable, articulable suspicion that he/she has committed a crime or poses a threat to the officer.

C. Investigative Stops: Where an officer makes an investigative stop of a vehicle, the vehicle may be searched for weapons if facts known to the officer create a **reasonable** belief that a suspect might gain control of a weapon.

D. Requirement That Vehicle Is Movable: The vehicle must be **movable** or **mobile** to authorize its search without a warrant because the justification for this rule is that the vehicle is capable of being moved before an officer can secure a search warrant and the opportunity to search is fleeting.

V. SEARCH AT A CRIME SCENE:

A. General Principles:

1. The existence of exigent circumstances, at the scene of a crime, will justify a warrantless search when an **emergency** exists.
2. To invoke the **emergency** rule to search a person's home, the exigency of the situation must be so compelling as to make a warrantless search objectively reasonable.

B. Homicide Scene:

1. When the police are called to the scene of a homicide, they may make warrantless entries on the premises where they reasonably believe that a

person within is in need of immediate aid, and they make a prompt warrantless search of the area to see if there are other victims or if the killer is still on the premises.

2. A warrantless search of the premises/home is not constitutionally protected simply because a homicide has occurred there.

VI. EXIGENT CIRCUMSTANCES:

A. Destruction of Evidence:

1. An officer may enter a citizen's home without a search warrant to prevent the imminent use of a dangerous weapon, or to prevent the potential destruction of fruits of a crime.
2. The officer must be prepared to show that a weapon or drugs were likely to be removed or destroyed before a warrant could be obtained.

B. Protection of Life and Property:

1. An officer can enter a premise without a warrant to protect individuals in distress, to assist victims of crimes, or to investigate suspicious signs of impending danger.
2. The officer must be prepared to justify his actions by showing that entry **was not made** for the purpose of gathering or seizing evidence.

C. Security Search Subsequent To Arrest:

1. An officer can enter a premise as part of a security sweep based on **exigent circumstances** surrounding a particular arrest.
2. This security check permits the officer to protect himself by looking for other persons who may be present in an area and who may pose a danger to the officer.
3. If the security check is conducted inside the premises after an arrest is made outside, the officer must be prepared to establish that there was evidence to suggest the presence of other persons in the premises.

VII. INVENTORY SEARCHES:

A. General Principles:

1. Inventory searches are a well-defined exception to the warrant requirement of the Fourth Amendment.

2. Inventory procedures serve to protect an owner's property while it is in the custody of the police to insure against claims or disputes over lost, stolen, or vandalized property, and to protect the police from potential danger.
 3. If contraband or the fruits or instrumentalities of a crime are discovered within the vehicle, pursuant to a valid inventory search, they are subject to valid seizure and are admissible as evidence.
 4. Before a vehicle can be inventoried, it must be necessary to impound it.
- B. Impoundment of Vehicles: A vehicle may **not** be impounded when the owner/driver requests and has the ability to have his car removed by someone else without intervention by police, or the vehicle at the time of the arrest is **not** a traffic hazard and the owner consents to leave it where it is.
- C. Scope of Inventory Search:
1. The scope of the search is limited to what standard operating procedure for inventory searches permits for inventory searches.
 2. Simply search all areas which standard operating procedure mandates be searched.
 3. The scope of the search is not discretionary with the officer. All areas of the vehicle, including closed containers, locked glove compartment, and trunk, must be searched.

VIII. SEARCH INCIDENT TO ARREST:

- A. General Principles:
1. In the case of a lawful custodial arrest, a full search of the person is an exception to the requirement of a warrant.
 2. By statute in Florida, when a lawful arrest is effected, an officer may search the person arrested and the area within the person's immediate presence for the purpose of protecting the officer from attack, preventing the person from escaping, or discovering the fruits of a crime. F.S. §901.21(1).
 3. An officer making an arrest may seize all instruments, articles, or things discovered on the person arrested or within the person's immediate control. F.S. §901.21(2).
 4. Any search incident to arrest, of a vehicle or premises, is limited to a search for evidence of the specific crime for which the subject was

arrested. If the nature of the crime is such that no evidence of that specific crime is likely to be found, i.e., DWLS, reckless driving, etc. the search may not proceed as a search incident to arrest. See Legal Bulletin No. 09-07.

B. Extent of Search Incident to Arrest:

1. A search incident to arrest is a reasonable intrusion if the object of the search was within the suspect's immediate area of control just prior to his detention and the seizure and relates to the crime for which the subject was arrested.
2. As an incident to an arrest in a home, officers may look in closets and other spaces immediately adjoining the place of arrest from which an attack could be immediately launched.

C. Automobiles and Containers Within:

1. The police may lawfully search, following a lawful custodial arrest of the driver or any passenger, the passenger compartment of an automobile as long as the confrontation between the police and the citizen is commenced while the citizen is actually in the vehicle or the citizen has just exited the vehicle. The passenger compartment consists of all interior areas of the vehicle that could be accessed by a person without exiting the vehicle including the rear area of a hatchback or an S.U.V. and all locked or unlocked containers within those areas.
2. The search of an automobile incident to a lawful arrest includes the examination of the contents of any containers found within the passenger compartment whether open or closed, locked or unlocked. Again, this search is for evidence relating to the specific crime for which the subject is arrested. However, if during a proper search evidence of unrelated crime(s) is discovered, that evidence may be seized and may be the basis of additional charges.

IX. PLAIN VIEW:

A. General Principles:

1. The officer must have had a prior justification for an intrusion into a constitutionally protected area.
2. The item must be in plain view and its incriminating character must be immediately apparent.
3. The officer must have a lawful right of access to the object itself.

- B. Extension of Search: The officer must not extend the search after seizure of the item(s) in plain view without a warrant or some other exception to the warrant requirement.

X. SEARCH WARRANTS:

- A. General Principle: In general, a search of premises, a vehicle, or a person **should not** be conducted without first obtaining a search warrant.

- B. Grounds for Issuance of a Search Warrant:

- 1. In order for a police officer to obtain a search warrant, he must present to a neutral judge or magistrate information, in the form of a sworn affidavit which constitutes probable cause to believe that evidence of an offense is likely to be found at a specific location identified in the warrant.
- 2. The following are grounds for the issuance of a warrant:
 - a. When the property shall have been stolen or embezzled in violation of law;
 - b. When property shall have been used as a means to commit a crime;
 - c. When any property constitutes evidence relevant to proving that a felony has been committed.

- C. Private Dwellings:

- 1. Per F.S. §933.18, no search warrant shall issue to search any private dwelling unless:
 - a. It is being used for the unlawful sale, possession, or manufacture of intoxicating liquor.
 - b. Stolen or embezzled property is contained within the dwelling.
 - c. The dwelling is being used to carry on gambling.
 - d. The dwelling is being used to perpetrate frauds and swindles.
 - e. The law relating to narcotics or drug abuse is being violated in the dwelling.
 - f. A weapon, instrumentality, or means by which a felony has been committed, or evidence relevant to proving a felony has been committed, is contained in the dwelling.

- g. One or more of the following misdemeanor child abuse offenses is being committed there:
 - 1) Interference with child custody (now a 3rd degree felony);
 - 2) Commission of an unnatural and lascivious act with a child; and
 - 3) Exposure of sexual organs to a child.
- h. The dwelling is in part used for some business purpose such as a store, shop, saloon, restaurant, hotel or boarding, or lodging house.
- i. The dwelling is being used for the unlawful sale, possession, or purchase of wildlife, saltwater products, or freshwater fish being unlawfully kept therein.
- j. The laws in relation to the cruelty to animals have been or are being violated within the dwelling, although such a search may not be made after sunset and before sunrise unless specially authorized by the judge issuing the warrant, upon a showing of probable cause.

D. Narcotics Laws Being Violated: An affidavit **does not** establish probable cause for issuance of a warrant under provision when it only alleges that marijuana was observed growing on the property surrounding the residence and does not allege that a violation of the narcotics law existed within the residence.

E. Affidavit for Search Warrant:

- 1. A search warrant must be based upon a duly sworn to and subscribed to affidavit which sets forth facts to establish probable cause to believe that the property sought to be seized is upon the premises, person, or vehicle to be searched.
- 2. A search warrant must describe the place to be searched with sufficient particularity so that a reasonable person who is unfamiliar with the investigation could read the description and find the premises, person or vehicle to be searched.
- 3. A search warrant must particularly describe the property sought to be seized.
- 4. A confidential source can provide sufficient probable cause upon which to base a sworn affidavit for a search warrant.

5. When an informant's information is used to support a search warrant, the sworn affidavit must set out supporting facts, which show the judge, why the confidential informant should be believed:
 - a. The past reliability of the information provided by the informant;
 - b. The source of the informant's knowledge;
 - c. The specific information; and
 - d. Independent police corroboration of the information.
6. Mere conclusions of an informant are insufficient to support a search warrant.

F. Execution of a Search Warrant:

1. A search warrant and its attendant sworn affidavit must be reviewed and signed by a judge and must be executed and returned to the judge within ten days after its issuance.
2. "Knock and Announce" required:
 - a. An officer engaged in the execution of a search warrant must notify those within the residence of the officer's presence by knocking, or some other reasonable means, and announce his authority and the purpose of his presence before breaking in.
 - b. An officer executing a search warrant may break open any outer door, inner door, or window of a house, or any part of a house or anything therein, to execute the warrant if, after giving due notice of his authority and purpose, he is refused admission to the house or access to anything therein.
3. There are exceptions to the "knock and announce" requirement such as:
 - a. The person within already knows of the officer's authority and purpose.
 - b. The officers are justified in the belief that the persons within are in imminent peril or bodily harm.
 - c. The officer's peril would have been increased had he demanded entrance and stated his purpose.
 - d. Those within, made aware of someone outside, are engaged in activities which justify the belief that an escape or destruction of

evidence **is being** attempted, and that evidence **would be** destroyed if the officers announced their presence.

X. REPORTS:

- A. All searches of persons, structures or vehicles must be fully documented even if no evidence or other item of interest is revealed by the search. Documentation must include:
 - 1. The legal basis for the search;
 - 2. The area covered during the search;
 - 3. The type of items for which the search was conducted; and
 - 4. A description of all items of interest located or a statement that nothing was found.

- B. If no offense report results from an investigation and search, the search may be documented in an information report or a street check. See Legal Bulletin No.11-16.

Supersedes SOP 821, dated 6/06.

833 **TRAFFIC CRASH INVESTIGATION**

I. PURPOSE:¹ To provide traffic crash investigators and supervisors with step-by-step guidelines for organizing and conducting thorough investigations of serious injury, fatality, and hit-and-run crashes.

II. GUIDELINES:²

A. Upon notification of a crash, the officer shall:

1. Advise radio of current location and probable response time (other officers might be closer);
2. Choose the safest and quickest approach, taking into consideration possible traffic congestion or developing hazards;³

B. Upon arrival at the scene, the officer shall:

1. The first officer on scene is in charge of the scene until relieved by a supervisor.⁴
2. Protect the scene to prevent additional crashes; and call for any necessary assistance;⁵
3. Care for the injured; document dying statements or declarations;⁶ and summon necessary emergency vehicles and equipment if they are not at the scene or enroute;
4. Look for traffic hazards such as fires, oil slicks, downed electrical wires or flammable liquids. These hazards shall be protected with traffic cones, barricades, or police cars. Flares may be used when flammable liquids and vapors are not present.⁷
5. Locate drivers, passengers and witnesses; and utilize competent volunteers safely when emergency assistance is needed;⁸
6. Consider the possibilities of hit-and-run; initiate any required broadcast alerts; notify supervisors of the seriousness of the crash;⁹ and

¹ CALEA [5th Edition] 61.2.1(a)(b)(c)

² CALEA [5th Edition] 61.2.3(c)(d)

³ CALEA [5th Edition] 61.2.3(c)

⁴ CALEA [5th Edition] 61.2.3(a)

⁵ CALEA [5th Edition] 61.2.3(a)(e)

⁶ CALEA [5th Edition] 61.2.1(a); 61.2.3(b)

⁷ CALEA [5th Edition] 61.2.3(c)

⁸ CALEA [5th Edition] 61.2.3(d)

⁹ CALEA [5th Edition] 61.2.1(c)

7. After aiding the injured, secure the scene to preserve evidence.¹⁰
- C. When the emergency is under control, the officer shall:
1. Note and mark the location of injured persons before the paramedics move them. It may become necessary to take measurements later.¹¹
 2. Separate the witnesses and drivers before conducting preliminary interviews.
 3. Obtain identification and question witnesses who appear to be anxious to leave; collect their statements and note the location from which their observations were made; and document their home/business addresses and home/business telephone numbers so that a subsequent, more detailed interview can be conducted.¹²
 4. Conduct preliminary questioning of drivers, identify their vehicles and determine their locations; note the extent of their injuries and such conditions as intoxication, nervousness, confusion, or shock.¹³
 5. Request a supervisor if needed.
 6. Arrange tests for suspected intoxicated drivers involved in the crash who are at hospital(s) and/or obtain updates on the seriousness of injuries.¹⁴ When possible, DUI units should be utilized.
 - a. The investigator must have probable cause to believe the person is the driver and is intoxicated. Signs of intoxication, such as the odor of an alcoholic beverage, slurred speech, or unsure balance, should be used when establishing probable cause for DUI. The probable cause must be listed in the report and affidavit.
 - b. Under unusual circumstances, a certified paramedic may conduct a legal blood alcohol test on an injured defendant or victim driver at the crash scene. Whenever possible, a legal blood alcohol test should be performed before any medication is administered. All blood samples must be obtained in a hospital like setting (i.e. hospital ER or inside an ambulance).

¹⁰ CALEA [5th Edition] 61.2.3(e)

¹¹ CALEA [5th Edition] 61.2.1(a); 61.2.3(b)(d)(e)

¹² CALEA [5th Edition] 61.2.3(d)

¹³ CALEA [5th Edition] 61.2.1(a)(d); 61.2.3(b); 61.2.2(a)(c)

¹⁴ CALEA [5th Edition] 61.2.1(a)(d); 61.2.3(b)(d); 61.2.2(a)(c)

7. After original photographs are taken, mark those places where persons and damaged vehicles came to rest; and take measurements and record the disposition of those items.¹⁵
8. Observe vehicle conditions noting: engine on/off; lights on/off; radio on/off; A/C on/off; windows up/down; tires flat/inflated; gear selector position and whether the speedometer was stuck at any position;¹⁶
9. Ensure that property belonging to accident victims is protected from theft or pilferage.
 - a. Property may be placed with the person being transported to a hospital if they are able to accept responsibility for said property.
 - b. When an accident victim is incapacitated and unable to accept responsibility for their property, the officer shall enter the property into the Evidence Control Section for safekeeping.¹⁷
10. When necessary, arrange for rotation impound for involved vehicle(s) or police impound if it is necessary to secure an involved vehicle as evidence. In either case, officers should ensure:
 - a. That tow truck operators completely remove all crash debris from the roadway and right-of-way; and
 - b. All traffic control lights and signage are intact and operational.

D. Investigation at crash scene:¹⁸

1. Search for clues and all physical evidence to be preserved for photographs, measurements and/or collection.
2. The following should be photographed by the crime scene technicians: injuries to, and position of bodies; skidmarks, with close-ups and overall views; area of impact; gouges; scrapes; vehicle damage (interior, exterior, undercarriage); final resting points; ruts/furrows in the grass/soil areas; location of debris; imprints on vehicles; paint transfers; rub-offs; view obstructions;

¹⁵ CALEA [5th Edition] 61.2.3(d)(e)

¹⁶ CALEA [5th Edition] 61.2.3(d)

¹⁷ CALEA [5th Edition] 61.2.3(f)

¹⁸ CALEA [5th Edition] 61.2.1(a); 61.2.3(c)(d)

traffic control devices; street signs; fluid spills or splatters; road defects; aerial photos of intersections/interchanges; defective equipment; embedded hair, blood, clothing on articles; curve, incline, decline, of roadways; overall views of roads and scenes; important landmarks; road surface conditions (rain, puddles, gravel, loose dirt, etc.); imprints on clothing, body, shoes; and views of witnesses.

- a. After the original crash scene photographs have been taken, the investigator may add a ruler or tape measure in another photograph to show sizes of smaller articles.
 - b. Photograph that which is applicable to the crash scene. Include traffic signs, traffic lights, and roadway markings.
 - c. Photograph each vehicle's path of travel, in planned segments, from the possible point of perception to the final resting place.
3. Measurement style: Use the coordinate method by choosing a permanent reference point (RP). Measure to the closest inch. Do not try to draw diagrams to scale, or clutter them with numerous measurements. Rough drafts should be placed into evidence for later testimony.
 4. Measurements to consider: Width of streets/lanes; skidmarks - before and after impact; skips; gaps; ruts/furrows; yaw marks/striations; scuffmarks; fade mark skids; length of scrapes/gouges; center mass of debris field; point of impact; vehicles' final resting points; positions of spills/splatters; height/distance vehicles traveled airborne; locations of evidence; deep impressions in vehicles that are severely damaged; height of inclines, declines; signs; obstructions; curbs; eyesight of drivers when in vehicle; positions of bodies; positions of witnesses, when applicable; and important landmarks.
 5. Measurement tools to utilize: 100 foot fiberglass tape; measuring wheel; pencils/pens; template with scales; chalk, crayon, or spray paint for marking; nail or spike to hold tape while measuring; hammer; flashlight; camera; evidence bags; rope or string; radar gun; and urine/blood collection kits. These tools may be acquired from street supervisors, the property room, hit-and-run detectives, crime labs, and fellow officers;
 6. Safety equipment to use: Flares; street reflectors; reflective jackets or raincoats; police cars with operating flashers or rotating beacons; barricades; traffic wands and cones. Portable traffic signs and utility lighting may be acquired from the city or state Road Department, if needed.

7. Physical evidence to collect:¹⁹ Photographs; samples of blood, skin and hair; clothing with blood stains, tire/vehicle print transfer, tears or burns, imbedded soil or glass, etc.; head/tail light fragments; fingerprints on vehicles from victims/suspects; chip paint fragments; body parts from hit-and-run vehicles; cross-cut tire samples or molds; samples of blood, urine, saliva and breath. When serious injuries indicate a possible fatality and a detailed inspection is necessary, impound the vehicles and store them in the secure shed at the impound lot for the crime lab or FDLE lab. Collect the following: pertinent personal articles; underbody soil samples; statements from witnesses and/or suspects; signed SAO rights cards; consent to interview forms; photo packs; radio room taped phone calls and authorized taped interviews; headlamp terminals or sealed beam headlights to test for light on/off. Check for evidence if car is stolen, or has been used in a crime.

IMPORTANT: Only after the crash scene is photographed and measured can the collection of evidence begin.²⁰

8. Reports to record data:²¹ Crash/supplement reports; medical examiner reports; arrest affidavits; traffic citations; impound reports; criminal traffic supplements; evidence slips; alcohol and/or drug reports; hospital charts; assorted lab reports; statements of witnesses/suspects; consent to interview forms; signed SAO rights cards; legend/diagrams of before, at, after crash scenes for clarity and/or court presentations; original field notes, and observation reports of the weather and lighting conditions at the crash scene. Do not request or receive information from medical charts. They are protected under the law.

- E. Tests to conduct or consider: Vehicle inspection, including brakes, steering, headlights, tail/stop lights, turn signals, wipers, tires/rims, accelerator linkage, stuck/broken speedometers, mirrors; analysis of breath, blood, urine; specific gravity tests of headlamp fragments to determine make of vehicle; sealed headlamps/terminals to determine if lights were on/off in crash; fingerprint identifications; skid tests with suspect car or similar car, using drag factor wheel on surfaces and areas involved. Conduct stopwatch times/distances to accelerate across intersection or make certain maneuvers, weigh vehicles involved plus their load. Some of these tests may require the assistance of certified mechanics, crime lab technicians, trained and equipped hit-and-run detectives, certified lab technicians, or traffic experts within the Department.

¹⁹ CALEA [5th Edition] 61.2.3(b); 83.2.1

²⁰ CALEA [5th Edition] 61.2.3(e); 61.2.4; 83.2.1

²¹ CALEA [5th Edition] 61.2.3(b); 61.2.4

F. Supervisor responsibilities:²²

1. Supervisors should coordinate overall efforts with the hit-and-run sergeant and/or detectives, evidence technicians, crime scene technicians, traffic engineers, reconstruction experts, and other police agencies involved.
2. Traffic charges may be delayed, pending further investigation, to locate hit-and-run vehicles and/or drivers, obtain warrants, etc.
3. Use proper felony charges when serious injury may result in death.
4. All traffic crashes investigated by a traffic reconstructionist shall be routed to the hit and run sergeant for review.
5. Traffic reconstructionists will only be utilized for serious injury/fatal crashes; police pursuits involving serious injury or death; whenever a division commander determines the City of Tampa may be held civilly liable for the crash; or at the request of the hit and run sergeant/detective. Traffic reconstructionist will not be utilized for minor damage crashes involving city vehicles.
6. The supervisor, if requested, shall evaluate the crash, and determine what professionals need to be called (i.e., hit-and-run sergeant, traffic reconstructionist, crime lab, or risk management).

The hit and run sergeant and/or detective will be responsible for notifying the medical examiner and next of kin.

G. Public relations:

Notify the street supervisor or shift commander of the progress and results of the investigation. Do not allow the release of names of persons killed or seriously injured until the next of kin has been notified. The media should be escorted through the crash scene only under strict supervision.

H. Prosecution:

1. Contact experts in the appropriate fields of the investigation for opinions, conclusions, and results.
2. Prepare to present reports, lab results, evidence, photos, diagrams, witnesses, and statements to the SAO for depositions and final trials.

²² CALEA [5th Edition] 61.2.3

3. Ensure blood samples are forwarded to the lab by detective personnel in the appropriate time period to prevent deterioration.

I. Types of charges:

1. Civil Infractions: On some occasions, no one will be cited/arrested. Except when the violator is deceased, officers shall obtain supervisory approval if they believe issuing a citation is inappropriate.
2. Misdemeanors: D.U.I. Involving Property Damage F.S. §316.193(3)(c) 1; Reckless Driving F.S. §316.192; and Leaving the Scene (attended property) F.S. §316.061.
3. Felonies: D.U.I. Involving Serious Injury F.S. §316.183 (3)(c) 2; D.U.I. Involving Death F.S. §316.193(3)(c) 3; Manslaughter (by culpable negligence) F.S. §782.07; Vehicular Homicide F.S. §782.071; Leaving the Scene with Injuries F.S. §316.027; and D.U.I. Manslaughter F.S. §316.193(3)(c) 3.
4. Multiple Charges: Officers may charge drivers with civil traffic infractions and criminal traffic violations simultaneously; however, each offense or infraction must include an element that the other does not.²³

Supersedes SOP 833 dated 4/04.

²³ CALEA [5th Edition] 61.1.5(i)