



Civil Service Board Regular Meeting

Agenda

October 5, 2021 @ 4:00 pm

City Hall | Commission Chambers

401 S. Park Avenue | Winter Park, Florida

Hybrid (in-person & virtual Regular Meeting)

welcome

Agendas and all backup material supporting each agenda item are accessible via the city's website at cityofwinterpark.org/bpm and include virtual meeting instructions.

assistance & appeals

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office ([407-599-3277](tel:407-599-3277)) at least 48 hours in advance of the meeting.

"If a person decides to appeal any decision made by the Board with respect to any matter considered at this hearing, a record of the proceedings is needed to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F.S. 286.0105).

please note

Times are projected and subject to change.

-
1. **Call to Order**
 2. **Consent Agenda**
 - a. [Minutes for September 7, 2021](#) 5 minutes
 - b. [Minutes for September 20, 2021](#) 5 minutes
 3. **Staff Updates**
 4. **Citizen Comments (for items not on the agenda): Three minutes allowed for each speaker**
 5. **Non-Action Items**
 6. **Action Items**
 - a. [SOP 266 Bomb Threats](#) 5 minutes
 - b. [Investigations](#) 5 minutes
 - c. [SOP 374 Electronic Files](#) 5 minutes
 - d. [Firefighter Applicant Interviews](#) 10 minutes
 - [Caleb Recicar](#)
 - [Christopher Takacs](#)
 7. **Public Hearings**
 8. **Board Comments**
 9. **Adjournment**



Civil Service Board **agenda item**

item type	Consent Agenda	meeting date	October 5, 2021
prepared by	Kathleen Reed	approved by	
board approval			
strategic objective			

subject

Minutes for September 7, 2021

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[September 7, 2021.pdf](#)



Civil Service Board Regular Scheduled Meeting

September 7, 2021 at 4:00 p.m.

Commission Chamber Hybrid (in-person & virtual Regular Meeting) Meeting Minutes

Present

Kip Marchman, Chairman
Steve Stutzer, Vice Chairman
Pitt Warner, Chief Examiner
Stockton Reeves, Board Member
Todd Meadors, Fire Representative -virtual appearance
Javier Rodriguez, Police Representative
Police Chief Michael Deal
Fire Chief Dan Hagedorn

Absent: Mary Daniels, Board Member

1. Meeting called to order

Chairman Marchman called the meeting to order at 4:02 p.m.

2. Consent Agenda

A. Approval of the August 3, 2021 Minutes

Motion made by Mr. Rodriguez and seconded by Mr. Warner to approve the minutes from the August 3, 2021 Regular Meeting. Motion carried unanimously with a 6-0 vote.

3. Staff Updates

A. Police Department Update

Department currently has 4 vacancies. Candidate Isaiah Watson will be presented to board members tonight.

B. Fire Department Update

4. Citizens Comments

None

5. Action Items

A. Officer off of Probation-Officer Gysler

Chief Deal requested Board Members to certify the Permanent Status of Officer Gysler. Motion was made by Mr. Reeves and seconded by Mr. Warner to certify the permanent status of Officer Gysler. Motion carried unanimously with a 6-0 vote.

B. Applicant Interview Isaiah

The following new hire candidate, Isaiah Watson was introduced by Chief Deal to members of the board. Mr. Watson provided a brief background and responded to questions by board members. Motion was made by Mr. Reeves and seconded by Mr. Warner to certify the candidate. Motion carried unanimously with a 6-0 vote.

C. SOP 301- Street Crimes Unit

Lieutenant Garvin McComie presented SOP 301-Street Crimes Unit to the board members and answered questions. Lt. McComie stated that has SOP 301 has been reviewed by Chief Deal, all Division Chiefs and approved by Legal Counsel, Erin DeYoung. Chief Deal further expanded on the electronic surveillance aspect of this unit and the capabilities the

unit will now be able to access working as a real time crime center. Motion was made by Mr. Stutzer and seconded by Mr. Reeves to approve SOP 301. Motion carried unanimously with a 6-0 vote.

Chief Hagedorn announced the return of personnel from Louisiana after a 5 day deployment to aid with Hurricane Ida recovery.

Informed of the retirement of Engineer Dan Brown.

Special set meeting scheduled for September 20th to interview fire fighter applicants.

A brief discussion was held pertaining to the vaccine and testing of COVID required of all city personnel. Chief Hagedorn provided the following information:

- Mandatory weekly COVID testing to begin on September 20th.
- Testing will be administered through a 3rd party vendor.
- 3 testing sites will be located throughout the city.
- If an employee refuses a COVID test they will be placed on administrative leave without pay.

Chief Hagedorn requested board members to approve the testing process for the position of Engineer. Motion was made by Mr. Rodriguez and seconded by Mr. Reeves to approve the testing process for the position of Engineer. Motion carried unanimously with a 6-0 vote.

6. Public Hearings

None

7. Board Comments

None

8. Adjournment

There being no further business the meeting was adjourned at 4:41 p.m.

Kenneth Marchman, Chairman
Kathy Reed, Recording Secretary



Civil Service Board **agenda item**

item type	Consent Agenda	meeting date	October 5, 2021
prepared by	Kathleen Reed	approved by	
board approval			
strategic objective			

subject

Minutes for September 20, 2021

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[September 20, 2021 .pdf](#)



Civil Service Board

Special Scheduled Meeting

September 20, 2021 at 4:00

Commission Chamber

401 South Park Avenue | Winter Park, Florida

Meeting Minutes

Present

Kip Marchman, Chairman

Steve Stutzer, Vice Chairman

Mary Daniels, Board Member

Stockton Reeves, Board Member

Tod Meadors, Fire Representative (virtual appearance)

Javier Rodriguez, Police Representative

Fire Chief Dan Hagedorn

Absent: Pitt Warner, Chief Examiner

Police Chief Michael Deal

1. Meeting called to order

Chairman Marchman called the meeting to order at 4:00 p.m.

2. Action Items

A. Applicant Interviews-Fire Department

The following new hire candidates were introduced by Chief Hagedorn to members of the board: Jack Timmes, John McCormack, Francys Picard, Kobe Ebarle and Zach Holton. Each candidate provided a brief

background and responded to questions by board members. Motion was made by Mr. Reeves and seconded by Mr. Stutzer to the above listed candidates. Motion carried unanimously with a 6-0 vote.

3. Public Hearings

None

4. Board Comments

None

5. Adjournment

There being no further business the meeting was adjourned at 4:35 p.m.

Kenneth Marchman, Chairman
Kathy Reed, Recording Secretary



Civil Service Board **agenda item**

item type	Action Items	meeting date	October 5, 2021
prepared by	Kathleen Reed	approved by	
board approval			
strategic objective			

subject

SOP 266 Bomb Threats

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[SOP 266 BOMB THREATS.pdf](#)

WINTER PARK POLICE DEPARTMENT STANDARD OPERATING PROCEDURE

Title:	Bomb Threats	SOP #: 266
Rescinds:	SOP #: 277	Amends:
Effective:	October 6, 2021	Pages: (08)
Attachments:	None	

266-1 PURPOSE:

The purpose of this Standard Operating Procedure is to establish guidelines for responding to **calls**, a reported or actual bomb threat or incendiary/**explosive** device threat.

266-2 POLICY AND DEFINITIONS PROCEDURE:

It shall be the policy of the Winter Park Police Department to utilize every effective method to safely dispose of actual bombs or threats of bombs or other incendiary/**explosive** devices.

Definitions:

BOMB THREAT: Any verbal or written indication that some type of destructive device is being used against a person or place, whether or not an actual device is placed.

EXPLOSIVES: Any chemical compound, mixture, or device, the primary purpose of which is to function by explosion.

EXPLOSIVE DEVICE: Any item suspected of, or containing, an explosive or incendiary filler that could be a solid, liquid, or gas. This will include, but is not limited to, all homemade bombs, military or civilian ordinance, pyrotechnics, and dangerous chemicals.

RENDER SAFE: Actions performed by trained explosive ordinance personnel to prevent detonation or explosion of suspected ordinance/material and/or render it inert.

SUSPICIOUS DEVICE: An object of any shape, size, or color that is seemingly out of place.

266-3 BOMB THREAT CALLS:

Upon notification/call transfer of a bomb threat received by Communications, the communications center will dispatch the appropriate zone unit and the Fire Department. All pertinent information will be given to the responding unit(s) if available (i.e. type of device, time of detonation, location, etc.).

Communications will notify the appropriate additional personnel as necessary (i.e. PIO, Chief of Police, etc.) and as directed by the senior responding supervisor. If the call is directed at a school, notification to the school SRO shall be made immediately.

266-4 ~~COMMUNICATION CENTER~~ WHEN THE CALL COMES FROM THE DIRECT THREAT : CALL-TAKER RESPONSIBILITIES AND ACTIONS:

If the ~~Communications Center~~ an agency member receives a bomb threat call directly from the suspect (who claims to have planted the device or is directly involved in the planting of a device), the member ~~communications operator~~ will keep the caller on the phone line as long as possible and ask them to repeat the message and ask the caller the following at a minimum:

- The exact location of the bomb and the time of possible detonation.
- What kind of bomb is it?
- What will cause it to explode?
- Is there more than one bomb?
- What is your name, address, etc?

The member shall pay attention to the peculiar background noises while talking with the subject, noting such things as motors running, music playing, talking, or other background noises that may give a clue as to where the call is being made.

If received by someone other than Communications, the receiving member shall try to determine if they can transfer the call to Communications, without having the caller hang up. If possible, the call shall be transferred and prior to the transfer, the call receiving member shall preface the transfer (to the Communications member) before transferring (i.e. 'I have bomb threat suspect on the line who is being transferred'). Information shall be kept brief in order to avoid the suspect from disconnecting. If the caller refuses to be transferred to Communications to speak with them, they may be amenable to speaking with a command staff member. The call receiving member shall try to ascertain if the suspect would like to speak with a Division Chief or the Chief of Police. If so, the member shall transfer the call in the same manner as when transferring to Communications – keeping it brief but providing a quick preface of the call circumstances. If the caller disconnects before any transfer, the receiving member shall immediately call communications and relay as much information as possible.

When received directly by Communications, they shall initiate a trap and trace through phone company activate the *69 function and cross-reference the number immediately.

266-5 WHEN THE CALL COMES FROM A SECONDARY CALLER (POTENTIAL VICTIM OR THIRD-PARTY) CALL-TAKER RESPONSIBILITIES AND ACTIONS

When the threat is received by a third-party (i.e. the intended victim, victim location or another location):

If the call-taker is NOT a member of Communications, they shall **immediately** transfer the call to Communications.

If called directly into Communications or when transferred from another agency member, Communications personnel should try to maintain a line of communication with the reporting party until all necessary information has been obtained. The call-taker shall attempt to obtain the following information, if it is available:

- The name, address, and phone number of the intended target.
- How the threat was received (e.g. letter, fax, email, etc.)
- The location, type, size, and the expected time of device detonation.
- The name, address, and the title or position of the caller.
- The name of the person, business, or location threatened, if different than the caller.
- The name and description of the person the officer should contact and where.
- Was any specific information given that would lend credibility to the threat.
- What action has been taken, or if the person in charge anticipates any action to be taken before an officer arrives on scene (e.g. is the location being evacuated).

When received directly or when the information is provided by a secondary/third-party call receiver, Communication shall notify any facility threatened in the event the threat was not received by the target facility. The dispatcher will ask to speak to the person responsible for the structure and/or area and give all pertinent information to that person.

Communications shall advise the person to meet the responding officer at a designated contact point.

266-5 RESPONDING OFFICERS:

Upon arrival, officers will park approximately 300 feet from the building or suspect location and advise communications of their arrival.

Radios or cellular phones will not be used for transmitting within ~~1000~~ 300 feet of the suspected device location. ~~Pagers shall be turned off to prevent possible electrical activation of a device.~~ If possible a hard line phone will be used.

Officers shall contact the person responsible for the premises outside the structure at the previously designated contact point.

The investigating officer will interview the person who received the threat and obtain any pertinent information regarding the call.

The officer shall request an explosives detection canine to conduct a sweep of any staging areas that will be used for the incident (i.e. command post location, evacuation location, officer staging area).

The on-duty supervisor will establish a secure perimeter utilizing the available manpower.

Coordination with the Fire Department shall be accomplished by the senior on-scene supervisor. The Fire Department shall remain ready on stand-by and assist when requested and within their policies and procedures.

266-6 EVACUATION:

The investigating officer will always advise the person responsible for the premises that the location should be evacuated.

The decision of whether or not to evacuate or return will be left to the person(s) responsible for the premises, until a device or suspicious object is found. **Exception:** If the suspect's threat includes a device detonation time, the on-scene supervisor will **not allow** a search and will order an evacuation of the building.

If time is an element of the reported threat, all responding personnel will be clear of the area 15 minutes prior to the reported time of detonation and will not return to the area until 30 minutes thereafter.

266-7 COMMAND POST:

If a search is conducted, the shift supervisor will establish a Command Post (time permitting) in conjunction with the Battalion Chief of the Fire Department.

When a command post is initiated, the Incident Command structure and procedures shall be instituted (see SOP 265 Incident Command and Unusual Occurrences).

266-8 SEARCH OF PREMISES:

The organization of search teams will be coordinated by the on-scene senior supervisor or the incident commander (if ICS is activated), who will determine the number of members to assign and the method of search to be utilized.

If deemed necessary, an explosives detection canine may be used to assist in the search.

The on-scene supervisor shall designate search team(s) to assist as needed and/or requested. The number of officers assigned shall depend on the size and complexity of

the area to be searched. If assigned, officers shall help coordinate the search to avoid repetition.

The exterior areas accessible to the public should be searched first.

All areas open to the public shall be given special attention first (i.e. restrooms, trash receptacles, lobbies, stair wells, etc.).

Nothing shall be done to change the environment of the area searched, such as turning light switches or thermostats on or off until the area has been searched thoroughly.

If readily available, a floor plan of the building will be obtained and be referenced prior to the search taking place.

Civilians ~~Persons~~ may be used to conduct a visual inspection of the area with which they are familiar and identify any items/objects that are out of place or foreign.

Persons involved in the search will be instructed that their mission is only to search for and report suspicious objects. Persons locating suspicious objects are not to remove, jar, or touch the object or anything attached thereto.

Any suspicious objects will be reported to the senior on-scene supervisor ~~Command Post in person or by phone~~.

After a complete visual search of the area has been made, all persons involved in the search will report their findings to the senior on-scene supervisor ~~Command post~~.

When a search is completed the person responsible for the structure should be advised that a device was not found during the search but a device could still be in the structure. Officers will not state, "There is no device in the structure".

~~If possible, a bomb dog should be utilized for the search.~~

266-9 SUSPECT DEVICE FOUND:

In the event a suspicious package or explosive device is located, the officer will immediately order evacuation of all persons to a safe area. For safety and accountability, officers will select a single location, a minimum of **300 feet** away from the building, for the evacuating employees to meet. If possible, the evacuation route and location should be checked for any obvious suspicious items. The area where the device is located will be secured from all unauthorized entry.

Officers should not use radios or cellular phones in the area of an explosive device as the transmission may cause detonation.

Officers should not change the environment (lights, air conditioning, etc.) in the area of a suspected device.

Special care shall be taken to identify and separate any witnesses during the evacuation.

Depending on the location of the device and its potential to damage other buildings, other structures may have to be evacuated to ensure public safety.

The supervisor on-scene will have the Communications Center ~~notify~~:

Request the Orange County Sheriff Bomb Squad or Orlando Fire Department Bomb Squad respond (if Orange County Sheriff or Orlando Fire Department are not available to respond it is acceptable to contact other agencies with a Bomb Squad). The on duty supervisor shall coordinate with Winter Park Fire Department to determine which agency bomb squad will respond.

Notify:

- Chain of command
- On call detective
- Public Information Officer
- The power company
- The gas company
- City of Winter Park Streets Department
- City of Winter Park Public Works Department (water, sewage)

Regardless of whether a device is located, if the property is a high-profile location (i.e. Train station, major business, city hall, etc.), the on-scene supervisor will notify the Command staff and the Investigative Criminal Intelligence Unit supervisor.

266-10 POST EXPLOSION/DETONATION PROCEDURES

If an explosive detonation occurs, WPFD will be notified for immediate response. Officers shall inspect designated staging areas for any obvious suspicious items prior to their establishment.

The first officers to arrive will assess the situation (i.e. injured persons, fires, etc.) before entering the immediate scene. Personnel must be aware of the possibility for a secondary device(s).

Many chemicals have explosive properties and can be a serious fire and explosion hazard as well as a health hazard. Officer shall remain aware of any chemical components and adjust accordingly on their response if such chemical may exist and cause harm to responding officers and fire personnel. If chemical agents are suspected, the responding officer shall immediately relay that information over the radio.

If deemed tactically safe, officers and/or Fire-Rescue personnel will take emergency action to remove the injured to a safe area prior to treatment.

A post-blast scene is like any other crime scene and shall be protected as such. Other than first responders tending to the injured, officers will secure and control access to the building and/or area surrounding the scene of the explosion. The area to be protected may be extensive as it must include both the detonation and fall-out area. To accommodate this, the perimeter will be set up at the furthest piece of observable blast debris, regardless of distance from the detonation site.

~~In the event of an explosion,~~ Only authorized personnel will enter the area. The Detective on scene will be responsible for the crime scene, collection of evidence and notification of A.T.F. or other agencies that may be requested to render assistance.

The incident commander shall be responsible for coordinating post explosion notifications and the completion of all post explosion procedures. The supervisor on scene will be responsible for notification of any outside agencies required. Refer to SOP 265 Incident Command and Unusual Occurrences for more detailed requirements.

266-10 BOMB THREAT/DEVICE LOCATED ON SCHOOL PROPERTY:

The investigating officer will coordinate with School Officials and the School Liaison Officer (SRO) to conduct the evacuation.

If at all possible, the SRO will confer with the Principal and advise that if the school time missed due to evacuation is made up at a later date further bomb threats may be prevented.

If a device is not located, the area may be re-entered once the stated time of detonation has passed by at least 30 minutes. The decision to re-enter the area if a device is not located is not made by the Police Department. The Officer should advise the person responsible for the area that a search did not reveal a device and the stated time of detonation has passed. The person in charge of the area may elect to continue business as usual.

If a search of the School property is conducted only School employees and responding emergency personnel may be utilized.

Drafted: AK04-97/filed: 277.doc/revised: BCR02-00/revised: MD10-03/reviewed: JEA 10-11/revised: KOF 10-21

A handwritten signature in black ink, appearing to read "Michael Deal". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Michael Deal
Chief of Police



Civil Service Board **agenda item**

item type	Action Items	meeting date	October 5, 2021
prepared by	Kathleen Reed	approved by	
board approval			
strategic objective			

subject

Investigations

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[SOP 300 INVESTIGATIONS REVISED.pdf](#)

**WINTER PARK POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE**

Title:	Investigations	SOP #: 300
Rescinds:	SOP #: 227, Dated 02/28/2000	Amends:
Effective:	October 5, 2021	Pages: (19)
Attachments:		

300-1 PURPOSE:

This policy provides direction for initial and follow-up investigations and for the effective use of resources to ensure that each case is properly assigned, investigated, documented, and recorded.

300-2 POLICY:

It is the policy of the Winter Park Police Department to utilize the integrated resources of investigative and patrol functions to maintain an effective criminal investigative function to combat criminal activity, in accordance to the laws of the State of Florida.

300-3 DEFINITIONS:

- A. Preliminary Investigation – The activity beginning when members first arrive at the scene of an incident. The investigation should continue until the assigned members reach a successful conclusion or, when necessary, transfer the responsibility for the investigation to other members or divisions.
- B. Follow-up Investigation – A continued investigation to examine and develop additional leads which contribute to the successful completion of the investigation.
- C. Autism – A pervasive, neurologically based developmental disability of extended duration which causes severe learning, communication, and behavior disorders with age of onset during infancy or childhood. Individuals with autism exhibit impairment in reciprocal social interaction, impairment in verbal and nonverbal communication and imaginative ability, and a markedly restricted repertoire of activities and interests (Florida State Statute 393.063).
- D. Autism Spectrum Disorder – Any of the following disorders as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association:
 - 1. Autistic disorder
 - 2. Asperger's syndrome

3. Pervasive developmental disorder not otherwise specified

- E. Professional – (for this policy) a psychiatrist, psychologist, mental health counselor, special education instructor, clinical social worker, or related professional. The professional must have experience treating, teaching, or assisting patients or clients who have been diagnosed with autism or an autism spectrum disorder or related developmental disability or must be certified in special education with a concentration focused on persons with autism or an autism spectrum disorder (Florida State Statute 943.0439).
- F. Dying Declaration – When someone makes a statement under the belief that he/she is going to die. A dying declaration is an exception to the hearsay rules.
- G. Excited Utterance – A statement made in proximity to an event, while the individual is still under the stress of the moment, without the opportunity to reflect on the matter. An excited utterance is an exception to the hearsay rules.

300-4 INVESTIGATIVE PROCEDURES:

A. Preliminary Investigations:

The initial responding officer will generally conduct preliminary investigations. The preliminary investigation should be as complete as possible, including the arrest of the offender if probable cause exists. The investigation should continue until all relevant investigative actions have been taken and no further progress can be made at that time. The agency recognizes that each investigation is unique. (For more procedures on preliminary investigations, refer to SOP #: 200, Uniform Patrol). The following investigative steps are recommended courses of actions and should be taken when appropriate:

1. Upon arrival at scene, observe conditions, events, and any remarks made by witnesses.
2. Take control of the crime scene to protect potential evidence.
3. Identify any witnesses and assure their availability.
4. Interview victims and witnesses and take written statements, when appropriate.
5. When appropriate, interrogate suspects to identify the perpetrator.
6. Arrest the perpetrator if appropriate.
7. Process the crime scene for evidence to include searching for and processing latent fingerprints and collecting possible DNA samples.
8. Search for tools or other items left by the perpetrator at the scene.

9. Search for and recover property moved or taken by the perpetrator.
10. Recover and submit physical evidence to Property and Evidence Section.
11. Report the incident accurately and fully.
12. Particularly complex and/or serious cases may require Criminal Investigations Unit (CID) or ~~Street Crimes Unit (SCU)~~ **Investigative Criminal Intelligence Unit (ICIU)** detectives to respond immediately and conduct an investigation. Uniform Patrol supervisors are authorized to call CID and ~~SCU~~ **ICIU** detectives to a scene. The Patrol supervisor will coordinate this response through the CID or ~~SCU~~ **ICIU** supervisor.

B. Follow-up Investigations:

Uniformed officers, CID detectives, and ~~SCU~~ **ICIU** detectives may conduct follow up investigations. In some circumstances, follow-up responsibility may be assigned to other personnel or routed to another division. The follow-up detective/officer shall make a second contact with principals in cases requiring continuing investigation whenever possible within 24 hours of receiving the case, to ensure that all pertinent information has been received and to inform victims about the status of their case. Follow-up investigations will include the following:

1. Check to assure the preliminary investigation was thoroughly conducted.
2. Review/analyze previous reports prepared in the preliminary investigation.
3. Continue the investigation of those leads that have surfaced.
4. Plan, organize, and conduct searches when deemed necessary.
5. Determine if the crime is related to others of a similar type.
6. When an arrest is made, prepare the case packet for the prosecution.

300-5 INTERVIEWS, INTERROGATIONS AND MIRANDA WARNINGS:

A. Interviews and Interrogations:

1. Per Florida State Statute (FSS) 943.0439, upon the request of an individual diagnosed with autism or an autism spectrum disorder, the interviewing officer/detective shall make a good faith effort to have a professional (as defined in this policy) present at all interviews of that individual (victim, suspect, etc.). Officers and detectives shall first determine if the autistic individual has a professional they want present. If so, the officer/detective shall request Communications contact such person, requesting they respond to a determined interview location. If the individual does not have a specific professional that they

are requesting, the officer/detective shall request Communications contact an approved provider/vendor on file for the purpose of complying with the statute.

- a. All expenses related to the attendance of the professional at interviews shall be paid by the requesting individual or parent/guardian of the victim. A victim can request restitution for these costs if a suspect is later convicted.
 - b. If the said professional is not able to respond within a reasonable time period, the officer/detective may proceed and interview the individual with autism or autism spectrum disorder without a professional present. Attempts to obtain a qualified professional shall be documented in the incident/arrest report.
2. Suspect interrogations shall be conducted in accordance with established state and federal laws to ensure that the suspect's civil rights are not violated.
 - a. Investigating officers shall ensure the suspect is not subjected to unusually long periods of incommunicado interrogations.
 - b. Do not deny the suspect necessities such as water, food, or use of toilet facilities.
 - c. Do not subject the suspect to an overly intimidating atmosphere.
 - d. Do not subject the suspect to physical or mental abuse or the threat thereof.
 - e. The suspect need not be informed that the interrogation is being recorded.
 3. Juvenile interviews shall be conducted in accordance with current juvenile procedures (see SOP #: 255, Juvenile Procedures) and established case law.

B. Miranda Warnings and Waiver of Rights:

1. All persons undergoing a custodial interview shall be advised of Miranda warnings. Miranda Warnings shall be fully read from agency issued cards.
 - a. Whenever possible, the reading of the Miranda warnings and the interrogation will be recorded (audio, visually, or obtained in writing).
 - b. The suspect shall be advised of the name(s) and authority of the interrogating officer(s) or detective(s) and the nature of the matter in question.
2. Waiver of Rights: The burden of proof is on the state to establish that the suspect has waived his/her rights. If the advisement of the Miranda warnings is not being recorded, a witness should be present if possible.
 - a. Once recorded, it becomes evidence and shall be treated as such.
 - b. Once the suspect unequivocally indicates an intention to invoke the right to counsel or silence, interrogation into the particular offense will cease unless reinitiated by the suspect at a later time.

C. Victim/Witness Statements: There is no requirement that victims or witnesses be advised of their rights prior to questioning.

1. Victim/witness statements should be electronically recorded or written on a statement form. Victims and witnesses do not need to be advised that the interview is being recorded when the information obtained is to be used as evidence in a criminal case.
2. Every statement should contain the following information:
 - a. The case number
 - b. The name, date of birth, race, sex, and address of the person giving the statement
 - c. Name of the person or persons taking the statement
 - d. The date, time, and location where the statement was taken
3. All victim/witness statements shall become part of the official case file, with the original being forwarded to the State Attorney's Office as part of the case package if an arrest is made.

D. Suspect Statements: If a suspect is in custody and subject to questioning by an officer (other than routine booking questions), the suspect shall be given Miranda warnings prior to questioning.

1. All recorded statements regardless of quality are official documents and shall be treated as such. Recorded statements will only be transcribed at a supervisor's direction. When a supervisor authorizes transcription, the original recording shall be duplicated. The original tape/recording will be submitted into evidence and a copy forwarded to the Criminal Investigations Section staff assistant for transcription. Upon completion the transcript shall be reviewed for accuracy by the case detective or investigating officer.
2. If the suspect or defendant handwrites a statement, the statement shall become part of the case file with the original being forwarded to the State Attorney's Office as part of the case package.

E. Dying Declarations:

1. Dying declarations are exceptions to the hearsay rule. An officer or detective who is present when a dying declaration is made shall document that statement in their report as the officer may be able to testify to that declaration in court.
2. It is important that an officer or detective accompany the vehicle transporting a critical person to the hospital, leaving the protection of the crime scene to assisting officers. This officer must position him or herself near the injured person in order

to listen for any utterance that may assist in the investigation. A seriously injured person, regaining consciousness for even a brief period of time, can often provide valuable information. Accusations made by a critically injured person may qualify as a dying declaration.

3. A dying declaration regarding the event may be written, oral, or may be conveyed by an act, sign, or signal equivalent to an oral statement.
4. Under the law, a dying declaration has the sanctity of an oath, since it is reasoned that a person realizing he or she is about to die will state the truth.

300-6 DEVELOPING INFORMATION:

- A. Officers and detectives conducting criminal investigations shall adhere to the following procedures. These procedures should not be considered restrictive or all-inclusive in nature. The following general guidelines shall be followed whenever possible:
 1. Upon receipt of a case, the detective/officer will first analyze and review all reports as submitted.
 2. After review and analysis, it may be necessary to re-interview witnesses, complainants, suspects, or persons arrested. This process may develop additional valuable information.
 3. The detective/officer should attempt to gather additional information pertaining to the case by contacting pawn shops, checking with other agencies' intelligence and crime analysis units, checking with zone officers, utilizing criminal history information, driver license checks, field contact cards, etc.
 4. Detectives/officers may utilize the public information officer to develop information to, for, and from the public.
 5. Whenever possible, witness statements should be sworn, and obtained in writing or electronically/digitally recorded.
 - a. When necessary, witnesses may be subpoenaed to provide information. Arrangements shall be made through the State Attorney's Office.
 - b. Care should be taken to be sure that the subpoenaed witness is not considered a suspect, as the subpoena may grant immunity from prosecution.
- B. Informants include any source of information (e.g. criminals, concerned citizens, or other persons passing on information). Detectives and officers should not overlook the function of informants in the investigative process. Investigative expense funds are available for information regarding crimes and criminals subject to the guidelines set forth in SOP #: 315, Confidential Informant Procedures and SOP #: 316, Investigative Funds.

C. Other Sources: During investigations assigned detectives/officers shall determine what information will be helpful and be mindful of the potential sources available. These include but are not limited to:

1. Other law enforcement agencies
2. Local, state, and federal agencies
3. Past and present employers
4. Public records
5. Department crime analyst
6. The FDLE directory of informational sources.
7. Information received from Crime Line
8. The media
9. Current and former neighbors, places of residence, and employers, as well as credit information
10. Automated systems which link public records
11. Composite creation software
12. Various informational databases and social media sites
13. License Plate Reader (LPR) systems

300-7 RESPONSE TO SEX OFFENSES/VIOLENCE:

Sex offenses may include adult or juvenile victims. In either case, the investigation must be conducted with the utmost care and compassion. The following guidelines will be followed when investigating these offenses.

A. Adult Victim

1. Upon initial contact, determine if the victim is injured and request emergency medical personnel if needed.
2. Document any excited utterances made by the victim regarding the offense.
3. If the suspect has recently fled, obtain a description, mode, and direction of flight.
4. If the suspect is known, obtain the suspect's name, address, and possible destination.

5. Obtain the basic facts and information necessary to facilitate the preliminary investigation.
6. Determine the location of the incident and secure the crime scene. Consult with a detective or crime scene technician specially trained in the collection of evidence in sexual violence cases. Based on this consultation, collect any evidence pertinent and relevant to the alleged crime in accordance with Department procedures. Should a detective or crime scene technician respond, he/she shall be responsible for evidence collection.
7. In the event a victim advocate is needed, notification will be done by the case detective or a designee.
8. Request that a detective be notified and respond for the purpose of conducting a follow up investigation. The case detective will be responsible for completing supplemental reports as the investigation continues.
9. Upon arrival of the detective, advise the detective of the facts currently known.
10. When appropriate, a sexual battery examination will be conducted.
11. The investigating detective will be responsible for:
 - a. Informing the victim of the purpose of submitting DNA evidence for testing and the right to request DNA testing.
 - b. Informing the victim of the right to request testing by a law enforcement agency that collects other DNA evidence associated with the sexual offense, if a kit is not collected.
12. Transporting the victim(s) to either Orlando Regional Healthcare System via the Sexual Assault Treatment Center (SATC) or any other approved medical facility capable of collecting the appropriate evidence, for the purpose of having the examination completed.

NOTE: In the event the alleged sexual battery victim is deceased, the alleged victim's personal representative may request evidence which may contain DNA be tested.

13. Write a detailed report of the incident, including signed charging affidavits or arrest affidavits if the offender's identity is known and probable cause exists.

B. Juvenile Victim

1. Upon initial contact, determine if the victim is injured and request emergency medical personnel if needed.
2. Document any excited utterances made by the victim regarding the offense.

3. Determine if the offender is a family member or otherwise known to the family/victim.
4. If the suspect is known, obtain the suspect's name and address.
5. If the suspect has recently fled, obtain a description, mode, and direction of flight.
6. Determine the location and secure the scene.
7. Report the incident by phone to the Florida Department of Children and Families (DCF) abuse registry, if the offender is of family or custodial authority to the victim.
8. Conduct a cursory interview with the victim to determine if an offense has occurred. A more thorough interview will be conducted by the Child Protection Team. If the Child Protection Team will not be conducting an interview of the victim, a more thorough interview will be conducted by a properly trained member of this agency. Children should be interviewed as few times as possible to ensure the integrity of the investigation.
9. Notification of a victim advocate will be left to the discretion of the detective if one has not already been contacted by SATC or the Child Protection Team (CPT).
10. Request a detective be notified, and respond to the scene.
11. When appropriate, a sexual battery examination will be conducted.
12. The investigating detective will be responsible for:
 - a. Informing the victim (or the victim's parent, guardian or legal representative, if that person is not the suspect or perpetrator of the sexual battery) of the purpose of submitting evidence for testing and the right to request testing; and
 - b. Informing the victim (or the victim's parent, guardian or legal representative, if that person is not the suspect or perpetrator of the sexual battery) of the right to request testing by a law enforcement agency that collects other DNA evidence associated with the sexual offense, if a kit is not collected.
13. Transport the victim to either the Orlando Regional Healthcare System via the Sexual Assault Treatment Center (SATC) or any other approved medical facility capable of collecting the appropriate evidence, usually done by a detective. If the incident is non-acute and involves a family member or person of custodial authority, DCF or the Child Protection Team will arrange for a medical examination at a later time.

NOTE: In the event the alleged sexual battery victim is deceased, the alleged victim's personal representative may request evidence be tested.

14. Write a detailed report of the incident, including signed charging affidavits or arrest affidavits if the offender's identity is known and probable cause exists.

300-8 OVERDOSE DEATH PROTOCOL:

- A. The Criminal Investigations Unit and ~~Street Crimes Unit~~ **Investigative Criminal Intelligence Unit** supervisor(s) will be notified of any death scene where a drug overdose is suspected, and will determine whether detectives respond to the scene.
- B. Detectives will work to determine if the death resulted from the unlawful distribution of a qualifying substance by a drug dealer.
- C. Detectives will assess if the substance suspected of causing the overdose death is a controlled or scheduled drug, or derivative thereof; AND
 1. If an electronic communication device is on scene and officers/detectives have access to it; OR
 2. If a witness/co-user can provide source information.
- D. Any manipulation of the decedent's electronic device will be documented in detail. Officers shall follow all legal requirements for the search of any electronic device.
- E. ~~Street Crimes~~ **Investigative Criminal Intelligence Unit** and Criminal Investigations detectives will work jointly to write related search and electronic warrants and conduct interviews with witnesses and suspects.
- F. ~~Street Crimes~~ **Investigative Criminal Intelligence Unit** detectives will be the lead on all drug-related portions of death investigations and make any arrest related to homicide from unlawful distribution.
- G. Criminal Investigations detectives will be the lead on areas of the death investigation that are not drug-related, and will investigate the cause and manner of death according to protocols in this policy and in SOP #: 200, Uniform Patrol. Criminal Investigations detectives will also investigate and charge any crimes that are not drug-related.
- H. No homicide arrests will be made until the Medical Examiner's Office has determined that a qualifying substance was the proximate cause of death.

300-9 VICTIM NOTIFICATION:

- A. Victims of crimes will be kept informed of the current investigative status. It will be the detective/officer's responsibility to ensure victims are notified of any changes in the case status including the arrest of any suspect. When a case is inactivated for any reason, the victim will be notified and such notification will be documented in the supplemental report.

- B. Uniform Patrol officers, CID detectives, and ~~SCU~~ **ICIU** detectives assigned to conduct a follow-up investigation shall utilize a victim advocate as needed when victims require counseling, social services referrals, and criminal justice advocacy when there is reason to believe an event has had an unusually severe impact on witnesses or victims.
- C. When Uniform Patrol officers and/or the detective in charge request assistance from the victim advocate, they should provide the assigned victim advocate with the necessary information to explain to the victim/witness the involved procedures in the investigation as well as prosecution of their case and their role in those procedures, so long as it does not endanger the successful prosecution of the case.

300-10 COMPONENTS OF THE INVESTIGATIONS SECTION AND CASE MANAGEMENT:

- A. The Investigations Section is divided into the Criminal Investigations Unit and the ~~Street Crimes Unit~~ **Investigative Criminal Intelligence Unit**.
 - 1. The Criminal Investigations Unit detectives (CID) are primarily responsible for conducting criminal investigations, to include juvenile crimes.
 - 2. The ~~Street Crimes Unit~~ **Investigative Criminal Intelligence Unit** detectives (~~SCU~~ **ICIU**) are primarily responsible for conducting special investigations relating to narcotics, vice, and other related types of criminal activity identified as critical to the mission of the department.
- B. Assignment of Cases: The CID or ~~SCU~~ **ICIU** supervisor will be responsible for assigning follow up investigations to their respective personnel. The supervisor will:
 - 1. Review and analyze all previous reports prepared during the preliminary investigation.
 - 2. Assign incoming reports to the appropriate detective/officer for follow up purposes.
 - 3. The CID or ~~SCU~~ **ICIU** supervisor is ultimately responsible for all aspects of any investigation assigned to a detective/officer under his/her supervision.
- C. Case Screening for CID and ~~SCU~~ **ICIU**.
 - 1. The objective of case screening is to apply available investigative resources to those cases that have the greatest potential for solution.
 - 2. The investigative supervisor accomplishes case screening by identifying solvability factors (leads). The supervisor will be responsible for assigning cases to specific detectives for follow up investigation.
 - a. Cases with at least one solvability factor and workable lead will be assigned.

- b. All major cases such as homicide, robbery, sexual battery, child abuse, elderly abuse and auto theft will be assigned regardless of solvability factors and workable leads.
 - c. Cases of a high profile and/or sensitive nature will also be assigned.
 - 3. The investigative supervisor will evaluate the solvability factors (leads), which will in turn determine the case's assignment value. Solvability Factors may include:
 - a. Was there a witness to the crime?
 - b. Can a suspect be named?
 - c. Can a suspect be located?
 - d. Can a suspect be described?
 - e. Can a suspect be identified?
 - f. Can a vehicle, if involved, be identified?
 - g. Is there a significant method of operation?
 - h. Is there significant physical evidence present?
 - i. Is the crime of significant public interest to warrant a further investigation?
 - 4. A waiver of prosecution should be obtained from the victim in all cases in which the victim will not assist with prosecution. A victim's refusal to sign a waiver of prosecution must be documented in a supplemental report.
- D. Case Status: Every assigned case will be designated as one of the seven below categories designed to assist in case management and control.
 - 1. Active – an open case where the following shall apply: the victim/complainant will be contacted as soon as reasonable, preferably in person, but phone contact is permissible. Active status indicates that the case is an on-going investigation.
 - 2. Cleared by Arrest – the suspect(s) was/were physically arrested and the case has been filed with the State Attorney's Office.
 - 3. Transferred to SAO (also known as at-large) – an arrest affidavit has been completed and forwarded to the State Attorney's Office for review.
 - 4. Cleared by Exception – the case is closed and there will be not further investigation. This case status must include ALL of the following criteria:
 - a. The offender has been identified;

- b. Enough evidence has been gathered to support an arrest, make a charge, and turn the offender over to the court for prosecution;
- c. The offender's exact location has been identified so that the suspect can be taken into custody immediately; and
- d. A circumstance outside of the control of law enforcement has been encountered which prohibits the agency from arresting, charging and prosecuting the offender.

NOTE: Examples of exceptional clearances include, but are not limited to, the death of the offender, the victim's refusal to cooperate with the prosecution after the offender has been identified, or the denial of extradition because the offender committed a crime in another jurisdiction and is being prosecuted for that offense. The recovery of property alone does not clear an offense.

5. Unfounded – no criminal violation exists. One of the following six criteria must be met before a case can be classified as "Unfounded:"

- a. The victim states in a written sworn statement or recorded interview that the crime never occurred
- b. The State Attorney's Office provides documentation stating that one of the following criteria exists based on the results of the investigation:
 - 1) No criminal violation occurred
 - 2) The elements of the incident do not constitute a criminal violation
- c. Physical evidence does not support or corroborate the statements of the victim or eyewitnesses

NOTE: Inconsistent victim statements without supporting physical evidence will not support a case clearance of "Unfounded."

- d. The reported criminal act occurred within another jurisdiction, and the case was forwarded to that jurisdiction
 - e. The assigned Detective determines through the course of the investigation that no criminal offense occurred
 - f. The investigation is of a death which is determined by the Medical Examiner's Office to be natural or accidental.
6. Inactive – the case is no longer being investigated. This case status must include one of the following two criteria:

- a. All available leads have been exhausted, but the case has not been brought to a conclusion and the investigation has been suspended. Investigative efforts may be resumed if and when new information is received.
 - b. The victim does not wish to assist with prosecution. A waiver of prosecution should be obtained in this situation when possible.
 7. Warrant Issued – an arrest warrant has been obtained, but the subject of the warrant has not been arrested.
- E. Criteria for closing an active criminal investigation:
1. The criteria for ceasing investigative efforts shall include:
 - a. The absence of further leads or solvability factors.
 - b. Unavailability of investigative resources.
 - c. The case significance or insufficient degree of seriousness.
 2. When new information or evidence is developed which upgrades the assignment value of a previously inactivated case, it may be re-opened.
 3. The CID or SCU ICIU supervisor will review and approve all assigned follow-up investigations prior to the case being inactivated, exceptionally cleared, unfounded, closed or cleared by arrest.
- F. Investigative Summary:
- ~~1.~~ All assigned cases will contain a detailed typed narrative describing the facts of the investigation. Any handwritten case notes will be retained in the case file.
 - ~~2.~~ All cases still active after 30 days require a monthly supplemental report completed by each detective updating the case status. Monthly supplemental reports will be completed until closure of the case unless the supervisor deems it necessary to extend this requirement on a case-by-case basis. When investigative activity is conducted on an active case, a supplemental report will be completed within 48 hours.
 3. The lead detective shall document dates, times, contact or attempts to contact, along with any pertinent information in an investigative summary prior to closing an assigned investigation.
- G. Case Status Control System for CID: The CID supervisor will be responsible for assigning each case in the RMS and case management system.
- H. Case File Maintenance System:

The purpose of this system is to provide immediate information resources to detectives and administrators regarding active case investigations.

1. All active assigned **electronic** case files involving criminal investigations will be maintained in Criminal Investigations, and shall be available to provide immediate information to detectives.
2. The files shall contain, when applicable, a copy of the preliminary report, records of statements, results of examinations of physical evidence and all other reports and records needed for investigative purposes.
3. All original documents and reports shall be maintained in the Records Section and/or Evidence Section when applicable.
4. Investigative files shall be maintained in accordance with public record laws.
- ~~5. Inactive case files will be retained for a one year period in the Criminal Investigations file cabinets within a secured area. During this year, a blue "additional information" sheet will be placed into the preliminary case file maintained by the Records Section. After the one year, the case files will be given to the Records Section to be interfiled with the original report unless the CID or SCU supervisor deems it necessary to maintain the case file in Criminal Investigations.~~
6. Detectives shall maintain all **hard copy case documents** of active investigations assigned to them, stored in a secure manner, **locked in their assigned file cabinet until the documents are provided to the Records Section and/or Evidence Section and the case is closed or inactivated.**

I. Case Management Responsibility:

The CID and SCU **ICIU** supervisors will monitor the progress of each continuing criminal investigation. The supervisor will advise detectives/officers regarding the need for:

1. Additional interviews and interrogations.
2. Additional information from various sources, including law enforcement, informants, or the private sector.
3. Additional review of department records, criminal histories, and crime analysis information.
4. Search warrants.
5. Specialized equipment such as audio, video and/or electronic surveillance
6. Specialized vehicles such as unmarked cars and surveillance platforms

7. Investigative expense funds
8. Review of laboratory or forensic tests to attempt to establish evidentiary facts.
9. Dissemination of information within this agency as well as other agencies in the county, state, and/or nation as appropriate.
10. Collection of additional physical evidence.
11. Checking criminal histories of suspects, witnesses, and/or victims.
12. Review the case file package prior to being forwarded to the State Attorney.
13. Provide all possible assistance to the State Attorney.
14. Evaluate the possibility that suspects may be linked to other crimes, resulting in additional charges and case closures.
15. Ensure that appropriate follow-up contact is made with the victim and principals in all cases.
16. Ensure that when a detective establishes probable cause to arrest a suspect, that he/she makes a reasonable effort to locate the suspect and take him/her into custody. If an arrest cannot be made in a reasonable amount of time, then the detective should secure an Arrest Warrant or have the appropriate paperwork filed with the State Attorney that will assist in an Arrest Warrant being issued.

300-11 SENSITIVE INVESTIGATIONS:

A. Notification Procedures:

1. When one of the two Criminal Investigations Section units initiates a sensitive investigation, the CID or SCU ICIU supervisor will notify the Chief of Police via the chain of command. The nature of the investigation will otherwise remain confidential.
2. The Chief of Police will consider whether employees should continue the investigation or if the assistance of state or federal agencies should be enlisted.

B. Criminal Investigations Unit and ~~Street Crimes~~ Investigative Criminal Intelligence Unit Policy:

Detectives must often conduct criminal and background investigations that relate to white-collar crime, organized criminal activity or vice related offenses. Due to the sensitive nature of many of these investigations, the following guidelines will be followed to ensure that these cases are handled in a professional manner:

1. The purpose and need for the investigation will be carefully evaluated, based on a review of the preliminary investigation, any special request by the State Attorney's

Office or substantial information from private individuals, corporate sources or reliable police informants.

2. The initial investigation by CID or SCU ICIU will attempt to verify that criminal activity is involved and, if possible, the extent of the activity.
3. Additional sources of information include:
 - a. Department crime analyst
 - b. FCIC/NCIC
 - c. Federal agencies such as the FBI, DEA, Treasury Department, etc., which have extensive intelligence files available
 - d. The Florida Department of Law Enforcement (FDLE), State Comptroller, Attorney General, and Secretary of State's Office that can provide information on many individuals and businesses within the state
 - e. Local law enforcement agencies, both in Florida and throughout the country
 - f. Private organizations, such as the National Auto Theft Bureau, major credit card and banking institutions, local licensing bureaus, local watchdog agencies, etc.
 - g. The Metropolitan Bureau of Investigation (MBI) and other task force agents
 - h. Other available information sources
4. Information collected will be reviewed periodically by the lead detective/officer and the investigative squad supervisor and a decision made regarding the continuation and direction of the investigation.
5. Personnel will conduct background investigations only in correlation of ongoing criminal investigations (this does not preclude pre-employment background checks). Information gathered during background investigations may be used as evidence; reveal witnesses or others involved in criminal activity, or provide information essential to obtaining a search warrant.
6. All information obtained as the result of a background investigation shall be incorporated into a report, which shall become part of the case file. This information shall be available to agency personnel and other local, state, and federal agencies on a need to know basis.
7. The CID or SCU ICIU supervisor, in coordination with the public information officer, will decide what information, if any will be released. Requests for information will be referred to the public information officer.

8. The purging of criminal and intelligence information will comply with agency directives and applicable law.

300-12 TECHNICAL AIDS AND COLLECTION OF EVIDENCE:

A. Technical Aids – Members shall familiarize themselves with the various specialized equipment, vehicles, and services available such as:

1. Video cameras
2. Digital cameras
3. Telephoto lenses
4. Audio recording devices
5. Surveillance platforms
6. The use of polygraph and computerized voice stress analyzer
 - a. The Department recognizes that a polygraph or CVSA is good investigative tool that may be used in conjunction with investigative leads or conducting interviews of available suspects, victims, and witnesses during a criminal investigation.
 - b. When CID or SCU ICIU detectives request an exam for detection of deception in conjunction with a criminal investigation, the following will apply. Juveniles must have the written permission from a parent or guardian. The polygraph/CVSA is used to test validity of statements, develop leads and obtain case direction. Prior to utilizing the polygraph/CVSA, the detective should have reason to believe that the victim, suspect, or witness is being deceptive. The detective must receive the approval of their supervisor prior to having a polygraph/CVSA administered.
 - c. The Department does not employ a polygraph/CVSA examiner. A Department approved examiner who possesses a certificate of training will be utilized.

B. Collection of Evidence:

1. Evidence collected by Criminal Investigations will be obtained in a constitutionally correct manner.
2. When needed, search warrants will be used and affidavits and returns of inventory properly filed with the Clerk of Courts as set forth in SOP #: 323, Search Warrants.
3. If evidence is collected, its description, location, time of collection, and any other pertinent information will be recorded and made part of the investigative file.

4. Evidence collected will be reflected on a property receipt and chain of custody documented.
5. Officers will use their training to effectively collect evidence and may request via their supervisor assistance from a crime scene technician or the Criminal Investigations Section when required procedures extend beyond their experience and/or training.
6. Policies regarding the collection and preservation of evidence will be followed.

300-13 CALL OUT POLICY AND CRITERIA:

A. Call Out Policy:

It is the policy of the department to have detectives/officers available 24 hours a day, 365 days a year. This coverage will be via an on-call status for hours other than those regularly scheduled and for weekends and holidays. The CID and ~~SCU~~ **ICIU** supervisors will publish a complete on-call list. A copy of the current call-out schedule will be provided to the Communications Section and each investigator.

B. Call-Out Criteria:

1. A Patrol supervisor must first respond to and assess the scene to determine if a detective is needed. If the Patrol supervisor determines that a detective is needed, he/she will contact the Criminal Investigations (CID or ~~SCU~~ **ICIU**) supervisor. The Criminal Investigations supervisor will then contact the on-call detective and have the detective respond to the scene. During unusual or developing situations, the Communications Center may be used to contact the Criminal Investigations supervisor.
2. The person contacting the Criminal Investigations supervisor should be prepared to answer questions concerning the call-out.

Drafted: ASK01-00 /filed: 227 /revised: BCR02-00 /revised: MD10-03 /revised: TP11-06,07 /revised: ASK10-08 /revised: PM10-09 /revised: JLL10-11 /revised: RLJ06-12 /revised: PM07-14 /revised: KG07-16 /revised: KWR08-20/revised:KG09-21



Michael Deal
Chief of Police



Civil Service Board **agenda item**

item type Action Items	meeting date October 5, 2021
prepared by Kathleen Reed	approved by
board approval	
strategic objective	

subject

SOP 374 Electronic Files

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[SOP 374 ELECTRONIC FILES \(NEW\).pdf](#)

**WINTER PARK POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE**

Title:	Electronic Flies	SOP #: 374
Rescinds:	NEW	Amends:
Effective:	October 6, 2021	Pages: (01)
Attachments:	None	

374.1 PURPOSE:

The purpose of this policy is to provide guidance and procedures in the storage, security and purging of electronic files.

374.2 POLICY:

Regarding electronic records, it is the policy of the Winter Park Police Department to comply with regulations regarding the retention of public records, as defined in Chapter 119, Florida State Statutes. Chapter 257, Florida State Statutes advises that it is the duty of each agency to cooperate with the State in complying with the provisions of records retention and disposal by establishing and maintaining an active and continuing program for the economical and efficient management of records.

The State of Florida Electronic Records and Records Management Practices shall be followed.

Further guidelines can be found and shall be referred to: *CITY OF WINTER PARK Florida, Records Management Plan*.

The retention of any particular electronic record will generally be the same as the retention for records in any other format that document the same program function or activity.

ELECTRONIC RECORD DEFINITION: An electronic record is any information that is recorded in machine readable form. Electronic records include numeric, graphic, audio, video, and textual information which is recorded or transmitted in analog or digital form such as electronic spreadsheets, word processing files, databases, electronic mail, instant messages, scanned images, digital photographs, and multimedia files

374.3 PROCEDURE:

- A. Security: Access to electronic files is not authorized by terminal location; it is by individual access or "sign-on" codes. Direct access to electronic files shall be limited to authorized agency personnel to prevent the mishandling or destruction of electronic records. File access and access codes are determined and approved by the Chief of Police based on the agency member's need to have access to and/or process information within the system. Members are generally restricted to the minimum level of access consistent with their duties and responsibilities. Access codes/passwords shall not be disclosed to any person for

any reason. Improper or unauthorized disclosure or use of an access code may subject the member to disciplinary action.

- B. In order to prevent unauthorized attempts to access, alter, remove, disclose or destroy stored evidence/reports, only authorized personnel will have access to certain electronic records. The System Administrator (I.T.) will ensure only personnel with approval will have access to the records. The Chief of Police shall determine who has access.
- C. To ensure electronic information is not altered, removed, disclosed or destroyed, the City I.T. shall daily monitor the system to review all passwords, access codes, and access attempts/violations.
- D. Electronic files will be backed up on a regular basis to safeguard against loss of information due to equipment malfunctions, human error, or other disaster. The City's I.T. Department will be responsible for conducting and maintaining back-ups. The City employs various virus scanning methods and software to minimize adverse complications and/or loss or compromise of data.
- E. Electronic records which require limited accessibility and authorization shall be placed in designated folder locations, which have restricted viewing/accessing rights. Each of these folders shall be accessed only after gaining approval from the Chief of Police and by receiving access via the City of Winter Park's I.T. Department. Those files and information which shall be limited in their access availability and rights shall be stored separately, away from general files and away from general drives. Only those individuals given to access/view these records will have access. The record types will include (but not be limited to):
 - 1. Intelligence Information
 - 2. Confidential Informant files
 - 3. Internal Investigations
 - 4. Accreditation Information
 - 5. Historical and current SOPs
 - 6. Recruitment and Hiring Information and Files
 - 7. On-going and Active Criminal Investigations
 - 8. Any other information determined to be sensitive in nature or requiring authorization to view (not for all agency members access)
- F. Purging/Destruction of Electronic Files –

1. Destruction of electronic records: Electronic records may be destroyed only in accordance with the provisions of Rule 1B-24, Florida Administrative Code. Each member agency shall ensure that electronic records scheduled for destruction are disposed of in a manner that ensures that any information that is confidential or exempt from disclosure, including proprietary, or security information, cannot practicably be read or reconstructed, and; recording media previously used for electronic records containing information that is confidential or exempt from disclosure, including proprietary or security information, are not reused if the previously recorded information can be compromised in any way by reuse.
2. The recording of destruction requests shall be documented on the RECORDS DISPOSITION DESTRUCTION REQUEST. The form shall be completed in reference to the appropriate schedule number and item number. The form shall be sent to the City Clerk for approval PRIOR to destruction. Once the form is reviewed and approved and received back from the City Clerk, the agency member may delete the records/files.
3. Completed RECORDS DISPOSITION DESTRUCTION REQUEST forms shall be routed to the Chief's Senior Staff Assistant for retention. Members should make a copy for their records.
4. Once approved by the City Clerk, destruction of electronic files shall be accomplished by deleting the files from a computer.
5. Back-up files are maintained by the City's I.T. Division for a period of two (2) months. Members must be aware that original files deleted are still retrievable and available for a public records request for 60-days after being deleted and therefore are still legally available when a public records request is made. When a public records request is made for deleted information, the member shall make a request to the I.T. Division (via the help desk) and request copies of the records previously deleted.

Drafted: KOF10/2021



Michael Deal
Chief of Police



Civil Service Board **agenda item**

item type	Action Items	meeting date	October 5, 2021
prepared by	Kathleen Reed	approved by	
board approval			
strategic objective			

subject

Firefighter Applicant Interviews

- Caleb Recicar
- Christopher Takacs

motion / recommendation

background

alternatives / other considerations

fiscal impact