

WINDERMERE POLICE DEPARTMENT GENERAL ORDER



Effective Date: October 1, 2013	<input type="checkbox"/> New Policy <input checked="" type="checkbox"/> Amends VII 3 (January 1, 2012)	Number: 14.1
SUBJECT: Reports/Records and Traffic Reporting		Print Date: 10/01/13
Distribution: All Members	Accreditation Standards:	

This order consists of the following:

1. Purpose
2. Policy
3. Definitions
4. Procedures

1. Purpose

The purpose of this policy is to make certain the collection and preservation of information for subsequent use by department members, the criminal justice system and the citizens of the community. The maintenance of this information will protect the integrity of the Windermere Police Department.

2. Policy

The Windermere Police Department shall complete and maintain comprehensive records of all calls for service received consistent with state and federal administrative procedures and applicable law.

3. Definitions

- A. GS1-SL/GS2 General Records Retention Manuals - Guidebooks published by the Department of State, Division of Archives and Records Management, that establish the schedules for retention of public records for state and local government agencies (GS1-SL), and law enforcement agencies (GS2).
- B. Arrest Records - All documents and records, except complaint and incident records, completed as a result of an arrest including but not limited to arrest reports/affidavits, fingerprints, palm prints and photographs.

- C. Communications – A section of the Orange County Sheriff’s Office (OCSO) that dispatches calls for service to the Windermere Police Department.
- D. Complaint Numbers - Numerically automated sequenced numbers, prefixed with the last two (2) digits of the calendar year, for indexing and recording complaint and Incident Report information. Complaint numbers repeat annually, beginning with the first call for service for each calendar year.
- E. Complaint Reports - Automated or hard copy records that contain initial response data to criminal offenses and service calls.
- F. Custodian of Records - By Statute, the Chief of Police is the department custodian of records. The Chief of Police has delegated the custodian of records function to the Records Custodian/Administrative Assistant.
- G. Event Numbers - Numerically automated sequenced numbers provided by the Orange County Sheriff’s Office Communications Center that track all dispatch calls for service and officer activity.
- H. Extensive research- Any public record research requiring thirty minutes or more of labor.
- I. FCIC - Florida Crime Information Center
- J. FDLE - Florida Department of Law Enforcement, a statewide investigative agency.
- K. Hate Crime - Committed or attempted criminal act by any person or group of persons against a person or the property of another person or group, which in any way constitutes an expression of hatred toward the victim because of the victim's personal characteristics. Personal characteristics include race, color, religion, ethnicity, ancestry, national origin and sexual orientation.
- L. Incident Reports - Forms that when completed, record initial and follow-up investigative information to include all attachments.
- M. Jacket - A file containing all arrest records of a defendant regardless of the number of arrests.
- N. Jacket Number - The primary index for filing arrest information to include criminal history information. A jacket number is unique to one defendant.

- O. NCIC - National Crime Information Center.
- P. No Report - No written Incident Report generated.
- Q. Public Information Request Log – A logging system which records all public records requests maintained by the Records Custodian.
- R. Public Records - As defined by Section 119.011 (12), F.S., “all documents, papers, letters, maps, books, tapes, photographs, film, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.”
- S. Record - Any media that captures, preserves and/or disseminates information. A record may be a map, letter, computer tape, film, photograph, sound recording or any other format that contains information.
- T. Uniform Crime Reports (UCR) - A standardized report and reporting procedure for collecting and reporting statewide and national complaint, incident and arrest data.

4. **Procedures**

A. Organization

The Records Custodian shall be the department’s repository for all incident and arrest records and reports.

B. Records Maintenance and Control

1. The Records Custodian shall make certain that records review, control, maintenance, retrieval and dissemination are conducted in accordance with department directives, administrative procedures and applicable law.
2. Members shall write Incident Reports for all verified criminal acts reported. An Incident Report may be written for any call for service at the discretion of members handling such calls. Supervisors may require reports be written by subordinates for any type of incident. Members shall request a case number from Orange County Communications.

3. Department members handling other incidents that require a document to be written shall request an event number from Orange County Communications.
4. Orange County Communications members shall assign a unique computer generated number to each call for service received, whether by telephone or by radio request from field members.
5. Supervisors shall review each report to make certain appropriate UCR information has been collected. Applicable reports shall be coded for UCR purposes and entered into the automated UCR files by the Records Custodian.
6. Members writing reports shall enter the complaint number on each page of the report or accompanying document(s).
7. Supervisors of members writing reports shall review reports daily to make certain accuracy and detail, and to prevent or control delinquent reports. Supervisors shall make certain reports have been written for all calls-for-service requiring reports. Supervisors shall make certain reports are completed in compliance with department directives and shall sign each report prepared by subordinates. Reports will be turned in prior to the end of each shift unless a supervisor approves otherwise.
8. The Deputy Chief shall direct periodic reviews of incident and complaint records to make certain the following:
 - a. That reports have been appropriately and accurately indexed and entered into automated files and appropriate reports coded and accurately entered.
9. Supplemental Reports and documents shall be forwarded to the Records Custodian by members assigned follow-up investigative duties. Supervisors of members assigned follow-up investigations shall make certain that Supplemental Reports are accurately completed and forwarded to Records Custodian within ten (10) days.
10. All cases filed with the State Attorney's Office shall be routed through the chain of command to the Deputy Chief.
11. All Notices to Appear (NTA's) are routed to the Clerk of the Court with the appropriate copy sent to the Records Custodian. The Records Custodian then forwards a copy to the State Attorney's Office.

C. Records Distribution

1. Incident Reports that are created shall be routed to the supervisor for approval.
2. Distribution of reports to individuals or agencies not connected with the Windermere Police Department shall be in accordance with appropriate administrative procedures, applicable law and department directives.
3. Supplemental Reports and associated documents or attachments shall be routed and distributed in the same fashion as Incident Reports.

D. Citizen Complaints and Reports

1. Whenever a citizen calls Communications or personally contacts members responsible for writing reports and conducting investigations, Communications members shall make certain that an event number is assigned to each call for service or criminal activity complaint.
2. Communications members shall assign a unique computer generated numbers for calls for service including but not limited to the following:
3.
 - a. All reports of criminal activity.
 - b. All citizen requests for non-criminal police service.
 - c. All dispatched calls for service resulting from citizen requests; all requests resulting in departmental members being assigned to respond or investigate, whether immediately or at some later time.
 - d. Self-initiated activities by field members, whether criminal or noncriminal.
 - e. When an arrest is made, a citation or Notice to Appear is issued pursuant to any citizen request or complaint.
4. Citizen complaints against employees shall be investigated in accordance with the provisions of Windermere Police Department Professional Services. Records of these complaints shall be received, filed, retained, disseminated and destroyed by Internal Affairs in accordance with department directives and applicable law.

E. Field Reporting Forms

1. The department shall publish a Field Reporting Manual. At a minimum, the manual will be issued to all new sworn trainees at the beginning of their Field Training and Evaluation Program (FTEP). The FTEP Program Coordinator shall make certain the manual is updated and contains all departmental forms used to report criminal activity or other incidents. The manual shall also include basic, standardized guidelines for the use of all forms.
2. The department FTEP Program Coordinator shall maintain a master report manual to support the needs of forms.

F. Records Security

1. The Records Custodian shall enforce written directives to make certain the following:
 - a. That records retention and maintenance areas are secure and have in place approved operational fire control devices.
 - b. That only the Records Custodian is permitted access to records retention and maintenance areas unless accompanied by a unit employee.
 - c. The Records Custodian is properly trained and certified on the operation of FCIC/NCIC and information sharing requirements.
 - d. That records are reviewed, retained and disseminated in accordance with department directives, state and federal administrative procedures and applicable law.
 - e. That the cash register is in a secure area and that:
 1. Section members are trained in the operation of the cash register to include security precautions.
 2. Section members are trained in cash receipt and accounting procedures.
 3. Petty cash for the cash register operation is audited and controlled.

4. Funds received daily, Monday-Friday, non-holidays are audited, verified and delivered to Finance. The funds delivered should be verified by an employee in Finance and a receipt issued accordingly to the delivering employee.
5. Incorrect audits are investigated to a conclusion, or if not, reported via chain of command to the Chief of Policy and Town Manager immediately.

G. Records Retention

1. The Chief of Police has adopted the GS1-SL and GS2 General Records Manual published by the Department of State, Division of Archives and Records Management as the department's records retention schedule. Department records shall be maintained in accordance with the provisions of the GS1-SL and GS2 Manual except that records may be maintained longer than the minimum time specified in the manual for purposes of administrative convenience and usefulness.
2. The Chief of Police, as Custodian of Records for the department, has authorized the Records Custodian to maintain files. The Records Custodian shall abide by the provisions of the GS1-SL and GS2 Manual and all applicable administrative procedures and law.
3. Only the Chief of Police can approve to authorize and sign retention/destruction forms.
4. Shredding and incineration are approved methods of destruction for nonpublic or confidential records. Destruction of non-public or confidential records shall be accomplished with the approval of the Chief of Police. Public records may be destroyed internally by shredding or by licensed vendors without member's observations.
5. An Annual Report will be provided to the Chief of Police of the records destroyed each year.
6. The Records Custodian shall receive training on the duties and responsibilities of that position.
7. The department shall arrange refresher training as necessary.

H. Public Record Requests

1. Records Custodian provides the following public records.
 - a. Local Criminal Records Check.
 - b. Arrest and/or incident reports of Windermere Police Department.
 - c. Any other information related to criminal, arrest, and incident records retained at Windermere Police Department.
2. All representatives from the media should be encouraged to go through the Town Manager for their public records requests.
3. The record(s) preparer shall forward the completed record(s) to the Chief of Police, or his designee for approval to release. Once approved the Records Custodian shall provide the record(s) to the requestor and obtain the fee for the service.
4. If the nature or volume of public records request requires extensive use of information technology resources or extensive clerical or supervisory assistance of thirty (30) minutes or more the cost will include the actual labor cost incurred. The actual cost is calculated using the Records Custodians current salary.
 - a. If the request does not require supervisory assistance it shall not be included in the actual cost. Providing access to public records is a statutory duty imposed by the Legislature upon all Record Custodians and should not be considered profit making or a revenue-generating operation.
 - b. For all extensive records requests, the requestor is required to pay 75% of the estimated cost before researching and copying commences.
5. All fees for public records shall be collected by the Records Custodian in accordance with the department's fee schedule as follows:
 - a. Crash Reports are a total of \$5.00, unless extensive provisions apply as noted in the section above.
 - b. Copies of all other reports are \$.15 per page.

c. Copies of DVDs are \$5.00 per disc.

I. Hate Crimes Reporting

1. The responsibility of identifying a criminal act as a Hate Crime rests with investigating members. Identification of Hate Crimes may occur during initial, on-scene investigation or during follow-up. Regardless, member shall be alert to the characteristics and evidence that identify criminal acts as Hate Crimes.
2. When an incident has been identified as a Hate Crime, reporting members shall duly note this in the Incident Report form. When Hate Crime offenders are identified and evidence exists to support prosecution, members shall initiate prosecution. Members shall vigorously investigate identified Hate Crimes.
3. If a Hate Crime is committed, the Records Custodian shall prepare a statistical report of department hate crime reports and investigations and forward the information to FDLE on approved Hate Crime Statistical Report forms.

J. Records Operations

1. Non-emergency requests from law enforcement members shall be received during usual business hours, but emergency requests can be made via the on duty supervisor who will immediately contact the Chief of Police via his/her chain of command.
2. Jacket numbers are unique numbers under which all arrest related records of a defendant are filed. The jacket number may be used to access any automated or hard copy arrest records. No defendant shall have more than one jacket number.
3. Charging Affidavits shall be written by sworn members in accordance with general orders. Charging Affidavits shall accompany defendants when booked at Orange County Correction's Booking and Receiving Center (BRC). Members shall adhere to all Corrections rules, regulations and procedures when booking prisoners.
4. Fingerprinting and photographing of all defendants is the responsibility of Corrections members. Corrections members also enter the basic information in the automated files that initiates or adds to automated criminal history files.

5. Juvenile arrest records shall be maintained in the same fashion as adult records except that all juvenile criminal history records or jackets, whether automated or hard copy, shall be prefixed with the letter "J". Juvenile arrest records shall be filed separately from adult records.
6. Intelligence files shall be maintained in the Chief of Police's file separate from other files and follow the Intelligence gathering and dissemination standards pursuant to 28 CFR Part 23.
7. To enhance operational effectiveness, members may keep copies of reports; however, all handwritten original reports shall be forwarded to the Records Custodian. Exceptions are intelligence, vice, narcotics and internal investigative reports and records which shall be maintained in secure files pursuant to this directive.
8. All department records pertaining to the issuance of traffic citation books to departmental members, accounting for traffic citations, storing traffic citations and the management of all traffic citation records for the department shall be the responsibility of the Records Custodian.

K. Data Security

Unauthorized individuals shall be denied access to any computer system, system password, individual's password, or system procedures that will allow the changing of access or system passwords.



Chief David A. Ogden