

TALLAHASSEE POLICE DEPARTMENT

GENERAL ORDERS

	SUBJECT Criminal Investigations		
	CHIEF OF POLICE <i>Signature on file</i>		
NUMBER 18	ORIGINAL ISSUE 07/15/1985	CURRENT REVISION 05/21/2019	TOTAL PAGES 29

AUTHORITY/RELATED REFERENCES

General Order 16, Digital Audio and Video Recording System
 General Order 32, Juvenile Procedures and Programs
 General Order 42, Impounding and Controlling of Property and Evidence
 General Order 81, Lineups and Show-ups
 PTL-18, Hearing Impaired/Limited English Proficiency Communications Protocols

ACCREDITATION REFERENCES

CALEA Chapters 1, 41, 42, 82, 83
 CFA Chapter 15

KEY WORD INDEX

<p> Call-out Procedures – Criminal Investigations Bureau Call-out Procedures – Special Investigations Section CIB Interview Room Protocols Crime Scene Protocols DNA Evidence Protocols Evidence Protocols Exigent/Emergency Requests ... Communications Provider Follow-up Investigations Interviews and Interrogations – General Interviews and Interrogations – Juveniles Interviews and Interrogations – Special Needs Preliminary Investigations – Investigators Preliminary Investigations – Officers Preliminary Investigations – Sergeants Telephone Interview Protocols Written Statement Protocols </p>	<p> Procedure V Procedure VI Procedure XIII Procedure I Procedure II G Procedure XIV Procedure IV Procedure VIII Procedure IX Procedure XI Procedure X Procedure VII Procedure II Procedure III Procedure XII Procedure XV </p>
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POLICY

Department members are responsible for the investigation of criminal acts and certain non-criminal incidents and shall adhere to established protocols in the course of such investigations.

DEFINITIONS

Call-out: The summoning of select members to the incident scene or other location to provide assistance in an incident under investigation by the Department.

Crime Scene: The place where an offense has been committed, and other locations where evidence is present, or may be present, which may assist in explaining the events of a crime or certain non-criminal incidents (e.g., missing persons, suicides).

DNA Evidence: For the purposes of this policy, an item of evidence where: 1) a suspect interacted with the item by touching, wearing, or leaving bodily fluids on it, and 2) the incident is a felony crime of violence, residential or commercial burglary, or arson.

Evidence: Any tangible object, electronic or digitally stored record, written document, or exhibit necessary to persuade, establish, prove or disprove an issue or fact before any civil, administrative, or criminal tribunal. For the purposes of this policy, the term evidentiary item is synonymous with evidence.

Incident Command: The process of designating which officer, field supervisor or commander is in charge of the activities at a crime or incident scene.

Interrogation: The process of questioning a particular suspect or arrested person in order to obtain information about a criminal event and/or a confession or admission concerning their involvement.

Interview: A sworn member's information-seeking dialogue with a person having knowledge of events or circumstances of an incident.

Serious Injury: For the purpose of this written directive, an injury to a person which creates a substantial risk of death, causes serious permanent disfigurement, or results in permanent loss or impairment of the function of any body appendage or organ.

Witness: A person who personally sees, perceives, or knows something relative to a criminal act or non-criminal incident.

PROCEDURES

I. CRIME SCENE PROTOCOLS

- A. Officers who respond to crime scenes – whether an in-progress crime or delayed report of a crime – are responsible for assessing the medical needs of the victim and requesting emergency medical services if warranted.

- B. It is the responsibility of the first officer(s) arriving on the scene of a recently occurred or in-progress criminal incident deemed critical or serious by its nature (e.g., bank robbery, sexual battery, shooting) to:
 - 1. Establish incident command,
 - 2. Communicate the establishment of incident command on the appropriate radio channel (talk group), and
 - 3. Maintain incident command until either:
 - a. Properly relieved by a supervisor or other competent authority, or
 - b. The incident has deescalated to the point incident command is no longer needed.

- C. When warranted, it is the responsibility of responding officers to coordinate with one another in establishing and maintaining a secure crime scene, and at a minimum:
 - 1. Establish both an inner and outer perimeter, staffed by officers strategically posted to prevent unauthorized entry into the perimeter,
 - 2. Establish a central point of entry and exit into the inner perimeter, staffed by an officer,
 - 3. Only allow authorized members with an immediate crime scene function to enter the crime scene's inner perimeter, and
 - 4. Only allow non-members who are authorized by the incident commander, or designee, to enter the crime scene's inner perimeter (e.g., personnel from the State Attorney's Office, the Medical Examiner's Office, or a funeral home).

- D. Officers appointed to an entry/exit security post of a crime scene shall:

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1. Denote all persons who enter the crime scene's inner perimeter, and include those names in a supplemental offense report for the incident, and
 2. Maintain the post until relieved by competent authority.
- E. Members who enter the inner perimeter of a crime scene shall complete a supplemental offense report detailing their activities within the inner perimeter, except:
1. The primary officer is not required to submit a supplemental report in addition to the original offense report, and
 2. Supervisory members with a direct leadership role in the inner perimeter (e.g., incident commander, investigative supervisory staff) are not required to submit a supplemental report unless they possess information critical to the investigation.
- F. On all crime scenes, officers are responsible for assessing the need for additional Department resources to manage the scene or facilitate the investigation and, as warranted, requesting those resources via the appropriate supervisor. Examples include:
1. Officers,
 2. Investigators,
 3. Forensic specialists,
 4. Victim advocates,
 5. Tactical Apprehension and Control Team, and
 6. Special Response Team.
- B. On crime scenes *deemed critical or serious in nature* (e.g., homicide, robbery, sexual battery), officers shall make proper and timely notification to the appropriate supervisor, providing an update on the following:
1. Overall incident,
 2. Participant injuries,
 3. Property damaged,

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4. Crimes committed, and
5. Suspect status.

II. PRELIMINARY INVESTIGATIONS – OFFICERS

In conducting the preliminary investigation, officers are responsible for observing all conditions, events, and remarks relative to the incident and collecting, documenting, and forwarding a comprehensive array of information upon which a follow-up investigation is based. Officers shall complete the tasks listed below.

A. Interview the victim to determine, at a minimum, the:

1. Circumstances of the criminal incident,
2. Scene of the crime,
3. Suspect's information, actions, and location,
4. Presence and location of evidence,
5. Presence and location of witnesses, and
6. Injuries sustained, and/or property damaged or stolen.

B. Excluding sexual battery victims, obtain a written statement from the victim (if a written statement is not obtained, explain the reason in the offense report).

C. Obtain complete identification of the victim to include biographical information, contact addresses and telephone numbers, and:

1. Denote the victim information in an offense report for the incident, and
2. Provide the victim information to investigators, or other appropriate members, as requested.

D. Locate witnesses to the incident, and:

1. Separate the witnesses from one another and any victim or suspect that may be present,
2. Obtain complete identification of witnesses to include biographical information, contact addresses and telephone numbers,

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3. Interview witnesses to determine their:
 - a. Observations of the incident,
 - b. Role, if any, in the incident, and
 - c. Relationship, if any, with the victim or suspect,
 4. Obtain a written statement from the witness (if a written statement is not obtained, explain the reason in the offense report),
 5. Denote the witness information in an offense report for the incident, and
 6. Provide the witness information to investigators, or other appropriate members, as requested.
- E. Obtain suspect information, to include name, biographical data, aliases, contact information, clothing description, mode and direction of travel away from the scene, and other information deemed appropriate by the investigating officer.
1. As warranted, disseminate the information to other members as quickly as possible, updating the information as needed.
 2. If the suspect is available and willing, have them provide a written statement (if a written statement is not obtained, explain the reason in the offense report).
 3. If possible, based upon probable cause, arrest the suspect for the crime(s) committed.
 4. Denote the suspect information in an offense report for the incident.
 5. Provide the suspect information to investigators, or other appropriate members, as requested.
- F. Accompany a victim, witness (or potential witness) or non-arrested suspect who is being transported away from the scene by ambulance when the following factors are present:
1. The person is critically injured (i.e., substantial risk of death), and
 2. The crime being investigated is a serious felony (e.g., homicide, robbery, sexual battery), and

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3. There are multiple officers present at the incident scene.
- G. Identify, locate, and document any evidence of the crime/incident.
1. Avoid moving or touching evidence until it has been documented in its original location and state, unless moving the evidence is necessary to:
 - a. Preserve human life or prevent injury to a person, or
 - b. Preserve the evidence itself.
 2. Assess if an item might be considered DNA evidence, and if so considered:
 - a. Recognize the fragility of the DNA evidence,
 - b. Avoid actions which present a biohazard risk to members and other persons present, and
 - c. Avoid contamination of the evidence.
 3. Assess the need for a forensic specialist to respond to the crime scene and make such a request – via the appropriate sworn supervisor – if the crime scene circumstances meet the requirements for a forensic specialist response as outlined in section V below.
 4. If the crime scene circumstances do not meet the requirements for a forensic specialist response yet evidence is present in need of collection, ensure:
 - a. The evidence is properly collected, and
 - b. If special training is required for the collection (e.g., latent fingerprints), an officer trained in such processing and collection is summoned to the scene to document and collect the evidence.
 5. Denote the evidence information in an offense report for the incident.
 6. Provide the evidence information to investigators, or other appropriate members, as requested.

III. PRELIMINARY INVESTIGATIONS – SERGEANTS

In supervising the preliminary investigation, sergeants (and acting supervisors) are responsible for ensuring the investigation is complete, and properly documented. Sergeants/acting supervisors shall complete the tasks listed below.

- A. Respond to the incident scene, or other area if needed, ready to assume command when one or more of the situations listed below exists.
 - 1. The critical or serious nature of the criminal incident requires the direct presence of a supervisor (e.g., homicide, bank robbery).
 - 2. On-duty members, or those otherwise identified as members, are accused of a crime.
 - 3. Member actions in an investigation may lead to significant liability for the City of Tallahassee (e.g., officer-involved shooting).
 - 4. The response is required by written directive or directed by higher command.
- B. Notify the watch commander, or other appropriate authority, of the circumstances of an incident deemed critical or serious in nature.
- C. Ensure the member responsible for the preliminary investigation performs assigned tasks in proper fashion and assist with those tasks as needed.
- D. As needed, facilitate the procurement of additional Department resources to manage the incident scene or aid in the investigation.

IV. EXIGENT OR EMERGENCY REQUESTS FOR INFORMATION FROM A COMMUNICATIONS PROVIDER

- A. Violent Crimes Unit (VCU) and Special Victims Unit (SVU) investigators shall be contacted related to any of the offenses listed in subsections V B and C below to facilitate exigent or emergency requests for information from a communications provider whenever:
 - 1. An imminent threat to life or serious physical injury exists, as defined by FS 934.31(4)(a), and
 - 2. Specific information exists supporting the person's ability to act on the threat.

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- B. Criminal Investigations Bureau (CIB) investigators are the only members authorized to initiate exigent or emergency requests for information from a communications provider.
- C. CIB investigators and Technical Operations Unit investigators shall adhere to established protocols in the exigent or emergency requests for information from a communications provider.

V. CIB CALL-OUT PROCEDURES

Forensic specialists, investigators, and victim advocates (i.e., CIB members) are available for call-outs at all times and should be summoned when needed or required based upon the established procedures listed below.

A. General Guidelines

1. CIB members are available anytime during regular CIB work hours (Monday – Friday [excluding holidays], 8:00 a.m. – 5:00 p.m.) for consultation on criminal investigations, victim advocacy matters, and forensic processing questions.
2. After regular CIB work hours, members who need to relay non-emergency information to CIB members should do so via an e-mail to “TPD CIB On-Call Notifications Group.”
3. All investigator call-outs shall be approved by a sworn supervisor who has been briefed on the incident.
4. All victim advocate or forensic specialist call-outs shall be approved by a sworn supervisor who has been briefed on the incident or a CIB investigator working the incident.
5. In situations which do not strictly meet the call-out protocols listed below, Patrol Operations Bureau supervisors should – based upon the circumstances of the incident – contact on-duty or on-call CIB members if they believe a member’s assistance is required to bring resolution to an incident (e.g., particularly complex incidents, multiple crime scenes, a multitude of evidence processing, numerous victims, or numerous arrestees or detainees).
6. After regular CIB work hours, CIB members should be contacted in the following order: 1) Department-issued cellular telephone, 2) the contact information provided in the on-call calendar.

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B. Violent Crimes Unit (VCU) Call-outs

1. VCU investigators shall be summoned for the following incidents:
 - a. Homicides,
 - b. Suicides,
 - c. Fire-related serious injuries or deaths,
 - d. Child deaths unless traffic-related,
 - e. Kidnapping of adults,
 - f. Airplane crashes with injury or death,
 - g. TPD officer-involved shootings, whether or not the person was struck,
 - h. TPD officer-involved use of force or other action by an officer (except a traffic crash) which results in death or serious injury to any person,
 - i. TPD officer-involved domestic violence incidents, as outlined in General Order 21 (Domestic Violence),
 - j. Any situations with life-threatening injuries, whether the incident is criminal, intentional, or accidental (e.g., construction site accidents, train vs. pedestrian incidents),
 - k. Any death cases which are suspicious or in which the medical examiner wants to perform an autopsy, and
 - l. Any robbery incident when one or more of the following situations exists:
 - 1) A suspect is in custody and they have not exercised their right to counsel or to remain silent.
 - 2) A commercial robbery, carjacking, or a home invasion robbery that:
 - a) Requires follow-up beyond primary patrol duties, or
 - b) Is part of a defined spree or pattern previously outlined in an intelligence bulletin or briefing, or

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- c) Is unique in some way which requires immediate follow-up.
 - 3) A robbery victim sustains a life-threatening injury during the course of the robbery.
 - 4) A victim is shot or sustains a serious injury (i.e., stabbed, pistol-whipped, severely beaten), is cooperative in the investigation, and can provide information for immediate follow-up.
 - 5) It is a bank or credit union robbery.
- 2. VCU investigators do not normally respond to natural deaths, traffic crash-related deaths, hospice deaths, or deaths that occurred while receiving medical treatment at a local hospital under a doctor's care.
 - 3. On-duty or on-call VCU investigators should be notified of all arrests on VCU warrants contemporaneous to the arrest.
 - a. If the person wishes to speak with an investigator, an investigator should be summoned to conduct an interview/interrogation.
 - b. If the person does not wish to speak with an investigator, an e-mail should be sent to the "TPD CIB On-Call Notifications Group."
- C. Special Victims Unit (SVU) Call-outs
- 1. SVU investigators shall be summoned for the following incidents:
 - a. Sexual battery incidents,
 - b. Kidnappings/abductions of children,
 - c. Missing children where foul play is suspected or the child may be in danger (victim under 13 years old),
 - d. Missing adults under suspicious circumstances or when the person is considered endangered due to physical or mental frailty,
 - e. Aggravated child abuse,
 - f. Sex crimes involving a child victim, and
 - g. Human trafficking.

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D. Property Crimes Unit (PCU), Burglary Crimes Unit (BCU), and Financial Crimes Unit (FCU) Call-outs

1. On-call PCU, BCU, and FCU investigators rotate on-call responsibility.
2. On-call investigators shall be summoned for residential, commercial, and auto burglary incidents when:
 - a. A suspect is in custody, has not exercised their right to counsel or to remain silent and agrees to be interviewed by an investigator, or
 - b. There is combined property damage and/or loss greater than \$10,000 and:
 - 1) The suspect's identity is known, or
 - 2) There is an active investigative lead to follow that would likely lead to the identification of the offender.
3. On-call investigators shall be summoned for any commercial burglary that involves at least one of the following:
 - a. Combined property damage and/or loss greater than \$10,000, and there is an investigative lead to follow, or
 - b. The modus operandi is consistent with the work on an organized criminal group, and there is an active investigative lead to follow.
4. On-call investigators shall be summoned to a financial crime incident when any of the following are present:
 - a. A suspect is in custody, has not exercised their right to counsel or to remain silent and agrees to be interviewed by an investigator,
 - b. The loss is at least \$10,000,
 - c. A suspect is detained or in custody for passing or possessing two or more counterfeit bills and agrees to be interviewed by an investigator,
 - d. A suspect is detained or in custody and the officer has reason to believe the incident involves a large-scale, multi-jurisdictional or multiple-location counterfeiting scheme, or

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- e. A suspect is detained or in custody and is in possession of credit card skimming devices, laptop computers, counterfeit checks, and/or false/questionable IDs.
5. On-call investigators shall be summoned for any loitering and prowling case when a suspect is in custody, has not exercised their right to counsel or to remain silent and agrees to be interviewed by an investigator.

E. Victim Advocate Unit Call-outs

1. Victim advocates shall be summoned for the following incidents:
 - a. Homicides,
 - b. Traffic fatalities,
 - c. Suicides,
 - d. Fire related deaths,
 - e. Airplane crashes with injury or death,
 - f. Line of duty death or serious injury to members,
 - g. Unexpected child deaths, or
 - h. Any other criminal incidents where because of severe physical or emotional trauma involved victim advocacy services are needed (e.g., armed robberies, sexual batteries, domestic violence cases, kidnappings).
2. Victim advocates should not be summoned to:
 - a. Natural deaths,
 - b. Hospice care deaths, or
 - c. Deaths that occurred while receiving medical treatment at a local hospital under a doctor's care.
3. Victim advocates should not be summoned to handle or assist with services of a non-advocacy nature such as:
 - a. Babysitting children, or

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b. Interviewing witnesses.

F. Forensic Unit Call-outs

1. Forensic specialists shall be summoned, regardless of the monetary loss or damage, when evidence is present for collection or photographs are needed in any of the following situations:
 - a. Violent felony incidents,
 - b. Suicides,
 - c. Accidental deaths,
 - d. Industrial accidents,
 - e. Child deaths,
 - f. Any shooting incident – even when no one is injured – to recover projectiles from vehicles or structures,
 - g. Officer-involved action resulting in serious injury or death,
 - h. Fire-related serious injury or death,
 - i. Airplane crashes,
 - j. Traffic fatalities,
 - k. Incidents not specifically meeting one of the criteria above, but which involve extenuating circumstances which require forensic unit technical expertise or equipment,
 - l. The processing tasks are beyond the scope and expertise of the responding officer(s) with their issued latent fingerprint processing kits, or
 - m. The modus operandi is consistent with the work of an organized criminal group.
2. Absent extenuating or exigent circumstances, forensic specialists should not be summoned for:

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- a. Misdemeanor crimes,
 - b. Auto burglaries,
 - c. Hospice care deaths, or
 - d. Natural deaths requiring no autopsy.
3. When assessing the need for a forensic specialist response, officers, investigators, and supervisors should attempt to make a determination of what forensic services are needed and relay the need for:
- a. Extra forensic specialists (e.g., large or multiple crime scenes), and/or
 - b. Special forensic equipment (e.g., barricades, metal detector, laser mapping system, digital thermometers).
4. Forensic processing of vehicles, in most cases, can occur at the contract towing service impoundment yard at a later time than the reported incident.
- a. Officers requesting such processing shall make the request by properly completing an Impounded Vehicles form (PD 102) and sending it via e-mail to “TPD Vehicle Impounds.”
 - b. Investigators involved in a follow-up investigation requesting such processing shall:
 - 1) Adhere to CIB protocols concerning owner consent (if needed), and
 - 2) Send an e-mail to “TPD Vehicle Impounds” explaining the need for processing (and complete a PD 102 if one has not already been completed).

VI. SPECIAL INVESTIGATIONS SECTION CALL-OUT PROCEDURES

- A. The Special Investigations Section (SI) members are available for call-outs at all times and should be summoned when needed or required based upon the established procedures in this section.
- B. SI is a work unit within the High Risk Offender Bureau and its members are available anytime Monday – Friday (excluding holidays), 8:00 a.m. – 5:00 p.m., for consultation on criminal investigations.

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- C. All investigator call-outs shall be approved by a sworn supervisor who has been briefed on the incident.
- D. After regular SI work hours, SI members should be contacted in the following order: 1) Department-issued cellular telephone, 2) their secondary contact information as found in Telestaff.
- E. On-call SI investigators shall be called out for the incidents listed below.
 - 1. A felony arrest is made for a Special Investigations/Vice related crime, where the suspect is willing to speak and cooperate with an SI investigator, and:
 - a. Has not invoked their Miranda Rights, and
 - b. Is likely to provide information of significant value.
 - 2. When a supervisor believes an SI investigator's assistance is necessary to procure a search warrant.
- F. SI investigators shall be contacted by telephone for the incidents listed below.
 - 1. Any arrest which would classify as drug trafficking per the threshold amounts listed in FS 893.135.
 - 2. Any discovery of cannabis plants.
- G. SI investigators shall be notified via an e-mail to "TPD Special Investigations" when a supervisor determines the circumstances do not warrant a call-out or immediate notification, but the information may have some value (e.g., information or intelligence on an SI case or suspect, drug sale location).

VII. PRELIMINARY INVESTIGATIONS – INVESTIGATORS

Upon the request of a sergeant or other appropriate authority, investigators shall respond to crime scenes, or other locations as directed, to assist with the preliminary investigation. Investigators shall complete the tasks listed below.

- A. Obtain incident information from the officer or sergeant responsible for the preliminary investigation.
- B. Ensure the officer responsible for the preliminary investigation has taken the necessary investigative steps for the incident and assist in those steps as needed.

- C. Advise their investigative chain of command in a timely manner of significant events based upon established bureau protocols.
- D. Denote the appropriate investigative information in an offense or supplemental report for the incident.

VIII. FOLLOW-UP INVESTIGATIONS

In conducting the follow-up investigation, sworn members are responsible for analyzing the information from the preliminary investigation in an effort to effect the arrest of the suspect, and – if applicable – recover stolen property. Sworn members conducting follow-up investigations shall complete the tasks listed below.

- A. Review the Department reports prepared in the preliminary investigation, to include the original offense report and all related:
 - 1. Supplemental reports,
 - 2. Cross-referenced offense/incident reports, and
 - 3. Property and evidence receipts.
- B. Conduct follow-up interviews of victims, witnesses and suspects.
- C. If needed, contact the preliminary investigating officer, or other persons who may have information about the crime (e.g., confidential informants).
- D. Complete all appropriate database checks (e.g., IIQ, CrimeNtel) in an effort to learn about:
 - 1. Persons and locations involved in the investigation, and
 - 2. Other incidents connected to the investigation.
- E. When needed, plan, organize and conduct searches for evidence, and facilitate the collection of any evidence found as a result of a search.
- F. Whenever possible, identify, locate and arrest the suspect in the crime, to include:
 - 1. Assessing the suspect's involvement in other criminal activity,

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2. Conducting appropriate criminal history checks and other intelligence gathering checks on the suspect(s), and
 3. Requesting assistance from other Department work units in the efforts to identify, locate and arrest the suspect (e.g., Career Criminal Unit, Tactical Apprehension and Control Team, Criminal Intelligence Unit).
- G. Upon completion of the investigation, ensure all appropriate documents are completed.
- H. Upon completion of the investigation with an arrest, or when an arrest warrant is issued, ensure the case is prepared for court presentation in compliance with established bureau protocols.

IX. INTERVIEW AND INTERROGATION PROTOCOLS – GENERAL

- A. Members who conduct interviews and interrogations in the course of preliminary and follow-up investigations are responsible for conducting such activities in accordance with case law, state statute and applicable general orders, to include at a minimum:
1. Refrain from coercion before and during an interview or interrogation,
 2. When appropriate (e.g., custodial interrogation), advise the person of their Miranda Rights,
 3. Do not interview or interrogate a person if they invoke their right to have legal counsel present (unless once legal counsel is present, the person indicates a desire to be questioned), and
 4. When an interpreter is needed for an interview or interrogation of a non-English speaking victim, witness or suspect, members are responsible for following the procedures in PTL-18 (Hearing Impaired/Limited English Proficiency Communications Protocols).
- B. After the Miranda warnings are read, arrestees and detainees who are willing to speak with members should be debriefed about:
1. Their involvement in other crimes,
 2. The location of illegal firearms, contraband or stolen property,
 3. The location of any wanted or missing persons, and

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4. Their knowledge of any serious or violent crimes committed in the area.
- C. When interviewing a person who reports to be a sexual battery victim, members shall make no effort to have the person submit to any deception detection device (e.g., Computer Stress Voice Analyzer, Polygraph).
- D. Audio and video recordings of interviews and interrogations are considered evidence, and members:
 1. Shall only use Department-issued recording equipment,
 2. Shall treat the recording as evidence and follow appropriate impoundment procedures, and
 3. May make a copy of the recording for investigative or prosecutorial purposes.

X. INTERVIEW AND INTERROGATION PROTOCOLS – SPECIAL NEEDS

- A. When interviewing or interrogating a person with a hearing impairment, members are responsible for following the procedures in PTL-18.
- B. When interviewing or interrogating a person with suspected mental illness, members shall adhere to the protocols listed below.
 1. Making an assessment whether or not the person is stable enough to participate in an interview or interrogation, and in doing so should:
 - a. If possible, determine if the person is prescribed any medication(s) for the mental illness, and as applicable:
 - 1) The types of medication(s) prescribed,
 - 2) Whether the person is taking the medication(s) as prescribed, and
 - 3) When the person took the last dose of the medication(s).
 - b. If possible, ascertain the name and contact information of the person's doctor or counselor treating the mental illness.
 2. Be mindful of the mental illness when conducting the interview or interrogation.

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3. Take extra efforts to ensure the mentally ill person understands the investigative and questioning process (e.g., detailed explanation of the interview process, having a trusted friend present).
 4. Avoid any activity which would be perceived by the mentally ill person, or others who may observe the interview or interrogation, as being coercive in consideration of the person's mental illness.
 5. As needed, make contact with a mental health professional for assistance with the interview or interrogation (e.g., Leon County Court's Mental Health Coordinator, Apalachee Center, Ability 1st, Florida State University's Crisis Management Unit, Tallahassee Chapter of the National Alliance on Mental Illness).
 6. Articulate the mentally ill person's awareness of their surroundings (e.g., day and date, where they are, what they are being questioned about) in the appropriate offense report.
- C. When interviewing or interrogating a person diagnosed with autism or an autism spectrum disorder, *and upon the request of the person (or their parent or guardian)*, members shall make a good faith effort to ensure a psychiatrist, psychologist, mental health counselor, special education instructor, clinical social worker, or related professional is present at all interviews or interrogations of the person.
1. Members are not required to verify or substantiate a person's statement that they have autism or an autism spectrum disorder.
 2. Members are not required to summon a professional as described above, on behalf of the person, for any interview or interrogation.
 3. Members shall render reasonable assistance to the person to be interviewed/interrogated (or their parent/guardian) in contacting such a professional (e.g., use of telephone or phone directory).
 4. Members shall utilize reasonable judgment in deciding whether or not to delay (or how long to delay) an interview or interrogation to facilitate the presence of the professional in the interview/interrogation.
 5. The requesting parent, guardian, or individual is responsible for all expenses related to the attendance of the professional at an interview or interrogation.

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6. State law requires the professional “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 is certified in special education with a concentration focused on persons with autism or an autism spectrum disorder,” but it is not the responsibility of members or the Department to ensure the person meets those qualifications.
7. Failure to have a professional as described above present at the time of an interview/interrogation is not a basis for suppression of any statement or the contents of the interview/interrogation.

XI. INTERVIEW AND INTERROGATION PROTOCOLS – JUVENILES

- A. In conducting an interview with a juvenile, members shall be mindful of the special legal status of juveniles and are responsible for adhering to the interview protocols set forth in General Order 32 (Juvenile Procedures and Programs).
- B. In conducting an interrogation of a juvenile, members shall be mindful of the special legal protections afforded juveniles and are responsible for adhering to the interrogation protocols set forth in General Order 32.

XII. TELEPHONE INTERVIEW PROTOCOLS

- A. Members may find it tactically or practically necessary to conduct telephone interviews during an investigation, but they:
 1. Should conduct all victim and witness interviews in person, and
 2. Shall attempt to conduct all suspect interviews in person.
- B. In conducting telephone interviews of victims, witnesses or suspects, members are responsible for verifying the identification of the person being interviewed, and shall have the person being interviewed:
 1. State their name,
 2. Provide the last four digits of their social security, or driver’s license number, and
 3. Provide details specific to the incident, or other verifying information, so a reasonable person would conclude the correct person is being interviewed.

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- C. Members conducting telephone interviews shall include the interview information in a supplemental report and clearly indicate the interview was a telephone interview.
- D. Investigators shall adhere to their bureau's established protocols regarding the recording of telephone interviews.
- E. Officers conducting telephone interviews are encouraged to audio record the interview, and if so recorded, record the conversation in such a manner to capture the entire conversation including the identification verification information.
- F. When audio recording a telephone interview, members:
 - 1. Shall only use Department-issued recording equipment,
 - 2. Shall treat the recording as evidence and follow appropriate impoundment procedures, and
 - 3. May make a copy of the recording for investigative or prosecutorial purposes.

XIII. CIB INTERVIEW ROOM PROTOCOLS

General Information –

- A. The designated rooms for interviews and interrogations by officers and investigators are the interview rooms of CIB, both the small designated rooms adjacent to the CIB lobby and the larger designated rooms inside the bureau offices.
- B. Each CIB interview room shall be equipped with a table and at least two chairs.
- C. Officers and investigators should conduct suspect or arrestee interviews and interrogations in one of the larger interview rooms.
- D. No member shall hold, secure, interview or interrogate a juvenile in one of the small interview rooms.
- E. When suspect or arrestee interviews and interrogations are being conducted in the larger interview rooms, the responsible member, or designee, shall ensure the "interview being conducted" light is activated via the wall switch inside the interview room.

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- F. Members shall ensure the peephole on each interview room door is never covered from either side of the door.
- G. When interviews or interrogations are being conducted within CIB interview rooms, other members nearby shall:
 - 1. Keep ambient noise to a minimum, and
 - 2. Be alert to sounds of officer-in-distress coming from the interview room.
- H. Members not directly involved in the investigation shall refrain from interacting with the suspect or arrestee, or entering the interview room during an interview or interrogation unless:
 - 1. Requested to do so by the sworn member(s) involved in the investigation, or
 - 2. An exigent circumstance requires it (e.g., fight, escape attempt).
- I. Absent exigent circumstances (e.g., a fight, escape attempt), the number of officers/investigators allowed in the interview room during an interview or interrogation should be no more than two.
- J. Sworn members shall prohibit suspects and arrestees from interacting with civilian CIB members or non-sworn bureau visitors unless for a legitimate law enforcement purpose.
- K. Members shall adhere to applicable protocols of General Order 16 (Digital Audio/Video Recording System) in recording interviews and interrogations.

Security Concerns –

- L. Members shall ensure arrestees are thoroughly searched prior to, or contemporaneously with, being brought into CIB for an interview or interrogation.
- M. During interviews and interrogations – as at all other times while in close proximity to a suspect or arrestee – members shall be mindful of weapon and firearm retention and safety protocols.
- N. If during an interview or interrogation, the suspect or arrestee becomes uncontrollably disruptive or violent, the member having custody of the person shall take prudent and immediate actions to remove the person from the

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bureau and have the person transported to the appropriate medical or detention facility.

- O. Except as noted below, members shall not leave suspects or arrestees alone in a CIB interview room.
1. Properly restrained arrestees may be temporarily left alone when:
 - a. The person is being monitored by a sworn member on a live-feed video monitor within the bureau offices, or
 - b. A sworn member is maintaining an unobstructed view of the person from just outside the interview room.
 2. Unrestrained suspects may be temporarily left alone when:
 - a. The person is being monitored by a sworn member on a live-feed video monitor within the bureau offices, and a sworn member is posted just outside the interview room, or
 - b. A sworn member is maintaining an unobstructed view of the person from just outside the interview room.
- P. In situations described in subsection O above, each and every sworn member in immediate contact with the arrestee or suspect is responsible for coordinating with other involved sworn members in fulfilling the protocol.
- Q. If the interview room door is equipped with an exterior slide lock, the following protocols are applicable:
1. The officer/investigator conducting the interview, or another member as needed, may engage the slide lock when exiting the interview room.
 2. All the protocols of subsection O above remain in force.
 3. The slide lock shall not be engaged when an officer/investigator is in the room.
 4. No other locking device is authorized to supplement the slide lock.
- R. Members shall ensure arrestees are handcuffed and shackled with leg irons at all times while in the main bureau offices of CIB.
1. The handcuffs and leg irons shall be double-locked when in use.

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2. If a member believes a variation from this policy is needed for a particular incident, a CIB sergeant or commander shall be consulted for a decision on the matter.
- S. Members involved in an interview or interrogation in a CIB interview room who need the assistance of other sworn members to quell a physically hostile person or an escape attempt shall use prudent and logical means to attract the attention of others. Such means include:
1. Verbally calling out for assistance,
 2. If available, utilizing the police radio (transmission or emergency alert button), or
 3. If available, utilizing a cellular telephone to summon assistance.
- T. In the event of a disturbance with a person being interviewed or interrogated in a CIB interview room, sworn members aware of the disturbance and within proximity to assist shall do so without delay.

Restroom/Comfort Breaks –

- U. Sworn members conducting interviews or interrogations shall be mindful of a suspect's or arrestee's need for restroom/comfort breaks and water.
- V. Sworn members shall accompany suspects and arrestees to the restroom if that need arises, and shall ensure the following:
1. The sworn member(s) performing the escort are the same gender of the suspect or arrestee,
 2. Non-sworn members, volunteers, and non-sworn bureau visitors do not occupy the restroom during the time the suspect or arrestee is there,
 3. The only sworn members, or other sworn law enforcement officers, present are the ones providing the escort to the restroom, and
 4. No more than one suspect or arrestee is allowed in the restroom at a time.
- W. If there is a need to temporarily remove an arrestee's handcuffs during a restroom break, the sworn member(s) escorting the person shall ensure:
1. The leg shackles remain secure on the arrestee,

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2. There is more than one sworn member present for the escort, and
3. If appropriate, the arrestee is handcuffed to the handrail of the toilet stall.

XIV. EVIDENCE PROTOCOLS

- A. In the securing, collecting and releasing of evidence in an investigation members are responsible for adhering to the standards set forth in General Order 42 (Impounding and Controlling of Property and Evidence).
- B. Members shall not remove or transport evidentiary items from the Property and Evidence Unit except for a legitimate investigative or prosecutorial purpose.
- C. When 911 emergency telephone line recordings exist in a criminal case, members shall adhere to the protocols listed below.
 1. A copy of the 911 recording may be impounded as evidence in a criminal case.
 2. The 911 recording cannot be played for anyone other than sworn members and prosecuting attorneys from the State Attorney's Office or the United States Attorney's Office.
 3. All other inquiries regarding a 911 recording shall be directed to the office of Leon County Emergency Management.
- D. All evidentiary items resulting from investigative work shall be impounded in the manner established in General Order 42. Examples include:
 1. Photographic Lineups –
 - a. The photographs used in a photographic lineup (regardless of positive suspect identification).
 - b. The PD 295 (Instruction, Admonition & Affidavit – Photographic Lineup [Independent Administrator]) or the PD 296 (Instruction, Admonition & Affidavit – Photographic Lineup [Functional Equivalent Procedure]).
 - c. Any audio or video recording of the lineup procedure.
 - d. It is not necessary to impound the folders and blank photos used in the lineup procedure.

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2. Physical Lineups –
 - a. The video recording of a physical lineup (regardless of positive suspect identification).
 - b. The PD 297 (Instruction, Admonition & Affidavit – Physical Lineup).
 3. A single photograph or digital image used in lieu of a photographic lineup as authorized in General Order 81 (Lineups and Show-ups), regardless of positive suspect identification.
 4. Video recording of a show-up, and/or any photograph(s) of a person who was the subject of a show-up (regardless of positive suspect identification).
 5. Sworn statements or any other form of official documentation (e.g., written confessions or denials) which is part of a criminal investigation.
- E. Regarding the evidentiary items cited in subsection D above, members:
1. Shall document the existence and impounding of the evidentiary items in the appropriate report (i.e., original or supplemental), and
 2. Should make copies of the evidentiary items for their case file.

XV. WRITTEN STATEMENT PROTOCOLS

- A. When obtaining written statements from witnesses, victims, or suspects, members are responsible for adhering to applicable constitutional, statutory, and case law provisions.
- B. Members shall ensure statements are given freely, without duress or coercion, and proceeded by a reading and understanding of either the:
 1. Miranda Rights – For suspects during a custodial interrogation, or
 2. Administration of Oath/Perjury Warning – For victims, witnesses, and suspects not the subject of a custodial interrogation.
- C. Members shall ensure statements are legible, and inclusive of the following:
 1. The identification of the person giving the statement to include their name, address, and telephone contact information,

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2. The Department case number for the incident,
 3. The date, location, and time of the statement,
 4. Names of persons present while the statement was obtained, and
 5. All relevant information pertaining to the incident of which the person providing the statement has knowledge.
- D. Members shall ensure statements are written on an acceptable document, with an acceptable writing instrument:
1. The statement should always be written with an ink pen, preferably with black ink,
 2. The statement should be written upon a Department supplemental report or other Department form designed for a written statement, and
 3. If a Department supplemental report or written statement form is unavailable, plain paper or similar document is acceptable.
- E. Members shall not request a written statement of a person without first providing some explanation of:
1. The purpose of the written statement, and
 2. The information needed in the written statement.
- F. When someone is unable or unwilling to provide a written statement, but still wants to provide a statement concerning an event, the member shall either:
1. Relay the oral statement's contents in a Department offense report, or
 2. Have the oral statement dictated to another person for transcribing into a written statement, and:
 - a. Have the person providing the statement verify the statement's contents, and
 - b. Ensure a member witnesses the verification.
- G. Members should use their interview skills to assist the person with completing the statement.

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H. Members shall summarize their interview of the person providing the written statement in an offense report for the incident.

History: previous title (*crime scene investigations*) – issued 07/15/1985, revised 12/28/1995, retired 11/05/2001. current title – issued 11/05/2001, revised 07/21/2009, 12/10/2009, 07/21/2011, 07/08/2014, 11/24/2014, 07/27/2015, and 10/05/2016.